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December 9, 2011

The Honorable William L. Daley
Chief of Staff
The White House
Washington, D.C. 20500

Dear Mr. Daley:

It has come to my attention that on October 13, 2011, you received a letter expressing grave concerns about the leadership and management style of Nuclear Regulatory Commission (NRC) Chairman Gregory Jaczko.¹ The letter, signed by all four of Chairman Jaczko's fellow Commissioners, is attached for your ready reference. It alleges that the Chairman's behavior is jeopardizing the ability of the NRC to perform its critical mission. The Commissioners stated:

We believe that [Chairman Jaczko's] actions and behavior are causing serious damage to this institution and are creating a chilled work environment at the NRC. We are concerned that this will adversely affect the NRC's essential mission protect the health, safety and security of the American people.²

Chairman Jaczko's colleagues cited specific examples of his behavior that led them to take the extraordinary step of calling this matter to your attention. In fact, for more than 18 months, the Commission attempted to manage the Chairman's increasingly erratic behavior behind closed doors.³ The Commissioners' efforts to do so were "received only as encouragement for further transgressions."⁴ According to his colleagues, Chairman Jaczko has:

¹ Letter from NRC Commissioners Kristine Svinicki, George Apostolakis, William Magwood IV, and William Ostendorff to White House Chief of Staff William L. Daley (Oct. 13, 2011).

² *Id.* at 1.

³ *Id.* at 2.

⁴ *Id.*

- Intimidated and bullied senior career staff to the degree that he has created a high level of fear and anxiety resulting in a chilled work environment;
- Ordered staff to withhold or modify policy information and recommendations intended for transmission to the Commission;
- Attempted to intimidate the Advisory Committee on Reactor Safeguards, a legislatively-chartered independent group of technical advisors, to prevent it from reviewing certain aspects of NRC's analysis of the Fukushima accident;
- Ignored the will of the majority of the Commission, contrary to the statutory functions of the Commission; and
- Interacted with us, his fellow Commissioners, with such intemperance and disrespect that the Commission no longer functions as effectively as it should.⁵

This letter raises serious questions about Chairman Jaczko's conduct and ability to lead the NRC in a manner befitting the trust placed in him by the President – who designated him – and American citizens – who rely on an efficient and effective nuclear regulator to protect their health, safety and security.

The President has the authority to take action to address these concerns. Chairman Jaczko serves at the pleasure of the President. In addition, under the Energy Reorganization Act of 1974, section 201(e), the President may remove any member of the Commission for "inefficiency, neglect of duty, or malfeasance in office."⁶ The White House has now been aware of the Commissioners concerns for nearly two months, and the public deserves to understand what actions have been taken and whether the President still believes that Chairman Jaczko is capable of leading the NRC.

The Committee will be exploring these and other concerns at a hearing on December 14, 2011 at 10:00 a.m. To better inform the Committee and the public about how the White House is responding to these allegations, I invite you to designate a witness for our hearing. Although I appreciate the short notice of this request, I am hopeful that given the urgency of this matter, you or a designee will be able to inform the Committee about what is being done to preserve the integrity of the NRC and its mission.


⁵ *Id.* at 1.

⁶ Energy Reorganization Act of 1974, §201(e).

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Instructions for witnesses appearing before the Committee are contained in the enclosed Witness Instruction Sheet. In particular, please note the procedures for submitting written testimony at least two business days prior to the hearing. We ask that you please contact the Committee by noon on December 12, 2011, to confirm your attendance. If you have any questions, please contact John Ohly of the Committee staff at (202) 225-5074.

Sincerely,



Darrell Issa
Chairman

Enclosures

cc: The Honorable Elijah E. Cummings, Ranking Member