

April 5, 2006

The Honorable George V. Voinovich  
Chairman, Subcommittee on Clean Air,  
Climate Change and Nuclear Safety  
Committee on Environment and Public Works  
United States Senate  
Washington, D.C. 20510

Dear Mr. Chairman:

Thank you for the opportunity to testify before the Committee on March 9, 2006, on the U.S. Nuclear Regulatory Commission's (NRC's) programs. During the hearing, Senator Carper asked how the Committee can help the NRC better accomplish its mission. In response, the Commission agreed to provide the Committee specific information on current space requirements and on legislation needed in this area that would support our accelerated hiring program for the work associated with new reactor licensing. The Committee's assistance in two specific areas would be of great value to the NRC: legislative authority for the General Services Administration (GSA) to acquire immediately space as close as possible to the NRC headquarters location and legislation relief to accelerate the space acquisition process.

The NRC will soon exhaust all available office space in the current headquarters buildings despite concerted efforts to utilize all available space for workstations. The space shortage is particularly acute because the NRC needs to expand its staff to accommodate anticipated new work. The Commission recommends legislative action that would provide GSA the authority to acquire immediately NRC headquarters space as close as possible to our current location.

Congressional action is also needed to release GSA from the competition requirements of the acquisition process. GSA has been responsive to our February 10, 2006, request detailing our requirements for an additional 100,000 square feet of permanent building space. We are working with them to prepare the necessary documentation to acquire the space through the established portfolio acquisition process for Congressional approval. However, this process will not result in occupancy of our permanent building until FY 2009 at the earliest, which could deprive the NRC of a unique opportunity to extend our headquarters campus to the property very close to both buildings that is currently under development. The recommended language to accomplish both purposes is enclosed.

The property under development would provide sufficient office space to meet NRC's permanent needs. Acquiring this space would allow the NRC to maintain the consolidation benefits achieved in 1994 when the dispersed headquarters staff were finally consolidated in Rockville. One of the key benefits involves maintaining our incident response capability, which requires immediate assembly of technical staff from various NRC offices. It also provides a unique opportunity for NRC, GSA, and the developer to align the design and construction plans and lease terms as necessary to accommodate NRC's evolving space needs in an efficient and cost effective manner. To acquire this space, GSA must engage the developer in negotiations now, well ahead of the portfolio acquisition process and subsequent competitive acquisition schedule, or run the risk of losing the space to another interested party.

For many years, NRC was located in as many as eleven different locations in Montgomery County and Washington, D.C. The impact of these many detached locations was highlighted in NRC's Three Mile Island lessons learned report and in General Accounting Office (now Government Accountability Office) reports that cited the need for consolidation as essential to NRC's regulatory effectiveness and efficiency of operations. After many years of effort and with the support of Congress and the GSA, the NRC achieved consolidation at its two headquarters buildings in 1994.

Keeping the NRC staff consolidated substantially enhances NRC's ability to discharge our regulatory responsibilities. The Commission urges you to consider a legislative solution that would enable GSA to accelerate the space acquisition process.

The Commission appreciates the help and support that this Committee has provided, and we look forward to continuing to work with you in the future.

Sincerely,

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Nils J. Diaz

Enclosure:  
As stated

cc: Senator Thomas R. Carper

### Recommended Legislative Language

Notwithstanding any other provision of law relating to the acquisition or lease of real property, the General Services Administration is authorized to arrange for additional office space for the U.S. Nuclear Regulatory Commission (NRC) headquarters employees. Such space shall be as close as reasonably possible to the existing NRC campus in Rockville, Maryland, as determined by the NRC, to maintain NRC's regulatory effectiveness, efficiency, and emergency response capability.

Enclosure