

JOHN McCAIN  
ARIZONA

CHAIRMAN  
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# United States Senate

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September 13, 2005

Mr. William Outlaw  
Director, Congressional Affairs  
U.S. Nuclear Regulatory Commission  
One White Flint North  
Rockville, MD 20852-2738

Dear Mr. Outlaw:

I wish to bring to your attention a matter concerning [redacted] who has encountered a problem with his pending claim.

Because the situation is under your jurisdiction, I am respectfully referring this matter to you for consideration. I feel that this issue would be better addressed by you and request that you respond directly to [redacted]

Thank you.

Sincerely,

John McCain  
United States Senator

JM/xcs  
Enclosure(s)

Information in this record was deleted in  
accordance with the Freedom of Information Act.  
Exemptions: b  
FOIA/PA 2009-107

09/20... To EDO for Appropriate Action... Copy to: Chairman, Comrs, OGC, OIG  
OCA to Ack... 05-0466

H-2

# Snapshot Report: Incoming Constituent Message

Report Date: 7/18/2005

Staff: phx  
Address To: General  
Name: (b)(6)  
Address: (b)(6)  
Email: (b)(6)  
Home Phone: (b)(6)  
Work Phone: (b)(6)  
Salutation: (b)(6)  
Interest: MIGE  
Classification: (b)(6)

(b)(6)  
USA  
URL:  
Cell Phone:  
Fax:  
In Type: EML  
Organization:  
Personal:  
Reference #:  
Reply Ltr:  
Letter:  
Title:  
Group:

Message Body:  
Subject Desc: Casework???

Date Received: 7/15/2005 4:46:08 PM

(b)(6)

(b)(6) I am writing to you for two reasons. The first of which is that I am tired of the way the NRC has been working and I know it needs to change. This organization has a malaise that infects it from the inside out and prevents any kind of change from being accomplished. Another reason is that the NRC actively screws people that disagree with the Commission's established positions and going to someone such as you is the only way to stop them from succeeding.

(b)(6)

(b)(6)

(b)(6) I came to the NRC expecting to help Homeland Security by ensuring that the nuclear power plants were secure. I soon found out that was not to be the case. At one plant I went to, the security forces barely one the first exercise and failed the next two exercises miserably. After the first exercise I brought up my concerns to my team leader and I was ignored. The second exercise had the adversary force successfully completing the target set, but once again the team leader overruled that conclusion. The third exercise saw 80% of the adversary force survive the exercise and complete the target set. The other 20% was only eliminated after becoming lost. After this exercise, the team leader made the licensee place compensatory measures for one part of the site only. I returned to the headquarters and wrote the report for this exercise, which was written as a Red finding, which is the highest severity, due to the problems with the security at the site. I also voiced my concerns with my management. During the subsequent meetings that happened between the licensee and NRC management, the Red finding became a Green finding. The site was told it would be reinspected and it would have to be better prepared. When I challenged this decision, I was informed that this was the way it was going to be. I was told to rewrite the report, as some of the language was considered too harsh. I conducted an initial rewrite, downgrading the Red to a Yellow. I was told that the language still supported a finding and that it had to be changed. The report was then assigned to another (b)(6) completion.

# Snapshot Report: Incoming Constituent Message

Report Date: 7/18/2005

The NRC has a program called the Differing Professional Opinion (DPO) Program in which, theoretically, a person can write a DPO in order to attempt to change a decision that has been made. I considered writing a DPO and did some research. I located a NRC Inspector General report that stated they had conducted a survey and 100% of the respondents had reported that there was retaliation for using the DPO. I also checked with a colleague of mine who had written a DPO. After his DPO had been written, (b)(6)

(b)(6)

(b)(6)

I decided against the DPO.

(b)(6)

I find it coincidental that these problems have emerged after my complaints about the security of this site. While not happening right after the inspection, the timing is close enough to make me question. I also find other practices at the NRC interesting. (b)(6)

(b)(6)

## **Snapshot Report: Incoming Constituent Message**

Report Date: 7/18/2005

(b)(6)

I read in various reports from places like POGO and other sites about the lack of trust the NRC instills in people. Having been through all of the experiences I have with the NRC, I wholeheartedly concur with these beliefs and feel that the NRC is the least trustworthy place in the entire federal government. I feel that I have been screwed for trying to do my job and that makes me question everything that the NRC does.