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May 17, 2010

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The Honorable Gregory B. Jaczko
Chairman
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Dear Chairman Jaczko:

The recent arrest of New Jersey native and U.S. citizen, Sharif Mobley in Yemen raises a concern about security procedures at sensitive facilities in the United States. Earlier this year, Mr. Mobley was detained by Yemeni officials at which time it was learned that he has ties to al Qaeda. This is especially disturbing because Mr. Mobley reportedly worked previously as a maintenance contractor at several nuclear plants on the East Coast. While it is unclear exactly when Mr. Mobley established contact with al Qaeda, it is reasonable to suspect that he had – or actively sought – extremist ties while working at these facilities. If so, he may have been in a position to pass important plant details to al Qaeda. This is an alarming prospect, given that our public utility infrastructure is a known terrorist target.

Reports indicate that Mr. Mobley worked between 2002 and 2008 for a company which had maintenance contracts at six U.S. nuclear power plants in Pennsylvania, New Jersey, and Maryland. Media reports indicate that as late as 2008, Mr. Mobley was deemed eligible at least to have “vital access that allowed him into any area” of the New Jersey facility because no unfavorable information about him came to light in the course of approving his access.¹

Yemeni officials maintain that Mr. Mobley is “an Al Qaeda member involved in several terrorist attacks.” Though U.S. intelligence officials have not publicly confirmed this, they have indicated that he had “direct ongoing communication” with Anwar Al Awlaki, the radical Muslim cleric tied to the 9/11, Fort Hood, and Christmas Day attacks.²

¹ Joshua Rhett, “FBI Proves N.J. Man Linked to Al Qaeda, Hospital Attack in Yemen,” Fox News, March 11, 2010; “Al-Qaeda Suspect from NJ Worked at 6 Nuke Plants,” CBS News, March 13, 2010.

² Anthony L. Kimery, “A Growing Threat, AQAP Chief Anwar Awlaki Targeted for Assassination,” *Homeland Security Today*, April 8, 2010.

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I am familiar with the facility access procedures required of nuclear plant operators by the NRC. As Mr. Mobley's case may illustrate, I believe they may be insufficient. Because a background investigation is not required, existing evaluations conducted on individuals seeking plant access may not be sufficiently robust. The current procedures do not consider foreign travel or personal or professional associations, which may help detect extremist tendencies. Given the nature of nuclear facilities and the threat posed by al Qaeda, this is important information to ascertain.

Therefore, to assist the Committee in its oversight responsibilities, I respectfully ask that you provide the following information **no later than May 24, 2010**:

1. The Commission's opinion on the desirability of requiring background investigations as a condition of allowing "protected area" access at nuclear facilities;
2. The results of any inquiry the NRC has undertaken to evaluate the possibility that Mr. Mobley may have relayed critical information to al Qaeda and what steps the U.S. Government has taken in response.

The Committee has the facilities, procedures, and staff necessary to receive classified information, if necessary.

The Committee on Oversight and Government Reform is the main investigative committee in the U.S. House of Representatives. Pursuant to House Rule X, it has authority to investigate the subjects within the Committee's legislative jurisdiction as well as "any matter" within the jurisdiction of the other standing House Committees. This broad jurisdiction includes the oversight of Executive Branch management, operations, and administrative functions.

Thank you for your prompt attention to this very important matter. If you have any questions, please feel free to contact me at any time. Should your staff require additional information, they may reach Thomas Alexander, Senior Counsel, at (202) 225-5074.

Sincerely,


Darrell Issa
Ranking Member

cc: The Honorable Edolphus Towns, Chairman