

February 4, 2014

The Honorable Barbara Boxer
Chairman, Committee on Environment
and Public Works
United States Senate
Washington, DC 20510

Dear Madam Chairman:

The U.S. Nuclear Regulatory Commission (NRC) is proposing to amend its regulations concerning deliberate misconduct by licensees and other persons otherwise subject to the NRC's jurisdiction (known as the "Deliberate Misconduct Rule"). This proposed rule would incorporate the concept of "deliberate ignorance" as an additional basis on which to take enforcement action against persons who violate any of the NRC's Deliberate Misconduct Rule provisions. The NRC is also proposing to amend its regulations regarding challenges to the immediate effectiveness of NRC enforcement orders to clarify that the NRC staff has the burden of persuasion in showing that adequate evidence supports the grounds for the order and immediate effectiveness is warranted. In addition, the proposed rule would clarify the authority of the NRC's presiding officer to order live testimony in resolving these challenges. The proposed rule will be published in the *Federal Register* soon for a 90-day public comment period. For more information, see the enclosed proposed rule.

Sincerely,
/RA/

Amy Powell, Acting Director
Office of Congressional Affairs

Enclosure:
Federal Register notice

cc: Senator David Vitter

February 4, 2014

The Honorable Fred Upton
Chairman, Committee on Energy
and Commerce
United States House
of Representatives
Washington, DC 20515

Dear Mr. Chairman:

The U.S. Nuclear Regulatory Commission (NRC) is proposing to amend its regulations concerning deliberate misconduct by licensees and other persons otherwise subject to the NRC's jurisdiction (known as the "Deliberate Misconduct Rule"). This proposed rule would incorporate the concept of "deliberate ignorance" as an additional basis on which to take enforcement action against persons who violate any of the NRC's Deliberate Misconduct Rule provisions. The NRC is also proposing to amend its regulations regarding challenges to the immediate effectiveness of NRC enforcement orders to clarify that the NRC staff has the burden of persuasion in showing that adequate evidence supports the grounds for the order and immediate effectiveness is warranted. In addition, the proposed rule would clarify the authority of the NRC's presiding officer to order live testimony in resolving these challenges. The proposed rule will be published in the *Federal Register* soon for a 90-day public comment period. For more information, see the enclosed proposed rule.

Sincerely,
/RA/

Amy Powell, Acting Director
Office of Congressional Affairs

Enclosure:
Federal Register notice

cc: Representative Henry A. Waxman

February 4, 1014

The Honorable Ed Whitfield
Chairman, Subcommittee on Energy and Power
Committee on Energy and Commerce
United States House
of Representatives
Washington, DC 20515

Dear Mr. Chairman:

The U.S. Nuclear Regulatory Commission (NRC) is proposing to amend its regulations concerning deliberate misconduct by licensees and other persons otherwise subject to the NRC's jurisdiction (known as the "Deliberate Misconduct Rule"). This proposed rule would incorporate the concept of "deliberate ignorance" as an additional basis on which to take enforcement action against persons who violate any of the NRC's Deliberate Misconduct Rule provisions. The NRC is also proposing to amend its regulations regarding challenges to the immediate effectiveness of NRC enforcement orders to clarify that the NRC staff has the burden of persuasion in showing that adequate evidence supports the grounds for the order and immediate effectiveness is warranted. In addition, the proposed rule would clarify the authority of the NRC's presiding officer to order live testimony in resolving these challenges. The proposed rule will be published in the *Federal Register* soon for a 90-day public comment period. For more information, see the enclosed proposed rule.

Sincerely,
/RA/

Amy Powell, Acting Director
Office of Congressional Affairs

Enclosure:
Federal Register notice

cc: Representative Bobby L. Rush

February 4, 2014

The Honorable John Shimkus
Chairman, Subcommittee on Environment
and the Economy
Committee on Energy and Commerce
United States House
of Representatives
Washington, DC 20515

Dear Mr. Chairman:

The U.S. Nuclear Regulatory Commission (NRC) is proposing to amend its regulations concerning deliberate misconduct by licensees and other persons otherwise subject to the NRC's jurisdiction (known as the "Deliberate Misconduct Rule"). This proposed rule would incorporate the concept of "deliberate ignorance" as an additional basis on which to take enforcement action against persons who violate any of the NRC's Deliberate Misconduct Rule provisions. The NRC is also proposing to amend its regulations regarding challenges to the immediate effectiveness of NRC enforcement orders to clarify that the NRC staff has the burden of persuasion in showing that adequate evidence supports the grounds for the order and immediate effectiveness is warranted. In addition, the proposed rule would clarify the authority of the NRC's presiding officer to order live testimony in resolving these challenges. The proposed rule will be published in the *Federal Register* soon for a 90-day public comment period. For more information, see the enclosed proposed rule.

Sincerely,
/RAI

Amy Powell, Acting Director
Office of Congressional Affairs

Enclosure:
Federal Register notice

cc: Representative Paul Tonko

February 4, 2014

The Honorable Thomas R. Carper
Chairman, Subcommittee on Clean Air
and Nuclear Safety
Committee on Environment and Public Works
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

The U.S. Nuclear Regulatory Commission (NRC) is proposing to amend its regulations concerning deliberate misconduct by licensees and other persons otherwise subject to the NRC's jurisdiction (known as the "Deliberate Misconduct Rule"). This proposed rule would incorporate the concept of "deliberate ignorance" as an additional basis on which to take enforcement action against persons who violate any of the NRC's Deliberate Misconduct Rule provisions. The NRC is also proposing to amend its regulations regarding challenges to the immediate effectiveness of NRC enforcement orders to clarify that the NRC staff has the burden of persuasion in showing that adequate evidence supports the grounds for the order and immediate effectiveness is warranted. In addition, the proposed rule would clarify the authority of the NRC's presiding officer to order live testimony in resolving these challenges. The proposed rule will be published in the *Federal Register* soon for a 90-day public comment period. For more information, see the enclosed proposed rule.

Sincerely,
/RA/

Amy Powell, Acting Director
Office of Congressional Affairs

Enclosure:
Federal Register notice

cc: Senator Jeff Sessions

February 4, 2014

The Honorable Thomas R. Carper
Chairman, Subcommittee on Clean Air
and Nuclear Safety
Committee on Environment and Public Works
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

The U.S. Nuclear Regulatory Commission (NRC) is proposing to amend its regulations concerning deliberate misconduct by licensees and other persons otherwise subject to the NRC's jurisdiction (known as the "Deliberate Misconduct Rule"). This proposed rule would incorporate the concept of "deliberate ignorance" as an additional basis on which to take enforcement action against persons who violate any of the NRC's Deliberate Misconduct Rule provisions. The NRC is also proposing to amend its regulations regarding challenges to the immediate effectiveness of NRC enforcement orders to clarify that the NRC staff has the burden of persuasion in showing that adequate evidence supports the grounds for the order and immediate effectiveness is warranted. In addition, the proposed rule would clarify the authority of the NRC's presiding officer to order live testimony in resolving these challenges. The proposed rule will be published in the *Federal Register* soon for a 90-day public comment period. For more information, see the enclosed proposed rule.

Sincerely,
/RA/

Rebecca L. Schmidt, Director
Office of Congressional Affairs

Enclosure:
Federal Register notice

cc: Senator Jeff Sessions

Identical Letters sent to:

The Honorable Fred Upton with cc to Representative Henry A. Waxman
The Honorable Ed Whitfield with cc to Representative Bobby L. Rush
The Honorable John Shimkus with cc to Representative Paul Tonko
The Honorable Barbara Boxer with cc to Senator David Vitter

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OFFICE	OGC/RMR	OGC/RMR	RDB/ADM	OCA
NAME	A. Pessin	B. Jones	C. Bladey	A. Powell
DATE	1/22/2014	1/22/2014	1/29/2014	2/04/2014

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