



CHAIRMAN

UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

May 28, 2020

The Honorable Ron Johnson
Chairman, Committee on Homeland Security
and Governmental Affairs
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am submitting the annual report related to the protection of whistleblowers required by the "National Defense Authorization Act for Fiscal Year 2018" (Public Law 115-91) (the Act). Section 1097(d)(1) of the Act requires agencies to incorporate the protection of whistleblowers into job requirements and performance standards of supervisory employees. Thereafter, each agency must report annually to Congress the number of supervisors who failed to meet these critical standards, the reasons for the determination that they failed, and what performance-based or corrective actions were taken by the agency in response.

Since the passage of the Act, Federal agencies have received further direction from the Office of Special Counsel and the Office of Personnel Management indicating that joint guidance will be issued for agencies on the inclusion of whistleblower protection criteria in supervisory performance appraisals as required by the Act. While we await the guidance and new performance standards, I can report that the NRC had no confirmed violations of the Act during our last performance cycle of fiscal year 2019.

If you have any questions or need additional information, please contact me or have your staff contact Eugene Dacus, Director of the Office of Congressional Affairs, at (301) 415-1776.

Sincerely,

Kristine L. Svinicki

cc: Senator Gary C. Peters

Identical letter sent to:

The Honorable Ron Johnson
Chairman, Committee on Homeland Security
and Governmental Affairs
United States Senate
Washington, DC 20510
cc: Senator Gary C. Peters

The Honorable Carolyn B. Maloney
Chairwoman, Committee on Oversight
and Reform
United States House of Representatives
Washington, DC 20515
cc: Representative Jim Jordan

The Honorable John A. Barrasso
Chairman, Committee on Environment
and Public Works
United States Senate
Washington, DC 20510
cc: Senator Thomas R. Carper

The Honorable Mike Braun
Chairman, Subcommittee on Clean Air
and Nuclear Safety
Committee on Environment and Public Works
United States Senate
Washington, DC 20510
cc: Senator Sheldon Whitehouse

The Honorable Frank Pallone, Jr.
Chairman, Committee on Energy
and Commerce
United States House of Representatives
Washington, DC 20515
cc: Representative Greg Walden

The Honorable Bobby L. Rush
Chairman, Subcommittee on Energy
Committee on Energy and Commerce
United States House of Representatives
Washington, DC 20515
cc: Representative Fred Upton

The Honorable Paul Tonko
Chairman, Subcommittee on Environment
and Climate Change
Committee on Energy and Commerce
United States House of Representatives
Washington, DC 20515
cc: Representative John Shimkus