

June 14, 2004

COMMISSION VOTING RECORD

DECISION ITEM: SECY-04-0073

TITLE: SURVEY TO MEASURE OPENNESS

The Commission (with Chairman Diaz and Commissioner Merrifield agreeing) approved the subject paper as recorded in the Staff Requirements Memorandum (SRM) of June 14, 2004. Commissioner McGaffigan disapproved the paper.

This Record contains a summary of voting on this matter together with the individual vote sheets, views and comments of the Commission.

Annette L. Vietti-Cook
Secretary of the Commission

Attachments:

1. Voting Summary
2. Commissioner Vote Sheets

cc: Chairman Diaz
 Commissioner McGaffigan
 Commissioner Merrifield
 OGC
 EDO
 PDR

VOTING SUMMARY - SECY-04-0073

RECORDED VOTES

| | APRVD | DISAPRVD | ABSTAIN | NOT PARTICIP | COMMENTS | DATE |
|------------------|-------|----------|---------|-----------------|----------|---------|
| CHRM. DIAZ | X | | | | X | 6/3/04 |
| COMR. McGAFFIGAN | | X | | | X | 5/11/04 |
| COMR. MERRIFIELD | X | | | | X | 6/7/04 |

COMMENT RESOLUTION

In their vote sheets, Chairman Diaz and Commissioner Merrifield approved the staff's recommendation and provided some additional comments. Commissioner McGaffigan disapproved the paper. Subsequently, the comments of the Commission were incorporated into the guidance to staff as reflected in the SRM issued on June 14, 2004.

Commissioner Comments on SECY-04-0073

Chairman Diaz

I approve the staff proposal to conduct a limited survey of targeted stakeholders as a tool to measure results in achieving our strategic goal of ensuring openness. The NRC's definition of openness as described in the FY 2004-2009 Strategic Plan must be clearly understood as a part of our data mining efforts. The survey questions must be focused in a manner that will provide information relevant to our performance as an effective and efficient regulatory agency. I believe that the survey should contain questions that ascertain stakeholder views concerning the quality of NRC's openness in the following areas: (1) credibility as a regulator, (2) effectiveness in clearly communicating factual information and (3) responsiveness to stakeholders concerns.

At this time, I support using the American Customer Satisfaction Index technique to establish the openness measure. In the future, other techniques may be useful in determining the effectiveness of our performance in this area.

Commissioner McGaffigan

I disapprove the staff proposal to conduct a survey to get a baseline measure of openness. I can think of many ways to make better use of \$70,000 of the taxpayers' money. We are currently hard pressed fiscally on many fronts in carrying out our core mission. NRR has warned that reviewing 192 security-related submittals from power reactor licensees by October 29, 2004, will mean that they will miss their operating plan target for completing other licensing actions. Our regions continue to be hard pressed to carry out all the inspections envisioned under the reactor oversight process. NRR is hard pressed on numerous rulemakings. We have yet to do a single security-related rulemaking. NMSS is not fully budgeted for updating our high-risk source interim database and for the follow-on permanent database called for in the IAEA Code of Conduct for Safety and Security of Sources. The Office of International Programs needs resources for a variety of Commission-endorsed international initiatives. I could go on and on.

I am previously on record as deeply skeptical about the value of such surveys (see my vote on SECY-00-0035). I regard this proposal as SECY-00-0035 warmed over. The staff proposes to use the same contractor (ACSI) and the same technique, this time to measure openness, previously to measure public confidence. I can not imagine that the drafters of the Government Performance and Results Act (GPRA) possibly could have wanted technical regulatory agencies to be hiring contractors to do surveys on how open they are with a general public, even near our reactor sites, largely oblivious to our existence. If we are going to use our limited resources for surveys of segments of stakeholders let's use them for something closer to our core mission, such as a survey of informed stakeholders about the technical competence of our staff in carrying out its oversight, licensing or research functions.

Commissioner Merrifield

I concur with the vote of Chairman Diaz.