

**Opening Statement**  
**Chairman Fred Upton**  
**Subcommittee on Environment and the Economy and Subcommittee on**  
**Energy and Power Hearing on “NRC Policy and Governance Oversight”**  
**July 24, 2012**

*(As Prepared for Delivery)*

Thank you, Chairmen Shimkus and Whitfield for holding this important and timely hearing. I'm pleased for this opportunity to personally relay the concerns that folks in Southwest Michigan have regarding recent news reports of degraded performance of the Palisades nuclear plant. I share those concerns and have raised them with Entergy officials. I understand they have made many management changes and have very detailed plans about how to restore Palisades to the high level of safety that we all expect. While I'm encouraged by Entergy's commitment to resolve the situation, I will continue monitoring this issue closely, working directly with the company, as well as the NRC. I look forward to asking questions of the Commission on this issue.

With regard to NRC governance, Congress recognized in 1974 that one person should not be able to dictate what constitutes nuclear safety. They gave that responsibility to a commission of five people to consider complex issues collegially and in a manner that maximizes the benefit of nuclear technology while protecting the public. Collegiality is not just a buzzword, it is a critical safeguard against ill-considered policymaking by any single Commission member.

Following the Three Mile Island accident, Congress passed the Reorganization Plan of 1980 to address organizational weaknesses and clarify lines of authority. The Reorganization Plan shifted a certain amount of authority from the Commission to the Chairman. While this approach served the nation well for nearly three decades, we have now witnessed how one person, intent on expanding the limits of his authority, can undermine the Commission's effectiveness. I am relieved the Jaczko era is officially behind us, but flaws have been exposed at the Commission that will need to be addressed.

As we've learned through our investigations and two Inspector General's reports, just a few of the former Chairman's actions include:

- Repeated attempts to influence or withhold agency staff information from the Commission;
- Intimidation and bullying of Commissioners and agency professionals creating a chilled work environment; and
- Use of the Office of Public Affairs to denigrate his colleagues and politicize and pressure commission policy positions.

In all my years on this Committee, I have never witnessed a situation like the past three years at the NRC. Last fall, four commissioners took the unprecedented step of privately alerting the White House Chief of Staff to the untenable situation. Sadly, the president's response was to turn a blind eye while the four eminently qualified commissioners, whom he nominated, were all

vilified by Chairman Jaczko's allies when their concerns became public. We must ensure history never repeats itself.

My hope is that Chairman Macfarlane recognizes that the NRC is no place for politics and that she will work collegially with her colleagues to mend the agency's credibility. I do welcome some of her recent public comments on this matter and look forward to today's testimony.