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HEARING ON THE NOMINATION OF ROBERT J. FEITEL, OF MARYLAND, TO
BE INSPECTOR GENERAL OF THE NUCLEAR REGULATORY COMMISSION

Tuesday, December 3, 2019

United States Senate

Committee on Environment and Public Works

Subcommittee on Clean Air and Nuclear Safety

Washington, D.C.

The committee met, pursuant to notice, at 3:08 p.m. in room 406, Dirksen Senate Office Building, the Honorable Mike Braun [chairman of the committee] presiding.

Present: Senators Braun, Carper, Cardin, Boozman, Ernst, Gillibrand.

STATEMENT OF THE HONORABLE MIKE BRAUN, A UNITED STATES SENATOR
FROM THE STATE OF INDIANA

Senator Braun. Good afternoon. Thanks to everyone for being here today. This hearing is called to order.

Today, we will be considering the nomination of Robert Feitel to be Inspector General of the Nuclear Regulatory Commission. If confirmed as Inspector General, Mr. Feitel will lead an independent office within the NRC to ensure the agency maintains its world-renowned reputation for safety, efficiency and program integrity.

As you know, the NRC not only regulates the American commercial nuclear sector, which is the largest in the world, with 96 licensed reactors, but it also serves as a global model or gold standard in the safe regulation of nuclear technology. The United States' nuclear power plants currently represent the largest fleet of reactors in the world. These reactors supply about 20 percent of our Nation's electricity.

Importantly, this nuclear power is the most reliable and one of the most cost-effective sources of clean baseload electricity. As the committee recently heard, U.S. nuclear plants are operating at historically high levels of safety and performance. This is a testament to the commitment and dedication of nuclear power plant operators. NRC's regulations provide the assurance that public health and safety are

protected.

However, maintenance and operational issues still might occur. Occasionally over the last four decades, reactors have temporarily shut down due to corroded pipes, cracks in critical equipment, and for a few other reasons. The industry learns valuable lessons each time from one of these incidents.

Today, the American civilian nuclear industry is facing another challenge. Abundant natural gas and wind and solar subsidies are placing significant economic pressure on nuclear power. The NRC plays a vital role in this regard. We all know that the industry needs a stringent, independent regulatory structure to ensure safe operation.

However, safety regulations must be risk-based. An inflexible and burdensome regulatory framework may result in the agency regulating the nuclear industry out of business.

The NRC is also facing challenges with staff retention and turnover, like many other businesses. This issue is a high priority for the commission itself, but also should be a priority for the next Inspector General.

If confirmed, Mr. Feitel will be the first new appointment for the NRC IG in over 25 years. If Mr. Feitel serves the same length of time, he will be the Inspector General for the relicensing or closure of nearly every currently operating nuclear plant.

Mr. Feitel's appointment comes at a pivotal time for both the industry and the NRC. The next Inspector General will be tasked with safeguarding the NRC's impressive track record. This means ensuring that the agency never strays from its primary objective of overseeing the safe operation of our nuclear fleet. This is why it is critically important that the NRC Inspector General is a person of integrity and independence.

I am pleased that President Trump has nominated Mr. Feitel for this position. The Chief of the DOJ's Capital Case Section, Richard Burns, noted in his letter to this committee that Mr. Feitel has exhibited the ability to provide a fair-minded, independent assessment of each case, to scrupulously adhere to his ethical obligations, and to follow the facts and evidence wherever they lead. These characteristics are necessary for any inspector general, but particularly in the NRC.

The committee also received a letter of support from Mr. Patrick Martin, the Chief of the Criminal Division in the D.C. U.S. Attorney's Office, who said, "Without a doubt, Mr. Feitel was one of the most conscientious and talented colleagues with whom I have had the pleasure to work with during my time in this office."

Mr. Feitel's character and service make him an ideal candidate for the NRC's Inspector General. I look forward to hearing his testimony today and to considering the nomination.

Now I would like to recognize Senator Cardin to introduce.

[The prepared statement of Senator Braun follows:]

STATEMENT OF THE HONORABLE BENJAMIN L. CARDIN, A UNITED STATES
SENATOR FROM THE STATE OF MARYLAND

Senator Cardin. Thank you, Mr. Chairman. After your acknowledgement of Robert Feitel, maybe I should just quit while we are ahead right now.

But let me, if I might, take the prerogative as the Senator from Maryland with pride to introduce Mr. Feitel to our committee and to welcome him and his family, and thank him for his public service.

I also have a connection in that the NRC's headquarters is located in Maryland. We take great pride that the NRC represents the global gold standard for nuclear safety. But it is critically important that the men and women who work at the NRC in carrying out this mission that the IG has their back to make sure that they can operate in an independent, non-partisan manner.

When you look at Mr. Feitel's record, it gives you great confidence that he has that ability to carry out this responsibility. As the Chairman said, the last IG was there for 20 some years. So they are big shoes to fill.

Mr. Feitel has extensive experience in public service, as Assistant General Counsel to the FBI, Assistant U.S. Attorney here in the District. Also Special Assistant U.S. Attorney in Washington and Virginia, tribal attorney for the Department of

Justice, the Capital Case Section. He served on the President's Task Force to review the Gitmo Bay Detainees, the Department of Justice Counterterrorism Unit. You can see a wide range of experience. He started all his legal training at the University of Maryland Law School, which shows his good judgment in the selection of the law school that he attended.

I talk frequently about the fact that here in the United States, we are blessed with an incredible group of public servants who work as a federal workforce. It is really somewhat of a hidden national asset, because they don't get the credit that they deserve. I think that Mr. Feitel represents the very best of public service represented by our federal workforce. So I am very proud to introduce him.

One last point, if I just might say, as you pointed out. The work of the NRC is critically important for public safety. We need to have an IG who will be non-partisan, who will deal with the most critical charge of rooting out misconduct, waste, fraud, theft, abuse, and mismanagement. And they must be beyond reproach.

Looking at Mr. Feitel's background, it gives me great confidence that he has the experience and he has the know-how to carry out this very important responsibility. I thank him for his willingness to serve in this capacity.

[The prepared statement of Senator Cardin follows:]

Senator Braun. Senator Carper, for opening comments.

STATEMENT OF THE HONORABLE THOMAS R. CARPER, A UNITED STATES
SENATOR FROM THE STATE OF DELAWARE

Senator Carper. Thanks, Mr. Chairman.

Mr. Feitel, welcome. Thank you for your willingness to take this on.

I would just say to the family members of yours in the audience, it is not uncommon for, at nomination hearings, for family to come. Sometimes it is a spouse. Sometimes it is a son, sometimes it is a daughter, it could be a parent, an aunt or uncle, brother or sister.

Just looking at this audience, as I look over your left shoulder, to my right, I have never seen a witness come before us who had three women who look they could be his wife, and all look just alike.

[Laughter.]

Senator Carper. They really do. We rarely have a situation when I say, which one is the mom.

[Laughter.]

Senator Carper. We are happy that you are here, we are happy that your family is here as well, and other friends, too. We appreciate your willingness, again, to serve as the IG at the Nuclear Regulatory Commission.

Since coming to the Senate almost 19 years ago, I have worked with both Republicans and Democrats on this committee to

strengthen what we call the culture of safety within the U.S. nuclear industry. That includes making sure that the NRC is an independent and transparent regulator, one that prioritizes safety above all other issues.

In part due to our collective oversight efforts and in part due to the NRC's dedicated staff, some of whom are here today, the U.S. nuclear industry remains one of the safest in the world, maybe the safest in the world. The NRC, we believe, is the world gold standard for nuclear regulatory agencies.

Today, there are still 96 nuclear reactors that are in operation in our Country. They are operating more efficiently, as has been noted already by the Chairman, more efficiently than ever before. And they are producing more than 50 percent of our Nation's carbon-free electricity. I will say that again. They are producing more than 50 percent of our Nation's carbon-free electricity.

As our Nation and other nations look to nuclear energy to help address the climate crisis, we cannot be complacent when it comes to nuclear safety. Now perhaps more than ever, the NRC and the nuclear industry must continue to be held to the highest standard. That means having a strong and independent NRC Inspector General.

If Mr. Feitel is confirmed, he will serve as one of the first lines of defense against fraud, against waste, against

abuse, against mismanagement, and misconduct across the NRC. If Mr. Feitel is confirmed, he will track and determine whether the NRC has the tools necessary to keep our Country's nuclear power the safest in the world. And if Mr. Feitel is confirmed, my colleagues in Congress and I will depend on him to keep us informed about the serious issues that may arise related to the NRC's program and to its operations.

Put simply, if confirmed as the NRC's Inspector General, Mr. Feitel will serve as watchdog for the safety of the American people, no small responsibility. In order to fill this critical role, I believe Mr. Feitel must bring integrity, independence, and transparency to the job every day. And we look forward today to hearing Mr. Feitel's testimony to get a better sense of his understanding of the important job for which he has been nominated and some of the values that he brings to the job.

We want to thank you again, Mr. Feitel, for joining us all here today. A special thank you to your family for their willingness to serve you with the American people. Thank you.

[The prepared statement of Senator Carper follows:]

Senator Braun. Thank you, Senator Carper.

Now I am going to recognize you, Mr. Feitel, for five minutes of opening statements and to introduce any of your family here, and go forward with that. We look forward to your testimony.

STATEMENT OF ROBERT J. FEITEL, OF MARYLAND, TO BE INSPECTOR
GENERAL OF THE NUCLEAR REGULATORY COMMISSION

Mr. Feitel. Thank you, Senator.

Good afternoon, Chairman Braun, Ranking Member Carper, and distinguished members of this subcommittee. I am humbled and honored to come before you as the nominee to be the Inspector General of the United States Nuclear Regulatory Commission.

I am grateful to the President for nominating me to such an important position, I am grateful to all of you and your staff, for considering my nomination, and for taking the time to meet with me prior to this hearing, and I am thankful that my family and friends could join me here today.

Seated behind me is my amazing wife of 25 years, Caroline.

Senator Carper. Would you ask your wife to raise her hand?

[Laughter.]

Mr. Feitel. And my two beautiful daughters, Grace and Camilla, who are quickly growing up to be such accomplished young women. I am incredibly proud of them. Also with me here today is my brother, Dave, my sister-in-law, Lorie, my niece, Alex, and several of my dear friends who were kind enough to join me. Thank you to you all.

I would like to begin by saying that I see the Inspector General role as critical for effective, efficient, and fair government. The Inspector General is literally on the front

lines in the fight against waste, fraud, abuse, and mismanagement.

The Inspector General must be non-partisan, and apolitical, as I am. I have worked through four administrations, two Democrat and two Republican.

The Inspector General must be unmoved by ever-changing political winds and constantly evolving threats of undue influence. It requires a person with the utmost integrity, honesty, independence, and fairness.

I believe that I possess each of these characteristics, as well as the substantive skill sets required of a government watchdog for the American people. I have been a lawyer for 29 years, and nearly 25 of those 29 years, I have been in public service, which for me is truly a calling, not just an occupation.

When I first entered federal service in 1995, I was thrilled to be joining what is still the Nation's preeminent law enforcement organization, the Federal Bureau of Investigation. As one might imagine, the legal issues confronting the FBI on a daily basis were, and continue to be, considerable and challenging. The experience I gained there would prove to be very beneficial as I embarked on a career as a federal prosecutor.

As a Special Assistant U.S. Attorney at the U.S. Attorney's

Office for the Eastern District of Virginia, my felony work focused on white collar fraud cases, and I was fortunate enough to be able to bring two of those cases to jury trial.

Afterwards, I served as an Assistant U.S. Attorney at the U.S. Attorney's Office for the District of Columbia, where I spent 12 years honing my investigative, writing, and trial advocacy skills, working on matters ranging from bank fraud to the most violent of offenses, and everything in between.

During my tenure there, I enhanced my national security bona fides, through my assignment to the President's Executive Order Task Force for the Review of Guantanamo Bay Detainees. This task force was a massive undertaking, a comprehensive audit and investigation of over 200 detainees, effectively an in-depth assessment of human capital from a range of perspectives.

It was a bipartisan, collaborative, inter-agency effort across the United States government, bringing together diverse interests, competing agendas, and varied political ideologies. Yet, despite all of these profound differences, the Task Force fulfilled its audit and investigative mission effectively and on time, producing a comprehensive report for Congress, to facilitate the most informed decision-making going forward.

No matter where I have worked, however, and no matter how tremendous the responsibility, I never lost sight of the need for strict compliance with constitutional norms, candor with the

tribunal, and strict compliance with the rule of law. Indeed, I see myself as a servant of the law. To me, this means doggedly pursuing the truth, wherever that road may lead, unfazed by fear or favor, not swayed by passion or prejudice, and unwavering in my commitment to justice and fairness.

Most recently, I have been working for the Capital Case Section, perhaps the smallest litigating section in the Department of Justice in terms of size, but certainly one of the largest in the context of ethical weight and responsibility. In this role, I am an advisor to the Attorney General of the United States and his Review Committee, ensuring fairness and consistency in the decision-making process on the appropriateness of seeking capital punishment in federal cases across the Country.

On occasion, I present these cases to juries, who must make the most difficult choice any juror ever faces. Thus, I am no stranger to working on issues that are exceedingly complex, and which draw fervent, passionate, competing views, because they are truly life and death issues.

Senators, I hope you will agree that my extensive experience and background, born of a quarter century of service to this Country, make me a promising candidate for the Inspector General position.

I am seeking your support, and I look forward to your

questions. Thank you.

[The prepared statement of Mr. Feitel follows:]

Senator Braun. Thank you, Mr. Feitel. Before we take questions from members of the subcommittee, I have to ask a few that we ask of all nominees on behalf of the committee. Do you agree, if confirmed, to appear before this committee or designated members of this committee and other appropriate committees of the Congress and provide information, subject to appropriate and necessary security protection with respect to your responsibilities?

Mr. Feitel. Yes, Senator, I do.

Senator Braun. Do you agree to ensure that testimony, briefings, documents and electronic and other forms of information are provided to the committee and its staff and other appropriate committees of jurisdiction in a timely manner?

Mr. Feitel. Yes, Senator, I do.

Senator Braun. Do you know of any matters which you may or may not have disclosed that might place you in any kind of conflict of interest if you are confirmed?

Mr. Feitel. No, Senator, I do not.

Senator Braun. Great. I appreciate those responses. I will begin by recognizing myself for five minutes of questions.

As we discussed in my office, reducing our Nation's debt, I think, should be a concern for all of us that serve in this body. As an entrepreneur and CEO, I look at the bureaucracy in Washington and see a lot of room for improvement. The NRC is

primarily funded through fees to its licensees. My Indiana constituents helped pay for the NRC for energy purchased from the D.C. Cook Nuclear Plant just across the Indiana-Michigan border.

If confirmed, how you would approach the Inspector General's role in ensuring that the NRC is accountable in how the agency manages its finances in an efficient and transparent manner?

Mr. Feitel. Well, Senator, if confirmed, I believe as the Inspector General I would have the programmatic ability to assess how that money is being spent. Obviously, if there is waste going on, or mismanagement of how it is being spent, that is a classic IG responsibility for investigation, inquiry and reporting to the Chair and Congress about what my findings would be in that situation.

Senator Braun. In your opening statement, you noted your service on the President's Executive Order Task Force for the Review of Guantanamo Bay Detainees. Can you describe for the committee how you will use that experience if confirmed?

Mr. Feitel. Well, Senator, I found that experience to be not only rewarding, but also quite frankly, inspiring. Because it was such a diverse group of political ideologies and competing agendas, and different agencies across the U.S. Government. Yet we all came together because we had a focused

mission, which was to accurately audit and investigate and assess each of these detainees, so that the decision-makers could make their best decision.

That involved an in-depth assessment of intelligence, a de novo review of intelligence, if you will, it was not taking everything at face value as it was coming in, but rather looking at it all over again with a fresh set of eyes. We did that, and we looked at all the detainees from a standpoint of their actual threat assessment to this Country, high level versus low level, their likelihood of recidivism, their likelihood of being able to repatriate into their home country, the likelihood that they could be relocated to a third party country, all these various factors that the decision-makers needed.

That was this bipartisan collaborative effort, and I think that is a tremendous lesson for me to show that, working in a collaborative fashion, we can get effective answers quickly and on time. That is what an IG really should be doing for the Chair and for this Congress, in my opinion, Senator.

Senator Braun. When I toured the Cook facility in Michigan, I was impressed by all the stigma that has been associated with nuclear plants. I think in our own Country, Three Mile Island. But to me, it looked like they had raised the level of scrutiny and safety to where I asked them, how many incidents did you have and so forth. I was very impressed.

I think that plants are operating at safer and safer levels. Our next conversation was well, what are you doing, are you going to apply for an additional 20 years and then maybe 20 years beyond that, and to note that it is 20 percent of our baseload supply.

I guess in any business you are constantly trading off risk associated with something and then trying to mitigate it. There could not be anything that personifies that more, I think, than maybe the task ahead for you.

So let me ask it in this way. A risk-based approach allows nuclear power plants to use innovation to prioritize and incentivize nuclear safety activities in a cost-competitive manner. If confirmed, will you build on the IG's previous work to balance the appropriate use of risk while preserving the focus on nuclear safety? How difficult do you think that balance will be?

Mr. Feitel. Well, Senator, the short answer is, yes, I will strive to achieve that balance. Obviously, as I am a nominee and on the outside, I am not privy to the details of the risk-informed decision-making that the chair of the NRC and her commissioners are involved in.

But if confirmed, I would certainly, to the extent that that process needed a closer look or a first look or a second look, I would be more than willing to do that as the Inspector

General, yes.

Senator Braun. Thank you. Senator Carper.

Senator Carper. Thanks. Again, thank you for joining us today. I would just say to our audience, especially to your wife and daughters, there aren't a lot of members sitting here on this side of the dais. That is a good thing. Because usually when there are a lot of us here, you are in trouble, or your nomination is. I think you should be encouraged by this modest turnout. We are happy to be here.#

I want to just talk to you for a moment. My staff was nice enough to prepare a couple of questions that I will ask you.

But I just want to ask you one right from my heart. That is, if you will think out loud for us about the values that guide you in your life that you think helped prepare you for this responsibility, where do those values come from? Where do they emanate from? How have you passed them on to others, including your own daughters, your own children? Please.

Mr. Feitel. Senator, I believe that my values came from two primary sources, family and faith.

Senator Carper. Two of my favorite F words. There you go. I say Thanksgiving is my favorite holiday, it has all my favorite F words, including family, faith, football, friends. It is just the best. Go ahead.

Mr. Feitel. Thank you. My parents, who unfortunately are

both deceased, raised three very solid young men, if I may say. Not so young anymore, I guess. But they instilled their values early on, and coupled with our faith, I think they raised honest gentlemen with integrity and compassion. They really did a lot for us. And I think of course, my faith did as well. But that is where I think it derives from, at least with respect to me.

Senator Carper. And the second half of my question is, how have you passed on those values to your own children?

Mr. Feitel. Well, I think my wife and I have done our best to instill those values, to keep it going, if you will. I think we have done a fairly good job. Sitting before you now are two very sweet, honest, hard-working, accomplished young women. I think the proof is in the pudding, as they say. The installation of the values seems to have taken hold, so I am very pleased about that.

Senator Carper. Good. In your career, have you ever taken an action that comes to mind, or maybe a couple of examples, that at the time were not politically popular, that you just felt that they were the right thing to do, and you did it even though they were not popular, they were not expedient, not easy. Can you give us a couple examples of that?

Mr. Feitel. Certainly. With respect to the first comment there, Senator, political popularity in my world is of no moment. The reason for that is I cannot --

Senator Carper. I can't say the same for us.

[Laughter.]

Mr. Feitel. As a prosecutor, as an FBI attorney, as a trial attorney in Justice, I cannot let politics factor into prosecutorial decisions and into investigative decisions and into charging decisions. That is not proper, and I wouldn't do it even if it were somehow allowed, but it is not.

With respect to overall decisions that I have made, though, that are just generally unpopular, I was known, when I was Assistant U.S. Attorney in Washington, D.C., as someone who did not hesitate to dismiss a case where I felt in my prosecutorial discretion that the evidence was either insufficient to go forward or was so lacking as to, if we went forward, the cost benefit analysis was such that it just wasn't worth it, because justice wouldn't be done there.

So I have always put justice first. I have never focused on whether the case is winnable or should be won. That never factored or will factor into my decision as a prosecutor. It is always about doing the right thing, as you say, Senator. I have tried to make that a guidepost for my life and also for my career.

Senator Carper. One more. In your experience, what are the hallmarks of independent oversight that inspectors general are sworn to conduct?

Mr. Feitel. The first hallmark, Senator, I would say, is not being swayed by any sort of political interference, but rather, going back to my prior point, always doing the right thing, always doing the right thing by the American people. Looking at the Nuclear Regulatory Commission to make sure that safety, safety, safety is our mantra, and that whatever I can do as an IG if confirmed enhances that mindset.

Independence, I have always been independent. I have never been moved by the winds of political change or what have you. I don't intend on doing that if confirmed.

Senator Carper. Okay. How will you ensure that the work of the Office of Inspector General maintains its independence?

Mr. Feitel. Well, I will instill that as a top-down culture, if confirmed, from the moment I get in. I will let everyone know if I am made to be the IG that we are not going to be anything but independent. That is a hallmark of the inspector general's office, of an OIG. I would insist on that from a top-down standpoint.

Senator Carper. I don't ask a lot of yes or no questions, or true or false questions. I am going to ask you a yes or no question. The question is this. Will you commit for us, if confirmed, that you will promptly inform this committee any time the commissioners at the Nuclear Regulatory Commission or any part of the Executive Office of the President refuse to provide

you and your team with information or attempts to stonewall an audit or investigation? Will you commit to doing that?

Mr. Feitel. Senator, if those folks are doing something unlawful or inappropriate, I will absolutely let this body know. I am all about following the rule of law. If anyone that I am looking at, if confirmed as IG, is not complying with the rule of law, that is something I would definitely bring to your attention, yes.

Senator Carper. All right, thank you. Thanks very much.

Senator Braun. Before the hearing started, you were talking about being born on the west coast and then moving to Maryland within close distance of the NRC, now, where you will be the Inspector General. What was your general impression of what you saw of it, living nearby, and just out of curiosity, in your wildest dreams, did you ever think you would be up for a nomination to be its Inspector General?

Mr. Feitel. It is a difficult question, Senator. I am not certain if I ever saw myself as being nominated as an inspector general. I definitely saw myself as a lifelong public servant. I am not sure I was able to discern in what specific role that would be, but I always saw myself as serving the American people.

I think the slight pivot, if you will, to the Inspector General role is, I have realized, I think it was a good one for

me to make. I am hopeful for it. But I definitely always wanted to serve.

Growing up in Rockville, I have certainly seen the changes, the dramatic increase in population density and traffic and all the things that go along with that. I actually remember when the Nuclear Regulatory Commission headquarters was built. I think at that time it was the tallest building in that general area. Maybe it is still today, I don't know.

I think that is about it, Senator.

Senator Braun. How far away is the closest nuclear facility? Because you do have some near you, right?

Mr. Feitel. Yes, I believe the closest one is Calvert Cliffs, which I believe is in Calvert County, in Maryland, maybe, I would say about a 40-minute drive in traffic.

Senator Braun. And you have lived there in your proximity to the NRC facility for how long?

Mr. Feitel. More or less my whole life.

Senator Braun. So since you are near the Regulatory Commission building, and you are near a facility, what is your general sense, just as a citizen, of what the feeling would be among fellow citizens about safety of nuclear power and possibly finding ways to extend its lifetime with facilities that are looking at extending licenses in your own backyard? What do you sense?

Mr. Feitel. Candidly, Senator, I am fine with that. I think the NRC, as one of your colleagues said earlier today, is the gold standard of global regulatory frameworks for the civilian use of radioactive materials. I, if confirmed, would like to build on that and do my best to ensure that gold standard title is maintained.

Senator Braun. Very good. Senator Carper.

Senator Carper. Senator Braun and I and Senator Cardin and I have the opportunity from time to time to go to schools, and to talk sometimes at elementary schools, sometimes it is a college, sometimes it is a junior college.

I like to tell a story about one particular elementary school, it was a kindergarten through grade five, I think there weren't any kindergarten kids in the assembly, but grades one through five. I spoke to them for about 10 minutes about what I do, what we do here.

This one little girl in the third grade raised her hand and said, what do you do? I explained that we get to help make the rules for our Country. I asked her, do you have rules at school? She said yes. I said, do you have rules at home? She said yes. I said, do you have rules on your school bus? She said yes.

I said, we have rules for our Country, and we call them laws. Along with 99 other Senators and 435 Representatives and

a President and Vice President, I get to help make the rules for the Country. She said, okay.

The little boy sitting next to her raised his hand and said, what else do you do?

[Laughter.]

Senator Carper. And I said, we help people. We help people in a lot of different ways.

There has been a fair amount of attention lately about putting a man or a woman on the moon again. I will never forget the story I heard years and years ago, when we were trying to do that. A fellow had an appointment to meet with somebody at Cape Canaveral, where they were going to do the launch for the Apollo mission. He got there late, most people had left for the day, it was after business hours. He was just trying to find the office where he was going to meet somebody.

It is a pretty big complex, and as he was going along, he came across a janitor. And he said to the janitor, told him what he was there for, but he said to the janitor, what do you do? The janitor said, I am helping to put a man on the moon. I am helping to put a man on the moon.

You in your responsibilities and those that you will surround yourself with if confirmed and the people that work at the NRC are doing more than just trying to make sure that we run our nuclear power plants safely and efficiently. The biggest

challenge we face right now, I think, on this planet, has to do with our atmosphere, all the carbon in our atmosphere. So you actually get to help, not put a man or woman on the moon, but you will have a chance to help preserve this planet as we know it. I just want to ask you to think out loud about that responsibility.

Mr. Feitel. Yes, Senator, if one is serious about climate change concerns, one must be serious about nuclear energy and what it can offer in a diverse energy mix in this Country. It is a wonderful, low-carbon emission source.

I think when viewed in the context of all the other energy sources that we have, it is certainly one that we should value and continue to work with to ensure safety, of course, but also to push forward as this body has done with the Innovation and Modernization Act, things of that nature to continue with the pursuit of nuclear energy as part of that diverse mix.

Senator Carper. One last thing I want to add, just maybe a couple words of advice, that if you are confirmed, you may want to keep in mind going forward. I love to talk to young people. Sometimes it is at a service academy, sometimes schools in Delaware, sometimes a Civil Air Patrol group or Boy Scouts or Girl Scouts. I love to talk to them about leadership.

I am a retired Navy captain, Vietnam veteran, last one actually in the Senate. I think a lot about leadership. I have

probably made every mistake a leader can make, almost. And I have learned from my mistakes.

One of the things I have learned along the way is to figure out what, when in a quandary, when you are facing tough decisions, asking, and you said these words already, what is the right thing to do, not what is easy or what is expedient. What is the right thing to do.

The other probably comes from your faith as well. If you look at every major religion in the world, every one of them, I don't care if it is Christianity, Judaism, Islam, Buddhism, Hindu, all of them, have in their sacred scriptures the golden rule, to treat other people the way you want to be treated, love thy neighbor as thyself. You can never go wrong by sticking to that one.

A third thing that I have learned is that good leaders focus on excellence in everything that they do. They like to say, if it isn't perfect, let's make it better. A really good leader surrounds himself with a terrific team of the best people that he or she can find. And when the team does well, the team gets the credit. And when the team falls short, the leader takes the blame.

I always surround myself with people smarter than me. My wife says it is not hard to find them.

[Laughter.]

Senator Carper. She actually does say that.

I think the last piece of advice is, when you know you are right, you are sure you are right, don't give up. Just don't give up.

Mr. Feitel. Yes, Senator.

Senator Carper. If you do those things, you will be okay.

I give the shortest high school commencement and college commencement speeches that they have ever heard in Delaware. I use like ten words in my commencement speeches. When I am about to address the graduates, I have them stand up. And they finally stand up, reluctantly, but they stand up. I say, I am going to give you the shortest commencement speech you have ever heard. They start applauding. Then their parents applaud.

I say, ten words in my speech. They applaud some more. Then I say, the first two words are aim high. And I have them repeat that, aim high. The second two words are work hard. I have them repeat work hard. Then I say, it gets more complex, now there are four words. Those four words are, embrace the golden rule. I will have them say that.

Then I say, the last two words are don't quit. I say that. So we do it again, aim high, work hard, embrace the golden rule, don't quit. And I have them repeat that for like 20 minutes. Then we let their parents do that.

People I meet years later remember, they actually remember

that. That is really good advice for all of us, in ten words.

So I don't know that you need any of that, but you might. And hopefully if you get confirmed, and I hope you will, those words will be of some help to you along the way.

Again, our thanks to your parents. Sometimes when we have sons and daughters come with their mom or their dad who has been nominated, every now and then I will be watching them, and they will be rolling their eyes as their parents are speaking, or responding to questions. That is always a bad sign.

I just want to note that your daughters did not roll their eyes, even once.

Mr. Feitel. Outstanding.

Senator Carper. Although they smiled a lot, which I think is a good thing. Good luck. Thank you all.

Mr. Feitel. Thank you, Senator.

Senator Braun. Thank you, Senator Carper.

Before we conclude, I want to read three brief letters of support. Circuit Judge Vincent Chiu, who worked with Mr. Feitel when he served as an Assistant U.S. Attorney sent this committee a letter of support stating, "Robert is hard-working and a dedicated public servant who has given his career to the cause of justice."

Andrew Lelling, the U.S. Attorney for the District of Massachusetts, worked with Mr. Feitel in the U.S. Attorney's

Office, states, "He has a strong reputation for being fair, having a strong work ethic, and exercising good judgment. His wise counsel is never clouded by extraneous personal views."

And Hope Olds [phonetically], who served with Mr. Feitel on the President's Executive Order Task Force for Review of Guantanamo Bay Detainees, in 2009, said, "Robert skillfully navigated the participants' differences and competing agendas to find common ground." I think that is important. "He was a gifted advocate for the Department's positions based on his own careful research and good judgment."

I ask unanimous consent to enter these letters into the record.

Senator Carper. I object.

[Laughter.]

Senator Carper. I don't really.

[The referenced information follows:]

Senator Braun. No more questions for today. Members may also submit follow-up questions for the record by 4:00 p.m. on Thursday, December 5th.

Mr. Feitel, please respond to those written questions by noon on Monday, December 9th, if there are any. I want to thank you for coming here to testify today. This hearing is adjourned.

[Whereupon, at 3:51 p.m., the hearing was adjourned.]