

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

PUBLIC BUSINESS MEETING

January 16, 2019

10:00 a. m.

Defense Nuclear Facilities Safety Board

625 Indiana Avenue, NW

Washington, DC 20004

1 >> HAMILTON: Good morning. My name is Bruce Hamilton. I'm the Chairman of the
2 Defense Nuclear Facilities Safety Board. I will preside over this morning's public meeting.
3 With me are my colleagues on the Board, Board Member Jessie Roberson, Board Member
4 Daniel Santos and Board Member Joyce Connery. We four constitute the Board. Having
5 established a quorum of Board members, this public meeting will now come to order.
6 Ms. Casey Blaine, the Board's general counsel will serve as the executive secretary for the
7 meeting.

8 This public meeting was not announced on the Federal Register because of the
9 government lack of appropriations. It will be posted on the Federal Register as soon as the
10 appropriation is passed. We did announce it on the Board's public website. And we are
11 holding this public business meeting pursuant to the government and the Sunshine Act. The
12 Board's implementing regulations for the government and the Sunshine Act and the Board's
13 operating procedures. The objective of this public meeting is public business meeting is for
14 the Board to discuss recommendations of the national academy of public administration and of
15 the inspector general. Both organizations have written reports. Copies of the executive
16 summaries are available online at www.dnsfb.gov.

17 I have a couple personal opening remarks. For those who might not have been with us in
18 December, I would like to offer a very abbreviated background of why we are having this series
19 of public meetings. Last February, the Board engaged the National Academy of Public
20 Administration to provide an assessment of our Board and agency and offer a path to better
21 performance. The result was an exhaustive study and an extensive report published in
22 November entitled Defense Nuclear Facilities Safety Board Organizational Assessment.

23 In parallel with the work by the National Academy, our own Office of Inspector General
24 conducted a study of our issue and commitment tracking system commonly called IACTS. And
25 also released a report in November which had some observations similar to those in the NAPA
26 report. The purpose of this series of meetings is to operationalize the recommendations in
27 those reports.

28 Prior to the December must be meeting, we determined the process by which we will
29 proceed. First, we agreed to address each of the report's recommendations sequentially and
30 we've identified a board member who will lead the discussion for each. Secondly, we agreed
31 to allocate a specific amount of time for each recommendation understanding that we may
32 need to come back to those should we have need more time for further deliberations. Third,
33 we intend to place each recommendations or sub-recommendation into one of three
34 categories. Closed without further discussion, assigned to a Board member for follow-up or
35 tabled for further discussion. And the general counsel is to maintain a list of dispositions of
36 these recommendations and sub-recommendations.

37 We are keenly interested in observations from our staff. And last month, we collected a
38 large number of written comments, both anonymous and attributed. While we don't
39 have -- don't currently have a plan to address each of those comments on an individual basis, I
40 want to ensure the staff that each of us Board members has read all of the comments and is
41 using them to inform us as we proceed through this process. I'm hopeful that we will receive
42 additional comments in the wake of today's meeting and at some point in the near future, we
43 will begin to engage more directly beginning with staff leadership.

44 This is a messy process. Organizational functionality involves the most complex machine

1 we know of. The human mind or rather in this case many human minds. Most issues we are
2 dealing with are interdependent. And like the chicken and the egg, it's usually impossible to
3 determine which should come first. Consequently, we have chosen to attack the
4 recommendations in the order that NAPA presented them. Recognizing that many, if not
5 most, will require revisiting as we go through the process.

6 This iterative approach is not perfect. It's highly unlikely there is a perfect solution. But
7 we believe this process will be as orderly and comprehensive as is possible.

8 I would now turn to Ms. Roberson for her introductory remarks.

9 >> ROBERSON: thank you, Mr. Chairman. I do not have any additional comments today
10 for opening.

11 >> HAMILTON: Thank you, Ms. Roberson. Mr. Santos?

12 >> SANTOS: No comments.

13 >> HAMILTON: Thank you, Mr. Santos. Ms. Connery?

14 >> CONNERY: I'm going to buck the system and I've provided opening comments. So
15 thank you, Mr. Chairman. I think it's important for our staff and our stakeholders to
16 understand the intent of these meetings and I appreciate the fact that the Chairman outlined
17 them again. I know that the skeptics will say that this is a check the box exercise and not a
18 true effort to address underlying issues. And there is historic precedent for that skepticism.

19 I've been on the Board since 2015. And this is the first time that I have seen each Board
20 member committing the time and the effort to honestly engage on the problems that exist in
21 the Board. In the past, we've had some off-sights. The results have been mixed at best,
22 disastrous at worst. But the Board seems to be committed to doing the work and we've had a
23 couple of what I would call moderately successful team building sessions offline.

24 Are we there? Not nearly. But there is a good deal of mistrust still among Board
25 members and, to put it bluntly, hurt feelings. We are not going to fix those in the short term,
26 but I think as long as we are making progress, we are each committed to continuing to engage
27 in that team building. That team building is aimed at getting the Board to function better.
28 This Board. And as we get this Board functioning better, we will be able to address the
29 systemic challenges that we face across the agency including the challenges to organizational
30 culture and mission effectiveness.

31 I know from the employee feedback -- thank you, by the way, for those of you what
32 provided feedback either written or personally to Board members. And we know that you
33 aren't thrilled with the process. There are a few general comments such as the fact that
34 NAPA -- the NAPA talk about actions that can be taken immediately including some of those
35 that call for staff involvement.

36 I appreciate that comment but the Board has to be able to speak with one voice on the
37 direction of the agency. That's our responsibility. Once we find that voice, I absolutely agree
38 that senior staff and other staff should be involved in helping right the ship. I can only ask for
39 your patience, which I know is running out, and you're continued excellence and dedication to
40 the mission while we bug away.

41 To my fellow Board members, thank you for your efforts. Yesterday's session was not
42 ideal to the reschedule and the tight turnaround. I think we need to step up our game.
43 Myself included. Take more risks and deposit more in the trust bank. Thank you.

44 >> HAMILTON: Thank you Board member Connery. We are now going to go to first order

1 of business which is to review our documents from the last public business meeting. And I'm
2 just going to go through those recommendations. We have a spreadsheet that counsel has
3 prepared for us. And I'm going to mine through the first. I'm just going to go through and
4 update where I believe we are. In recommendation one, sub-recommendation one, that was
5 for me to contact the White House. We closed that. I will note that earlier this week, there
6 was an announcement from the White House -- I guess it was Friday. Intent to nominate a
7 Mr. Former Colonel Thomas Summers to the Board. So that's the fifth Board member that we
8 didn't know who was going to be at the point. In any case, that sub-recommendation is closed
9 without further action at this point. Second, sub-recommendation was to pursue legislation
10 to restrict Board member terms. Currently the Board member terms bylaw when they expire,
11 we can continue to serve. Three of us are currently serving in expired terms.

12 The recommendation was to change legislation so that when our terms expire, we have
13 to -- we either have to be reappointed or we can no longer serve much like Nuclear
14 Regulatory Commission. That legislative proposal has been put into a bin of several
15 others -- with several other legislative proposals that the General Counsel will be working on
16 with us in the future. So I consider that not -- it's not closed -- but it's assigned to me and
17 that's what we are doing with it right now.

18 The third sub-recommendation was the NAS registry of potential Board member
19 candidates. And that is also a legislative proposal that will go in that bin that the General
20 Counsel is working on. We had that tabled for further discussion. Unless there is any
21 objection, I'm going to say that that's assigned to me for further action.

22 >> ROBERSON: The only thing I want to clarify is, further action is a proposal to the full
23 board.

24 >> HAMILTON: That's correct. That doesn't mean that you are agreeing with it. That
25 means I'm handling through that group of proposals.

26 >> ROBERSON: Gotcha. Thank you.

27 >> HAMILTON: Ask the General Counsel to change that assigned outcome to assigned to
28 me. And that's my sub-recommendation one and we will go to sub-recommendation two and
29 Ms. Connery.

30 >> CONNERY: Before we finish, did you want to talk a little bit about the timeline for that?

31 >> HAMILTON: The timeline is very constricted. We have -- we are thinking that we have
32 to get that set of proposals put through in the next month. And so General Counsel is starting
33 to work that as a top priority. And there is at least -- I know of three or four different items in
34 there and there may be some others. We're going to bucket as a group of things and do it all
35 at once. Okay Ms. Connery.

36 >> CONNERY: Thank you. So the sub-recommendation number two was to establish
37 mission vision and principles for the DNFSB. This was assigned to me to work on. And the
38 Board notionally agreed to the fact that we will need outside help for this. So I will give you a
39 little update which was that I spent some time talking to NAPA, the same folks that wrote this
40 report, about potentially helping us with the strategic plan.

41 Now they have been through this process before with other boards and other agencies and
42 they definitely had some lessons learned from how that works and how it doesn't work. I
43 indicated that I wasn't quite sure how the process would work with NAPA. And they wanted
44 to assure me that it wouldn't be like the NAPA process where they come and interview

1 everybody and provide us with documents at the end. This would be a process in which they
2 would work with us each step of the way, establish milestones in order to get us to a process.

3 They're going to give me more information and we'll look at whether or not we would like
4 to go with NAPA or with any other organization. But regardless of which organization we go
5 to, the -- both the process which is going to be in and of itself helpful to the agency for creating
6 priorities for the staff and for the board and the outcome again are going to be important.
7 And I think for a timeline, my vision is that we could probably if we contract something in
8 March, we could probably get something out by the end of the fiscal year. But it will take
9 again work of not only the outside help, the Board members both individually and collectively
10 as well as members of the staff. And I think they also have a process in which they can engage
11 outside stakeholders to get input to that as well.

12 But at the end of the day, I think what we should get is as that process goes on and we build
13 the milestones, it should help inform both the work planning process the staff is going to do,
14 any staffing planning and then our favorite the performance metrics system and we had a
15 conversation about that with NAPA as well where there is a struggle to define metrics that are
16 not just quantitative, you know, send X number of letters but also qualitative to make sure that
17 the products we are putting out are the highest caliber. And they had some thoughts and
18 ideas about that.

19 >> HAMILTON: Let me just interrupt. I think this is a fantastic path forward, the NAPA
20 approach, for two reasons. One, I think we need to get somebody from the outside who can
21 tell us how this is done with other agencies and commissions and boards. And, two, given
22 that they just did this big assessment of us, they already have a head start in knowing what we
23 are dealing with. I really think this is the right direction to go.

24 >> ROBERSON: I think it's a good investment. I think it will be good. Even if they hadn't
25 done this, I think having somebody outside of the organization help keep us in the mainstream
26 in our thinking will be helpful. I think it's a good path too.

27 >> SANTOS: The timing is going to be very important. We have all these recommendations
28 while doing all these exercise, understanding the sequence and sequencing properly, I think is
29 important. I'm sure you're taking that into consideration.

30 >> CONNERY: That's an excellent point, Mr. Santos. I actually think if we can -- I kept
31 stressing milestone documents because I know that you in particular are a fan of milestones
32 and schedules, when will we see what piece of it. And I think if we can divide it up in that
33 way, again, will help inform some of the other things that we are doing. I know that there are
34 other conversations we are going to have a little bit later on about the possibility of an EDO, et
35 cetera. Again, my thought process is if the Board can establish a strategic vision and I
36 strategic plan separate from our statute which exists, right, that that's not changing, but where
37 we need the agency to go in the next five years or so, if we bring in additional leadership or
38 even if the Board members change over, they are going to be able to pick that up and run with
39 it and then execute to the strategic planning. And then maybe that helps.

40 Right now, we have a little bit of a disconnect in that much of what's happening is
41 bottom-up. We need to make sure that there is topdown prioritization of where we think we
42 should emphasize the majority of the workforce. Additionally, some subcomponents of the
43 agency are working as they should on their own strategic plans. So I'm mindful of the fact
44 that -- and human resources is working on one and I think some of the folks in the text staff

1 have kind of a mini strategic plan for their office that has to connect up. And so we need to
2 make sure that those things don't pass in the night.

3 >> ROBERSON: I was just going to say that it's necessary. I think one of the things that's
4 created some of our problems is the layering. And so at some point, all of that stuff needs to
5 come together and be in alignment. I think it's critical. I also think, although I want to see
6 something sooner is kind of my nature, I also don't want to make sure that we don't let the
7 clock determine the quality of what we do here.

8 >> HAMILTON: Thank you, Ms. Connery. Item three was Board member Santos.

9 >> SANTOS: Yes. On the 140 piece, we are on track. We have schedule upcoming
10 hearing. We communicated to the Secretary of Energy, we continue to track and wanted
11 implementation of order across the sites. The aspects of legislative proposals associated with
12 140, my recommendation is that be added to the bin of items that we are going to be working
13 with the General Counsel in the short term. So that would be my both path forward there.
14 And I added a recommendation -- we had a short discussion in the previous meeting, but is this
15 concept of providing some sort of guidance or statements to the staff regarding some of the
16 jurisdictional items that are creating some confusion whether it is worker safety, on-site
17 transportation. We went through some of that.

18 Right now, I think we should table that for later discussions. Because we are going to be
19 looking at improvements to our correspondence process, how we are going to interact in public
20 meetings. I just want to make sure those topics are not left behind. I do feel we need to
21 provide some guidance to the staff, where is that collective vision on some of the jurisdictional
22 items. Right now, we are handling that individual votes on our vote comments. And while I
23 don't think that's sufficient when comes to their ability to perform their reviews from the
24 beginning. I added an item to track that one. Any comments?

25 >> HAMILTON: Yeah, I'd like to just kind of probe a little bit. Maybe you are looking at this
26 in a more formal way than I am. To me, making a statement from the Board that we all agree
27 on that we view, for example, the restrictions on category 3 and radiological facilities not a
28 restriction that's in the Atomic Energy Act is a pretty simple thing to say. How far do we need
29 to go in fleshing that out.

30 >> SANTOS: Now there has been some confusion and the staff is been confused of whether
31 they can conduct some reviews or not because of the perceived difference. For example,
32 nonnuclear hazards, on-site transportation, worker safety. And that's created some confusion
33 on whether the staff should be performing some activities on those areas. And I think we
34 need to clear that up.

35 >> ROBERSON: So I will take an example. I think I personally agree that the staff is trying
36 to read our votes to determine how to scope out their work. And we need to distinguish
37 between the two of them. And we talked a little bit about it before on reporting
38 requirements or you can take transportation, you can take atomic weapons safety, you can take
39 anything. When it comes to making a decision individually and we take into account all the
40 facts, for instance, you may say, I don't think there is a need for reporting requirement. That
41 doesn't mean that staff shouldn't propose it if that's what they think they need to do.

42 So I think we need to draw a distinction between the staff scoping out their work and them
43 trying to read our vote to determine what jurisdictional positions we're taking. I think that's
44 what you are saying.

1 >> SANTOS: That's accurate.

2 >> HAMILTON: And I guess I'm struggling with, that doesn't seem that hard.

3 >> SANTOS: But we haven't done it. The staff realize on our vote sheets to try to figure
4 this out. I know it's creating a lot of confusion and we should help clear that up. That's my
5 perception.

6 >> CONNERY: So I don't necessarily disagree that the staff is trying to -- often tries to
7 read where it thinks the Board is trying to go so that it doesn't go down a path that we don't
8 want them to. Again, I think the solution to that is not to prescribe a box within which they
9 should work but through the work process and through strategic planning and communications,
10 if we indicate to the staff where we place value, I think that's where the -- where the difference
11 will be made. And in the review plans, we have an understanding of where they are going. I
12 have no issues with them looking at transportation. I have no issues with them looking at
13 nonnuclear things. It's what the Board speaks on that's within our jurisdiction that the Atomic
14 Energy Act does not restrict what it is the staff can do in terms of reviews. And if we get
15 push-back from the department, I think we have to handle that on a case-by-case basis.

16 But the issue -- I think you are right, we have to communicate it. But I don't see us having
17 an abstract conversation about, you know, transportation security for transportation security
18 sake. I think it's dependent on the work plan as a whole and what we are prioritizing in terms
19 of where our resources should be spent.

20 >> SANTOS: So I agree. So our communication, I'm open to many different ways. The
21 work plan could be a good discussion. Maybe we can tie it to that process. Because later on,
22 we are going to talk about the work plan and how we need to approve that whole process.

23 >> ROBERSON: No. I was going to say, I don't think this is complicated. But we haven't
24 done it.

25 >> SANTOS: Correct.

26 >> ROBERSON: And there was a lot of effort put into this area into the NAPA report. So
27 whatever the simplistic way to disposition it, I'm game for that. But we do need to clear it up.
28 And I agree with you. I'm not sure just for some of saying something is in or out without
29 looking at the specifics. But I don't want the staff scoping their efforts out assuming that. So
30 I just think we need to clear it up.

31 >> CONNERY: Understood. And I do want to make a distinction of that there is two pieces
32 here. One is one is within the board's jurisdiction to give advice to the secretary, which topics
33 are those. The other issue is what are statutory tools and how do we use them. I think
34 that's also throughout the NAPA report. I think there is not perfect alignment on that. And
35 honestly, I think that is a subjective decision on the part of the each Board member as to
36 whether or not they think they are going to get the best safety outcome from utilizing reporting
37 requirement or recommendation of pretty clear nebulous threshold of adequate protection.
38 But there are, you know, whether or not a hearing is the best and most efficient way of getting
39 to a particular outcome. So I think it's -- I think those things are much more subjective than
40 the issues of where --

41 >> HAMILTON: Let me run this up the flagpole and see if I can get a solution. Would you
42 be willing to put together a one-pager for review of the Board that lists the issues that we think
43 are the key ones that are -- that there is confusion about and let's -- that's do a board orange
44 folder process on this?

1 >> SANTOS: I will do that. As a starting process, I goal is to bring stability and make sure
2 we come up with a way to clear this up. So I'll take that lead.

3 >> HAMILTON: Okay. Thank you. Ms. Roberson?

4 >> ROBERSON: Only thing I was going to add is an -- in alignment with that, true -- and each
5 issue is kind of discretionary decision by each Board member. I just want to make sure we've
6 remembered we've tasked the technical director to develop a policy on like a reporting
7 requirement. So we need to make sure we wrap that in, recreate that one again. And may
8 be things that working with Mr. Santos, the technical director should do and some of these
9 others too.

10 >> HAMILTON: When I read this particularly one, maybe I'm wrongly tying it to 140.1, but I
11 thought these were 140.1 issues.

12 >> SANTOS: No, I went broader down 140. I -- we got through that. One parentheses,
13 and I think it's tied to some of your opening remarks, I mean, the way I see these first few
14 meetings, this is us, the Board talking amongst ourselves. I clearly see actions and roles for
15 the staff to help with some of this recommendations. And this one might be something that I
16 can see staff participation. I'm just taking the first draft of it.

17 >> HAMILTON: Thank you. We will get the moving and will probably have to be adjusted
18 as we go through the process. All right. You're good with number three there?

19 >> SANTOS: Yes.

20 >> HAMILTON: Okay. Ms. Roberson.

21 >> ROBERSON: So I'm not going to go through the matrix. So recommendation four is
22 foster deliberation and teamwork. And there are four -- I took and I cited these the last time.
23 Kind of four primary pieces to this recommendation. The recommendation for more genuine
24 deliberations which is, as I said before, equals more public meetings like we are having today.
25 Second one is to reform the notational voting process. And each of these recommendations
26 has a volume of information contained in the full report that, you know, we learn from. It's
27 not just the words offer recommendation. Reform the notational voting process. This would
28 include reforming the correspondence process to reduce or eliminate the practice of using staff
29 to negotiate between Board members. And the third recommendation was to simplify and
30 modernize the notational vote posting process to accentuate to the decisions of the board
31 rather than individualism.

32 So I've discussed proposals and each of these regarding these recommendations with each
33 Board member and I also provided relevant information regarding how another board or
34 commission has established and organized discipline and routine approach to the conduct of
35 their business including public business meetings. Based on those discussions of all Board
36 members, I do not believe there is adequate Board member support at this time to submit and
37 consider a specific proposal that would be assured of success for execution. I also do not
38 believe the Board currently has necessary infrastructure in place to properly execute the
39 recommended changes.

40 Establishment of a designated correspondent's manager that can execute, oversee, and
41 manage the process voting and correspondence process and the changes highlighted by NAPA
42 and some specific changes I would propose to the Board must be considered in conjunction
43 with the establishment of an executive correspondence manager and an executive director of
44 operations.

1 I do plan to discuss specific proposals with office director in advance as well. And I hope
2 to do that before our next public business meeting. And subsequently based on progress and
3 filling the two key positions I cited, I would be to propose specific actions to respond to
4 recommendation for for the consideration of the full Board. So those are those three.

5 There was a second -- I guess a fourth part or second major part which is the teamwork
6 among the board members. The last element of recommendations for centers on Board's
7 members commitment and ability to work more as a team to advance the efficiency of agency's
8 execution of the mission, I provided a potential code of conduct for Board member
9 consideration at the last public meeting. The Board is engaged in a team building process that
10 hopefully will yield a sheer code of conduct between Board members and I'm hoping that we
11 can achieve that notionally within the next 60 days.

12 >> HAMILTON: Just for clarity. The part that you don't think is currently we don't have
13 consensus on is what specifically?

14 >> ROBERSON: Specific changes to the correspondence process and notational voting
15 process. I don't think we're prepared to make decisions on that today.

16 >> HAMILTON: Okay. That's a little bit different than saying we don't have consensus on
17 it. We don't know where we are headed on this. We don't have a proposal that we're not
18 consenting on.

19 >> ROBERSON: What I'm saying is I think everybody knows consent is -- wants it improved.
20 What the fix it. I don't want to propose something that layers on to something that's already
21 been problematic. I don't think we have infrastructure in place to execute a different
22 approach to either of those.

23 >> HAMILTON: So we are going to keep the status of these the same then?

24 >> ROBERSON: I would.

25 >> HAMILTON: Tabled for further discussion.

26 >> ROBERSON: Yes.

27 >> SANTOS: I agree with that observation. Many have tried and many have failed. So I
28 hope we continue to look at the lessons learned because everybody having complaints and
29 issues with correspondence systems. There is many efforts of staff led efforts and Board
30 member led efforts and none of them brought fruit. I agree with your observation. I think
31 we got to be careful because now we are going to face the same outcome. We need to do
32 this correctly. I agree, we are not there yet, but we need to engage and leverage some of the
33 lessons learned from the previous efforts.

34 >> CONNERY: So to me the challenges are orange folder process are symptomatic. Those
35 are just symptoms of underlying challenges with communications amongst Board members.
36 And we had a couple of recent successes on documents whereby we have gone around the
37 original folder process and engaged in direct negotiations on specific issues in order to
38 accommodate people's needs and obviate the need for the -- folder which is amendment
39 process which is for people not into our color-coding.

40 I think while I agree we are not ripe for the particular solution set, but we also have to look
41 at the evolution of how we are interacting amongst ourselves to inform that, not only lessons
42 learned about things didn't fail before because of underlying causes not necessarily because we
43 had a different way of doing it. The other thing I would like to do prior to working on that is
44 have an understanding of the first principles of where we got to the original folder process.

1 Because that didn't exist, you know -- that's a recent manifestation of some other challenges
2 that the -- previous Boards had and we inherited that process. So understanding what the
3 needs are, what do you need from the staff in order to be able to do your work as a Board
4 member to make -- to draw your conclusions? What do you need in terms of contact with
5 each other -- each Board member in order to work toward a more consensus document? And
6 then whether or not we need the amendment process and is that simply a fire break? We
7 couldn't get to consensus, so we have to have an amendment process so that a particular Board
8 member feels that he or she is heard because we get to the notation piece.

9 I think we allowed the system to kind of take over all the hard work for us to get to a
10 solution set. I was talking to Ms. Roberson earlier about the fact that one of our jobs is to take
11 the staff product and then determine how best to communicate that to the department. And
12 that's a collective duty. It's not an individual duty. It's a Board duty. And where we have
13 fallen apart, we have done it and said this is my opinion how it should go versus this is someone
14 else's opinion how it should go. We will see where the chips fall when we go to the voting
15 process.

16 And I think if we are more deliberate about how we get there, not to say that we could
17 completely eliminate the folder process, but we may be able to move in that direction.

18 >> ROBERSON: No, no, no. Thank you for that. And as I've said, I've talked to you and
19 other two Board members. I think you know where I am. I'm a fan that we have layered on
20 based on individual Board member needs and personalities and I'm a fan of stripping away that.
21 The one -- and I agree with every thing you said. One thing we also need to keep in mind is,
22 whatever the system is, it needs to be sustainable regardless to who the board members are.
23 The history or the record behind why we may take a different position on something than what
24 is actually proposed, that's why I'm focused on we need to have the infrastructure in place
25 combined with all the concerns expressed by you and other Board members. We can fix this
26 system but will not sustain unless we have the appropriate infrastructure in place to do that.

27 >> HAMILTON: Well, I couldn't agree more that the Board procedures have become a major
28 reason for some of the problems that we're seeing. Ms. Roberson and I had a discussion a
29 couple of weeks ago, what happened in 2012 that caused our agency from going from number
30 one place to work to the number next to last place to work for small agencies. And one of the
31 things that she told me was, the implementation of Board procedures. And -- amongst others.
32 So I got to think that there is something in the way we are processing our correspondence at
33 the Board level that is driving all this behavior. And we need to strip this thing away and
34 figure out what we do need and get rid of the rest of it. So I'm fully behind it. I just don't
35 know how to do it.

36 >> ROBERSON: Yay. That's me. We will -- everybody has submitted some really good
37 commentary and some good ideas. And I think this is just one where we have to also engage
38 our senior leadership because, again, sustainability and execution, we can create anything.
39 But we got to be able to execute and sustain the execution. So I'll continue to work on it.
40 But for now, I think it's -- and I'll also, as I said, have some discussions with our office directors.
41 But I think we need the infrastructure before we start talking about specific corrections in that
42 area.

43 >> HAMILTON: When you say infrastructure, you mean what?

44 >> ROBERSON: I mean that that infrastructure that will allow us to operate predictably and

1 responsibly and be able to sustain the approach. Rather it's not dependent on an individual's
2 personality. It is a part of the organizational infrastructure. And regardless to who the
3 Board members are or who the managers are is going to continue to function and be the haven
4 for decisions and why the Board made them. We need somebody to establish that kind of
5 infrastructure in my mind. Now, you guys may disagree, but I --

6 >> HAMILTON: You mean this is a person to lead this? Is that what you mean by
7 infrastructure in part?

8 >> ROBERSON: As I ask said to you, Mr. Chairman, and other Board members. We need a
9 correspondence manager. We need somebody who manages the Board's correspondence.
10 We have the management of the staff correspondence. We don't have a manager for the
11 Board process. And it's one of the driving concerns expressed in the NAPA report. What
12 happens is individual staff members end up in the middle of Board negotiations. I think we
13 need our own infrastructure to manage the process among the Board members.

14 >> HAMILTON: We're in the process right now of defining and advertising for the external
15 affairs person. We had somebody in that position a couple of years ago. It's a vacant
16 position right now. And we're in the process of we go through defining the job description of
17 including in that job description a responsibility for managing the Board correspondence
18 process. So is that going to scratch the itch that we need?

19 >> ROBERSON: I sure hope so. That's what I've been advocating. And I think it's
20 necessary.

21 >> HAMILTON: Okay. I'm seeing three heads nodding. Okay. Okay. We will continue
22 to pursue that one with urgency.

23 Okay. Mr. Santos?

24 >> SANTOS: One thing we talked about is to have some sort of timeline. I said I was going
25 to take the lead for orange folder drafts. I can do that in the next two weeks so you can --

26 >> HAMILTON: Okay. Thank you.

27 We finished -- this concludes our discussion of the prior items on our punch list. I think it's
28 a little early for a break. What I'm going to suggest that we go ahead to the next item on the
29 agenda which is going to be mine. And we discuss those. And then we can probably take a
30 break after that.

31 So the first new agenda item is to discuss Recommendations 5, 6, 7 and 8. They are all
32 under the super title, Enhancing Collaboration with Stakeholders. So Recommendation 5 is
33 strengthen congressional engagement. Board members should enhance board reputation as
34 source of expertise and excellence oversight of defense -- facilities increase the intensity and
35 frequency of their meetings and outreach getting into new rhythm of communication with
36 Congress to ensure is addressing nuclear safety concerns.

37 Okay. We are in an actually in a good position right now to reboot this process because
38 right after the President's State of the Union Address, a budget will come out. Traditionally,
39 we will go to our oversight committee and brief our plans for following fiscal year. So I see
40 that as an opportunity not only to do just that but also to kind of reset our relationship with
41 them. There is new members particularly of the staff that are involved. And so my intent is
42 to be pretty aggressive about that after the State of the Union to get that scheduled. And
43 then also including a couple of other topics in that briefing. And then finding a sense from
44 them on how frequently we want to come back during the year to discussion issues.

1 I think this is a good time to reboot that. My proposal is that we put that under the
2 category of mine for action. Assigned to me for action. But I think we have a good path
3 ahead. Ms. Connery?

4 >> CONNERY: So I agree with what you are saying. I think we have to think a little bit
5 broader than our oversight committees. I believe we should make sure that we continue to
6 maintain our relationships with the individual stakeholders -- in other words, things happen in
7 places. Where there are defense nuclear facilities, the membership on the Hill and their staff
8 say in Washington State or New Mexico where we have a relationship with that staff, I think
9 that's important to maintain.

10 I would also suggest that when we get to the point of hiring external affairs person, having
11 professional staff go up. I also think that this is also -- this is a good place to talk about rules of
12 engagement. Because right now, we have -- each of us have personal relationships with
13 certain members on the Hill. I think it's important particularly with 140 and other challenges
14 we have to present a unified front when it comes to conversations in the Hill. It was -- been
15 past practice that Board members would go up in twosies or fouries when presenting to the
16 Hill. I think that's still a good idea. I think we also need to make sure we empower the staff
17 to have conversation without being too prescriptive just about their observations without
18 drawing conclusions that the Board has said anything about it. But a lot of times staffers just
19 want to get educated about the facilities that are in their states. And I believe our staff is
20 perfectly capable of having those conversations with those stakeholders. And I think it's
21 important to make sure that the Defense Nuclear Facilities Safety Board is one of the go to
22 places where those staffers go to engage.

23 I also think we need to bump up our game a little bit and start having face time with some
24 members about some of our issues and challenges and not be content to have conversations
25 with staff.

26 >> HAMILTON: Let me ask you a question because I -- when we are talking about going up in
27 pairs, I've always been a little bit uncomfortable with that because I'm not sure that everybody
28 is getting a voice. And we do have differences. Let me offer you a counterproposal. And
29 that is that we do our best to go as a Board and recognize in the process and we can discussion
30 this. It's just one I'm going to throw out here. Let's say that two of us view it one way and
31 one of us views it another one way and fourth one doesn't care. Which happens a lot.
32 Would it be beneficial to provide the majority view to whoever the audience is and offer a
33 minority opinion on it? I'm just -- I'm going to offer that thought.

34 >> CONNERY: Yeah, I have no objection going up as a group. I just says that twosies
35 because not everyone likes to go up to the Hill. If four Board members wants to go up to the
36 Hill, that's fantastic. It takes two of us instead of one. That's the only difference. I want to
37 make sure that when we have those interactions that it's just not one Board member with Hill
38 staff or with a member without a member of the professional staff and/or other Board
39 members just for the transparency sake. Because I think it protects that --

40 >> HAMILTON: I see what you are saying. But what I'm specifically talking about is
41 opportunity to brief something where there is a minority view. Is that something that we
42 should stay away from or is that something that we should do?

43 >> ROBERSON: Well, in that all of us are -- have minority view on some things some times, I
44 think we should distinguish between communicating just the facts and communicating on

1 decisions of the Board. I absolutely have no problem when we do meet with -- which would
2 be primarily staff members sometimes hopefully that we shouldn't hide the ball. I mean, we
3 post our opinions. So I don't think it's riding the ball. I just -- I think the overriding decision
4 of the Board should be the overriding communication. That's all that I'm saying. I don't have
5 any problem making it clear when there is a minority opinion. And NAPA had some
6 recommendations to that which I like which I'm sure we will get back around to as well too.

7 But I think the goal is for at least in my mind should be for me to be able to say, the Board
8 wasn't unanimous on this. I'm just saying, I don't think it takes all of us in every
9 communication. And we should distinguish between when we're communicating the facts
10 and when the Board has made a decision on an action which won't necessarily be the majority
11 of the time in my mind.

12 >> HAMILTON: I appreciate that. And I agree and I appreciate the fact that you're saying,
13 well, you know, sometimes when there is a decision of the Board and there is a minority
14 opinion, the minority opinion out to be heard. Recognize that, hey, it wasn't a unanimous
15 agreement on the Board. Okay.

16 So we'll muddle through that a little bit to see if we can figure out a way to do it. Bringing
17 on an external affairs and correspondence management person is, I think, the long-term
18 solution to this. But hiring sometimes takes longer -- always takes longer than you want. I'm
19 not going to wait to get that person on board to start this next cycle of outreach.

20 >> ROBERSON: Can I add one more comment, Mr. Hamilton? As a Board member, I
21 actually would feel better than having to communicate if I disagree with the position that the
22 rest of you took myself than to have one of you communicate that. Because what that means
23 is that we're actually communicating, you know. If you can say, well, we have one dissenting
24 opinion and here is why, I think that will engender more confidence than if we're just talking at
25 somebody.

26 >> HAMILTON: Yeah, I understand what you are saying. Yep.

27 Okay. Recommendation number 5 -- I'm sorry. You are not finished.

28 >> CONNERY: I was going to say. I'm happy to provide a list of people who I think we
29 ought to go -- whose doors we ought to knock on and work with you with general management
30 to make that happen prior to hiring of fictitious person number six or whomever it is.

31 >> HAMILTON: Recommendation number 5 is assigned to me. And it is ongoing and not
32 closed. It's on -- what do we call it? Assigned for further action to me. Mr. Santos?

33 >> SANTOS: Yeah. I agree that we should be more active than passive and reset. And I
34 know you are going to take some actions before we hire. But if we can have some sort of
35 notional plan for all the different committees and members for the next, let's say, six months,
36 that would be very helpful to me.

37 >> HAMILTON: Recommendation number 6 is very similar. Bolster engagement with
38 Department of Energy leaders, Board members should restart the Board's relationship with key
39 DOE leaders who share nuclear safety oversight. Board as an entire group should hold
40 summits and meetings with top leaders of DOE including the Secretary and Deputy Secretary.
41 Now, I see this recommendation is kind of a -- part of it is things that we can do and part of it is
42 things we will have to offer. But can't force. So my view of this is part of this, we are already
43 doing by our informal discussions with the senior leadership in the DOE. And I'll continue to
44 push that. But I'm offering any -- I'm looking for any ideas on this one.

1 >> ROBERSON: Well, I mean, there are a couple of these. I'm going to say the same thing
2 about. I'm not sure what restart means. If restart means the full Board having sessions, we
3 have talked about that as it relates to head of NSA and head of EEM. Hopefully those will
4 continue and will bear fruit as the Board has done those for years, probably decades.

5 >> HAMILTON: And I think that is because NAPA didn't realize we were doing that. Maybe
6 part of that is failure to recognize we already had something like that going on.

7 >> ROBERSON: Well, and it has waffled over the years. It's -- there have been cases where
8 it wasn't as strongly desired on either side. And so I think putting emphasis back on those is
9 probably a good point. I'll just end it there.

10 >> SANTOS: I think more communication is always better. I'm afraid we are heading in the
11 opposite direction. And we should look for opportunities to look for more communications
12 with the key leaders. I understand the periodics. I think that's helpful. I don't think that's
13 sufficient in my opinion. We should look for other opportunities. I wouldn't look to cancel,
14 but maybe as part of draft recommendation process, we typically get feedback. Maybe we
15 can take that as an opportunity to have more personal engagement with some of the leaders so
16 that we can explain some of our -- I understand their feedback on a more personal level. But
17 throwing letters back and forth, it's just not going to work. I'm not happy how 140 things is
18 leading us to less communications. I'm very open and look forward to opportunity to
19 communicate.

20 And I think it starts with the Chairman. I think you are serving as a spokesperson of the
21 agency. You should be more active in your talking to Secretary Perry, Deputy Secretary and
22 others to make sure we keep them abreast of our work.

23 >> ROBERSON: I was just going to say, I agree with that. I think for it to be helpful, it has to
24 not just meaningful to us but meaningful to them. But I would say in our formal processes, we
25 need to make sure that we remember that the sun must shine. So when comes to
26 recommendations, we have to make sure that we work with legal and that that process is
27 captured in the right legal framework.

28 The other thing that I would say is, we probably need to work better at making sure we all
29 know what each other is communicating. I don't think we're very good at that. We are all
30 individuals. We all have individual opinions. But when it comes to the Agency's business, we
31 should know what the message is.

32 >> SANTOS: So to that point, I, again, you are the spokesperson. I know you are having
33 some discussion -- some sort of summary or high level of whatever the discussions are will go a
34 long way to keep us informed and be a lot more strong communication. So I agree with your
35 point.

36 >> HAMILTON: So I'm going to hold this open. This is mine for -- oh, I'm sorry. Go ahead.

37 >> CONNERY: Sorry. I agree we need a little bit more transparency when one of the Board
38 members or the Chairman is meeting with the Secretary or Deputy Secretary or one of the dash
39 ones. It should be apparent to all of the board members just so that there is no suspicion or
40 bad feeling that comes out of it after the fact and obviously unification message. I was
41 actually intrigued by this whole idea of a summit which I think everyone snickered at when they
42 read it. Aside from the silly word, I think it would probably -- and it's probably not for now
43 and probably something that when the staff gets engaged that we should consider is we had
44 NA50 come over and talk about their new philosophy or their new charge when it comes to

1 nuclear safety. I think having those dialogues at staff and Board level about the issues of
2 nuclear safety in general and approaches to it is crucially important. That's something that we
3 can do, you know, in a meeting format -- doesn't have to be, you know, how we normally do it.
4 Or it's -- we could consider something a little bit more public where we actually talk about
5 views about how to approach nuclear safety. But we have been out, I think, as an agency, out
6 of the habit of engaging on that broad topic in public for with our counterparts at DOE and with
7 other safety agencies. And I think it would behoove us to kind of move back in and recognize
8 that amongst our staff, we do have significant expertise in this area. And we should be
9 exchanging views on the topic in general and not just on particular letters that get sent back
10 and forth to Dan's point.

11 >> HAMILTON: Okay. I've got a distraction. Let's keep going with the recommendation 7
12 which is to engage with public interest groups. It's kind of curious, it says Board members
13 should continue their practice for holding annual hearing for interest groups. I'm not aware of
14 we have a practice of holding annual hearing for interest groups. We just have had hearings.
15 And public interest groups have been encouraged to join and make statements. But I don't
16 know that we've had a practice of an annual hearing.

17 >> ROBERSON: I'm not aware of that in the life of the Board.

18 >> HAMILTON: Is this something we should do?

19 >> SANTOS: I mean, we get briefed by special interest groups and they get posted on our
20 website. And some of the groups come periodically. So maybe they meant briefings instead
21 of hearing. I'm not aware of a hearing. I do feel though that I think just similar to strength
22 and congressional engagement, we should also strengthen approach to other groups especially
23 like to your point. Near the -- nuclear facilities. Their local governments. Local
24 communities. We are not doing a good enough of a job of informing what are we doing, what
25 are the value of what we are doing of some of the things. I think we have to include whether
26 part of new hire or new duties, but also collectively, not just congressional engagement but call
27 local governments and local community engagement. As well as other interest groups.

28 How to go about that? There is many ways we could do it. And they can range from
29 periodic public meetings add each site or we discuss the oversight of activities of the Board and
30 the findings and we provide an opportunity for public comment. We can have meetings with
31 some of those community and governments. We're just not doing that. And we got to be
32 doing some more of that. That's just my opinion.

33 >> HAMILTON: Anybody else? I'm trying to get my arms around what we really want to do
34 here. Because it's kind of squishy right now in my head.

35 >> CONNERY: I agree with Dan that we should explore some of those ideas. So maybe the
36 tasker is when we get someone from external affairs on board we sit down and have a
37 conversation about those kind of bigger ticket items. I think small, easy wins whenever we go
38 out to sites, individually Board members should make the commitment to make themselves
39 available to public interest groups and to local governments. I think that is also the direction
40 that probably needs to be provided to the staff to make sure that we have the contact folks so
41 that they get in the habit of doing it when we go out to sites.

42 >> SANTOS: So maybe we are crunched for time. But we have an upcoming public hearing
43 at Albuquerque. Maybe that's an opportunity for small win and maybe intentionally reach out
44 to some of the local governments and some of the groups and probably offer them the ability

1 to come talk to the Board prior to the meeting or during the meeting. But actually take that
2 step. I'm just floating ideas.

3 >> ROBERSON: I think that's a good idea. Not just because you came up with it, Mr.
4 Santos. But because we actually have letters from citizen's groups asking us to do that as well
5 too. So I think the practice -- not aware of an annual hearing, but the Board -- and I think it
6 was a best practice for the Board was to make sure it gave adequate notice to whether it's local
7 government officials or citizen's groups when not just individual trips but if, for instance, there
8 is a hearing at -- that there is an opportunity afforded in advance to also hear from those
9 stakeholders who have an interest as well. And I think we have kind of fallen off the wagon.
10 We have not really maintained -- this is my word today -- the infrastructure to be consistent
11 and be predictable in doing that. And we need to reinvigorate.

12 >> HAMILTON: Okay. So what I'm hearing is unlike what the recommendation says, we
13 don't have a practice of holding annual hearings like this. And I'm not hearing an interest that
14 we start such a practice. Rather, what I'm hearing is, we should reinvigorate what we've
15 already been doing, which is we are always open to having public interest groups come and visit
16 with us here. We just had one last week, I guess, it was. We should be more rigorous about
17 making sure that public interest groups know that we're going to have an open session at the
18 end of a hearing for them to make statements. So we're doing those things, we just need to
19 be more active and conscious about doing them. But we don't need to do an annual hearing.

20 >> CONNERY: I think it's in between that. I think it's not just reinvigorating what we've
21 already done. And when I say we, I they this Board, right? But it's not doing an annual
22 hearing for the interest groups. What we are not in the practice of doing is we are not in the
23 practice of meeting when we go out to sites consistently with public interest groups. We do it
24 here and there, but we don't do it consistently. We have not as a Board kind of put something
25 out there to say, we are going to be in Albuquerque having a hearing, but there are people that
26 maybe just want to present to the Board and not in a public hearing. So we could sit in a
27 room and have interest groups talk to us.

28 >> HAMILTON: You and I have done that in the past.

29 >> CONNERY: Yeah.

30 >> HAMILTON: Particularly our first year.

31 >> CONNERY: But I didn't hear you describe that piece of it in kind of your recap. We have
32 but we -- it is not a matter of course and it was, I think, as an introduction to the site, not that
33 every time you go to a site, you should make that happen.

34 >> HAMILTON: Okay. So is this a commitment by us to do that when we make trips? Is
35 that what I'm -- is that the way we resolve this?

36 >> SANTOS: There is the individual aspect of it, which is, okay, if I'm going to go on a trip, I'm
37 going to make an effort to make sure I accept an invitation and open willingness to meet with
38 local government and special-interest groups. I can only speak for myself. Everyone can
39 make their individual decisions. I think it would be a positive step in addition to when we
40 have a formal Board trip like a hearing or a meeting to do the invitations and whether to speak
41 at the meeting or outside of the meeting.

42 What I'm also floating out there to think about is I probably want to take a little step
43 further, hey, maybe want to consider having not annual but periodic I think will be -- in the city,
44 years, months, whatever, to have meetings at each defense nuclear facilities or hearings where

1 we describe the work of the Board and allow the local communities and governments to come
2 ask questions of our work. So that's a step that we have not done. That's taking it a step
3 further. I'm supportive of that. Just an idea to float out.

4 >> CONNERY: You mean like a public meeting? I at hearings seems like we ask questions --

5 >> SANTOS: Correct. It's like a forum. Will have to be a meeting. It's like say --

6 >> CONNERY: Like do a deep dive.

7 >> SANTOS: Yeah, it's like a deep dive where we go to 12, we describe a work done a
8 resident or work done by staff. We hear from contractor, we hear from special-interest
9 group. We have an opportunity to meet with local governments. We just more proactive in
10 our communications. And we do that periodically through, you know, the sites. I don't need
11 decision time or anything like that. I'm just throwing out an idea that I think should be
12 considered as you go through acting on this recommendation.

13 >> HAMILTON: Yes.

14 >> ROBERSON: Yes. So I agree with that. I wouldn't even put that in the hearing
15 meeting. I would say a Board briefing. And doesn't have to be the Board actually. I think
16 there is value to doing that. I think we have had a significant turnover in staff whereas it's just
17 at a couple of our sites now. We have resident inspectors that have been long-term resident
18 inspectors and are known by the local -- whether it's elected officials or citizen groups who to
19 call. I think we could benefit from making, raising a profile a little bit at all the sites in the
20 field.

21 >> CONNERY: I agree with that. And maybe that's something that we look at in terms of
22 performance plans of resident inspectors as outreach is part of your performance plan.
23 Probably is already. I'm not entirely sure of that. One thing I would caution with the kind of
24 idea of the periodically going out to a site and doing a deep live like that, is I think it's a fantastic
25 idea. What I'm worried about that at this point in time with the number of staff we have and
26 the number of initiatives that we're taking, we don't want that -- that's an important aspect of
27 our work. We can't let that overshadow the actual work that gets done in terms of reviews
28 and what have you.

29 I just think we need to be conscious of how much we bite off and how many staff we have
30 to chew on particular initiatives.

31 >> HAMILTON: Let me offer this. I'm trying to put -- we got a bunch of ideas floating
32 around here. But I haven't got a concrete thing to do. So let me offer this. Maybe we
33 should put together a schedule site by site where -- you know, we have not been as rigorous in
34 the past year about Board member site visits as we have maybe in the past. Maybe that's the
35 key to doing this is getting -- and I asked the technical director to put together a calendar year
36 19 schedule. Maybe we out to tie it to that set of visits so that for each one of those that we
37 schedule and be more rigorous and make sure we get every one covered during this year, that
38 we include in that a visit to the local interest groups.

39 >> ROBERSON: No disagreement. But I also think we out to take advantage. One thing
40 that we did used to do is ECA hosts all come once a week or more or whatever, we used to take
41 that as an opportunity to tell them what the Board is focused on. I think they usually have
42 that here. All that I'm saying is, their specific activities that we could consider is not just when
43 we go out. We should look for those forums where we can communicate what priorities we
44 have and hear back from people as well too.

1 >> SANTOS: I think it's a good start what you describe. And that gives us more concrete
2 things about it. To address Ms. Connery's concern, I like the idea of -- Ms. Roberson, maybe
3 we start with briefing where we are just informing the work we already doing as opposed to
4 creating much more work or involvement that is involved with having a hearing or a meeting.
5 I think we can tailor it at appropriate sites to your concerns. I agree that there are other
6 forums and other places. You are going to give a talk coming up. You do talks. There is
7 forums. There is places we can give speeches. Our forums we can attend. Hopefully
8 through new hire, external affairs, we can have a clear identification of all of those examine put
9 as part of our plans.

10 >> HAMILTON: I've got this for action. I'm not going to continue our practice of holding
11 annual hearings that we don't have. But I am going to include in the plan of the year for staff
12 as it's that we -- whoever goes to each of these sites reaches out to local community. And I'm
13 going to look for opportunities that Mr. Santos just described such as ECA annual event where
14 we can present a -- make a presentation of things we are working on. So I've got that. The
15 last one, Recommendation 8 is not for us. It's for the Department of Energy and it's to
16 respond positively to efforts of the DNFSB to enhance engagement. The Board's ability to
17 carry out its mission would be greatly facilitated by DOE's full level support in kind. And there
18 is -- it goes quite on more in detail here. This is an action item for the DOE and the only thing
19 I'm going to do with this is ensure that departmental representative knows that it exists. And
20 I'm going to consider that -- there is not an action for us. Anybody have any comments on
21 this?

22 >> SANTOS: I think we cover a little bit on recommendation 6. I mean, it takes two to
23 communicate. Right. So we need that continued dialogue and we need to continue to
24 remain open to a productive dialogue.

25 >> HAMILTON: Okay. Well that one is mine for action to make sure that -- that's the
26 second part of the dialogue. That's their side, kind of goes hand and glove with
27 recommendation 6. We are going to take a bio break. So we will break for, let's say, ten
28 minutes and we will restart at 11:25 by that clock right there. Thank you.

29 (10-minute break taken.)

30 >> HAMILTON: All right. We are reconvening. And we're going to go to
31 Recommendation number 9 led by Ms. Connery.

32 >> CONNERY: So this will be very quick because Recommendation 9 says prioritize strategic
33 planning and strategic goals which I believe that Board members around the table have already
34 committed to. I do want to mention a few things that it says specifically. One mention that
35 the NAPA recommendation makes is to ensure that sufficient staff members are focused on
36 strategic planning. My hope and intention when we engage with the outside parties is to,
37 again, kind of spread this out over time. One of the challenges that I mentioned before and
38 some of the other initiatives that it is taking, that it is difficult with the size of our staff to
39 maintain the appropriate level of oversight to do our mission and engage in these activities to
40 refocus the agency where it needs to be focused. And this was a challenge I found with the
41 NAPA report where it says we have fewer documents out. And yet at the same time, we have
42 to do all of this work.

43 So recognizing that we have a finite staff, I think that we have to take that into
44 consideration whenever proposing new activities and obviously the mission takes primacy.

1 But I think that the strategic plan has to be of equal primacy in order to understand where we
2 are going to go in the future. So my request to the Board is to be patient and to put that
3 emphasis where it needs to be. Obviously resources will be redirected in the event of any
4 kind of emerging activity as it always is. It also mentions the tapping of senior level nuclear
5 safety expert to report directly to the chair and have a dotted line relationship with a new
6 executive director of operations.

7 Again, I don't think we need to go into the infrastructure at this point in time. But I do
8 think that we have to recognize that the board has to signal that this is important to it by
9 allowing senior staff who are going to be working on it, the time to put the effort into it.
10 Again, the reporting doesn't really hurt my head. This is not an area where you were
11 necessarily leading at this point in time. Although, if you would like to hand it off to you at
12 any point, I'm happy to do so. But I commitment from the Chair is going to be extremely
13 important at the time when we get this rolling to signal to the staff that this is not a -- again,
14 not a check the box item that we are doing because NAPA told us to. But it is something that
15 we are all going to invest time and energy in.

16 >> HAMILTON: And I will tell you right now that this is something that I fully support. The
17 challenges we have had with strategic planning in the past have not been areas of
18 disagreements of commission. They have been of omission. Just that we haven't been as
19 rigorous. I appreciated your work last year trying to get this thing going. I do fully support
20 the initiative -- and we just need to get some rubber traction on the ground and make it
21 happen.

22 >> ROBERSON: As you said, we spoke of this earlier. I support it. We should move on.
23 I'm willing to pitch in, help, do whatever. I am 100% supportive.

24 >> SANTOS: Same here.

25 >> HAMILTON: Okay. So number 9, prioritize strategic planning of strategic goals.
26 Ms. Connery has got the lead and more action to follow. All part of the strategic planning
27 process. Item number 10, maintain a unified agenda. And item number 10 is going to be led
28 by Mr. Santos.

29 >> SANTOS: Like you recognize in your opening statements, there are several
30 recommendations that are related. We are just going to go through them and look at them
31 again. We have to step back and look at it. I think I'm going to do 10 and 11. And while
32 I'm going to break them down so we can have a discussion, some of the issues underline the
33 recommendations. I think they have common threats to them. And as we work to address
34 those common areas, I think we will be also taking care of, like, some of these
35 recommendations. So when it comes to 10, 11, I think we are going to talk about 12 -- I think
36 as we come up with new infrastructure, whether it's a new -- for example, as we look at ways to
37 improve our clear and periodic and more open two-way communications with the staff. As
38 we communicate better expectations regarding the standards of work, the quality that we
39 expect from the work of the staff and also responsibilities, go a long way to address some of
40 this. That's my analysis. Having said that, we will go through each one and break them
41 down.

42 So 10. Board members shall ensure that all staff conducted reviews are of the highest
43 quality. Absolutely. I consider that part of my primary role. And I know you all make sure
44 that collective agency product are of the highest quality and technical integrity before they

1 leave this agency. But right now, we are relying too heavily on the folder process. In some
2 cases, we are not satisfied like with quality. We just simply vote it down and call the the end
3 of the road and we are missing a great opportunity to have more dialogue and understanding of
4 what are our expectations of what is additional work that needs to be done. It comes down
5 to, we need to improve our communications with staff. We need to do a better job of
6 communicating our expectations regarding quality of work before we get to the end. My
7 hope is as we improve our communications and expectations, that could be addressed. I'm
8 confident that work that does go out is highest quality. Any comments?

9 I don't see any action outside. We need to tie this to improving our communications.
10 Improving our correspondence process so we can deal with that and continue to ensure
11 that -- go out as highest quality. Any comments?

12 >> CONNERY: I actually like the idea of looking at when a piece of correspondence fails
13 doing a little bit of an analysis as to why it failed. Sometimes it's going to fail because it's the
14 wrong vehicle. Sometimes it's going to fail because of other reasons. In the past when a
15 product has failed, a Board member champions to -- Board member would have to champion to
16 put it into a different package. So it was potentially a potential recommendation and that
17 wasn't going to go forward so it became a tech report or goes out as info paper versus
18 reporting requirement or what have you. We have salvaged some work that way. I think you
19 are right. We have lost other work that should potentially be communicated to the Secretary
20 of Energy. I'm a full proponent of having -- interim before we fix a full to process. Perhaps
21 coming up with a way to address a failed product with the technical director and the Board to
22 determine whether or not that product could be rehabilitated or reworked or in some cases if
23 it's incomplete if there is another review that needs to take place for us to satisfy that it's a
24 complete piece of work for us to do that.

25 Because I think the failure particularly when -- which I think is why the notation of voting
26 was helpful when not weaponized of his to tell the staff, I didn't vote for it. Not because it's
27 not good work but for this reason. If they are voting something down and they don't know
28 what the reason is, they are not ever going to be able to, A, learn what the issue was with it or
29 fix that product. So I -- I think that there is an interim step that we could take there. I will
30 stop for now and get reaction to that.

31 >> ROBERSON: I'm good with it. Yeah. I think there is something and I also think it's a
32 check on both what the staff communicated and our understanding what was received too. I
33 agree. I think sometimes things go down and they should get a second chance and they don't
34 do it. So I'm in support of it.

35 >> HAMILTON: This is a good opportunity to -- it's a little sidebar of discussion. But I think
36 it's a good opportunity to have it. This recommendation says unified Board work plan. We
37 don't have a -- what's that? Am I stealing your thunder -- you want to -- okay. This is
38 actually a sidebar. So I don't think it will steal your thunder. There are at least three
39 occasions in the last year where I have done something as chief executive in the absence of a
40 Board direction. The 2020 budget submittal, the OTD work plan for 2019 and the
41 performance metrics which were early on last year. The performance metrics thing. Yeah.
42 I'm sorry? The part that goes with the par. And my view on these sorts of things as
43 compared to staff products just don't go forward. My view on these sorts of things is that
44 these sorts of things are necessary for the railroad to keep running. I will do what the Board

1 wants to do. The law says the Chairman shall be the chief executive subject to such policies as
2 the Board enacts or makes. So I will always do what the Board wants to do. But if the Board
3 chooses not to act which is a failed vote, then I still have to submit the budget. So I will do the
4 best I can to try to discern the right answer. It's not because I'm trying to take power, it's that
5 I've got to keep the railroad running. When that happens, it puts me in a little bit of a bad
6 spot. I'm having to go out there and doing something on my own. And I don't like
7 being -- doing that.

8 I just want to clear the air with everybody. We've talked about this before. And
9 everybody knows those three cases. But I'm more than willing to go back and bring this
10 particular case, the work plan, go back and let's get it right if it's not right. But I can't get the
11 budget right because it was due. And the train has already gone down the track. That's
12 what I'm doing on those things. Mr. Santos.

13 >> SANTOS: So you derailed me. Okay. And I was going to bring this up on
14 Recommendation 11. But it's a good point. I appreciate the open discussion. For me, we
15 just need additional dialogue and communications. I had communicated, for example, some
16 of the reasons of some of the issues I had with the documents but there was no additional
17 dialogue or process for which I could find a way to move forward. And then she just moved
18 forward. So I understand what you are saying. I think we have work to do. I look forward
19 for team building activities and ways to improve that. We need more communications to
20 make sure that every Board member is heard and their needs are addressed. Which just
21 wasn't the case.

22 >> HAMILTON: And I don't disagree with any of that. This kind of goes back to -- I think the
23 point you are making is, acting more like a team and we've got to work on that more.

24 >> ROBERSON: The only thing I'd add is -- and you correctly characterized our conversation
25 in the past -- is we also -- like there is no reason we can't be in a position where we are
26 discussing what our next proposed budget is no matter when it is. And so I think sometimes it
27 feels like things are pushed to the end to run over the Board. Not you specifically. We need
28 to pull back and have a really schedule so that there is meaningful time left in the process for
29 Board member to Board member communication if they are to die for issues. That's what I
30 would say.

31 >> CONNERY: But my point was about staff product, not necessary --

32 >> HAMILTON: It's a different topic.

33 >> CONNERY: Okay.

34 >> HAMILTON: That's why I said it was a sidebar issue.

35 >> CONNERY: I wanted to clarify.

36 >> HAMILTON: I wanted to use the opportunity to clear the air.

37 >> CONNERY: But where there is overlap is the issue of when something fails by vote, that
38 should not be the last conversation about it. And I think that's where the process fell apart for
39 the budget. I supported the work plan. So that wasn't my issue. I think that good faith
40 effort -- and this unfortunately lands on your shoulders because you are the Chairman -- good
41 faith effort after a vote to go see what would it have taken to satisfy what you wanted and then
42 do that negotiation. And we've done that painstakingly on a couple of products recently.
43 And I've been the one trying to do that. And it's not easy or pretty. But I think we have to
44 give our -- we have to give the importance of that weight and we have to take the time to do it

1 even if it's not necessarily palatable.

2 >> SANTOS: So I agree with you, Ms. Connery. And I like Ms. Roberson ask about
3 infrastructure. And you ask -- we come up with new processes. I think this should be one to
4 take into consideration. I think you should take it for lead, Mr. Chairman. You are in the
5 best position of all of us to once a product by whether to staff or Board level fails that there is
6 some sort of, you know, redress and understand why fail. Is there anything else needs to be
7 done. Is it an issue of quality or completeness or what have you. So I think you should take
8 this one for action.

9 >> HAMILTON: The orange folder appeal process. One of the things while we are on this
10 topic -- because this really is not the recommendation. While we are on this topic, it would be
11 helpful in going through one of these where there is a disagreement and a failure, it would be
12 helpful if there were amendments during the yellow folder so I would know what the problems
13 are. I know not everyone likes to do amendments. And I don't think this is probably not the
14 right time to deliberate on this one. But absent an amendment, I don't -- it gets to the blue
15 folder level and I don't know what the beef was until it fails.

16 Anyway, I will throw that out there. I'm a little concerned that we are getting away from
17 Mr. Santos' tag items. I did derail it. That's my fault.

18 >> CONNERY: So I appreciate the fact that you are deviating from your number scheme
19 because I know that's challenging for you. I don't think the amendment is the solution. I
20 think that's what we are saying is that amendments are absence of communication, right? So
21 you are basically dropping a bomb on your other Board members or what was your record?
22 24 of them? That then they have to deal with individual form and entirety and that's
23 really -- part of the challenge is, what is it that is going to meet your needs. And it may not be
24 an amendment. There may be something behind it that needs to be explained further. But
25 unless you go and engage that Board member and find out the reason behind why they voted,
26 it might not be as simple as an amendment. Or their amendment could cause someone else
27 not to vote for it.

28 You have to understand the rationale behind that challenge that Board member had.

29 >> HAMILTON: Yeah. And I think you and I agree that amendments should not be surprise
30 bombs. But there are always going to be cases where a document gets to the yellow folder
31 process and I want happy and you want glad and I want puppy and you want small dog. And
32 that -- and we know it. We know it in advance that there is a gap between our view. That's
33 when the amendment process. That's what that is for. I couldn't agree with you more that
34 surprise amendments are not helpful. But that doesn't necessarily mean that amendments
35 are bad in their own right.

36 I got us off on this track. I would really like to keep going on.

37 >> ROBERSON: You sure you don't want to keep going down this track?

38 >> HAMILTON: Yeah.

39 >> ROBERSON: Yeah, okay.

40 >> HAMILTON: I really want to get back to where we were supposed to be.

41 >> SANTOS: Before we go back. I do think they should take a list for us action. We could
42 have table to take the lead of when something is failed, do an assessment of that. I think you
43 should lead that.

44 >> HAMILTON: That's not a recommendation in this punch list. But that's a fair request.

1 >> SANTOS: Thank you. It says, we are still on 10. Board members must then decide
2 what significance to give to they are review findings and determine the appropriate course of
3 action parenthesis recommendation process, reporting requirements for the DOE.

4 Two points on that. I agree that's one of the things I've been trying to champion. Have a
5 more predictable, more disciplined way where we can communicate the significance we give to
6 the different findings. So I see an aspect that should go and be part of this strategic planning.
7 As I mention and Ms. Connery talks and NAPA recognized, got to be a way to be more
8 predictable in communicating our strategic safety issues that affects the whole different
9 complex, which ones or more critical. Much like our risk approach to things.

10 But at the lower level, I think we are making more progress, we have to get more run time
11 on it, when we issue policy statement 7 where the staff goes perform their reviews, they come
12 up with what they consider potential safety items and they rank, you know, whether they
13 think -- at different levels whether there is a recommendation or a requirement. And then
14 they present their evidence, their independent technical analysis and then we make the final
15 determination whether there is a safety issue that we should carry forward.

16 Through that process, I think we are going to be more transparent in providing and deciding
17 what significance to give to review findings and how we're acting. But I'm open to suggestions
18 should you feel you need anything more than PS7 or some of the working to list strategic plan.

19 >> CONNERY: I will take a little less of PS7. But that's just me. I think there is a point
20 where we overly prescribe and the fact is that things don't necessarily meet -- fit into neat little
21 boxes. So I understand that the desire. And I support the desire, but nothing -- I think we
22 can get tripped up with Lexicon and miss the actual safety concerns just because we are in the
23 process of labeling them. I'm just saying that's a good guideline and that's what to me the
24 policy statement should be as high level guideline. But staff needs to be able to communicate
25 their work in their way.

26 >> ROBERSON: I actually don't have any comments specific to what you just said. I think
27 we have a recommendation a little bit later in the process about the extreme procedure writing
28 that we have and I think all of these things are subject to future deliberations.

29 >> SANTOS: That's a good point and we need to talk about Board policies, high level and
30 everything else that exists at staff level and how to really --

31 >> ROBERSON: Reengineer.

32 >> SANTOS: Right. From a high level, I want to say that I recognize and support that we
33 need to be transparent and clear on how what significance we are giving to review findings. I
34 think we are doing some of that. And we should continue to do that. I have no further
35 action at this point.

36 >> HAMILTON: Okay. But this is not a closed item. This is on hold? This is number 10.

37 >> SANTOS: To me, the only aspect remaining are strategic planning. That will be an
38 aspect that looks at strategic safety issues of communication and other aspects of it will be tied
39 to when we talk about relationship between policies and staff procedures.

40 >> CONNERY: Are you going to address the RFBAP of this or no.

41 >> SANTOS: I'm going to get to that.

42 >> HAMILTON: All right. What I'm --

43 >> SANTOS: No, I'm not done with 10. I'm going to go through each what I consider --

44 >> HAMILTON: Okay. So you are still working on 10.

1 >> SANTOS: Yes.

2 >> HAMILTON: So what I'm trying to do is help the General Counsel figure out how to make
3 this into her spreadsheet.

4 >> SANTOS: So basically I have done -- we have done three subs. One, two and one that's
5 not really 10 but that you took for action.

6 >> HAMILTON: We are not including that one in here.

7 >> SANTOS: That's right. Anyone? Is it clear? Okay. Board members and Board staff
8 members shall work from a unified agenda work plan that implements the priorities on which
9 Board members choose to focus. We just kind of touch on that. We are not having success
10 on that. We do not have an approved work plan. But I wholeheartedly agree that that
11 should be our goal. We must have an agenda that implements the priorities and which Board
12 members focus. We have a very bottom-up approach. We need to find a way to meet in the
13 middle. I don't think we have done a good enough job of providing very clear priorities as a
14 unified Board to this staff. More work to be done. And I look forward to kind of round two
15 of the work plan and see where we go.

16 >> HAMILTON: Is this coming back to what Ms. Connery has been talking about? Part of
17 the flow from the strategic plan to these other plans?

18 >> SANTOS: It should. To me, it should. Then the issue with that would be the timing of
19 it. Because we are not ready -- so this might take a while until we get there. Ms. Connery,
20 any comments? Yeah.

21 Board members shall limit the use of additional RFBA tasking to address emergency
22 situations and emergency. I agree. I mean, we must empower the staff to continue to be
23 responsive to address all issues as they emerge and don't wait for the Board members to
24 necessarily initiate action. I think there is misalignments in sense of urgency and
25 expectations. And, again, I think we need to correct that through improved communications
26 with the staff. And recently, I think we are getting to a better way that we were several
27 months ago where some of the misalignments were being handles via RFBA as opposed to
28 more organic process.

29 The aspect is we look at whole voting process and whole correspondence could be
30 addressed. I don't think we have such an issue right now that we just continue to use too
31 much RFBA to direct, you know, big chunks of the work. I will take your perspectives.

32 >> ROBERSON: No. I'm going to wait until the next point.

33 >> CONNERY: I think RFBA's have been a source of contention between and amongst Board
34 members and between and amongst Board members and staff for a while. I would say that
35 the height of the RFBA -- I went back and looked at RFBA's and I would say that the height of the
36 RFBA wars would be a year ago, year and a half ago. In recent times, if you look at it, there
37 have been fewer RFBA's that were directed added work flow. And, again, the RFBA came
38 about because a Board member had a particular issue that he or she wanted to move forward
39 and then put it to the Board to move forward. There may be other ways to deal with that
40 process and maybe if RFBA process is not the -- a good way because there is no real feedback
41 loop there, we have periodic reviews of the work plan in which the staff tells us what they are
42 doing and not doing and we can use that to realign the staff if timing coincides rather than
43 using an RFBA process. That's my preference.

44 >> HAMILTON: What I think I just heard you say and I agree with you, seems like there was a

1 peak of RFBA frequency a little over a year ago and last year subsided substantially. I don't
2 have the data to tell me what the numbers are. But anecdotally I think you are absolutely
3 right. Part of the challenge could be addressed through our code of conduct where we are
4 more rigorous about making sure that we have talked amongst each other before we submit an
5 RFBA. I -- you know, there is a footnote in here about bringing back this requirement. I'm
6 not sure that I would want to revisit that, but I think that in a code of conduct area where we
7 have a soft agreement that we should try to work these things out amongst ourselves before
8 we submit our RFBA's, I think that would be very helpful.

9 I don't know why the RFBA frequency dropped off a year ago. It just did. Does anybody
10 know?

11 >> ROBERSON: Oh. I don't know if it dropped off because of, you know, people throwing
12 their hands up out of desperation or ineffectual. I don't know. What I would say is the RFBA
13 process, yellow folder process, amendment process all were born out of work member
14 frustration that they were not able to effect the path of the staff work. And I think they were
15 emblematic of the board not being able to communicate and work together. And so their
16 sustainable need to me is a metric of how much progress we are or are not making.

17 >> HAMILTON: Wasn't it also a requirement that was driven by -- when we got the IG in
18 2012?

19 >> ROBERSON: No. Generation of procedures was a requirement when we got the IG.
20 But the development and refinement of this processes were in response of specific Board
21 members concerns about their ability to shape their direction and priority of the work. Just
22 like the work plan was born out of that same time frame too. But I think they were voting
23 processes instituted because the collaborative and collegial process wasn't working as well it
24 should.

25 >> HAMILTON: So what I've just heard you say -- and this is very interesting -- is that the
26 collegial and collaborative process broke down. A setup of procedures was put in place to
27 address that breakdown. And then as new Board members -- the three of us
28 namely -- Santos, Connery and I came along, those Board procedures were in place and that's
29 just the way it was. Very interesting.

30 >> ROBERSON: That's correct.

31 >> CONNERY: So I think another aspect of the RFBA process again, I agree wholeheartedly
32 with Jessie, it's a breakdown in collegiality. It's the kind of the push and pull of the work plan.
33 I think the other -- I'm one of those people who thinks that work planning was overengineered
34 for a time period. It's gotten a little bit better. It's still a little bit overengineered because
35 you have to respond to emergent actions. I have no problem with using an RFBA to address
36 an emerging situation. But we shouldn't have to because with the communication between
37 the Board and the staff on our tech Tuesdays or what have you, there should be an indication
38 that that is an emergent issue and we are going to put staff resources on it. And to me, it
39 should be up to the technical staff what resources to take off.

40 When the problems come about for me is the fact that we have a -- we have a collection of
41 very demanding Board members when it comes to information on specific technical issues.
42 And when that results in having to do on RFBA to do additional technical work, that pulls work
43 away from other prioritization. Then you have attention between the work plan that
44 everybody agrees to and needs of one or two Board members that have needs for more

1 information without the collective saying, yes, there is a need to address those issues. And,
2 therefore, you get frustrations with RFBA's or counter RFBA's on workforce. The smaller our
3 workforce against, there is going to be more tension there is on what Board members want
4 them to look at. In this case, size matters. And size of your staff matters when comes to
5 how you are going to prioritize the work products.

6 >> HAMILTON: The other thought on this because I think this is a very interesting discussion
7 is if collegiality broke down, resulted in creating processes and procedures that maintained the
8 breakdown, even after personnel has changed, in the absence of those procedures, you are
9 really relying on the personalities of the Board members themselves. And we can't be
10 guaranteed that we are always going to have the great and reliable and friendly four Board
11 members that we are for the future. I'm being cynical. But we are reliant on that if we don't
12 have those processes and procedures. I'm not sure it's a trap that we are getting out of.

13 >> CONNERY: But you are guaranteeing that you won't if you have those processes and
14 procedures in place.

15 >> HAMILTON: Well, maybe. But we -- you just said we had a real dearth of RFBA's over
16 the years which I think is a healthy sign.

17 >> CONNERY: But Jessie's point was that could be a healthy sign or could be a sign of
18 dysfunction seeking to the point where people are not bothering to do RFBA's because they
19 don't see them going forward.

20 >> ROBERSON: I think the -- and I think it's worth the focus and I don't know what form we
21 focus on. I would put this in the bucket with what I call notational voting and correspondence
22 process. I understand what you are saying, every Board member should be able to shape
23 through some process of the agency. I think the consequences are significant because, once
24 again, you are right. It can be a self-fulfilling prophecy and we all heard it. Board member
25 can do an amendment or an RFBA. Does not not just contribute to collegiality among all of us.
26 But productive set of interactions between us and the staff. And so something needs to
27 change. That's all that I'm saying. I don't know what it is.

28 >> SANTOS: I agree change is needed and you can see how preface the whole thing with
29 communications process and all of that. I have witnessed how every one of us have modified
30 the approach to doing our work because of some of these issues. So I think some of the
31 numbers going down is because -- we have found different ways to approach our work. Not
32 necessarily that there is some great alignment or great communications happening. So more
33 work to do. I just don't want us to get lost. That numbers going down equals things are
34 good.

35 >> CONNERY: So I don't want to foreshadow number 12, we have had a couple of
36 conversations about having an EDO. That only works in my view if all the Board members put
37 their faith in that EDO and that the recruitment process for that person gets a top notch person
38 in whom we all have considerable faith. There is no person I know who is going to want to
39 operate at that level and be able -- feel like they actually can run their staff and their resources
40 if they are subject to the whim of an RFBA a week. Not going to happen.

41 >> HAMILTON: RFBA a what?

42 >> CONNERY: A week.

43 >> HAMILTON: Oh, okay.

44 >> CONNERY: So while I understand that every Board member has to be heard, we need to

1 figure that out amongst ourselves. If the Board is going to support an EDO, I believe we have
2 to support that person with the understanding that they are the ones that run the staff and the
3 processes and we are very clear about what the expectations are of that person and how those
4 processes are run and, sure, there might be emergency switches we put in there as with my
5 case. But in the Board procedures allow for me as the EDO to have my plan derailed, you
6 know, haphazardly, then I know I'm walking too a broken system and I don't think we are going
7 to get the caliber of the person that we want in that position.

8 >> ROBERSON: You just derailed me.

9 >> CONNERY: Sorry.

10 >> ROBERSON: Listen, I agree. I do agree that we also have to be realistic that things occur
11 as time passes on. And we have to have a better way of making sure -- because we are all
12 different. I mean, you can take the same problem and each one of us looks at that same
13 problem differently. So we have to figure out how we are going to work amongst ourselves to
14 make sure that nobody gets left out. And I do agree with it. I think that's where this process
15 should be. It's actually through these defined processes which as I told Ms. Connery when we
16 put some of them in place, my vote comment was, I'm willing to try. And then they -- because
17 some of these, we didn't put in place until '15. The procedures went into effect, but as time
18 went on and Board members felt disconnected from the work, then these processes started to
19 be installed.

20 But I think it is at the end of the day still a measure of how we listen to each other and how
21 we understand our differences and work together. I don't know how to say it any differently.

22 >> SANTOS: I agree. That's why I said, some of these recommendations, I think, will go a
23 long way as we improve our working as a unit as opposed to collection as an individual. So
24 let's move --

25 >> CONNERY: Can I make one last statement? It goes to Mr. Hamilton's point about the
26 procedures always being in place and that we might always be a -- fact of the matter is when
27 procedures are not working for us, we deviate from them anyway collegiately. We say, okay,
28 we are -- unanimous consent to stop that procedure because we need to do something
29 different. If we didn't have those procedures and had to put one in place for particular
30 contingency, we can put them in. But right now it's kind of -- we're in opposite worlds where
31 we have these layers of procedures and when an emergency comes around, we deviate from
32 the procedures.

33 >> HAMILTON: I don't agree that using unanimous consent is a deviation procedure because
34 it is a procedure.

35 >> CONNERY: My point is to suspend other procedures. That's what I'm saying. There is
36 always a way around the procedures or without going through the board, just altering work
37 practices.

38 >> HAMILTON: Let me think about that. Yeah. I will cogitate. Go ahead, Mr. Santos.

39 >> SANTOS: Are we done with 10? Let's go to 11. There is several thoughts and themes
40 on 11. But, again, I go back to this one clearly says revert to traditional organizational staffing
41 dynamic. The Board members shall revert to a more traditional staffing model to better allow
42 the Board's SES members to lead is directors to direct, supervisors to supervise and problems
43 we resolve at lowest possible level. I want to start with question to Ms. Roberson. Because
44 the word uses revert. So --

1 >> ROBERSON: Yeah. I read through this. And this is my recollection, the Board
2 members especially for technical organization has always had a role to play. I mean, it's a
3 specialty class of technical people. And I think the previous Board or Boards were very smart
4 in ensuring that they had the opportunity to have skin in the game when it came to ensuring
5 that the few technical experts they could have were people they had skin in the game in. I
6 don't know what revert means to either as far as it says -- the way I read this is, Board members
7 should just say bye-bye and, you know, just kind of happens. I think we have a specialty class
8 of technical people for a reason. And I actually don't know what revert means.

9 >> SANTOS: Any --

10 >> HAMILTON: I don't know what revert means either.

11 >> SANTOS: Okay. It says Board members shall ensure that they and staff members divide
12 activities to align with respective roles, holding strategic more technical matters respectfully.
13 So when I went through I just pulled out what I thought were sub-recommendations. Yes,
14 again, I think some of this are all tied to as we come up with improved communications, we
15 really have to better communicate what the roles and responsibilities of the Board, of the staff
16 and interactions. We have to do that. We haven't really done that messaging as us as a
17 collective body. And I think that will go a long way to solve some of these issues identified.
18 Ms. Connery?

19 >> CONNERY: I'm going to repeat my early point about the EDO. So this describes the
20 situation in which the staff is, their words, micromanaged and states that the Board members
21 have to balance their technical focus on one hand with strategic considerations on other hand.
22 Which I don't think that anyone around this table would disagree with. And the involvement
23 in the day-to-day business gets a little bit tricky just because the technical work is our business.
24 So it's difficult to separate. But I think how we define the role of the EDO and his or her
25 responsibility vis-a-vis the staff is going to be imperative to get this balance right and the Board
26 members may have to adjust their understanding of what their roles are vis-a-vis the staff in
27 that instance.

28 >> SANTOS: So, again, I think there is an element that will tie to recommendation 12.
29 When we are done, we should talk about that. When we come up with describing that
30 balance -- I like that word -- on how we adjust the roles is important. I also agree with the
31 observation that technical work is our work and that there is a nature to that will require some
32 type of engagement more than -- that are more hands-off kind of approach. I agree, we have
33 to look and then come up with a communication strategy for the staff on how we are going to
34 operating moving forward.

35 Involvement of all Board in certain areas like hiring and firing of various agency directors
36 can distract Board members from addressing other important policy and mission issues and
37 lead to the -- function staff members. The Board should pursue legislative changes with the
38 Congress to implement this recommendation. This confused me because a paragraph later in
39 recommendation 12 starts Board members should appoint an executive director for operations.

40 So I'm confused. Any thoughts on that? I think our statute is clear and if there is any
41 potential modifications to that, we should put it in the bin. We are going to work with
42 General Counsel and deal with this particular one through that process.

43 >> CONNERY: So I would make the observation that personnel's policy. And in the case of
44 a small agency such as ourselves, particularly the people in on whom we depend who are in

1 high levels of responsibility at the -- currently that's our technical director, general manager and
2 our General Counsel. I think that is a collective Board duty to be able to hire and fire those
3 individuals because we have to have buy-in to those individuals. Below that, I understand
4 what they are saying which is that the SESs should be making decisions with regards to who
5 their direct reports are going to be and that decision process.

6 I will relay a conversation with Ms. Roberson's position that position that she and I
7 had-year-old because I was of the mind because when I got here, Board members weren't
8 involved in staff level hiring. And we were only involved in the senior level hiring and we had
9 a -- there was actually a near-miss of a potentially disastrous hire in one of those top three
10 positions that I will tell you about offline that had the Board members made that decision
11 before I got on Board, we would have fallen into a very bad situation. So I believe that in
12 those positions the Board members should be involved.

13 On the staff level, I didn't think it was that important. I thought it was more important
14 that the technical staff was comfortable with who they are hiring. Ms. Roberson made the
15 point which changed my mind a little bit about that which was that if the staff members who
16 are -- people who are applying to join the staff had to interview with each of the Board
17 members, then the Board members would have a vested interest in that individual and a
18 connection to that individual. So when it came time for the technical work to be done and
19 that person to be sitting across from us in the Board room, the Board members would feel a
20 connection to the staff member -- I'm speaking on technical side in particular -- that would
21 engender a trust in some of the more sensitive work that we do. And I hadn't considered that
22 before. And I actually think that that is a good point that NAPA didn't take into consideration.

23 >> HAMILTON: Just going to offer a very short comment on your previous question. And I
24 generally agree with most of what you said there. I think there is a muddled message in some
25 of this.

26 >> SANTOS: Yes.

27 >> ROBERSON: But only thing I was going to add to what Ms. Connery said which -- I don't
28 know, most of you should know, is the Board actually halted that engagement in that process
29 because I asked them to. In the spring of 2015, when we had two new Board members
30 coming on board and we only had three Board members and a lot of stuff going on, I actually
31 formally asked the other two Board members to halt that until the other two Board members
32 showed up. We never really revisited that practice and never really revolved this. It was a
33 temporary halt.

34 >> CONNERY: Then why didn't it restart?

35 >> ROBERSON: It's a good question. I don't know why it didn't restart. All of a sudden it
36 became folklore that it never happened.

37 >> HAMILTON: When you are saying it --

38 >> ROBERSON: Board member involvement at least the technical.

39 >> HAMILTON: And now we are, in fact, doing that again. Just on my direction. So are
40 we out of this rut? Does this -- because I've directed that all those people come to us -- you
41 have the option. You don't have to interview them. You have the option to. You have the
42 option to look at their resume and you have option to give me any feedback that I will give to
43 the hiring manager. So is that -- are we doing what we need to do now?

44 >> ROBERSON: I personally think it's a good band-aid. But I think the leadership of the

1 staff needs to have a better comfort in predictability and discipline of the process going
2 forward. I don't think we have done -- as a Board member, I'm perfectly comfortable with
3 that. I don't know if it's the long-term solution that provides predictability in the hiring
4 process.

5 >> HAMILTON: Well, you know, sometimes predictability out of the long term comes out of
6 doing things the same way for the long term. If we keep doing it, and which I don't have
7 intention of stopping, I think it's a good idea. We just start doing it and it starts getting baked
8 into the cake.

9 >> SANTOS: What I hear you say, you are going to extend the practice that you are doing --
10 >>

11 >> HAMILTON: I have no intention of stopping it. I believe -- tell me if I'm wrong -- that I
12 have Board consensus that we need to do this.

13 >> CONNERY: So only thing I was pointing out in long-winded conversation -- sorry, lots of
14 coffee -- is that it's contradictory to what NAPA report says. And I just want to acknowledge
15 that because I think that we don't have a bucket for that.

16 >> HAMILTON: And I think there is some contradictions in some of this.

17 >> ROBERSON: The only thing I would add is, I'm perfectly comfortable with the country
18 process. But I do believe when as we put together the job description for the EDO is
19 something we ought to consider as the current process. How it fits in or not, what changes
20 should happen.

21 >> HAMILTON: Fair enough.

22 >> SANTOS: I just want to make sure. So we talk about this staff primarily technical.
23 Would you also consider the other areas of that. The aspect here is talking about the -- I think
24 the three directors are covered by our statute. What I was saying is that if there is any
25 difference of opinions or proposed changes to that, I certainly don't see or support changes to
26 that aspect. If any of us want to, we do it through the legal effort to look at legislative
27 proposal. That would be how I move forward on that one.

28 Last one I have, the Board Chairperson was truly act as a C.E.O. That's for you, Bruce.

29 >> HAMILTON: Well, read the first half of the sentence.

30 >> SANTOS: I will. As other Board members step back day-to-day matters like concerns for
31 particular personnel appraisal, the Board's chairperson must truly act as a C.E.O. In the aspect
32 of membership of the Board, members must bring best qualities of a leader inspiring the staff
33 to perform their functions with excellence enforcing a climate of professionalism and respect
34 and actively addressing the top issues that effect organizational performance.

35 >> HAMILTON: This is the muddled message. On the one hand, we are saying we need to
36 be more participatory in the selection of key staff. But all staff. And on the other hand, the
37 Board should step back. This is the kind of where I'm -- where there is cognitive dissonance
38 that I've been talking about.

39 >> ROBERSON: I think the difference for me is in laws and regulations and collaborative
40 processes. So it's not to say that the Chairman can't say, you know, sub of the office directors,
41 we are going to hire so-and-so. But it's the communication process that leads up to it. So
42 it's not all just what I call regulatory process. That would be the difference. Does that make
43 sense?

44 >> HAMILTON: Well, I think this example of what we are doing we've started doing now is a

1 good one because, you know, your option to interview technical staff -- and I would encourage
2 you to do it -- your option to provide feedback to the hiring manager. But that's collaborative.
3 It's not regulatory. And it's not a set of rules and you are not having a veto or anything like
4 that. It's just, hey, I think you may be -- at this person before you pull the trigger. This sort
5 of thing. So it is a collaborative process.

6 That's why I don't think that Board members should step back from this sort of thing in this
7 particular case.

8 >> CONNERY: So I'm going to go back to an old hobbyhorse when it comes to
9 communications. Because I think we've broken down -- we talked a little bit about how that's
10 broken down and that's the game of telephone. When it comes to day-to-day operations,
11 you're going to the what you are going to do. And honestly, I've been in your seat. So knock
12 yourself out. However, I think the communication's process is lacking. We have to be
13 appraised of what's happening with staff because they are the tools by which we do our work.
14 I didn't mean to call the staff tools. Sorry about that guys. So if there is personnel changes
15 and we are not apprised of them in realtime or if there is a filter whereby when something
16 happens on site or something happens to a staff member, unless it's a personnel issue and it
17 goes to you and, you know, for whatever reasons you don't share that with the Board and staff
18 feels like before they communicate anything, they have to go to the Chair and then comes
19 down, then that's not working for me in terms of day-to-day operations.

20 I think the senior staff should be trained to provide information to all Board members
21 simultaneously. And whether that means we go back to gatherings or if that means we
22 actually use, you know, e-mail in that way with a CC, that's fine for me. I don't have to be in
23 the operations. I need to have visibility in them to get at if there are things that are flagged
24 for me as regulatory issues. Or simply to know that person I thought was the cog of Idaho is
25 no longer the cog of Idaho. That's pertinent information to my day-to-day job that I should
26 have in realtime.

27 >> SANTOS: You have two jobs and they pay the same. You are C.E.O. and Board member,
28 right? And that's a challenge to find out, you know, what are matters that belong to the
29 collective Board and what are matters that in your judgment are under the purview of a chief
30 executive. And I think as we continue to improve our team building and our communications
31 amongst yourselves, will go along way to clear some misexpectations and issues that we are
32 having in this regard. Because your intention to keep the train running on time, I think -- I
33 have felt that sometimes matters that should belong to the Board were not handled like that.
34 So I look forward to let's keep the communications channels open and, you know, as you
35 continue to execute your function. You know, my Board member had, what does need. If
36 you feel that needs to be provided, then give it to all of us.

37 So I think it's more just communication on this one. And I'm done.

38 >> HAMILTON: Okay. [away from the mic].

39 >> ROBERSON: Yes. I shall be very efficient as I hope you all will be too. Okay.
40 Recommendation 12. Major heading is appoint on executive director for operations.
41 Subtext, Board members should appoint an executive director for operations to lead the staff,
42 filling the position after a deliberative and open search, including consideration of outside
43 candidates. They are actually two specific paths I propose to the Board. But after not just
44 reading this, but reading the supporting information in the report, I would say filling the

1 position as many of you have already touched on, will provide great opportunity for improve
2 technical and policy support, closing obvious gaps between technical staff and administrative
3 support functions and will encourage greater teaming and mutual support. It also provides
4 for more traditional relationship between presidentially appointed officials and professional
5 staff, I believe.

6 The second part of recommendation 12 makes no specific recommendation other than to
7 let SES leaders manage and that those SES should give up to highest standards of professional
8 demeanor. As I read this in the entire report, it was unclear what was actually intended here.
9 However, it appeared that based on some of their examples, Board members were preventing
10 SESs from managing their staffs. And in turn, SESs were publicly demonizing Board members.
11 They actually included an example. Rendering an unhealthy work environment for all.
12 Neither parties happy.

13 I think there must be more to understand here. And I strongly suggest the Board move to
14 range a team building session with the agency's career management team or series of such.
15 And so I'll just stop there. I have two specific suggestions, but I will leave it open for comment
16 if anyone wants to.

17 >> CONNERY: [away from the mic]

18 >> ROBERSON: Two specific suggestions in response to recommendation 12. You want me
19 to just go ahead and put them? Okay. One is to actually -- not necessarily today but in the
20 next few days -- actually set a time in place for communications or team building session with
21 our SES core. And then the second one, I would say, and I'm happy deal with this usually until
22 Mr. Santos starts signing work across the table. I will happily work with human resources to
23 review some example candidate position descriptions for EDOs or executive directors at other
24 boards and commissions and propose a job description for the full Board's consideration for an
25 EDO here. And I'm happy to work with you and legal or the rest of the Board, whomever, to
26 support pursuing congressional authorization to proceed with establishing the position.
27 Okay?

28 >> SANTOS: You touched on reaching out to, you know, Congress to make sure we can
29 execute some of this. But I'm fully supportive and continue to be of [unintelligible] of EDO.

30 >> CONNERY: Okay. I'm going to address all three of them. Time and place for SES core
31 team building. Absolutely. I think we've gone far too long without communicating directly
32 with our senior executive staff. I think that is causing some challenges. So I'm interested in
33 finding out what the public demonizing thing is too. That's a separate issue.

34 Secondly, I would support looking at a position description. If you work with our human
35 resource and board can converge on position description, I think that would be helpful in terms
36 of timelines. I think the sooner that we do that and have that position description in hand to
37 go to your third point to go to Congress for mother may I, I think that would be extremely
38 helpful. And having us all on board and I will refer back to several comments that I have
39 before. To me, this only works if we -- that individual with the capacity to actually manage the
40 staff and the workload with minimal interference. I don't mean that in a negative way -- of
41 Board members even though some of us who have done the management thing before like to
42 play in that area. We need to be able to step back.

43 There is one other aspect that I would ask you to explore with human resources and this
44 is -- if it's supported. And I believe this can be done. I think that this position requires more

1 than simply going out into the ether at U.S.A. jobs. I believe this should have an executive
2 headhunter aspect to it and that we get the highest caliber candidate that we can also afford.
3 That's also part of the PD is to understand what exactly senior executive level we can hire to
4 and what type of head-hunting we can use.

5 >> ROBERSON: I agree.

6 >> HAMILTON: Hearing no other comments -- oh, Mr. Santos.

7 >> SANTOS: Yeah, I agree and we -- I don't know -- it's communication. We need team
8 building. I don't know if that's right term to begin with. We need to reach out and
9 communicate. I just see us getting more and more apart.

10 >> ROBERSON: Yeah. I agree with you. Only thing I was going to say is, there is lots of
11 talk regardless. So we got to get out of our bubble a little bit. Because the communication is
12 happening in spite of us.

13 >> SANTOS: On the EDO and something I can provide my input as we get beyond the
14 position description, some of the challenge that I have seen is whether there is an EDO or one
15 of office directors, the concept of do they work for the Board or just serve the Chairman. And
16 that dynamic is something we really have to look at and consider. Especially some of the
17 actions kind of are on the C.E.O. versus the board aspects of it. That has created a lot of
18 tension and mistrust. And I see this EDO as an opportunity to address this kind of issue.

19 >> ROBERSON: This is -- I don't know if I have said it to you or somebody else. This has not
20 necessarily been an issue uniquely with technical director. At one point, it was an issue with
21 legal counsel too. I think it's something that we could probably spend more time on. I think
22 there is a difference between who you work for and who you serve. And I think that's where
23 we need to make the clarification. I mean, by the law, unless delegated from a performance
24 standpoint, definitely work for the chairman. I'm assuming performance expectations address
25 serving the Board. But I think it's a good point.

26 >> SANTOS: I just want opportunity to address something that has created divisions among
27 us. That's all.

28 >> CONNERY: I think we also have to be realistic because I think that Board has put a lot of
29 expectations on EDO. Having structure in EDO in place has solved a lot of problems. We
30 need to address our expectations amongst ourselves that we still have to put in the work
31 because that's not going to be the end all be all. We could end up in same place if same
32 behaviors continue.

33 Would like to hear the Chairman weigh in on his views of the team building and of the EDO
34 just because you have not said anything.

35 >> HAMILTON: Well, I will say the same thing that Ms. Roberson said. I agree with both
36 concepts. Both of them. I'm supportive of them.

37 >> ROBERSON: Thank you all.

38 >> HAMILTON: Okay. That finishes recommendation number 12. I'm going to ask
39 Ms. Blaine to summarize the new items as best she can. We will start with five and go to 12.
40 Go ahead.

41 >> BLAINE: okay. So number five I have as being assigned to Mr. Hamilton for action.

42 >> HAMILTON: Correct.

43 >> BLAINE: No further discussion on that. Number six also assigned to Mr. Hamilton for
44 further action.

1 >> HAMILTON: Correct.
2 >> BLAINE: Number seven. Also been assigned to Mr. Hamilton for further action.
3 >> HAMILTON: Correct.
4 >> BLAINE: Number eight, assigned for Mr. Hamilton for action. You will ensure that the
5 deck rep knows that this recommendation exists.
6 >> HAMILTON: Correct.
7 >> BLAINE: Number nine has been assigned to Ms. Connery for further action.
8 >> HAMILTON: Was there more than one subset of nine?
9 >> BLAINE: There were four sub-recommendations but no specific assignments under each
10 sub. So generally, it's been assigned to Ms. Connery.
11 >> HAMILTON: Okay.
12 >> BLAINE: Number 10 and number 11 where things got a little messy. So number 10 was
13 broken down into four sub-recommendations. So the first sub decide what significance to
14 give the staff, conduct preview finding and say determine appropriate course of action. No
15 Board member assignments here. And Mr. Santos says there was no further action. Only
16 aspect remains is strategic safety issues and enhancing communication. And ensuring that we
17 tie this to the relationship between policies and staff procedures. So I consider this to be in
18 progress.
19 >> HAMILTON: Your action. You happy with that?
20 >> SANTOS: Yes. I agree.
21 >> BLAINE: Progress. Okay. Sub-recommendation number two, work from a unified
22 agenda and work plan that implements the priorities on which Board members choose to focus.
23 Again, no specific Board members assignments. Just general agreement that you should
24 create a unified agenda and that it would flow from the strategic plan. So in progress.
25 Okay. Sub-recommendation number three. Limit the use of additional RFBA's taskings to
26 address emergent situations and emergencies. Once again, no specific Board member
27 assignments. Everyone agreed that staff needs to be empowered to be responsive to
28 emergent issues instead of relying on the Board to submit an RFBA's. But, again, this will all
29 flow from enhanced team building and building trust with one another as well as better
30 communications. So will flow down from recommendations two and four. In progress.
31 There was a sub-recommendation number four. No real discussion on the matter of about
32 reconsidering the withdraw and never implemented process and improvement that would give
33 Board members and staff opportunity to discuss and provide input on potential RFBA's.
34 Nothing really happened here. So I would consider this closed? Unless there is Board
35 member objection.
36 >> HAMILTON: Okay. This is 11. Which one --
37 >> BLAINE: This would be sub-recommendation number 4 under 10.
38 >> HAMILTON: You consider that closed?
39 >> BLAINE: Closed.
40 >> HAMILTON: Okay.
41 >> BLAINE: There was a collateral tasking that came out of recommendation to Mr. --
42 >> ROBERSON: I have a comment.
43 >> BLAINE: Okay.
44 >> ROBERSON: I think the one thing -- at least I suggested. I don't know if the other

1 Board members agree. That I would put that -- I would hold that and consider it when we get
2 to the recommendation on our procedures. Yeah.

3 >> SANTOS: Like I said the whole RFBA's notation [away from the mic].

4 >> BLAINE: So I'll change that to table then or in progress, excuse me.

5 >> SANTOS: [away from the mic].

6 >> ROBERSON: If you table it now, we will come back to it.

7 >> BLAINE: Okay. Tabled. And, like I said, collateral tasking to Mr. Hamilton arising from
8 this recommendation to develop an analysis of failed communications in order to determine
9 why they failed and how to redress the failure.

10 >> HAMILTON: That's not going to be part of this. That's something I'm doing, but it's not
11 going to be tracked on this.

12 >> BLAINE: Okay.

13 >> SANTOS: I have a comment and that's a good point that you bring up. We have the
14 NAPA report, we have the [unintelligible] report. We are going through this in methodical
15 way for that we are tracking. As we are going through this, we are all learning. We are going
16 to get more inputs from the staff and others. And there might be areas that we want to do
17 the one that cover Nintendo of the recommendations. And we have to find a way also to
18 keep tabs on that and integrate it. So I'm okay that we don't track it as part of this one
19 because this is specific to the NAPA. But I don't want to lose sight that there is other actions
20 that we are going to be taking to address all the issues or learning and tackling it. So any
21 comments on -- reactions from that?

22 So I would just not want to lose it. I'm good as far as tracking of NAPA recommendation.
23 But I don't want to lose tracking of that.

24 >> BLAINE: Okay. Okay. Moving on to recommendation number 11. This was divided
25 into three sub-recommendations. First divide activities to align with roles holding in strategic
26 and policy matters. Again, this was tied to enhanced improvements and communications
27 between Board members and staff as well as recommendation 12 regarding the hiring of the
28 EDO. I consider this in progress?

29 Sub-recommendation number two is to pursue legislative changes to strengthen the
30 chairperson's role as agency C.E.O. There is a general assignment to all Board members that if
31 anybody is interested in doing this so that we would put it in the general bin of legislative
32 changes being pursued. Otherwise, Mr. Hamilton has the assignment to keep the practice of
33 including Board members and technical staff hiring.

34 >> HAMILTON: Yeah. And I don't think that was part of the recommendation, was it? It
35 was just the opposite.

36 >> BLAINE: It was just the opposite.

37 >> HAMILTON: So that one is really not something we are tracking as part of this. I am
38 going to continue that practice for the record. But it's not a tracking item. It's non-tracking.

39 >> BLAINE: Sure. All right. The final sub-recommendation, the Chairperson must truly
40 act of C.E.O. and bring best qualities of a leader to the position. Once again, this was tied back
41 to enhanced communications between Board members as well as more team building
42 exercises. So I consider this in progress.

43 No objection?

44 Moving on to Recommendation Number 12. There were three action items assigned to

1 Ms. Roberson as a result of this recommendation. The first is that she is going to set a time
2 for a team building activity with the SES core. Number two, she is going to work with HR to
3 review candidate position descriptions for EDOS and other board's commissions and propose a
4 full description for the Board's EDO. In doing so, she is going to ensure that PD clarifies who
5 the EDO would serve. She will also explore the possibility of using an executive headhunter to
6 ensure we get the highest caliber candidate. Finally Ms. Roberson will work with ODC to work
7 with pursuing alleged native change to establish this position.

8 >> HAMILTON: Good?

9 >> BLAINE: That's it.

10 >> HAMILTON: All right. Next item of business is that I would like to offer a proposal in the
11 form of a vote to have the next meeting -- we are having a meeting on Valentine's Day. Which
12 is the third in the series of meetings that we approved. I would like to offer a next meeting in
13 the month of March. Specific date to be determined. So I would like to make a motion that
14 we hold a -- well, I guess it would be a fourth meeting on this topic. Whatever the language of
15 the first one was. I don't remember. What's your question?

16 >> CONNERY: I second.

17 >> HAMILTON: Ms. Connery seconds the motion. But can you read what --

18 >> BLAINE: I'm going to use the language from the last one if that works.

19 >> HAMILTON: That would be fine.

20 >> BLAINE: Vote for the Board to approve to conduct a fourth Board member public
21 business meeting in March of 2019 to discuss the implicit and explicit recommendations
22 captured in the National Academy of Public Administration's Defense Nuclear Facilities Safety
23 Board organizational assessment and recent inspector general recommendations concerning
24 the effectiveness of the DNFSB.

25 >> HAMILTON: So moved. Ms. Connery.

26 >> CONNERY: Second.

27 >> HAMILTON: Discussion?

28 >> SANTOS: I'm supportive of having a fourth meeting or maybe a fifth or whatever we
29 need. But I want to consider the following. I see value of the team building exercises that
30 are brings us together and work better as a unit. I think we need more of them. And, yes,
31 we have one more planned -- what's the date? The 11th. I do feel that we need more team
32 building exercises prior to our third meeting. So what I would like for us to consider is
33 potentially having the third meeting moved from Valentine's Day to March to allow more some
34 of these sessions and then figure out the fourth one whether probably May. Just give us a
35 little bit more time for additional not only team building but preparation and making some
36 progress on some of the actions that we are tracking. Because it's getting to a point that we
37 got to get start to execute some of the things we are doing. And I think some of this meetings
38 are getting a little bit too close together. That's just my view on that.

39 So before we move on, I just want to see any reactions to what I just talked about.

40 >> ROBERSON: More team building. I agree. I mean, the more we work on it, the more
41 efficient these exchanges become too. I think this week because of the weather, and other
42 reasons, I don't feel we were as effective and efficient as we could be. But I do think the
43 sessions that we're having, the team building sessions, are critical and they really are the
44 sustaining -- the sustainment of anything we decide to do in here. So I'm supportive.

1 Now as far as delaying, I'm okay having it, but I think we could have another team building
2 session before the end too. That's me.

3 >> HAMILTON: Let me make sure I understand what you just said. You are talking about
4 another team building session before meeting four? Okay. He's talking about delaying
5 meeting three.

6 >> ROBERSON: Right. So put us together.

7 >> CONNERY: Con [away from the mic].

8 >> HAMILTON: We have one scheduled for the 11th.

9 >> ROBERSON: [away from the mic].

10 >> HAMILTON: What I'm hearing you say is you are not inclined to delay meeting three.

11 >> ROBERSON: No. That's not what I intend to say. What I intend to say -- I'm sorry.
12 What I intend to say is more team building. And if we can't do more team building before
13 session three, then I may be okay delaying it until we can.

14 >> HAMILTON: Well, currently we have a team building session on the 11th which is three
15 days before the meeting number three. If that happens and we don't have another snow day,
16 would that be adequate?

17 >> ROBERSON: I think more team building. And frankly, I would like to have a session with
18 our SES core before session three. I don't know -- I haven't looked at the calendar to see.

19 >> HAMILTON: So the motion on the table is to have a fourth meeting in March. Now, if
20 we want to readjust what we are doing in February, I'm willing to table the motion -- is that the
21 right term? And we can make a decision on March and then I may reintroduce the motion.

22 >> CONNERY: Can I speak to this motion first?

23 >> HAMILTON: Yes.

24 >> CONNERY: I think it's the wrong move to delay the public meeting on the 4th
25 because -- 14th -- because I believe we need to continue momentum. And a lot of these
26 issues are cross pollinated. So if we try to make progress on any of the other ones without
27 looking forward and understanding where Board members are, we are going to get stymied.

28 That being said, I think there is room to say we will have the fourth meeting in March. We
29 will keep the third meeting on February 14th and meet on February 11th. Between now and
30 February 11th, we should be able to find a date for either for all of us to meet or all of us to
31 meet with the senior executives, which I think would be the better idea if we can come up with
32 a date to do that. And then we would have had two team buildings prior to the 14th and we
33 can proceed.

34 >> HAMILTON: Okay. I want to chair your offer that I share your sentiment that we should
35 not lose momentum is that better is the enemy of good enough. If we try to make these
36 meetings perfect, we are never going to have them. So I'm -- my sentiment is that we should
37 proceed with what we have scheduled. If we can add another team building or the SES level
38 team building, that's great, but I don't think we should delay the meeting on the 14th. And I
39 think we should, you know, proceed with the vote that we have on the table. Mr. Santos.

40 >> SANTOS: I'm okay. I guess I'm similar to Ms. Roberson, I want more team buildings. I
41 consider our team buildings at this point, you know, separate from the one that we are going to
42 do with the SESs. I'm saying we have the 11th. Let's have another team building for the four
43 of us if we can before the 14th and if we can also do the SES as a separate one. And if we can
44 do the SES one before the 14th, we will do it before the 4th meeting. Let's keep the meetings.

1 Three and four. Go through a motion. Let's add more team buildings for all us also between
2 meetings.

3 >> CONNERY: Procedural question. We don't actually have to vote on the team building
4 stuff, do we? We can just agree to it?

5 >> HAMILTON: That's correct. We can just agree to it offline. Okay. Anymore
6 discussion on the question on the table of the fourth meeting?

7 >> ROBERSON: I'm good with that path Mr. Santos laid out.

8 >> HAMILTON: All right. General Counsel, call the question?

9 >> BLAINE: Ms. Roberson?

10 >> ROBERSON: Yes.

11 >> BLAINE: Ms. Connery?

12 >> CONNERY: Yes.

13 >> BLAINE: Mr. Santos?

14 >> SANTOS: Yes.

15 >> BLAINE: Mr. Hamilton?

16 >> HAMILTON: Aye. Okay. I think that's all the things we had on the agenda plus one.
17 I'm going to open up for closing comments.

18 >> SANTOS: Do we want to keep the record open for comments on the vote?

19 >> HAMILTON: Oh, on the vote. Thank you. Does anybody want to make comments on
20 the vote? Okay. Then we don't need to hold it open. Okay. Thank you for bringing that
21 up.

22 Closing comments, Ms. Roberson?

23 >> ROBERSON: No closing comments.

24 >> HAMILTON: Thank you, Ms. Roberson. Mr. Santos?

25 >> SANTOS: This is a good start. We have NAPA, we have IG. Like I said, there is going to
26 be other areas that we are going to be learning and that we need to integrate to all of the these
27 recommendations. I also feel that we are getting to a point that we need to start engaging
28 not only the senior staff but staff as part of this whole process. I believe we still have work for
29 four of us to do. I hope there is some patience to let us figure out some of the areas we want
30 to go before we start bringing in the staff. I look forward to that part of the process too.
31 Thank you.

32 >> HAMILTON: Thank you, Mr. Santos. Ms. Connery?

33 >> CONNERY: Thank you, I've said enough.

34 >> HAMILTON: We are adjourned.