

# U.S. NUCLEAR REGULATORY COMMISSION

## DIRECTIVE TRANSMITTAL

TN: DT-06-01

To: NRC Management Directives Custodians

Subject: Transmittal of Management Directive 9.2, "Organization and Functions, Office of the Inspector General"

Purpose: Directive and Handbook 9.2 have been revised to update information concerning the organization and functions of the Office of the Inspector General.

No change bars have been used because of the extent of the revision.

Office of Origin: Office of the Inspector General

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Volume: 9 NRC Organization and Functions

Directive: 9.2 "Organization and Functions, Office of the Inspector General"

Availability: Rules and Directives Branch  
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Organization and Functions  
Office of the Inspector  
General

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Directive

9.2

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# U. S. Nuclear Regulatory Commission

Volume: 9 NRC Organization and Functions

OIG

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## Office of the Inspector General

### Directive 9.2

#### Organization and Functions

##### Supervision

(9.2-01)

The Office of the Inspector General (OIG) is under the supervision of the Inspector General (IG). (011)

The IG reports to and is under the general supervision of the Nuclear Regulatory Commission Chairman but operates with independent personnel, contracting, and budget authority. (012)

##### Functions

(9.2-02)

The NRC's OIG was established under Public Law 100-504, the Inspector General Act of 1978, as amended, to create independent and objective units to (1) conduct and supervise audits and investigations relating to agency programs and operations; (2) provide leadership and coordination and recommend policies for activities designed to promote economy, efficiency, and effectiveness in the administration of, and to prevent and detect fraud and abuse in, such programs and operations; and (3) keep the Chairman and the Congress fully and currently informed about agency problems and deficiencies. OIG also recommends corrective actions and monitors progress in implementing those actions.

Authority of the Inspector General  
(9.2-03)

The IG, in carrying out this provision of the IG Act, is authorized—  
(031)

- To have access to all records, reports, audits, reviews, documents, papers, electronic media, recommendations, or other material available to NRC that relate to programs and operations; (a)
- To receive and investigate complaints or information concerning existence of an activity constituting a violation of law, rules, regulations, or mismanagement, gross waste of funds, abuse of authority or a substantial and specific danger to the public health and safety; (b)
- To request such information or assistance as may be necessary from Federal, State, or local government agencies to carry out the duties of OIG; (c)
- To require by subpoena the production of all information, documents, reports, answers, records, accounts, papers, and other data and documentary evidence necessary in the performance of duties in accordance with the IG Act; (d)
- To administer to or take from any person an oath, affirmation, or affidavit, when necessary in the performance of the functions of OIG; (e)
- To select, appoint, and employ such officers and employees as may be necessary for carrying out the functions, powers, and duties of OIG, including 1811 series criminal investigators who are authorized to carry a firearm, make an arrest without a warrant, and seek and execute warrants for arrest, search, or seizure of evidence; (f)

Authority of the Inspector General  
(9.2-03) (continued)

- To enter into contracts and other arrangements for audits, studies, analyses, and other services with public agencies and with private persons, and to make payments as necessary to carry out the duties of the IG Act. (g)

Specifically, the office— (032)

- Conducts financial audits, including the financial statement audit required by the Chief Financial Officers Act. These audits attest to the reasonableness of NRC's financial statements and evaluate financial programs. (a)
- Conducts performance audits that focus on NRC administrative and program operations and evaluate the effectiveness and efficiency with which managerial responsibilities are carried out, including whether the programs achieve intended results. (b)
- Conducts contract audits to evaluate the costs of goods and services procured by NRC from commercial enterprises. (c)
- Prepares special evaluation reports that present OIG perspectives or information on a specific topic. (d)
- Keeps the NRC Chairman and the Congress fully and currently informed about problems and deficiencies relating to the administration of such programs and operations, makes recommendations for corrective actions, and monitors NRC's progress in carrying out such actions. (e)
- Prepares an Annual Plan that provides the audit and investigative strategies and associated summaries of the specific work planned for the coming fiscal year. (f)
- Assigns staff as Issue Area Monitors to maintain current knowledge about the agency's mission and the programs and

Authority of the Inspector General  
(9.2-03) (continued)

activities used to carry out that mission as part of its audit planning activities. (g)

- Maintains an audit resolution system that monitors NRC progress in carrying out corrective actions recommended in audit reports. (h)
- Investigates matters relating to NRC programs and operations, including allegations of fraud, waste, and abuse. (i)
- Investigates alleged misconduct by NRC employees and contractors. (j)
- Investigates violation of law, rules or regulations, mismanagement, or a substantial and specific danger to the public health and safety. (k)
- Conducts Event Inquiries that examine events or agency regulatory actions and identify staff actions that may have contributed to the occurrence of an event. (l)
- Prepares Management Implication Reports to provide a "root cause" analysis as to how a particular problem developed. (m)
- Administers a Hotline Program at 1-800-233-3497, TDD 1-800-270-2787, or online at [www.nrc.gov](http://www.nrc.gov) to report suspicious activity concerning fraud, waste, abuse, employee or management misconduct, mismanagement of agency programs, or danger to public health and safety. (n)
- Refers evidence of suspected criminal violations resulting from OIG investigations to the Department of Justice (DOJ). Assists DOJ in criminal prosecutions resulting from OIG investigations. (o)

Authority of the Inspector General  
(9.2-03) (continued)

- Reviews existing and proposed legislation, regulations, directives, and policy issues for their impact on the economy and efficiency or the prevention and detection of fraud and abuse in the administration of NRC programs and operations. (p)
- Maintains liaison with other IG organizations, law enforcement agencies, NRC offices, other Federal and local officials, and the public on all matters relating to the promotion of the economy and efficiency and the detection of fraud and abuse in NRC programs and operations. (q)
- Performs other functions under the Inspector General Act of 1978, as amended. (r)

Redelegation of Authority to the  
Deputy Inspector General  
(9.2-04)

The Deputy Inspector General serves as Acting Inspector General in the absence of the IG.

Redelegation of Authority to the  
Assistant Inspectors General  
(9.2-05)

Upon notification, in the absence of the Deputy Inspector General, the Assistant Inspectors General are authorized and directed by the IG to act in his or her stead.



Organizational Structure and  
Functions and Internal Assignments  
(9.2-06)

The Office of the Inspector General includes the Inspector General, the Deputy Inspector General, the General Counsel, the Assistant Inspector General for Audits, the Assistant Inspector General for Investigations, and the Director of Resource Management and Operations Support.

References  
(9.2-07)

*Code of Federal Regulations*

"Office of the Inspector General" (10 CFR 1.12).

"Public Records" (10 CFR Part 9).

"Program Fraud Civil Remedies" (10 CFR Part 13).

"Government Ethics" (5 CFR Parts 2634-2641).

Executive Orders

Executive Order 12301, "Integrity and Efficiency in Federal Programs."

Executive Order 12731, "Principles of Ethical Conduct for Government Officers and Employees," October 17, 1990.

Government Accountability Office

Government Auditing Standards (GAO-03-673G), June 2003.

References

(9.2-07) (continued)

Nuclear Regulatory Commission

"The IG at the NRC," NUREG/BR-0146, Rev. 3, August 2003.

*United States Code*

Atomic Energy Act of 1954, as amended (42 U.S.C. 2011 et seq.).

Energy Reorganization Act of 1974, as amended (42 U.S.C. 5801 et seq.).

Ethics in Government Act of 1978, as amended (5 U.S.C. App. 4).

Federal Activities Inventory Reform Act of 1998 (Pub. L. 105-270).

Inspector General Act of 1978, as amended (5 U.S.C. App. 3).

Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801-12 et seq.).

# Organization and Functions Office of the Inspector General

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Handbook

9.2

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## Descriptions of Functions

### Inspector General (A)

The Inspector General (IG) provides leadership and policy direction in conducting audits and investigations designed to promote economy, efficiency, and effectiveness within NRC and to prevent and detect fraud, waste, abuse, and mismanagement in agency programs and operations. The IG recommends corrective actions to be taken, reports on progress made in implementing those actions, and reports criminal matters to the Department of Justice. The IG analyzes and comments on the impact of existing and proposed legislation and regulations on the economy and efficiency of NRC programs and operations, and the prevention and detection of fraud, waste, abuse, and mismanagement. The IG keeps the Chairman and Congress currently informed of serious issues and concerns related to NRC programs and operations.

### Deputy Inspector General (B)

Assists the IG in all assigned responsibilities and serves as Acting Inspector General in the absence of the IG. (1)

Oversees direction of management activities related to the mission of the OIG. Manages the conduct of day-to-day operations. (2)

### Assistant Inspector General for Audits (C)

- Directs audits and evaluations to assess the management and conduct of programs and operations administered or financed by NRC. Makes recommendations for improvement in those programs. (1)
- Monitors NRC's implementation of audit recommendations. (2)

Assistant Inspector  
General for Audits (C) (continued)

- Follows Government Accountability Office (GAO) standards for conducting audits. (3)
- Develops policies and procedures governing OIG audit activities. (4)
- Advises and assists the IG on all audits and evaluations conducted by OIG. (5)

Senior Level Assistant for Audit Operations

- Oversees OIG audit operations to ensure compliance with the standards established by the Comptroller General of the United States. (1)
- Oversees OIG audit resolution activities to ensure the completion of committed actions by NRC management in response to findings and recommendations identified in OIG audit reports. (2)
- Develops the OIG Annual Plan, which includes the coordination of audit input (specific audit proposals and their associated scheduling timeline) and investigations input (priorities, objectives, and initiatives). (3)
- Oversees the coordination, development, and completion of audit staff Individual Training Plans to ensure that annual required continuing professional education credits are earned. (4)

Assistant Inspector  
General for Investigations (D)

- Responsible for investigative activities relating to NRC programs and operations, including fraud, waste, and

## Assistant Inspector

### General for Investigations (D) (continued)

abuse. Conducts and reports on investigations involving violation of law, rules or regulations, mismanagement, or a substantial and specific danger to the public health and safety.

(1)

- Conducts investigative Event Inquiries that examine events or agency regulatory actions and identify staff actions that may have contributed to the occurrences of an event. (2)
- Maintains liaison with law enforcement agencies and other investigative organizations in criminal and investigative matters. (3)
- Advises and assists the IG on all investigations and inquiries conducted by OIG. (4)
- Exercises authority to release or withhold OIG documents requested under the Freedom of Information Act, 5 U.S.C. § 552b, and the Privacy Act, 5 U.S.C. § 552a. (5)

### Senior Level Assistant for Investigative Operations

- Responsible for the evaluation and appropriate disposition of allegations. (1)
- Responsible for the conduct and coordination of quality assurance activities for all investigative work products. (2)
- Coordinates the situational referral of allegations to NRC operating divisions, regional offices, or external agencies. (3)
- Coordinates with the Office of Administration, the Office of the General Counsel, and the Office of Human Resources in cases of alleged employee and contractor misconduct. (4)

Assistant Inspector  
General for Investigations (D) (continued)

- Serves as the media coordinator for investigative matters. (5)

Director, Resource Management and  
Operations Support (E)

- Provides overall management of administrative and operational support for OIG programs, including formulating and executing the OIG budget, administering an independent personnel program, coordinating strategic planning activities, providing the information technology training, and procurement support. (1)
- Prepares the OIG Semiannual Report for Congress. (2)

General Counsel to the  
Inspector General (F)

- Provides independent legal counsel and representation for the IG and OIG. (1)
- Advises and assists the IG on all legal issues and serves as legal advisor to the OIG staff. (2)
- Coordinates with cognizant OIG staff to conduct analyses and drafting of commentaries in regard to reviews of existing and proposed regulations, legislation, and implementing agency directives. (3)