

Agency: Nuclear Regulatory Commission (NRC)	
Report No.: 18-39I	Date: July 16, 2018
Period Covered by Review: January 1-December 31, 2017	

1.0 AGENCY DATA		
EMPLOYEES		
1.1	Number of full-time agency employees.	3,078
1.2	Number of Presidentially appointed, Senate-confirmed (PAS) public financial disclosure reports required to be filed.	4
1.3	Number of non-PAS public financial disclosure reports required to be filed.	247
1.4	Number of confidential financial disclosure reports required to be filed.	827
ETHICS PROGRAM		
1.5	Title of Designated Agency Ethics Official (DAEO).	General Counsel
1.6	Grade level of DAEO.	SES
1.7	Title of Alternate DAEO (ADAEO).	Assistant General Counsel
1.8	Grade level of ADAEO.	SES
1.9	Title of the primary, day-to-day ethics program administrator.	Ethics Specialist
1.10	Grade level of the primary, day-to-day ethics program administrator.	GG-13
1.11	Current number of full-time ethics officials.	2
1.12	Current number of part-time ethics officials.	11
1.13	Number of reporting levels between the DAEO and the agency head.	1
COMMENTS		
None		

2.0 LEADERSHIP					
COMPLIANCE REQUIREMENTS			Yes	No	N/A
2.1	OGE has received an up-to-date designation from the agency head naming the DAEO. <i>See</i> 5 C.F.R. § 2638.202(c).	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2.2	OGE has received an up-to-date designation from the agency head naming the ADAEO. <i>See</i> 5 C.F.R. § 2638.202(c).	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
COMMENTS					
None					

3.0 PUBLIC FINANCIAL DISCLOSURE (OGE Form 278e, OGE Form 278-T)					
COMPLIANCE REQUIREMENTS			Yes	No	N/A
The agency has written policies and procedures in place governing: <i>See</i> 5 U.S.C. app. IV, § 402(d)(1).					
3.1	• Collection of public financial disclosure reports.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3.2	• Review/evaluation of public financial disclosure reports.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3.3	• Public availability of public financial disclosure reports.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3.4	The agency can demonstrate that late filing fees are collected or, where appropriate, waivers are issued when public filers do not timely file financial disclosure reports.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

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3.5	Public financial disclosure reports are securely maintained. <i>See</i> OGE/GOVT-1.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.6	Public financial disclosure reports are retained in accordance with the retention requirements. <i>See</i> 5 C.F.R. § 2634.603(g)(1).	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3.7	There is reasonable assurance that the lead human resources official or designee promptly (no later than 15 days after appointment) notifies the DAEO of all appointments to positions that require incumbents to file public financial disclosure reports. <i>See</i> 5 C.F.R. § 2638.105(a)(1).	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.8	There is reasonable assurance that the lead human resources official or designee promptly (no later than 15 days after termination) notified the DAEO of terminations of employees in positions that require incumbents to file public financial disclosure reports. <i>See</i> 5 C.F.R. § 2638.105(a)(2).	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DATA ANALYSIS		%		
3.9	Percentage of sampled non-PAS new entrant reports filed timely. <i>See</i> 5 C.F.R. § 2634.201(b).	77%		
3.10	Percentage of sampled non-PAS annual reports filed timely. <i>See</i> 5 C.F.R. § 2634.201(a).	96%		
3.11	Percentage of sampled non-PAS termination reports filed timely. <i>See</i> 5 C.F.R. § 2634.201(e).	68%		
3.12	Percentage of sampled non-PAS public financial disclosure reports reviewed within 60 days of receipt. <i>See</i> 5 C.F.R. § 2634.605(a).	92%		
3.13	Percentage of sampled non-PAS public financial disclosure reports certified within 60 days of receipt. <i>See</i> 5 C.F.R. § 2634.605(a).	92%		
3.14	Percentage of sampled PAS annual reports filed timely. <i>See</i> 5 C.F.R. § 2634.201(a).	100%		
3.15	Percentage of sampled PAS termination reports filed timely. <i>See</i> 5 C.F.R. § 2634.201(e).	N/A		
3.16	Percentage of sampled PAS annual and termination reports reviewed within 60 days of receipt. <i>See</i> 5 C.F.R. § 2634.605(a).	100%		
3.17	Percentage of sampled PAS annual and termination reports certified within 60 days of receipt. <i>See</i> 5 C.F.R. § 2634.605(a).	100%		
COMMENTS				
<p>(3.4) NRC had not been collecting late filing fees or, where appropriate, issuing waivers when public filers did not timely file financial disclosure reports prior to the period covered by the inspection. The inspection team noted this was a requirement. The NRC's Office of General Counsel subsequently developed procedures to govern the collection of late filing fees or, where appropriate issue waivers when public filers do not timely file financial disclosure reports. The new procedures adequately addressed OGE's concerns.</p> <p>(3.6) OGE identified reports that were maintained beyond the six-year retention period and recommended that reports more than six years old be destroyed. NRC promptly destroyed these reports and as a result, OGE has closed this recommendation.</p> <p>(3.9) OGE examined 13 non-PAS new entrant public financial disclosure reports that were filed in 2017. Of the 13 reports examined, 3 were filed late.</p> <p>(3.11) OGE examined 25 non-PAS termination public financial disclosure reports that were filed in 2017. Of the 25 reports examined, 8 were filed late. One of the reports was filed only two days beyond the applicable due date and the remaining 7 reports were filed between 75 days and 34 months after the termination date.</p> <p>(3.15) No PAS termination reports were filed during the period covered by the inspection.</p>				

4.0	CONFIDENTIAL FINANCIAL DISCLOSURE			
	COMPLIANCE REQUIREMENTS	Yes	No	N/A
	The agency has written policies and procedures in place governing: <i>See</i> 5 U.S.C app. IV, § 402(d)(1).			
4.1	• Collection of confidential financial disclosure reports.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.2	• Review/evaluation of confidential financial disclosure reports.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.3	Confidential financial disclosure reports are securely maintained. <i>See</i> OGE/GOVT-2.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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4.4	Confidential financial disclosure reports are retained in accordance with the retention requirements. <i>See</i> 5 C.F.R. § 2634.604.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.5	The agency's OGE-approved alternative confidential financial disclosure system complies with plans approved by OGE. <i>See</i> 5 C.F.R. § 2634.905(a).	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4.6	There is reasonable assurance that the lead human resources official or designee promptly (no later than 15 days after appointment) notifies the DAEO of all appointments to positions that require incumbents to file confidential financial disclosure reports. <i>See</i> 5 C.F.R. § 2638.105(a)(1).	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DATA ANALYSIS		%		
4.7	Percentage of sampled confidential new entrant reports filed timely. <i>See</i> 5 C.F.R. § 2634.903(b).	5%		
4.8	Percentage of sampled confidential annual reports filed timely. <i>See</i> 5 C.F.R. § 2634.903(a).	85%		
4.9	Percentage of sampled reports reviewed within 60 days of receipt. <i>See</i> 5 C.F.R. § 2634.605(a).	95%		
4.10	Percentage of sampled confidential financial disclosure reports certified within 60 days of receipt. <i>See</i> 5 C.F.R. §§ 2634.605(a) and 2634.909(a).	95%		
COMMENTS				
<p>(4.0) NRC's Ethics Management System (EMS), its electronic filing system for confidential reports, does not exactly replicate the existing paper versions of the OGE Form 450 as required by OGE DAEOgram 07-014.</p> <p>(4.4) OGE identified reports that were maintained beyond the six-year retention period, and recommended that reports more than six years old be destroyed. NRC promptly destroyed these reports and as a result, OGE has closed this recommendation.</p> <p>(4.5) NRC does not have an OGE-approved alternative confidential financial disclosure system.</p> <p>(4.7) OGE examined 21 new entrant confidential financial disclosure reports that were filed in 2017. Of the 21 reports examined, only 1 appeared to be filed timely. NRC officials were not able to provide OGE with the dates of appointment to the covered positions -- the date the filers acquired the duties/met the criteria for filing a confidential disclosure report-- for the remaining 20 reports. OGE learned that the ethics office is not notified timely when an employee acquires duties or otherwise meets the criteria that require them to file a confidential report. Instead, each office provides the ethics office with a list of additions or deletions of positions required to file during an NRC annual update. For example, a Contracting Officer's Representative (COR) may only have to file if the employee manages contracts over \$500,000. The NRC's contract amounts fluctuate, which can result in CORs not being initially designated as filers because their contract responsibility is below the threshold amount. The COR may later be assigned to work on a contract that exceeds the threshold, thus meeting the criteria requiring them to file a report without having any change in position. Ethics officials explained that they are taking several steps to timely identify new entrant filers. First, the ethics office is working with individual offices to determine the number of CORs who are under the \$500,000 threshold and the number of CORs who are over the \$500,000 threshold. Ethics officials will use this data to determine: 1) whether the threshold should be eliminated, and 2) what the total number of filers would be if the threshold was removed. Ethics officials are also exploring the idea of individual offices tracking each COR's contract dollar amount throughout the year and notifying the filer and the ethics office when a COR crosses the threshold for filing.</p> <p>In addition, ethics officials are now using a spreadsheet to track each filer to help ensure timely filing and appropriate follow up when deadlines are missed. In previous years, ethics officials relied on EMS, but various issues with the system resulted in inaccurate data. The ethics office also intends to request earlier annual updates of covered positions from NRC offices, in addition to previously mentioned contract tracking by office points of contact (POCs). Further, the ethics office plans to develop and implement annual training for designated COR POC from each office, as well as send monthly reminders to POCs to update ethics officials regarding any changes in employees' filing status. The NRC Ethics team now receives an Entry on Duty/Loss List provided by the Office of Chief Human Capital Officer. This list provides information on new employees, new assignments, transfers, and retirements, and will help ethics officials to better track staff changes.</p>				

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5.0 Notices to Prospective Employees						
COMPLIANCE REQUIREMENTS				Yes	No	N/A
Written offers of employment for positions covered by the Standards of Conduct provide: <i>See</i> 5 C.F.R. § 2638.303.						
5.1	• A statement regarding the agency's commitment to government ethics.			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5.2	• Notice that the individual will be subject to the Standards of Conduct and the criminal conflict of interest statutes as an employee.			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5.3	• Contact information for an appropriate agency ethics office or an explanation of how to obtain additional information on applicable ethics requirements.			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5.4	• Where applicable, notice of the time frame for completing initial ethics training.			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5.5	• Where applicable, a statement regarding financial disclosure requirements and an explanation that new entrant reports must be filed within 30 days of appointment.			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5.6	The agency has established written procedures for issuing the notice to prospective employees. <i>See</i> 5 C.F.R. § 2638.303(c).			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5.7	The agency's written procedures are reviewed by the DAEO each year. <i>See</i> 5 C.F.R. § 2638.303(c).			<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5.8	The agency can demonstrate that there is an effective process for ensuring all covered employees receive the required information with their written offer of employment. <i>See</i> 5 C.F.R. § 2638.303.			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
COMMENTS						
(5.7) Ethics officials indicated that the DAEO did not personally review the written procedures for issuing these notices in 2017. However, the DAEO did review the summary of these procedures provided pursuant to 5 CFR § 2638.310 in January 2018.						

6.0 Notices to New Supervisors						
COMPLIANCE REQUIREMENTS				Yes	No	N/A
The agency provides each employee upon initial appointment to a supervisory position with: <i>See</i> 5 C.F.R. § 2638.306.						
6.1	• Contact information for the agency's ethics office.			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6.2	• The text of 5 C.F.R. § 2638.103.			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6.3	• A copy of, a hyperlink to, or the address of a Web site containing the Principles of Ethical Conduct.			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6.4	• Other information the DAEO deems necessary.			<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6.5	The agency has established written procedures for supervisory ethics notices. <i>See</i> 5 C.F.R. § 2638.306(d).			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6.6	The agency's written procedures are reviewed by the DAEO each year. <i>See</i> 5 C.F.R. § 2638.306(d).			<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6.7	The agency can demonstrate that there is an effective process for ensuring that new supervisors receive the required information within one year of appointment. <i>See</i> 5 C.F.R. § 2638.306(b).			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
COMMENTS						
(6.6) Ethics officials indicated that the DAEO did not personally review the written procedures for issuing these notices in 2017. However, the DAEO did review the summary of these procedures provided pursuant to 5 CFR § 2638.310 in January 2018.						

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7.0 Initial Ethics Training					
COMPLIANCE REQUIREMENTS			Yes	No	N/A
Each new employee of the agency subject to the Standards of Conduct must complete initial ethics training. <i>See 5 C.F.R. § 2638.304.</i>					
7.1	The training presentation(s) addressed concepts related to conflicts of interest, impartiality, misuse of position and gifts. <i>See 5 C.F.R. § 2638.304(e)(1).</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7.2	The agency provided new employees with either the following written materials or written instruction for accessing them: The summary of the Standards of Conduct distributed by the Office of Government Ethics or an equivalent summary prepared by the agency; provisions of any supplemental agency regulation that the DAEO determines to be relevant or a summary of those provisions; such other written materials as the DAEO determines should be included; instructions for contacting the agency's ethics officials. <i>See 5 C.F.R. § 2638.304(e)(2).</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7.3	The agency has established written procedures for initial ethics training. <i>See 5 C.F.R. § 2638.304(f).</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7.4	The agency's written procedures are reviewed by the DAEO each year. <i>See 5 C.F.R. § 2638.304(f).</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
DATA ANALYSIS			%		
7.5	Percentage of new employees who received initial ethics training. <i>See 5 C.F.R. § 2638.304.</i>	100%			
7.6	Percentage of new employees who received initial ethics training within three months of appointment. <i>See 5 C.F.R. § 2638.304(b).</i>	86%			
COMMENTS					
(7.4) Ethics officials indicated that the DAEO did not personally review the written procedures for initial ethics training in 2017. However, the DAEO did review the summary of these procedures provided pursuant to 5 CFR § 2638.310 in January 2018.					

8.0 Annual Ethics Training					
COMPLIANCE REQUIREMENTS			Yes	No	N/A
Each calendar year, public filers, confidential filers, and certain other employees must complete ethics training which meets specified requirements. <i>See 5 C.F.R. §§ 2638.307 and 2638.308.</i>					
8.1	The training presentation(s) addressed concepts related to financial conflicts of interest, impartiality, misuse of position and gifts. <i>See 5 C.F.R. §§ 2638.307(e)(1) and 2638.308(f)(1).</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8.2	The agency provided employees with either the following written materials or written instruction for accessing them: The summary of the Standards of Conduct distributed by the Office of Government Ethics or an equivalent summary prepared by the agency; provisions of any supplemental agency regulation that the DAEO determines to be relevant or a summary of those provisions; such other written materials as the DAEO determines should be included; instructions for contacting the agency's ethics officials. <i>See 5 C.F.R. § 2638.304(e)(2).</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8.3	The agency's annual ethics training complies with the formatting requirements for public filers, confidential filers, and certain other employees. <i>See 5 C.F.R. §§ 2638.307(d) and 2638.308(e).</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8.4	The agency's program for annual ethics training complies with the tracking requirements for public filers, confidential filers, and certain other employees. <i>See 5 C.F.R. §§ 2638.307(f) and 2638.308(g).</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8.5	The agency can demonstrate it has an effective process for ensuring covered public filers, other than those whose pay is set at Level I or Level II of the Executive Schedule, complete live annual ethics training at least once every two years. <i>See 5 C.F.R. § 2638.308(e)(2).</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

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DATA ANALYSIS		%	
Employee Information and Annual Ethics Training		Training Format	
		Live	Interactive
Percentage of public filers who completed annual ethics training before the end of the calendar year. <i>See 5 C.F.R. § 2638.308(a).</i>			
8.6	• Executive Schedule Level I and Level II. <i>See 5 C.F.R. § 2638.308(e)(1).</i>	100%	N/A
8.7	• Other PAS and Equivalent. <i>See 5 C.F.R. § 2638.308(e)(2).</i>	100 %	N/A
8.8	• SES and Equivalent. <i>See 5 C.F.R. § 2638.308(e)(3).</i>	62.5%	37.5%
Percentage of confidential filers and certain other employees who completed annual ethics training before the end of the calendar year. <i>See 5 C.F.R. § 2638.307(a)(d).</i>			
8.9	• Employees required to file an annual confidential financial disclosure report. <i>See 5 C.F.R. § 2638.307(a)(1).</i>	N/A	96%
8.10	• Employees appointed by the President. <i>See 5 C.F.R. § 2638.307(a)(2).</i>	N/A	N/A
8.11	• Employees of the Executive Office of the President. <i>See 5 C.F.R. § 2638.307(a)(2).</i>	N/A	N/A
8.12	• Contracting officers described in 41 U.S.C. § 2101. <i>See 5 C.F.R. § 2638.307(a)(3).</i>	N/A	89%
8.13	• Other employees designated by the head of the agency. <i>See 5 C.F.R. § 2638.307(a)(4).</i>	N/A	N/A
COMMENTS			
(8.2) Although the NRC's annual ethics training for confidential financial disclosure filers in CY 2017 addressed the topics of the Standards of Conduct and the NRC's supplemental ethics regulations, the training did not provide a direct reference to the availability of these materials, other than instructions for how to reach NRC ethics counselors. However, the new ethics training to be implemented in CY 2018 does provide employees with instructions on how to access these materials apart from the training presentation itself.			

9.0 ETHICS ADVICE AND COUNSELING						
COMPLIANCE REQUIREMENT			Yes	No	N/A	
9.1	Based on a sample collected by OGE, guidance provided by agency ethics officials to employees appears to be consistent with applicable laws and regulations. <i>See 5 C.F.R. § 2638.104(c)(4).</i>			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
COMMENTS						
None						

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10.0 Special Government Employees (SGE) Serving on Advisory Committees and Boards

Financial Disclosure

10.1	Number of SGEs serving on Advisory Committees and Boards.	25
DATA ANALYSIS		%
10.2	Percentage of sampled new entrant reports filed timely. <i>See 5 C.F.R. § 2634.903(b).</i>	100%
10.3	Percentage of sampled reports reviewed within 60 days of receipt but not later than the SGE's first meeting. <i>See 5 C.F.R. § 2634.605(a).</i>	92%
10.4	Percentage of sampled reports certified within 60 days of receipt. <i>See 5 C.F.R. § 2634.605(a).</i>	92%

Ethics Training

COMPLIANCE REQUIREMENTS		Yes	No	N/A
Required ethics training must be provided to each SGE. <i>See 5 C.F.R. §§ 2638.304 and 2638.307.</i>				
10.5	The training presentation(s) addressed concepts related to conflicts of interest, impartiality, misuse of position and gifts. <i>See 5 C.F.R. § 2638.304(e)(1).</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10.6	The agency provided employees with either the following written materials or written instruction for accessing them: The summary of the Standards of Conduct distributed by the Office of Government Ethics or an equivalent summary prepared by the agency; provisions of any supplemental agency regulation that the DAEO determines to be relevant or a summary of those provisions; such other written materials as the DAEO determines should be included; instructions for contacting the agency's ethics officials. <i>See 5 C.F.R. § 2638.304(e)(2).</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DATA ANALYSIS		%		
10.7	Percentage of SGEs who received initial ethics training. <i>See 5 C.F.R. § 2638.304.</i>	100%		
10.8	Percentage of SGEs who received initial ethics training timely. <i>See 5 C.F.R. § 2638.304(b)(2).</i>	100%		
10.9	Percentage of SGEs who received annual ethics training. <i>See 5 C.F.R. § 2638.307(d)(2).</i>	100%		
COMMENTS				
None				

ISSUES IDENTIFIED AND RESOLVED DURING THE INSPECTION

#	Element	ISSUE
1	3.4	<u>ISSUE:</u> At the time of OGE's inspection, NRC did not have a process to collect late filing fees or, where appropriate, issue waivers of the fee, when public filers do not timely file financial disclosure reports. <u>AGENCY RESPONSE:</u> NRC developed procedures to collect late filing fees or, where appropriate, issue waivers of the fee, when public filers do not timely file financial disclosure reports.
2	3.6 & 4.4	<u>ISSUE:</u> Financial disclosure reports were not retained in accordance with established requirements. <u>AGENCY RESPONSE:</u> Ethics officials confirmed to OGE that reports more than six years old were destroyed, as required.

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RECOMMENDATIONS			
#	Element	RECOMMENDATION	Compliance Due
1	3.9	<p><u>RECOMMENDATION:</u> Ensure that non-PAS new entrant reports are filed timely.</p> <p><u>AGENCY RESPONSE:</u> The NRC's internal procedures governing the filing of financial disclosure reports require that ethics staff are timely notified of new entrants into a filing position at the time they are hired, promoted, or converted to the covered position. The NRC's ethics team agrees that the results of the inspection demonstrate that, in practice, this did not occur on a consistent basis in calendar year 2017. As a result of the inspection, the NRC ethics team has engaged with the Office of the Chief Human Capital Officer and committed to more frequent communication and collaboration with that partner office with respect to these procedures. NRC internal procedures also currently direct NRC office directors and regional administrators to promptly notify ethics staff of temporary assignments to covered positions within their respective offices or regions (e.g., rotations, details, or acting assignments). The NRC ethics team will be engaging with NRC office directors and regional administrators regarding this requirement as well.</p>	April 1, 2019
2	3.11	<p><u>RECOMMENDATION:</u> Ensure that non-PAS termination reports are filed timely.</p> <p><u>AGENCY RESPONSE:</u> Similar to the response to Recommendation #1, the NRC's internal procedures governing the filing of financial disclosure reports require that ethics staff are timely notified of the termination of employees in covered filing positions. The NRC's ethics team agrees that the results of the inspection demonstrate that, in practice, this did not occur on a consistent basis in calendar year 2017. As a result of the inspection, the NRC ethics team has engaged with the Office of the Chief Human Capital Officer and committed to more frequent communication and collaboration with that partner office with respect to these procedures. Additionally, a review of the NRC's internal procedures revealed that while these procedures (as discussed above) direct NRC office directors and regional administrators to notify ethics staff of temporary assignments to covered positions, these procedures do not expressly direct them to notify the ethics team of the termination dates of these temporary assignments. As the NRC ethics team engages with NRC office directors and regional administrators as discussed above, this requirement also will be made expressly clear and will be expressly incorporated into these internal procedures upon their next revision.</p>	April 1, 2019
3	4.0	<p><u>RECOMMENDATION:</u> Ensure that the electronic form generated by the EMS, exactly replicates the existing paper versions of the OGE Form 450 and is capable of being printed as paper copies.</p> <p><u>AGENCY RESPONSE:</u> The NRC ethics staff will work with the NRC's contractor to resolve this issue with the EMS.</p>	April 1, 2019
4	4.7	<p><u>RECOMMENDATION:</u> Ensure that new entrant confidential reports are filed timely.</p> <p><u>AGENCY RESPONSE:</u> Consistent with the responses to Recommendations 1 and 2, the NRC's current internal procedures require the timely notification of ethics staff when new entrants are hired, promoted, or converted, or when staff begin temporary assignments in covered positions. As with the above, the NRC's ethics team agrees that the results of the inspection reveal that, in practice, this did not occur consistently in calendar year 2017. In addition to the engagement with pertinent NRC staff offices as discussed above, the NRC's ethics team continues to evaluate and implement the measures described in Comment #4.7 in the report to ensure that ethics staff are promptly notified of employees who move to filing positions during the calendar year.</p>	April 1, 2019