



**UNITED STATES**  
**NUCLEAR REGULATORY COMMISSION**  
WASHINGTON, D.C. 20555-0001

**OFFICE OF THE  
INSPECTOR GENERAL**

December 21, 2020

**MEMORANDUM TO:** Margaret M. Doane  
Executive Director for Operations

**FROM:** Dr. Brett M. Baker */RA/*  
Assistant Inspector General for Audit

**SUBJECT:** AUDIT OF THE NRC'S COMPLIANCE WITH EXECUTIVE  
ORDER 13950, *COMBATING RACE AND SEX  
STEREOTYPING* (OIG-21-A-03)

On September 22, 2020, the President issued Executive Order (E.O.) 13950, *Combating Race and Sex Stereotyping* (the Order). In accordance with section 6(c)(ii) of the Order, the U.S. Nuclear Regulatory Commission's (NRC's) Chairman requested that the Office of the Inspector General (OIG) review and assess the NRC's compliance with the Order in the form of a report submitted to the U.S. Office of Management and Budget (OMB) by the end of calendar year 2020 and not less than annually thereafter. This memorandum report presents the results of the OIG's review and assessment.

The audit objective was to review and assess agency compliance with the requirements of E.O. 13950. The OIG found that the NRC is in the process of becoming fully compliant with the E.O. 13950. Of the nine requirements reviewed, eight are complete and one is in progress. Taking the steps described in E.O. 13950 will help ensure that all federal workers are treated with the individual respect they deserve and will ensure continued alignment with NRC values. In lieu of issuing report recommendations, the OIG will review and assess the agency's actions for implementing E.O. 13950 during the 2021 annual compliance review.

The status of the NRC's compliance with E.O. 13950 requirements are identified in the following table:

Table 1

Status of the NRC's Compliance with <a href="#">E.O. 13950</a>			
Requirement	Due Date	Compliance	Status
1. Incorporate contract provisions as per the E.O. [Section 4]	November 21, 2020	Yes	Complete.
2. Submit grant program report to the OMB within 60 days of the date of this Order. [Section 5]	November 21, 2020	Yes	Complete.
3. Continue all training that will foster a workplace that is respectful of all employees. [Section 6]	No Due Date	Yes	Complete.
4. Issue an order incorporating the requirements of this Order into agency operations. [Section 6]	No Due Date	Yes	Complete; policies and procedures will be incorporated.
5. Request the Inspector General to review and assess agency compliance with the requirements of this Order. [Section 6]	No Due Date	Yes	Complete.
6. Assign at least one senior political appointee responsibility for ensuring compliance. [Section 6]	No Due Date	Yes	Complete.
7. Submit all diversity and inclusion training to the Office of Personnel Management (OPM) for approval before being used. [Section 7]	No Due Date	In Progress	Acquiring inputs from responsible offices on training.
8. [Identify] and debar all contractors that provided training on divisive concepts. [Section 7]	November 21, 2020	Yes	Complete; the NRC did not identify any contractors to debar.
9. Submit Fiscal Year 2020 spending report to the OMB within 90 days of the date of this Order. [Section 7]	December 21, 2020	Yes	Complete.

Source: OIG Generated

### Agency Comments

An exit conference was held with the agency on December 8, 2020. Prior to this meeting, agency management reviewed and provided comments to the discussion draft version of this report which OIG incorporated, as appropriate. Agency management stated their general agreement with the findings and recommendations in this report and opted not to provide formal comments.

## Scope and Methodology

This audit focused on the agency's compliance with E.O. 13950. We conducted this compliance audit from October 29, 2020 through December 1, 2020 at NRC headquarters in Rockville, MD.

Internal controls related to the audit objective were reviewed and analyzed. Specifically, the OIG reviewed the components of the control environment, control activities, and information and communication. Within those components, the OIG reviewed the principles of demonstrating commitment to competence; implementing control activities through policies; and communicating internally and externally.

Throughout this audit, the OIG reviewed relevant criteria and guidance. The OIG's document review included:

- Title 5 United States Code, Chapter 41, *Training*.
- E.O. 13950, *Combating Race and Sex Stereotyping*.
- OMB Memorandum M-20-34, *Training in the Federal Government*.
- OMB Memorandum M-20-37, *Ending Employee Trainings that Use Divisive Propaganda to Undermine the Principle of Fair and Equal Treatment for All*.
- OPM Memorandum, *Mandatory Review of Employee Training under E.O. 13950 September 22, 2020*.

To evaluate the agency compliance with the Executive Order, the OIG reviewed documentation supporting completion or status of each applicable required section of E.O. 13950. The OIG also interviewed staff involved in the compliance with the Order including the Office of Administration, Office of Small Business and Civil Rights, Office of the Chief Human Capital Officer, Office of the General Counsel, and Office of the Executive Director for Operations.

We conducted this performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objective. Throughout the audit, auditors considered the possibility of fraud, waste, and abuse in the program.

The audit was conducted by Vicki Foster, Team Leader; Jimmy Wong, Audit Manager; Megan Tate, Management Analyst; and Karen Corado, Management Analyst.

If you have any questions concerning this matter, please contact me at (301) 415-5915; alternatively, you may contact Vicki Foster, Team Leader, at (301) 415-5909.