

## 6. Information on Civil Rights Compliance Requirements Imposed as a Condition of Award of NRC Federal Financial Assistance

The NRC assures nondiscrimination in NRC conducted and Federal financially assisted programs and activities. The NRC's Office of Small Business and Civil Rights (SBCR) provides applicants/recipients with direction, guidance and technical assistance. SBCR also monitors program activities, conducts compliance reviews, investigates complaints, enforces violations and submits reports to Federal oversight agencies. See NRC POLICY ISSUE statement dated April 2007.

Applicants/recipients are required to:

### 6.1 Submit a Standard Form (SF) 424B Statement of Assurances.

Statements must be signed by individuals with authority to assure that the recipients' programs comply with Federal civil rights laws, mandates, and NRC regulations.

### 6.2 Provide Public Notification.

Display the NRC's nondiscrimination policy and procedures for filing complaints in prominent locations to inform staff, beneficiaries and potential beneficiaries; disseminate a nondiscrimination policy statement (e.g., recruitment materials, brochures and other materials, handbooks, applications and postings); and distribute notices regarding programs and activities to eligible populations, including minority and low-income populations; and to Limited English Proficient (LEP) individuals (See LEP Guidance FR Doc 04-4672).

Participate in mandatory NRC Compliance Reviews.

Participate in pre- and post-award compliance reviews.

**6.3.A A pre-award compliance review** (usually a desk-audit) must be conducted prior to award of NRC financial assistance. Applicants/recipients are required to complete NRC Form SF 781 Parts A and B. If a determination cannot be made from the submitted data, SBCR will take other steps to request additional information, which could include conducting an on-site audit.

Post-award compliance reviews will be based on desk audits and input from advocacy groups, community organizations, and results from ongoing research to identify recipients that should be selected to undergo an on-site audit. The following criteria will be used to target recipients for a post-award compliance on-site audit:

- Areas of "questionable" compliance identified in a desk audit;
- Issues raised in a complaint or identified during a complaint investigation (not covered in the scope of the investigation);
- Noncompliance issues raised;
- Amount of program funding (\$100K or greater), or size and complexity of the project;

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- Geographical areas the agency wishes to target because of known problems beneficiaries are experiencing;
- Problems identified to the agency by other civil rights agencies;
- Problems identified to the agency by community organizations or advocacy groups that are familiar with actual incidents to support their concerns;
- Issues frequently identified as problems faced by program beneficiaries;
- Issues targeted in the agency's strategic plan;
- Problems identified to the agency by its block grant recipients; and
- Proximity of the recipient to NRC offices.

**6.3.B Post-award compliance on-site audits** (a targeted sampling not to exceed 10%) encompass a broad review of recipients' programs and practices to determine actual compliance with regulations and include:

- Civil rights implementation and enforcement policies and practices;
- Statistical evidence by racial and ethnic minorities based on the recipient's (a) staffing patterns, (b) beneficiary program participation rates, and (c) rejection rates;
- Applications or interview materials related to program participation or selection;
- Demographic make-up of the affected community or potential participants;
- Actions to educate the public and affected communities, particularly LEP individuals;
- Any discrimination complaints lodged against the recipient;
- Auxiliary aids, reasonable accommodations, facility accessibility; and
- Any previous findings of compliance or none compliance related to the recipient.

**6.3.C Post-award compliance on-site audits will include:**

Interviews of recipients officials, representatives, participants or beneficiaries; and  
Review recipients data collection and analysis used to assess compliance.

SBCR will issue written results of its compliance findings and issue a written report containing recommendations for achieving compliance.

Designate Equal Opportunity (EO) Coordinators

Appoint Coordinators (e.g., Title VI and IX, Disability, Age) in order to:

- Inform those eligible to participate in programs and activities about all available services and their rights under applicable Federal civil rights regulations;
- Collect data on who is being served by the programs and activities offered;
- Monitor compliance and alerting recipient officials of any complaints or noncompliance issues that require action;
- Plan, develop, and implement periodic EO civil rights training;
- Maintain records and report compliance to SBCR/OCCP; and,
- Make sure that prompt corrective action has been taken for any deficiencies.

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**6.5 Submit Compliance Reports**

Submit compliance reports throughout the program year and an annual EO compliance report to SBCR no later than December 31 of each calendar year.

**6.6 Provide Civil Rights Training**

Provide comprehensive civil rights training for existing and new staff, and periodically retrain old staff to establish and update their knowledge of EO civil rights statutes and emerging issues.

**6.7 Establish Complaint Process**

Establish procedures for "processing and disposition" of discrimination complaints. Maintain complaint log, which includes: the complainant's race, color, or national origin, the identity of the recipient, the nature of the complaint and date filed, the investigation completion date, the date and nature of the disposition, and other pertinent information.

**6.8 Technical Assistance** is provided by SBCR to assist stakeholders with understanding and complying with regulations. Links are provided to the U.S. Department of Justice website and the following NRC regulations: [10 CFR Part 4--Nondiscrimination in Federally Assisted Programs or ...Activities Receiving Federal Financial Assistance From the Commission;](#) 10 CFR Part 5--[Nondiscrimination on the Basis of Sex in Education ... Programs or Activities Receiving Federal Financial Assistance;](#) 10 CFR Part 2, §2.111 10 CFR Part 2--[Rules of Practice for Domestic Licensing Proceedings](#) and...; and 10 CFR Part 19, § 19.32 10 CFR Part 19--[Notices, Instructions and Reports to Workers](#) ...

OCCP staff is available to provide direction, guidance, and technical assistance to help ensure compliance. OCCP staff can be contacted via email at [OCCPrograms@nrc.gov](mailto:OCCPrograms@nrc.gov) or by phone at 301-415-4085.