

**SYSTEM NAME AND NUMBER:**

Case Management System - Indices, Files, and Associated Records—NRC 23.

**SECURITY CLASSIFICATION:**

Unclassified

**SYSTEM LOCATION:**

Primary system— NRC Data Center, 11555 Rockville Pike, Rockville, Maryland.

**SYSTEM MANAGER(S):**

For OI Records - Director, Office of Investigations, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

For OE Records – Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

42 U.S.C. 2035(c); 42 U.S.C. 2201(c); and 42 U.S.C. 5841; 10 CFR 1.36; 10 CFR 1.33.

**PURPOSE(S) OF THE SYSTEM:**

NRC OI uses records and information collected and maintained in this system to receive and adjudicate allegations of violations of criminal, civil, and administrative laws and regulations relating to NRC programs, operations, and employees, as well as contractors and other individuals and entities associated with NRC; monitor complaint and investigation assignments, status, disposition, and results; manage investigations and information provided during the course of such investigations; audit actions taken by NRC management regarding employee misconduct and other allegations.

**CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:**

Individuals and entities referred to in potential or actual investigations and matters of concern to the Office of Investigations and correspondence on matters directed or referred to the Office of Investigations.

## **CATEGORIES OF RECORDS IN THE SYSTEM:**

Agency case files, memoranda, and materials including, but not limited to, investigative reports, confidential source information, correspondence to and from the agency, fiscal data, legal papers, evidence, exhibits, technical data, investigative data, internal data, work papers, audio files, and management information data.

## **RECORD SOURCE CATEGORIES:**

Information is obtained from sources including, but not limited to, NRC officials, employees, and licensees; Federal, State, local, and foreign agencies; and other persons.

## **ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:**

In addition to the disclosures permitted under subsection (b) of the Privacy Act, the NRC may disclose information contained in this system of records without the consent of the person or entities mentioned therein if the disclosure is compatible with the purpose for which the record was collected under the following routine uses:

- a. A record from this system of records may be disclosed as a routine use to a Federal, State, local, or foreign agency or to an individual or organization if the disclosure is reasonably necessary to elicit information or to obtain the cooperation of a witness or an informant;
- b. A record relating to an investigation or matter falling within the purview of the Office of Investigations may be disclosed as a routine use to the referring agency, group, organization, or individual;
- c. A record relating to an individual held in custody pending arraignment, trial, or sentence, or after conviction, may be disclosed as a routine use to a Federal, State, local, or foreign prison, probation, parole, or pardon authority, to any agency or individual concerned with the maintenance, transportation, or release of such an individual;
- d. A record in the system of records relating to an investigation or matter may be

disclosed as a routine use to a foreign country under an international treaty or agreement;

e. A record from this system of records may be disclosed as a routine use to a Federal, State, local, or foreign law enforcement agency to assist in the general crime prevention and detection efforts of the recipient agency or to provide investigative leads to the agency;

f. A record from this system of records which indicates a violation of civil or criminal law, regulation or order may be referred as a routine use to a Federal, State, local or foreign agency that has authority to investigate, enforce, implement or prosecute such laws. Further, a record from this system of records may be disclosed for civil or criminal law or regulatory enforcement purposes to another agency in response to a written request from that agency's head or an official who has been delegated such authority;

g. A record from this system of records may be disclosed as a routine use to a Federal, State, local, or foreign agency to obtain information relevant to an NRC decision concerning hiring or retaining an employee, letting a contract, or issuing a security clearance, license, grant or other benefit;

h. A record from this system of records may be disclosed as a routine use to a Federal, State, local, or foreign agency requesting a record that is relevant and necessary to its decision on a matter of hiring or retaining an employee, issuing a security clearance, reporting an investigation of an employee, letting a contract, or issuing a license, grant, or other benefit;

i. A record from this system of records may be disclosed as a routine use in the course of discovery; in presenting evidence to a court, magistrate, administrative tribunal, or grand jury or pursuant to a qualifying order from any of those; in alternative dispute resolution proceedings, such as arbitration or mediation; or in the course of settlement negotiations;

j. A record from this system of records may be disclosed as a routine use to a

Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual;

k. A record from this system of records may be disclosed as a routine use to NRC-paid experts or consultants, and those under contract with the NRC on a “need-to-know” basis for a purpose within the scope of the pertinent NRC task. This access will be granted to an NRC contractor or employee of such contractor by a system manager only after satisfactory justification has been provided to the system manager;

l. A record from this system of records may be disclosed as a routine use to appropriate agencies, entities, and persons when (1) NRC suspects or has confirmed that there has been a breach of the system of records, (2) NRC has determined that as a result of the suspected or confirmed breach there is a risk of harm to individuals, NRC (including its information systems, programs, and operations), the Federal Government, or national security; and (3) the disclosure made to such agencies, entities, and persons is reasonably necessary to assist in connection with NRC efforts to respond to the suspected or confirmed breach or to prevent, minimize, or remedy such harm; and

m. A record from this system of records may be disclosed as a routine use to another Federal agency or Federal entity, when the NRC determines that information from this system of records is reasonably necessary to assist the recipient agency or entity in (1) responding to a suspected or confirmed breach or (2) preventing, minimizing, or remedying the risk of harm to individuals, the recipient agency or entity (including its information systems, programs, and operations), the Federal Government, or national security, resulting from a suspected or confirmed breach.

#### **POLICIES AND PRACTICES FOR STORAGE OF RECORDS:**

Information maintained on paper and/or electronic records, photographs, audio/video tapes, and electronic media.

## **POLICIES AND PRACTICES FOR RETRIEVAL OF RECORDS:**

Information retrieved by document text and/or case number/allegation number.

## **POLICIES AND PRACTICES FOR RETENTION AND DISPOSAL OF RECORDS:**

Records for this system are scheduled using NRC's NUREG 0910 Revision 4 and the National Archives and Records Administration's approved scheduled N1-431-01-001 for the Office of Investigations.

Official investigation cases created by field investigator, all records/documents will be uploaded electronically into the OI Case Management system (or another electronic system designated at that time) and are considered official OI records. The selected records for permanent retention are scheduled under NUREG 0910, Revision 4, 2.16.4.a (GRS 5.2, item 020). Cut off files when case is closed. Create electronic record on the day created or received or as soon as practical and upload appropriate official files in the system.

Allegation Case Files, per NARA Approved Citation, N1-431-00-8, Item 1.d, Cut off files upon final resolution of allegation. Retain in the Office of Enforcement (OE) for 2 years or until no longer needed for current activities. Destroy 10 years after cut off. Working copies can be destroyed upon final resolution of allegations, based on GRS 5.2 Item 020, Intermediary Records.

## **ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS:**

Hard copy files maintained in approved security containers and locking filing cabinets. All records are under visual control during duty hours and are available only to authorized personnel who have a need to know and whose duties require access to the information. The electronic management information system is operated within the NRC's secure LAN/WAN system. Access rights to the system only available to authorized personnel.

## **RECORDS ACCESS PROCEDURES:**

Same as "Notification procedures." Information classified under Executive Order 12958

will not be disclosed. Information received in confidence will be maintained under the Commission's Policy Statement on Confidentiality, Management Directive 8.8, "Management of Allegations," and the procedures covering confidentiality in Chapter 7 of the Office of Investigations Procedures Manual and will not be disclosed to the extent that disclosure would reveal a confidential source.

**CONTESTING RECORD PROCEDURES:**

Same as "Notification procedures."

**NOTIFICATION PROCEDURES:**

Individuals seeking to determine whether this system of records contains information about them should write to the Freedom of Information Act or Privacy Act Officer, Office of the Chief Information Officer, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, and comply with the procedures contained in NRC's Privacy Act regulations, 10 CFR part 9.

**EXEMPTIONS CLAIMED FOR THE SYSTEM:**

Pursuant to 5 U.S.C. 552a(k)(1), (k)(2), and (k)(6), the Commission has exempted portions of this system of records from 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H), and (I), and (f).