

REPORT TO CONGRESS ON DRUG TESTING

Congress and the U.S. Department of Health and Human Services (HHS) initially approved the U.S. Nuclear Regulatory Commission's (NRC's) Drug Testing Program in August 1988, and the agency subsequently updated the program in November 1997. The program was revised again and received approval from HHS on August 23, 2007. The NRC's drug testing requirements for the nuclear industry (licensees), as imposed by agency regulations, are separate and distinct from this program and are not covered by this report. The NRC's Drug Testing Program under Executive Order (EO) 12564 includes random, applicant, voluntary, followup, reasonable suspicion, and accident-related drug testing. Testing was initiated for nonbargaining unit employees in November 1988, and for bargaining unit employees in December 1990 after an agreement was negotiated with the National Treasury Employees Union. On August 25, 2008, the NRC's testing program was expanded to include all NRC sensitive positions as testing designated; therefore, all employees became subject to random drug testing.

During fiscal year 2014, the NRC conducted approximately 2,300 tests of all types between October 1, 2013, and September 30, 2014. There were four positive drug test results (three for marijuana, one for amphetamines). A fifth individual voluntarily admitted to marijuana use. One individual is currently in the required outpatient treatment program. Two of these individuals completed the required outpatient treatment programs and are currently participating in the agency's follow-up drug testing portion of the program. Two employees were terminated as their test results were verified as second positives which, based on the NRC Drug Free Workplace Plan, requires removal from federal service.

The NRC also completed internal quality control reviews during the past year to ensure that the agency's program continues to be administered in a fair, confidential, and effective manner.

The NRC's drug testing program is based on the principles and guidance according to EO 12564, Public Law 100-71, HHS guidelines, and Commission decisions.