SYSTEM NAME AND NUMBER:

Employee Assistance Program Records—NRC 14.

SECURITY CLASSIFICATION:

Unclassified

SYSTEM LOCATION:

Office of the Chief Human Capital Officer, NRC, Two White Flint North, 11545 Rockville Pike, Rockville, Maryland, and current contractor facility.

RECORD SOURCE CATEGORIES:

Information compiled by the Employee Assistance Program contractor during the course of counseling with an NRC employee or family members of the employee.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 U.S.C. 7901; 21 U.S.C. 1101-1181; 42 U.S.C. chapter 6A, Subchapter III-A; 44 U.S.C. 3101; 44 U.S.C. 3301; 5 CFR 792.101-105.

PURPOSE(S) OF THE SYSTEM:

This record system will maintain information gathered by and in the possession of the NRC's EAP contractor. The EAP is an agency program designed to assist employees of the NRC and, in certain instances, their family members, in regard to a variety of personal and/or work-related issues.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

NRC employees or family members who have been counseled by or referred to the Employee Assistance Program (EAP) for problems relating to alcoholism, drug abuse, job stress, chronic illness, family or relationship concerns, and emotional and other similar issues.

CATEGORIES OF RECORDS IN THE SYSTEM:

This system contains records of NRC employees or their family members who have participated in the EAP and the results of any counseling or referrals which may have taken place. The records may contain information as to the nature of each participant's problem,

subsequent treatment, and progress.

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

In addition to the other types of 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 subject individual if the disclosure is compatible with the purpose for which the record was collected under the following routine uses: (Note: Any disclosure of information pertaining to an individual will be made in compliance with the Confidentiality of Substance Use Disorder Patient Records regulations, 42 CFR part 2, as authorized by 42 U.S.C. 290dd-2, as amended).

a. For statistical reporting purposes;

b. 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

c. 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:

Records are maintained on paper in file folders and on electronic media.

POLICIES AND PRACTICES FOR RETREIVAL OF RECORDS:

Information accessed by the EAP identification number and name of the individual.

POLICIES AND PRACTICES FOR RETENTION AND DISPOSAL OF RECORDS:

Records are retained under the National Archives and Records Administration's General Records Schedule 2.7: Employee Health and Safety Records, Employee Assistance Program (EAP) counseling records, Item 091, Records not related to performance or conduct. Destroy 7 years after termination of counseling for adults or 3 years after a minor reaches the age of majority, or when the state-specific statute of limitations has expired for contract providers subject to state requirements, but longer retention is authorized if needed for business use.

ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS:

Files are maintained in a safe under the immediate control of the Employee Assistance Program contractor. Case files are maintained in accordance with the confidentiality requirements of P.L. 93-282, any NRC-specific confidentiality regulations, and the Privacy Act of 1974.

SYSTEM MANAGER(S):

1) Associate Director for HR Operations and Policy and 2) the Program Specialist, Office of the Chief Human Capital Officer, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

RECORD ACCESS PROCEDURES:

Same as "Notification procedures."

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:

None.