

app_g.htm for additional information relating to SSA data security measures.

RETENTION AND DISPOSAL:

Records are purged from the automated file every two years; only persons actively dealing with SSA remain on file. Code Books are replaced each year. Inactive books are destroyed.

SYSTEM MANAGER(S) AND ADDRESS(ES):

Social Security Administration, Office of Finance, Division of Administrative Payments, Social Security Administration, 2-B-4 East Low Rise Building, 6401 Security Boulevard, Baltimore, Maryland 21235.

NOTIFICATION PROCEDURES:

An individual can determine if this system contains a record about him/her by writing to the system manager(s) at the above address and providing his/her name, SSN or other information that may be in the system of records that will identify him/her. An individual requesting notification of records in person should provide the same information, as well as provide an identity document, preferably with a photograph, such as a driver's license or some other means of identification. If an individual does not have any identification documents sufficient to establish his/her identity, the individual must certify in writing that he/she is the person claimed to be and that he/she understands that the knowing and willful request for, or acquisition of, a record pertaining to another individual under false pretenses is a criminal offense.

If notification is requested by telephone, an individual must verify his/her identity by providing identifying information that parallels information in the record to which notification is being requested. If it is determined that the identifying information provided by telephone is insufficient, the individual will be required to submit a request in writing or in person. If an individual is requesting information by telephone on behalf of another individual, the subject individual must be connected with SSA and the requesting individual in the same phone call.

SSA will establish the subject individual's identity (his/her name, SSN, address, date of birth and place of birth, along with one other piece of information, such as mother's maiden name) and ask for his/her consent in providing information to the requesting individual.

If a request for notification is submitted by mail, an individual must include a notarized statement to SSA to verify his/her identity or must certify in

the request that he/she is the person claimed to be and that he/she understands that the knowing and willful request for, or acquisition of, a record pertaining to another individual under false pretenses is a criminal offense. These procedures are in accordance with SSA Regulations (20 CFR 401.40(c)).

RECORD ACCESS PROCEDURES:

Same as Notification procedures. Requesters should also reasonably specify the record contents being sought. These procedures are in accordance with SSA Regulations (20 CFR 401.40(c)).

CONTESTING RECORD PROCEDURES:

Same as Notification procedures. Also, requesters should reasonably identify the record, specify the information they are contesting and corrective action sought, and the reasons for the correction, with supporting justification showing how the record is incomplete, inaccurate, untimely or irrelevant. These procedures are in accordance with SSA Regulations (20 CFR 401.65(a)).

RECORD SOURCE CATEGORIES:

Grant and Contract documents. Names, SSNs, TINs, RTAS, DANs and addresses are provided by the individual when applying for a grant or contract from the SSA.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE PRIVACY ACT:

None.

SYSTEM NUMBER: 60-0234

SYSTEM NAME:

Employee Assistance Program (EAP) Records, Social Security Administration, Deputy Commissioner for Human Resources, Office of Personnel, Center for Employee Services.

SECURITY CLASSIFICATION:

None.

SYSTEM LOCATION:

Social Security Administration, Office of Human Resources, Office of Personnel, Center for Employee Services, Employee Assistance Program, 6401 Security Boulevard, Baltimore, Maryland 21235.

Social Security Administration (SSA) Regional Offices, Human Resources Center (contact the system manager or access http://www.socialsecurity.gov/foia/bluebook/app_g.htm for address information).

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

This system covers SSA employees, employees of other organizations serviced by SSA Employee Assistance Program (EAP), or family members of any of these employees who have been counseled and/or referred for counseling for personal problems by the EAP.

CATEGORIES OF RECORDS IN THE SYSTEM:

The system contains records of each employee and family member who has utilized the EAP for a personal problem. Examples of information that may be found in each record are employee or family member name, date of birth, grade, job title, home address, telephone numbers, and supervisor's name and telephone number. In addition to the demographic data, certain clinical information is normally maintained in each record including a psychosocial history, assessment of personal problems, information regarding referrals to treatment facilities in the community, and intervention outcomes. Also, information relating to finances that the employee voluntarily provides; disposition, including employees stated intentions; record of letters or tax forms sent as replies; letters from creditors or their representatives and copies of our replies and copies of tax levies against employees. Finally, if an employee is referred to the EAP by a supervisor, the record may contain information regarding the referral such as leave record, reasons for referral, and outcomes of supervisory interventions.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 U.S.C. 7361, 7362, 7901, and 7904.

PURPOSE(S):

These records are used to document the nature and extent of the employee's or family member's personal problem and the background information necessary for formulating an intervention plan in an effort to resolve the personal problem and return the employee to full productivity. The record is also used to document, when appropriate, where the employee or family member has been referred for treatment or rehabilitation and the progress in such treatment.

Anonymous information from these records is also needed for the purpose of preparing statistical reports and analytical studies in support of the EAP's management.

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

Disclosure may be made for routine uses as indicated below.

1. To contractors if the Social Security Administration contracts with private firms, individuals, or other groups such as a Federal Employee Assistance Program (EAP) consortium for the purpose of providing the EAP functions. The contractor shall be required to maintain Privacy Act safeguards with respect to such records. The contractors will surrender to the EAP all of these records as well as any new records at the time of contract termination.

2. To the Department of Justice (DOJ), a court or other tribunal, or another party before such tribunal, when:

(a) The Social Security Administration (SSA), or any component thereof; or

(b) Any SSA employee in his/her official capacity; or

(c) Any SSA employee in his/her individual capacity where DOJ (or SSA, where it is authorized to do so) has agreed to represent the employee; or

(d) The United States or any agency thereof where SSA determines that the litigation is likely to affect SSA or any of its components, is a party to the litigation or has an interest in such litigation, and SSA determines that the use of such records by DOJ, a court or other tribunal, or another party before such tribunal, is relevant and necessary to the litigation, provided, however, that in each case, SSA determines that such disclosure is compatible with the purpose for which the records were collected.

3. To a congressional office in response to any inquiry from that office made at the request of the subject of the record.

4. To a court or other tribunal, or a party before the same, where the records are covered by the Confidentiality of Alcohol and Drug Abuse Patient Records regulations (42 CFR part 2). Any disclosure of such patient records must be pursuant to a qualified service organization agreement that meets the requirements of 42 CFR part 2 and must also comply with all other aspects of these regulations. The Employee Assistance Program Administrators in each program location must personally approve any disclosure made under this routine use based on his or her determination that it is compatible with the purpose for which the records were collected.

5. To student volunteers, individuals working under a personal services contract, and other workers who technically do not have the status of Federal employees, when they are performing work for the Social Security Administration (SSA), as authorized by law, and they need access to personally identifiable information in SSA records

in order to perform their assigned Agency functions.

6. To the General Services Administration and the National Archives Records Administration (NARA) under 44 U.S.C. 2904 and 2906, as amended by the NARA Act of 1984, information which is not restricted from disclosure by Federal law for the use of those agencies in conducting records management studies.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Records are maintained in automated form (e.g., computer readable media, hard drives, floppy disks, and Compact Disc-Read Only Memory (CD-ROM)) and in paper form (e.g., folders, index cards).

RETRIEVABILITY:

Records are retrieved by a case code number. These numbers are cross-indexed by name of employee or family member.

SAFEGUARDS:

1. *Authorized Users:* Access to these records is limited to the EAP Administrators who work directly with employees and family members in each program location and their immediate staffs (including staff counselors, staff secretaries, contract or consortia counselors and secretaries). All EAP Administrators, whether or not they directly provide clinical services, may access the records for the purposes of program evaluation, destroying records at the end of their period of maintenance, and transferring records from one contractor to another.

2. *Physical Safeguards:* All records are stored in a metal filing cabinet equipped with at least a combination lock, and preferably a locking bar. This file cabinet is in a secured area, accessible only to the EAP staff, and is locked when not in use. Computer readable information is maintained in discrete systems and/or is password protected. Computers are also stored in secured areas, accessible to only the EAP staff. These records are always maintained separate from any other system of records.

3. *Procedural Safeguards:* All persons having access to the records shall have previous training in the proper handling of records covered by the Privacy Act and 42 CFR part 2 (Confidentiality of Alcohol and Drug Abuse Patient Records). These restrict disclosures to unique situations, such as medical emergencies, except when the employee or family member has consented in

writing. Furthermore, employees and family members who utilize the EAP will be informed in writing of the confidentiality provisions; and secondary disclosure of information is prohibited without employee consent.

Access http://www.socialsecurity.gov/foia/bluebook/app_g.htm for additional information relating to SSA data security measures.

RETENTION AND DISPOSAL:

Records are retained until three years after the employee or family member has ceased contact with the EAP or until any litigation is resolved. However, if an employee has been terminated from SSA employment, records are retained for at least three years after the official date of termination and until any litigation is resolved. Files are then destroyed.

SYSTEM MANAGER(S) AND ADDRESS(ES):

Social Security Administration, Director, Center for Employee Services, Office of Personnel, Office of Human Resources, 6401 Security Boulevard, Baltimore, Maryland 21235.

NOTIFICATION PROCEDURES:

Upon receiving a request, the EAP Administrator shall weigh the need for disclosure against the potential injury to the patient, to the physician-patient relationship, and to the treatment services. The EAP Administrator will then determine the extent to which any disclosure of all or any part of the record is necessary (42 CFR part 2 does not compel disclosure).

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RECORD SOURCE CATEGORIES:

Information in this system of records is: (1) Supplied directly by the individual, or (2) supplied by a member of the employee's family, or (3) derived from information supplied by the individual, or (4) supplied by sources to whom the employee and/or family member has been referred for assistance, or (5) supplied by SSA officials, or (6) supplied by EAP counselors.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE PRIVACY ACT:

None.

SYSTEM NUMBER: 60-0236

SYSTEM NAME:

Employee Development Program Records, Social Security Administration, Deputy Commissioner for Human Resources (DCHR), Office of Training (OT).

SECURITY CLASSIFICATION:

None.

SYSTEM LOCATION:

Social Security Administration, Office of Training, Offices of the Deputy Commissioners, Deputy-level offices and/or Regional Commissioners' offices.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Applicants and participants in all Social Security Administration (SSA) developmental programs at the specific grades covered by the programs.

CATEGORIES OF IN THE SYSTEM:

This system consists of a variety of records relating to an employee's application for, and participation in, the Executive Development Program. In addition to the employee's name, the system contains the employee's title, grade and salary, Social Security number (SSN), organization in which employed, date of entry into the Executive Development Program, training needs while participating in the program, individual development plan and basis for participation in the Employee Development Program.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 U.S.C. 3396, *et seq.*

PURPOSE(S):

These records are used to document employee's application for, and participation in, the Executive Development Program. They may be used as a basis for promotion, transfer, or reassignment. They may be used as a basis for preparing management, budgetary or statistical reports to support organizational planning or manpower utilization studies.

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

Disclosure may be made for routine uses as indicated below:

1. To Federal, State and local law enforcement agencies in the event that this system of records indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature.

2. To another Federal agency in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an

investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the record is relevant and necessary to the requesting agency's decision on the matter.

3. To a Federal agency having the power to subpoena records, for example, the Internal Revenue Service or the Civil Rights Commission, in response to a subpoena for information contained in this system of records.

4. To officials of labor organizations recognized under 5 U.S.C. Chapter 71 when relevant and necessary to their duties of exclusive representation concerning personnel policies, practices, and matters affecting conditions of employment.

5. To contractors when the Social Security Administration contracts with a private firm for the purpose of collating, analyzing, aggregating or otherwise refining records in this system. The contractor shall be required to maintain Privacy Act safeguards with respect to such records.

6. To the Office of Personnel Management, the Merit Systems Protection Board, or the Office of the Special Counsel, when information is requested in connection with appeals, special studies of the civil service and other merit systems, review of those agencies' rules and regulations, investigation of alleged or possible prohibited personnel practices, and for such other functions of these agencies as may be authorized by law, *e.g.*, 5 U.S.C. 1205 and 1206.

7. To the Equal Employment Opportunity Commission when requested in connection with investigations into alleged or possible discriminatory practices in the Federal sector, examination of Federal affirmative employment programs, compliance by Federal agencies with the Uniform Guidelines on Employee Selection Procedures, or other functions vested in the Commission.

8. To the Federal Labor Relations Authority, its General Counsel, the Federation Mediation and Conciliation Service, the Federal Service Impasses Panel, or an arbitrator when information is requested in connection with investigations of allegation of unfair practices, matters before an arbitrator or the Federal Service Impasses Panel.

9. To a congressional office from the record of an individual in response to an inquiry from congressional office made at the request of that individual.

10. To the Department of Justice (DOJ), a court or other tribunal, or to another party before such tribunal, when: