

records from the National Death Index and from State Vital Registrars.

NIOSH, Office of Compensation Analysis and Support (OCAS), is now proposing to add three new routine uses, the first of which is to enable the agency to disclose personal identifying information so that NIOSH can receive from DOE additional records and information needed to complete the dose reconstruction process for cancer-related claims and to evaluate applications for the Special Exposure Cohort. The information received by NIOSH, OCAS will include employment histories of claimants, production process and work history information, exposure and dosimetry monitoring data, safety and accident reports, and pertinent excerpts from employee medical records. In addition to DOE as a source for these records, NIOSH, OCAS is proposing a routine use to also allow the disclosure of personal identifying information to other federal agencies, other government or private entities and to private-sector employers to allow these entities to similarly locate necessary records so that NIOSH can complete dose reconstructions and evaluate petitions for inclusion in the Special Exposure Cohort. Such private entities might include, but are not limited to, previous DOE contractors and subcontractors who may no longer be in a contractual relationship with DOE.

A second routine use is needed to enable NIOSH, Office of Compensation Analysis and Support (OCAS), to provide the Department of Energy (DOE) and Department of Labor (DOL) with completed dose reconstruction reports in compliance with HHS' Dose Reconstruction Final Rule (42 CFR part 82), and the requirements of EEOICPA. Under EEOICPA (42 U.S.C. 7384n(e)(1)), DOE is required to provide, to each covered employee with cancer specified in 42 U.S.C. 7384l(9)(B), information specifying the estimated radiation dose of that employee during each employment specified in 42 U.S.C. 7384l(9)(B), whether established by a dosimetry reading, by a method established under 42 U.S.C. 7384n(d), or by both a dosimetry reading and such method. To assist DOE and DOL in fulfilling their legal obligations, the HHS dose reconstruction regulations require disclosure of the completed dose reconstruction to the claimant, DOE and DOL.

The third routine use is being proposed because NIOSH, Office of Compensation Analysis and Support (OCAS), often finds it necessary to contact witnesses who have been identified as possible sources of

information that may assist NIOSH, OCAS in completing the dose reconstruction process or evaluating petitions for inclusion in the Special Exposure Cohort. In many instances NIOSH will be directed to speak with a chain of witnesses, one recommending another, and provision of personal identifying information to these witnesses will facilitate NIOSH's efforts without having to obtain consent for each release of personal identifying information from each claimant. This routine use will prevent the expenditure of a great deal of time and resources on the part of the Department of Health and Human Services (HHS) and facilitate more timely dose reconstruction reports and Special Exposure Cohort petition reviews.

Provision of identifiable information to the Department of Energy (DOE), other federal agencies, other government or private entities, private-sector employers, Office of Compensation Analysis and Support (OCAS) designated witnesses, and to members of Congress or their staff in response to requests, to aid NIOSH in providing dose reconstruction reports and evaluating petitions for inclusion in the Special Exposure Cohort are compatible with the purposes for which the records within this NIOSH Privacy Act system were collected. These new and modified routine uses will also significantly decrease the administrative cost and effort required to implement EEOICPA. Without these routine uses, HHS may be forced to request that each claimant for whom it performs a dose reconstruction provide written consent for each listed entity or appropriate designated individual to obtain access to the claimant's personal identifying information, employment, dosimetry, and related information. The Department of Health and Human Services would spend resources and time unnecessarily in requesting written consent for each entity listed above, transmitting each written consent to the appropriate entity and following up on each request for data. Routine uses permitting disclosure of such information as indicated would be cost effective, eliminate these inefficiencies, and be in the best interests of the claimants.

Permitting these entities to receive and use the information/data in these records, as appropriate and to the extent indicated, would not result in the unauthorized release of private information contained in the records. Information received by these entities will be maintained in a secure manner, as required by the Privacy Act. Access will be limited to employees whose

official job duties require access to the records. Files and automated systems will be maintained under supervision of the appropriate personnel during normal working hours. Only authorized personnel may handle, retrieve, or disclose any information contained therein. Access to electronic records is controlled by password protection.

We have also made editorial changes throughout the system notice to enhance clarity and specificity and to accommodate normal updating changes.

Dated: September 16, 2003.

Alvin Hall,

Director, Management Analysis and Services Office, Centers for Disease Control and Prevention.

SYSTEM NAME:

Occupational Health Epidemiological Studies and EEOICPA Program Records. HHS/CDC/NIOSH.

SECURITY CLASSIFICATION:

None.

SYSTEM LOCATION:

Division of Surveillance, Hazard Evaluation, and Field Studies (DSHEFS), National Institute for Occupational Safety and Health (NIOSH), Robert A. Taft Laboratories, 4676 Columbia Parkway, Cincinnati, OH 45226.

Division of Respiratory Disease Studies (DRDS), National Institute for Occupational Safety and Health (NIOSH), 1095 Willowdale Road, Morgantown, WV 20505-2888.

Pittsburgh Research Laboratory, NIOSH, 626 Cochrans Mill Road, Pittsburgh, PA 15236.

Spokane Research Laboratory, NIOSH, 315 E. Montgomery Avenue, Spokane, WA 99207.

Office of Compensation Analysis and Support (OCAS), NIOSH, Robert A. Taft Laboratories, 4676 Columbia Parkway, Cincinnati, Ohio 45226. and

Federal Records Center, 3150 Bertwynn Drive, Dayton, OH 45439.

Data are also occasionally located at contractor sites as studies are developed, data collected, and reports written. A list of contractor sites where individually identifiable data are currently located is available upon request to the system manager.

Also, occasionally data may be located at the facilities of collaborating researchers where analyses are performed, data collected and reports written. A list of these facilities is available upon request to the system manager. Data may be located only at those facilities that have an adequate data security program and the collaborating researcher must return the