

U.S.C. 3101 and Pub. L. 100-71, sec. 503 (July 11, 1987).

**PURPOSE:**

The EAP is a voluntary program designed to assist the recovery of employees who are experiencing one or more of a variety of personal or behavioral problems (e.g., marital, financial, substance abuse). Records are maintained to document referral and participation in the EAP program; the nature and effects of the employee's personal or behavioral problem(s); efforts to counsel, treat, and rehabilitate the employee; and progress made in attaining his/her full recovery. Records may be used also to track compliance with agreements made to mitigate discipline based upon treatment (abeyance agreements).

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

In addition to those disclosures permitted by the Privacy Act itself,<sup>1</sup> 5 U.S.C. 552a(b), permissive disclosures without individual consent, are as follows:

1. Pursuant to subsection (m) of the Privacy Act, the contract providers maintain EAP records on behalf of INS. Therefore, in addition to those records which are given directly to the contract provider by the record subject, other records collected directly by INS may be disclosed by INS to the contract provider to the extent that it is appropriate, relevant, and necessary to enable the contract provider to perform his or her counseling, treatment, rehabilitation, and evaluation responsibilities. Similarly, records collected directly by the contract provider may be disclosed by the contract provider to the EAP Manager to the extent that it is appropriate, relevant and necessary to enable the EAP Manager to perform his or her counseling, program management and policy, and evaluation responsibilities.

2. Relevant information may also be disclosed from this system of records as follows:

a. To appropriate State or local authorities to report, under State law, incidents of suspected child abuse or neglect.

b. To any person or entity to the extent necessary to prevent an imminent and potential crime which directly threatens loss of life or serious bodily injury.

<sup>1</sup> To the extent that release of alcohol and drug abuse records is more restricted than other records subject to the Privacy Act, INS will follow such restrictions. See 42 U.S.C. 290dd and 290ee.

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

**STORAGE:**

Records are stored in locked file cabinets and a computerized environment.

**RETRIEVABILITY:**

Records are retrieved by a case number which is cross referenced to a name by the computer.

**SAFEGUARDS:**

In accordance with the requirements of 42 CFR 2.16, records are stored in a secure environment. *Paper records are stored in locked files and computerized records are password protected.* In addition, all paper records, e.g., case files, billings and payment vouchers, are identified by case number only and cannot be identified by a name until they are cross-referenced by the computer system to a name.

Records may be accessed within the EAP Program by designated EAP Program individuals based on their need-to-know to perform their duties. No records will be disclosed except with the written consent of the individual, or as indicated under the routine use disclosure outlined in this notice.

**RETENTION AND DISPOSAL:**

Records are retained for three years after the individual ceases contact with the counselor unless a longer retention period is necessary because of pending administrative or judicial proceedings. In such cases, the records are retained for six months after the case is closed. Records are destroyed by shredding or burning (General Records Schedules 26 and 36).

**SYSTEM MANAGER(S) AND ADDRESSES:**

EAP Manager, Immigration and Naturalization Service, 425 I Street, NW, Washington, DC 20536.

**NOTIFICATION PROCEDURE:**

Same as record access procedures.

**RECORDS ACCESS PROCEDURES:**

Address all requests for access to records to the system manager identified above. Address all requests for records maintained by the contract provider to that provider. Addresses of these offices may be obtained by contacting the EAP Manager. Clearly mark the envelope and letter "Privacy Act Request." Provide the full name and notarized signature of the individual who is the subject of the record, the dates during which the individual was in counseling, any other information which may assist in

identifying and locating the record, and a return address.

**CONTESTING RECORDS PROCEDURES:**

Direct all requests to contest or amend information in accordance with procedures outlined under Record Access Procedures. State clearly and concisely the information being contested, the reason for contesting it, and the proposed amendment thereof. Clearly mark the envelope "Privacy Act Amendment Request."

**RECORD SOURCE CATEGORIES:**

Records are generated by the employee who is the subject of the record; EAP Manager, EAP Specialists, and EAP contract facilities/providers; the personnel office; and the employee's supervisor. In the case of drug abuse counseling, records may also be generated by the staff of the Drug Free Workplace Program and the Medical Review Officer.

**SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:**

None.

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**DEPARTMENT OF JUSTICE**

**Office of Juvenile Justice and Delinquency Prevention**

[OJP(OJJDP)-1155]

**Meeting of the Coordinating Council on Juvenile Justice and Delinquency Prevention**

**AGENCY:** Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention (OJJDP), Justice.

**ACTION:** Notice of meeting.

**SUPPLEMENTARY INFORMATION:** A meeting of the Coordinating Council on Juvenile Justice and Delinquency Prevention will take place in the District of Columbia, beginning at 2:00 p.m. on Tuesday, February 3, 1998 and ending at 4:00 p.m. on February 3, 1998. This advisory committee, chartered as the Coordinating Council on Juvenile Justice and Delinquency Prevention, will meet at the White House Conference Center, located at 726 Jackson Place, Truman Room, Washington, D.C. 20503. The Coordinating Council, established pursuant to Section 3(2)A of the Federal Advisory Committee Act (5 U.S.C., App. 2), will meet to carry out its advisory functions under Section 206 of the Juvenile Justice and Delinquency

Prevention Act of 1974, as amended. This meeting will be open to the public. For security reasons, members of the public who are attending the meeting must contact the Office of Juvenile Justice and Delinquency Prevention (OJJDP) by close of business January 29, 1998. Please note: Photo identification will be required to be admitted to the Conference Center. The point of contact at OJJDP is Lutricia Key who can be reached at (202) 307-5911.

Dated: January 15, 1998.

**Shay Bilchik,**

*Administrator, Office of Juvenile Justice and Delinquency Prevention.*

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## DEPARTMENT OF LABOR

### Employment and Training Administration

#### Notice of Determinations Regarding Eligibility to Apply for Worker Adjustment Assistance and NAFTA Transitional Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974, as amended, the Department of Labor herein presents summaries of determinations regarding eligibility to apply for trade adjustment assistance for workers (TA-W) issued during the period of December, 1997 and January, 1998.

In order for an affirmative determination to be made and a certification of eligibility to apply for worker adjustment assistance to be issued, each of the group eligibility requirements of Section 222 of the Act must be met.

(1) That a significant number or proportion of the workers in the workers' firm, or an appropriate subdivision thereof, have become totally or partially separated,

(2) That sales or production, or both, of the firm or subdivision have decreased absolutely, and

(3) That increases of imports of articles like or directly competitive with articles produced by the firm or appropriate subdivision have contributed importantly to the separations, or threat thereof, and to the absolute decline in sales or production.

#### Negative Determinations for Worker Adjustment Assistance

In each of the following cases the investigation revealed that criterion (3) has not been met. A survey of customers indicated that increased imports did not contribute importantly to worker separations at the firm.

TA-W-33,954 & A; *Color-Clings, Inc., Plymouth, MN and Bloomington, MN*

TA-W-34,039; *F.R. Gross Co., Inc., Warren, PA*

TA-W-33,656; *Garden Way, Inc., Port Washington, WI*

In the following cases, the investigation revealed that the criteria for eligibility have not been met for the reasons specified.

TA-W-34,055; *TRW/Auto Electronics Group of North America, Switch Product Line and Profit Center, Auburn, NY*

The predominant cause of separations at the subject firm is the transfer of production of switch components abroad for assembly there. The subject firm is importing switches at a later stage of production, not the switch components produced at the subject plant.

TA-W-34,103; *Jostens, Inc., Recognition Div., Princeton, IL*

TA-W-33,900; *Whirlpool Corp., Evansville, IN*

TA-W-33,896 & A; *Applied Materials, Inc., Austin, TX and Santa Clara, CA*

TA-W-33,996; *Brownsville Products, Brownsville, TX*

TA-W-34,053; *Frontier Corp., Rochester, NY*

Increased imports did not contribute importantly to worker separations at the firm.

TA-W-33,989; *Allegheny Ludlum Corp., Leechburg, PA*

The investigation revealed that criteria (2) has not been met. Sales or production did not decline during the relevant period as required for certification.

TA-W-34,053; *Frontier Corp., Rochester, NY*

TA-W-33,959; *Electra-Sound, Inc., Parma, OH*

TA-W-33,980; *Lockheed Martin Corp., Ocean Radar & Sensor Systems Plant Protection Unit, Liverpool, NY*

The workers firm does not produce an article as required for certification under Section 222 of the Trade Act of 1974.

TA-W-33,906; *Sunbeam, Shubuta, MS*

Sunbeam made a decision to transfer production from the subject plant to another domestic facility.

TA-W-33,796; *Drummond Co., Inc., Birmingham, AL*

U.S. imports of coal were negligible in 1996 and in January through June 1997.

TA-W-33,946; *Chevron USA Production Co. A Div. of Chevron USA, Inc., ("CPDN"), Headquartered in Houston, TX & Operating at*

*Various Locations in the Following States: A; AL, B; CA, C; CO, D; LA, E; MS, F; NM, G; OK, H; TX, I; UT, J; WY*

The investigation revealed that criteria (2) and criteria (3) have not been met. Sales or production did not decline during the relevant period as required for certification. Increases of imports of articles like or directly competitive with articles produced by the firm or appropriate subdivision have not contributed importantly to the separations or threat thereof, and the absolute decline in sales or production.

TA-W-34,047; *John Wiley & Sons, Inc., Wiley Law Publications, Colorado Springs, CO*

A change in corporate ownership of this division resulted in a transfer to other domestic locations of the publishing of legal texts and caused the separations of workers at the subject facility.

TA-W-33,974; *Lightalarms Electronic Corp., Baldwin, NY*

The decline in employment at the subject firm is attributed to a shift in production to another location in St. Matthews, S.C. The Operation is being consolidated with two other affiliated facilities in which domestic company employment will increase.

#### Affirmative Determinations for Worker Adjustment Assistance

The following certification have been issued; the date following the company name and location of each determination references the impact date for all workers of such determination.

TA-W-33,942; *Woodgrain Millwork, Inc., Lakeview, OR: October 14, 1996.*

TA-W-34,019; *Signal Apparel, New Tazewell, TN: November 14, 1996.*

TA-W-33,837; *Russell Corp., Cummings, GA: August 15, 1996.*

TA-W-33,951; *Robinson Manufacturing Co., Linden, TN: October 15, 1996.*

TA-W-34,045; *ITT Automotive, Archbold, OH: March 17, 1996.*

TA-W-33,964; *International Flavors & Fragrances, Inc., North American Fragrance Div., Union Beach, NJ: October 21, 1996.*

TA-W-33,961; *Teledyne Fluid Systems, Efficient Die & Mold Div., Independence, OH: October 17, 1996.*

TA-W-33,981; *Shenandoah Knitting Mills, Edinburg, VA: October 29, 1996.*

TA-W-33,973; *A.O. Smith EPC, Upper Sandusky, OH: October 23, 1996.*

TA-W-34,23 & A; *Spencer's, Inc., Hillsville, VA and Stuart, VA: November 7, 1996.*