

## USDA/FS-8

**System Name:** Check-Before-Using Pilot List, USDA/FS-8.

**System Location:** The records in this system are maintained at the USDA Forest Service Headquarters, P.o. Box 96090, Washington, DC 20090-6090; and Regional Offices as listed in 36 CFR 200.2 Subpart A.

**Categories of individuals covered by the system:** Pilots who have performed unsatisfactorily while working under a federal contract for services.

**Categories of records in the system:** This system consists of the pilot's name, social security number, FAA pilot's license number, and the Region or area which reported the unsatisfactory performance.

**Authority for maintenance of the system:** 5 U.S.C. 301, and E.O. 9397.

**Purpose(s):** The Department of Agriculture uses information in this system of records to identify pilots who have performed unsatisfactorily while working under a federal contract for services.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:**

(1) The Department of Agriculture (USDA) may disclose information in this system of records to the Department of Justice (DOJ) for use in litigation, if USDA, or any component thereof, determines that the use of such records by DOJ is relevant and necessary to the conduct of the litigation and that disclosure of the information to DOJ is compatible with the purpose(s) for which the records were collected where any of the following are parties to the litigation or have interests that would be affected by the litigation:

- (a) USDA, or any component thereof;
- (b) Any USDA employee acting in an official capacity;
- (c) Any USDA employee acting in an individual capacity whom DOJ has agreed to represent, or
- (d) The United States, if USDA determines that the litigation is likely to affect USDA or any of its components.

(2) USDA may disclose information in tis system of records in a proceeding before a court or other adjudicative body before which USDA is authorized to appear, if USDA or any component thereof determined that disclosure of the records to the court or other adjudicative body is a use that is compatible with the purpose(s) for which the records were collected, where USDA determines that the information is relevant and necessary to the conduct of the litigation and any of the following are parties to the proceeding or have interests that would be affected by the proceeding.:

- (a) USDA, or any component thereof;
- (b) Any USDA employee acting in an individual capacity;
- (c) Any USDA employee acting in an official capacity whom USDA has agreed to represent or

(d) The United States, if USDA determines that the litigation is likely to affect USDA or any of its components.

(3) When available information indicates a violation or potential violation of civil, criminal, or administrative law arising by statute or rule, regulation, or order, USDA may refer any record within this system to the appropriate Federal, State, local, or foreign agency charged with the responsibility of investigating or prosecuting a violation of law or of enforcing or implementing a statute, or rule, regulation, or order issued pursuant thereto.

(4) USDA may disclose information from the record of an individual contained in this system in response to an inquiry from a congressional office made at the request of that individual.

(5) If USDA deems it desirable or necessary in order to determine whether particular records are required to be disclosed under the Freedom of Information Act, the Department may disclose the records to the Department of Justice for the purpose of obtaining its advice.

(6) USDA may disclose information from this system of records in response to a request for discovery or for the appearance of a witness, to the extent that what is disclosed is relevant to the subject matter at issue in a pending judicial or administrative proceeding.

(7) USDA may refer information from this system of records to the appropriate officials of the Department of the Interior, Office of Aircraft Services, for their use in monitoring pilot proficiency.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Records are maintained on magnetic tapes, disk, or other format, as well as file folders.

**Retrievability:** Records are indexed by name, FAA pilot's license number, or social security number.

**Safeguards:** All records containing personal information are maintained in secured file cabinets and secured computer rooms or tape library which can only be accessed by authorized personnel.

**Retention and disposal:** Records are retained or disposed of in accordance with the retention periods contained in Forest Service Handbook, FSH 6209.11, Records Management Handbook.

**System manager(s) and address:** Director, Fire and Aviation Management, USDA Forest Service, P.O. Box 96090, Washington, D.C. 20090-6090, and the Regional Air Officers at Regional Offices as listed in 36 CFR 200.2, Subpart A.

**Notification procedure:** Individuals may request information regarding this system of records, or information as to whether the system contains records pertaining to them from the system manager listed in the preceding paragraph. A request for information should contain name, address, FAA pilot's license number, previous employer while performing services for the agency, and particulars involved (for example, the date of action giving rise to the inquiry of complaint).

**Record access procedures:** Individuals who wish to gain access to or amend records pertaining to themselves should submit a written request to the system manager as set forth in the preceding paragraph. The envelope and letter should be marked "Privacy Act Request."

**Contesting record procedures:** Same as records access procedures.

**Record source categories:** Information in this system comes from Regional Aviation Officers, Contracting Officers, and pilot inspectors.