

USDA/FGIS-6: Conflict of Interest of Employees of Official Agencies and of Individuals under Contract with FGIS

**SYSTEM LOCATION:**

Federal Grain Inspection Service,  
USDA, 1400 Independence Avenue, SW.,  
Washington, D.C. 20250.

**CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:**

Any employee of an official agency or any individual under contract with FGIS who has a potential conflict of interest.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

This system consists of all forms, correspondence, and other data pertinent to processing conflict of interest reports.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

7 U.S.C. 87 *et seq.*

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

(1) Referral to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing the statute, rule, regulation, or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation, or order issued pursuant thereto; (2) Disclosure to the Department of Justice for use in litigation when the agency, or any component thereof, or any employee of the agency in his or her official capacity, or any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee, or the United States, where the agency determines that litigation is likely to affect the agency or any of its components, is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation; provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected; (3) Disclosure in a proceeding before a court of adjudicative body

before which the agency is authorized to appear, when the agency, or any component thereof, or any employee of the agency in his or her official capacity, or any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee, or the United States, where the agency determines that litigation is likely to affect the agency or any of its components, is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation; provided, however, that in each case, the agency determines that disclosure of the records to the court is a use of the information contained in the records that is compatible with the purpose for which the records were collected; and (4) To answer Congressional inquiries made at the request of the individual from whose record information is disclosed.

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

**STORAGE:**

Records are stored in individual file folders at the above address.

**RETRIEVABILITY:**

Records are alphabetically indexed by the last name of the individual.

**SAFEGUARDS:**

Records are kept in Government office buildings, in locked offices, or in locked file cabinets.

**RETENTION AND DISPOSAL:**

Records involving Registrant conflicts of interest are retained for 5 years, and Licensee conflicts of interest records are retained for 10 years after license is terminated, or destroyed immediately when licensee is deceased. Records are maintained in accordance with General Services Administration disposal schedules as implemented by FGIS Instruction 251.1, Records Management Program.

**SYSTEM MANAGER AND ADDRESS:**

Director, Compliance Division, FGIS,  
USDA, 1400 Independence Avenue, SW.,  
Washington, D.C. 20250.

**NOTIFICATION PROCEDURE:**

Individuals may request information concerning their records by submitting a written request to the System Manager.

**RECORD ACCESS PROCEDURE:**

Same as above.

**CONTESTING RECORDS PROCEDURE:**

Individuals may contest a record in a system that pertains to them by submitting a written request to the System Manager.

**RECORD SOURCE CATEGORIES:**

Information contained in the system is obtained from official agency employees or their supervisors, contract samplers, and FGIS field office personnel.

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