

ATTACHMENT 2

**CIVIL PENALTIES FOR DISCLOSURE OF
CONFIDENTIAL INFORMATION
(18 U.S.C. ' 1905)**

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TITLE 18--CRIMES AND CRIMINAL PROCEDURE

PART I--CRIMES

CHAPTER 93--PUBLIC OFFICERS AND EMPLOYEES

Sec. 1905. Disclosure of confidential information generally

Whoever, being an officer or employee of the United States or of any department or agency thereof, any person acting on behalf of the Office of Federal Housing Enterprise Oversight, or agent of the Department of Justice as defined in the Antitrust Civil Process Act (15 U.S.C. 1311-1314), or being an employee of a private sector organization who is or was assigned to an agency under chapter 37 of title 5, publishes, divulges, discloses, or makes known in any manner or to any extent not authorized by law any information coming to him in the course of his employment or official duties or by reason of any examination or investigation made by, or return, report or record made to or filed with, such department or agency or officer or employee thereof, which information concerns or relates to the trade secrets, processes, operations, style of work, or apparatus, or to the identity, confidential statistical data, amount or source of any income, profits, losses, or expenditures of any person, firm, partnership, corporation, or association; or permits any income return or copy thereof or any book containing any abstract or particulars thereof to be seen or examined by any person except as provided by law; shall be fined under this title, or imprisoned not more than one year, or both; and shall be removed from office or employment.

(June 25, 1948, ch. 645, 62 Stat. 791; Pub. L. 96-349, Sec. 7(b), Sept. 12, 1980, 94 Stat. 1158; Pub. L. 102-550, title XIII, Sec. 1353, Oct. 28, 1992, 106 Stat. 3970; Pub. L. 104-294, title VI, Sec. 601(a)(8), Oct. 11, 1996, 110 Stat. 3498; Pub. L. 107-347, title II, Sec. 209(d)(2), Dec. 17, 2002, 116 Stat. 2930.)

Historical and Revision Notes

Based on section 176b of title 15, U.S.C., 1940 ed., Commerce and Trade; section 216 of title 18, U.S.C., 1940 ed.; section 1335 of title 19, U.S.C., 1940 ed., Customs Duties (R.S. Sec. 3167; Aug. 27, 1894, ch. 349, Sec. 24, 28 Stat. 557; Feb. 26, 1926, ch. 27, Sec. 1115, 44 Stat. 117; June 17, 1930, ch. 497, title III, Sec. 335, 46 Stat. 701; Jan. 27, 1938, ch. 11, Sec. 2, 52 Stat. 8).

Section consolidates section 176b of title 15, U.S.C., 1940 ed., Commerce and Trade; section 216 of title 18, U.S.C., 1940 ed., and section 1335 of title 19, U.S.C., 1940 ed., Customs Duties.

Words ``or of any department or agency thereof'' and words ``such department or agency'' were inserted so as to eliminate any possible ambiguity as to scope of section. (See definition of ``department'' and ``agency'' in section 6 of this title.)

References to the offenses as misdemeanors, contained in all of said

sections, were omitted in view of definitive section 1 of this title.

The provisions of section 216 of title 18, U.S.C., 1940 ed., relating to publication of income tax data by ``any person'', were omitted as covered by section 55(f)(1) of title 26, U.S.C., 1940 ed., Internal Revenue Code.

Minor changes were made in translations and phraseology.

References in Text

The Antitrust Civil Process Act, referred to in text, is Pub. L. 87-664, Sept. 19, 1962, 76 Stat. 548, as amended, which is classified generally to chapter 34 (Sec. 1311 et seq.) of Title 15, Commerce and Trade. For complete classification of this Act to the Code, see Short Title note set out under section 1311 of Title 15 and Tables.

Amendments

2002--Pub. L. 107-347 inserted ``or being an employee of a private sector organization who is or was assigned to an agency under chapter 37 of title 5,'' after ``(15 U.S.C. 1311-1314),''.

1996--Pub. L. 104-294 substituted ``fined under this title'' for ``fined not more than \$1,000''.

1992--Pub. L. 102-550 inserted ``any person acting on behalf of the Office of Federal Housing Enterprise Oversight,'' after ``or agency thereof, ''.

1980--Pub. L. 96-349 provided for punishment and removal from office of an agent of the Department of Justice as defined in the Antitrust Civil Process Act for disclosure of confidential information.

Effective Date of 2002 Amendment

Amendment by Pub. L. 107-347 effective 120 days after Dec. 17, 2002, see section 402(a) of Pub. L. 107-347, set out as an Effective Date note under section 3601 of Title 44, Public Printing and Documents.