

## CITATIONS FOR CONFIDENTIALITY

Food Security Act of 1985

### U.S. Code Title 7

#### Sec. 2276. Confidentiality of information

- (a) Authorized disclosure

In the case of information furnished under a provision of law referred to in subsection (d) of this section, neither the Secretary of Agriculture, any other officer or employee of the Department of Agriculture or agency thereof, nor any other person may -

  - (1) use such information for a purpose other than the development or reporting of aggregate data in a manner such that the identity of the person who supplied such information is not discernible and is not material to the intended uses of such information; or
  - (2) disclose such information to the public, unless such information has been transformed into a statistical or aggregate form that does not allow the identification of the person who supplied particular information.
- (b) Duty of Secretary; immunity from disclosure; necessary consent
  - (1) In carrying out a provision of law referred to in subsection (d) of this section, no department, agency, officer, or employee of the Federal Government, other than the Secretary of Agriculture, shall require a person to furnish a copy of statistical information provided to the Department of Agriculture.
  - (2) A copy of such information -
    - (A) shall be immune from mandatory disclosure of any type, including legal process; and
    - (B) shall not, without the consent of such person, be admitted as evidence or used for any purpose in any action, suit, or other judicial or administrative proceeding.
- (c) Violations; penalties

Any person who shall publish, cause to be published, or otherwise publicly release information collected pursuant to a provision of law referred to in subsection (d) of this section, in any manner or for any purpose prohibited in section [1] (a) of this section, shall be fined not more than \$10,000 or imprisoned for not more than 1 year, or both.
- (d) Specific provisions for collection of information

For purposes of this section, a provision of law referred to in this subsection means -

  - (1) the first section of the Act entitled "An Act authorizing the Secretary of Agriculture to collect and publish statistics of the grade and staple length of cotton", approved March 3, 1927 (7 U.S.C. 471) (commonly referred to as the "Cotton Statistics and Estimates Act");
  - (2) the first section of the Act entitled "An Act to provide for the collection and

- publication of statistics of tobacco by the Department of Agriculture", approved January 14, 1929 (7 U.S.C. 501);
- (3) the first section of the Act entitled "An Act to provide for the collection and publication of statistics of peanuts by the Department of Agriculture", approved June 24, 1936 (7 U.S.C. 951);
  - (4) section 203(g) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1622(g));
  - (5) section 526(a) of the Revised Statutes (7 U.S.C. 2204(a));
  - (6) the Act entitled "An Act providing for the publication of statistics relating to spirits of turpentine and resin", approved August 15, 1935 (7 U.S.C. 2248);
  - (7) section 42 of title 13;
  - (8) section 4 of the Act entitled "An Act to establish the Department of Commerce and Labor", approved February 14, 1903 (15 U.S.C. 1516);
  - (9) section 2 of the joint resolution entitled "Joint resolution relating to the publication of economic and social statistics for Americans of Spanish origin or descent", approved June 16, 1976 (15 U.S.C. 1516a); or
  - (10) section 2204g of this title.
- (e) Information provided to Secretary of Commerce  
This section shall not prohibit the release of information under section 2204g(f)(2) of this title.

#### Footnotes

[1] So in original. Probably should be "subsection".

## Disclosure of Information

### **U.S. Code Title 18**

#### **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), 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.