

USDA's National Agricultural Statistics Service 2024 CIPSEA Report to Office of Management and Budget



United States Department of Agriculture
National Agricultural Statistics Service

2024 CIPSEA Report to OMB for USDA’s National Agricultural Statistics Service

General

The Confidential Information Protection and Statistical Efficiency Act (CIPSEA) provides strong confidentiality protections to Federal agencies conducting statistical information collections such as surveys and censuses, as well as other statistical activities including data analysis. CIPSEA was originally codified in Title V of the E-Government Act, Confidential Information Protection and Statistical Efficiency Act of 2002, but was replaced with the Confidential Information Protection and Statistical Efficiency Act of 2018, Title III of Pub. L. No. 115-435, codified in 44 U.S.C. Ch. 35.

This report contains the USDA National Agricultural Statistics Service’s (NASS) CIPSEA activities in 2024 and fulfills the Office of Management and Budget’s (OMB) annual report requirement documented in the *Implementation Guidance for Title V of the E-Government Act, Confidential Information Protection and Statistical Efficiency Act of 2002 (CIPSEA)* dated June 15, 2007. OMB has not issued revised guidance for the 2018 version of CIPSEA; hence, this report was prepared following guidance from the 2002 version.

Use of the CIPSEA Pledge

In 2024 NASS conducted surveys and censuses approved under 41 OMB Control Numbers. All surveys and censuses conducted under these Information Collections were covered under CIPSEA. All questionnaires (paper and on-line) used for these Information Collections (ICs) included the following CIPSEA pledge:

The information you provide will be used for statistical purposes only. Your response will be kept confidential and any person who willfully discloses ANY identifiable information about you or your operation is subject to a jail term, a fine, or both. This survey is conducted in accordance with the Confidential Information Protection and Statistical Efficiency Act of 2018, Title III of Pub. L. No. 115-435, codified in 44 U.S.C. Ch. 35 and other applicable Federal laws. For more information on how we protect your information please visit: <https://www.nass.usda.gov/confidentiality>.

For voluntary surveys the statement, “Response to this survey is voluntary.” followed this pledge. For mandatory surveys the statement, “Response to this survey is mandatory” or “Response to this survey is required by law” followed the pledge.

Table 1 provides the list of Information Collections (ICs) NASS had active in 2024. NASS followed the confidentiality provisions in the Confidential Information Protection and Statistical Efficiency Act of 2018, Title III of Pub. L. No. 115-435, codified in 44 U.S.C. Ch. 35 for the data collected from all of these ICs.

Table 1: NASS’s Information Collections Active in 2024

OMB No.	Information Collection Name
0535-0001	Cold Storage
0535-0002	Field Crops Production
0535-0003	Agricultural Prices

OMB No.	Information Collection Name
0535-0004	Egg, Chicken, and Turkey Surveys
0535-0005	Livestock Slaughter
0535-0007	Stocks Reports
0535-0020	Milk and Milk Products
0535-0037	Vegetable Surveys
0535-0039	Fruit, Nuts, and Specialty Crops
0535-0088	Objective Yield Surveys
0535-0093	Commercial Floriculture Survey
0535-0109	Agricultural Labor
0535-0140	List Sampling Frame Surveys
0535-0150	Aquaculture Survey
0535-0153	Honey and Honey Bee Surveys
0535-0212	Mink Survey
0535-0213	Agricultural Surveys Program
0535-0218	Agricultural Resource Management Phase 1 & 2 and Chemical Use Surveys
0535-0220	Cotton Ginnings
0535-0226	Census of Agriculture
0535-0234	Irrigation and Water Management Survey
0535-0236	Census of Horticultural Specialties
0535-0237	Census of Aquaculture
0535-0240	Tenure, Ownership, and Transition of Agricultural Land (TOTAL)
0535-0245	Conservation Effects Assessment Project
0535-0248	Generic Clearance of Survey Improvement Projects
0535-0249	Organic Survey
0535-0254	Current Agricultural Industrial Reports (CAIR)
0535-0256	Feral Swine Survey
0535-0258	Cost of Pollination Survey
0535-0261	Fast Track Generic Clearance for Qualitative Feedback on Customer Satisfaction Surveys
0535-0262	Water Use Survey
0535-0264	Quick Response for Cooperator funded Surveys Generic Clearance
0535-0266	Custom Work Surveys
0535-0270	Hemp Production and Disposition Inquiry
0535-0271	National Agroforestry Survey
0535-0272	Conservation Practice Adoption Motivations Survey
0535-0273	Cooperator Funded Chemical Use Surveys
0535-0274	NASS Data Security Requirements for Accessing Confidential Data
0535-0275	Agricultural Resource Management Phase 3 Economic Surveys
3145-0271	Standard Application Process Portal

Use of the CIPSEA Agents Provision

In accordance with CIPSEA, NASS granted agent status to 3,393 contractors and researchers in 2024. All agents received CIPSEA training or signed the confidentiality certificate in either Appendix A (form ADM-004), Appendix B (form ADM-043), or Appendix C (form NAS-004). The training and certificates affirm all agents were aware of, and agreed to abide by, CIPSEA provisions. All agents had access to CIPSEA-protected data collected under one or more of the Information Collections listed in Table 1. The categories of agents NASS granted in 2024, along with the count of each type, are listed in Table 2.

Table 2: NASS Agents Granted in 2024

Agent	Description	Approximate Agent Count
Enumerators	NASS cooperates with the National Association of State Departments of Agriculture (NASDA) to provide enumerators who collect data for NASS's surveys. Annually, all enumerators must sign a confidentiality statement <i>NAS-004: NASDA Certification of Confidentiality and Motor Vehicle Insurance</i> (see Appendix C). NASS maintains a memorandum of understanding (MOU) with NASDA that explains CIPSEA confidentiality provisions. NASDA enumerators include both those who conduct interviews over the telephone and those who conduct face-to-face interviews. 2,	2,444
State Employees	NASS maintains MOUs with State governments and Land Grant Universities. Some of these MOUs provide State-funded employees who work in NASS Field Offices. These employees perform similar activities to NASS employees, including accessing CIPSEA-protected data for processing, review, editing, and analysis.	28
Census of Agriculture Data Entry & Edit Staff	NASS contracted with Midtown Group (a firm that provides temporary staff) to provide staff to key-enter and edit data received from the 2022 Census of Agriculture.	36
Contracted Data Entry Staff	NASS contracted with Midtown Group (a firm that provides temporary staff) to provide staff to key-enter data received from NASS surveys and process Objective Yield samples.	19
National Processing Center (NPC) Data Entry Staff	Annually, NASS contracts with the Census Bureau's NPC to provide key entry staff for specific Census of Agriculture and survey programs. All key entry staff must sign a confidentiality statement ADM-004: Certification of Confidentiality.	204
U.S. Territory Cooperative Agreement Staff	NASS enters into Cooperative Agreements with organizations from American Samoa, Guam, Northern Mariana Islands, Puerto Rico, and Virgin Islands which provide enumerators who collect data (personal field interviews) for NASS's Census of Agriculture Program. All enumerators must sign a confidentiality statement NAS-004: NASDA Certification of Confidentiality. NASS maintains a memorandum of understanding (MOU) with each Cooperator that explains CIPSEA confidentiality provisions.	85
Veterinary Medical Officers	Through a cooperative agreement with the USDA's Animal and Plant Health Inspection Service's (APHIS) National Animal Health Monitoring System (NAHMS), NASS conducts surveys related to farm animal health and safety. After receiving permission from survey respondents, NASS	215

Agent	Description	Approximate Agent Count
	provides the respondents' information to Federal or State veterinary medical officers (VMO) and their staffs. The VMOs (and/or staffs) contact the respondents to collect additional information.	
Information Technology Contractors & Affiliates	NASS contracts with various information technology companies to provide system programming and maintenance services. NASS also contracts with other USDA offices to provide information technology services. Some of these contractors and USDA staff have access to CIPSEA-protected data.	156
NASS-Funded ^{1/} Researchers	NASS contracts with the National Institute of Statistical Sciences (NISS), universities, and other researchers to provide expertise on various statistical and geospatial methodologies. Each contract is formalized with a Statement of Work, an Intergovernmental Personnel Act, or a cooperative agreement. These researchers are provided access to data to conduct research on statistical analysis methodologies. Data access is provided at NASS facilities and/or on NASS's computer network.	32
Researchers (Non-NASS funded)	<p>This category includes researchers from universities and governmental agencies (Federal and State) who request to access existing NASS survey data for research purposes. Before these researchers are granted agent status to conduct specialized statistical analyses on CIPSEA-protected data, they must provide NASS with information about the research team and the proposed project through the Standard Application Process (SAP) or other approved method. Specifically, the information provided to NASS to evaluate the request include:</p> <ul style="list-style-type: none"> • Researcher information <ul style="list-style-type: none"> ○ Full name, affiliation, title and contact information for each person who will have access to the data ○ Citizenship status • Research Description <ul style="list-style-type: none"> ○ Requested data ○ Research question and project abstract ○ Methodology and linkages ○ Project products, output, and timeline <p>NASS reviews the application to determine if access is approved. If approved, data access may be provided at NASS facilities, at NASS-controlled centers, or by remote access through a secure Data Enclave following completion of security protocols.</p>	174
Total		3,393

1/ Some university researchers may be at NASS on sabbatical and not actually funded by NASS.

Data Sharing Activities Under Subtitle B

This section is not applicable to NASS since NASS is not covered under CIPSEA Subtitle B.



CONFIDENTIALITY CERTIFICATION

These provisions are consistent with and do not supersede, conflict with, or otherwise alter the employee obligations, rights, or liabilities created by existing statute or Executive order relating to (1) classified information, (2) communications to Congress, (3) the reporting to an Inspector General or the Office of Special Counsel of a violation of any law, rule, or regulation, or mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety, or (4) any other whistleblower protection. The definitions, requirements, obligations, rights, sanctions, and liabilities created by controlling Executive orders and statutory provisions are incorporated into this agreement and are controlling. (Pub. L. No. 112-199, Sec. 104, Whistleblower Protection Enhancement Act of 2012)

I understand and agree to the following conditions, policies, and regulations that protect confidential data from disclosure:

- 1. All data and material I am given access to will be solely used by me for the purpose of fulfilling my work-related duties. Such data will be kept confidential, will not be disclosed, shared, or disseminated, whether in original form or aggregated, with any unauthorized person or entity, and will only be used for statistical purposes.
2. Confidential files, datasets, programs, and output will only be stored within authorized NASS network drives or NASS research and production systems.
3. Not protecting the confidentiality of information or improperly using information for non-statistical purposes may result in "a class E felony and imprisoned for not more than 5 years, or fined not more than \$250,000, or both." (Title III of Pub. L. No. 115-435, codified in 44 U.S.C. Ch. 35, Section 3572)
4. I have read Title III of PL 115-435, Sec. 3572, CIPSEA, "Fines and Penalties" and Sec. 3572, "Limitations on Use and Disclosure of Data and Information"; Title 18 U.S. Code 1902, "Disclosure of crop information and speculation thereon"; Title 18 U.S. Code 1905, "Disclosure of confidential information generally"; Title 7 U.S. Code 2276, "Confidentiality of information"; Title 18 U.S. Code 2072, "False crop reports"; PSM-CS-5, Policy on the Management of Personally Identifiable Information; U.S. Department of Agriculture, Departmental Regulation 1042-42, "Agricultural Statistics Board."

I certify that I, as an Officer, Employee, or Agent Acting for or on Behalf of the United States Department of Agriculture in work related to the NASS mission, (1) fully recognize my responsibility for safeguarding sensitive but unclassified, confidential as well as publicly available types of data, records, or information from unauthorized modification, destruction, or disclosure, whether accidental or intentional (2) have completed the annual confidentiality training, and (3) have read and understand the above mentioned materials this ___ Day of ___, 20___, and will abide by them.

(Please type or print in ink the following information)

Signature: _____

Form with fields for Name, Title, Agency or Organization, Street Address, and City, State & Zip Code.

Witnessed by:
(Necessary when signed above without a LincPass)

Representative of Associate Administrator (Supervisor/Onboarding Agent)
National Agricultural Statistics Service

Title III of Pub. L. No. 115-435, codified in 44 U.S.C. Ch. 35, Section 3572. Fines and Penalties.

“Whoever, being an officer, employee, or agent of an agency acquiring information for exclusively statistical purposes, having taken and subscribed the oath of office, or having sworn to observe the limitations imposed by Section 3572 (see below), comes into possession of such information by reason of his or her being an officer, employee, or agent and, knowing that the disclosure of the specific information is prohibited under the provisions of this subchapter, willfully discloses the information in any manner to a person or agency not entitled to receive it, shall be guilty of a class E felony and imprisoned for not more than 5 years, or fined not more than \$250,000, or both.”

Title III of Pub. L. No. 115-435, codified in 44 U.S.C. Ch. 35, Section 3572. Limitations on Use and Disclosure of Data and Information.

- (b) Use of Statistical Data or Information.--Data or information acquired by an agency under a pledge of confidentiality and for exclusively statistical purposes shall be used by officers, employees, or agents of the agency exclusively for statistical purposes and protected in accordance with such pledge.
- (c) Disclosure of Statistical Data or Information.-- (1) Data or information acquired by an agency under a pledge of confidentiality for exclusively statistical purposes shall not be disclosed by an agency in identifiable form, for any use other than an exclusively statistical purpose, except with the informed consent of the respondent. (2) A disclosure pursuant to paragraph (1) is authorized only when the head of the agency approves such disclosure and the disclosure is not prohibited by any other law. (3) This section does not restrict or diminish any confidentiality protections in law that otherwise apply to data or information acquired by an agency under a pledge of confidentiality for exclusively statistical purposes.
- (d) Rule for Use of Data or Information for Nonstatistical Purposes.--A statistical agency or unit shall clearly distinguish any data or information it collects for nonstatistical purposes (as authorized by law) and provide notice to the public, before the data or information is collected, that the data or information could be used for nonstatistical purposes.
- (e) Designation of Agents.--A statistical agency or unit may designate agents, by contract or by entering into a special agreement containing the provisions required under section 3561(2) for treatment as an agent under that section, who may perform exclusively statistical activities, subject to the limitations and penalties described in this title.

**Title 18, U.S. Code, Section 1902
Disclosure of crop information and speculation thereon**

“Whoever, being an officer, employee or person acting for or on behalf of the United States or any department or agency thereof, and having by virtue of his office, employment or position, become possessed of information which might influence or affect the market value of any product of the soil grown within the United States, which information is by law or by the rules of such department or agency required to be withheld from publication until a fixed time, willfully imparts, directly or indirectly, such information, or any part thereof, to any person not entitled under the law or the rules of the department or agency to receive the same, or before such information is made public through regular official channels, directly or indirectly speculated in any such product by buying or selling the same in any quantity, shall be fined under this title or imprisoned not more than ten years, or both.” “No person shall be deemed guilty of a violation of any such rules, unless prior to such alleged violation he shall have had actual knowledge thereof.”

**Title 18, U.S. Code, Section 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.

**Title 7, U.S. Code, Section 2276
Confidentiality of information**

- (a) In the case of information furnished under a provision of law . . . , 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 use 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) (1) In carrying out a provision of law . . . , 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) “Any person who shall publish, cause to be published, or otherwise publicly release information collected pursuant to a provision of law . . . , in any manner or for any purpose shall be fined not more than \$10,000 or imprisoned for not more than 1 year, or both.”

**Title 18, U.S. Code, Section 2072
False crop reports**

“Whoever, being an officer or employee of the United States or any of its agencies, whose duties require the compilation or report of statistics or information relating to the products of the soil, knowingly compiles for issuance, or issues, any false statistics or information as a report of the United States or any of its agencies, shall be fined under this title or imprisoned not more than five years, or both.”



CERTIFICATION AND RESTRICTIONS ON USE OF UNPUBLISHED DATA

Application ID _____

These provisions are consistent with and do not supersede, conflict with, or otherwise alter the employee obligations, rights, or liabilities created by existing statute or Executive order relating to (1) classified information, (2) communications to Congress, (3) the reporting to an Inspector General or the Office of Special Counsel of a violation of any law, rule, or regulation, or mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety, or (4) any other whistleblower protection. The definitions, requirements, obligations, rights, sanctions, and liabilities created by controlling Executive orders and statutory provisions are incorporated into this agreement and are controlling. (Pub. L. No. 112-199, Sec. 104, Whistleblower Protection Enhancement Act of 2012)

I, _____, understand and agree to the following conditions concerning the use of unpublished data provided by the National Agricultural Statistics Service in response to my request.

Approved data source/s year/s:

The specific conditions of the agreement are:

- a. Any aggregates, summaries, or analysis that have not been published by the National Agricultural Statistics Service (NASS) cannot be considered as official estimates.
- b. All individual report data are confidential and may not be revealed, copied, or transmitted in any form. All summaries and analyses must not reveal individual operations and must be cleared by authorized staff.

Access is authorized via (check one):

Data Enclave Project Collaboration Only Other: _____

- c. These data will be used for *statistical and economic research purposes* only.
- d. Reproducing or sharing the data, whether in original or aggregated form, with persons other than those who are explicitly approved on the data access project agreement and have completed necessary security protocols is strictly prohibited.

In addition to the above conditions, I have been provided Title III of Pub. L. No. 115-435, codified in 44 U.S.C. Ch. 35, Section 3572, *Fines and Penalties*, and *Limitations on Use and Disclosure of Data and Information*; 18 U. S. Code 1902, *Disclosure of crop information and speculation thereon*; 18 U. S. Code 1905, *Disclosure of confidential information generally*; 7 U. S. Code 2276, *Confidentiality of information*; and 18 U.S. Code 2072, *False crop reports*.

I certify that I have read the above-mentioned regulations this _____ day of _____, 20____, and will abide by them.

Name (Type or Print)

Organization or Agency / Division / Branch

City and State

Signature

Witnessed by: _____

*Representative of Chair, Agricultural Statistics Board,
National Agricultural Statistics Service*

Title III of Pub. L. No. 115-435, codified in 44 U.S.C. Ch. 35, Section 3572. Fines and Penalties.

Whoever, being an officer, employee, or agent of an agency acquiring information for exclusively statistical purposes, having taken and subscribed the oath of office, or having sworn to observe the limitations imposed by Section 3572 (see below), comes into possession of such information by reason of his or her being an officer, employee, or agent and, knowing that the disclosure of the specific information is prohibited under the provisions of this title, willfully discloses the information in any manner to a person or agency not entitled to receive it, shall be guilty of a class E felony and imprisoned for not more than 5 years, or fined not more than \$250,000, or both.

Title III of Pub. L. No. 115-435, codified in 44 U.S.C. Ch. 35, Section 3572. Limitations on Use and Disclosure of Data and Information.

(a) Use of Statistical Data or Information.--Data or information acquired by an agency under a pledge of confidentiality and for exclusively statistical purposes shall be used by officers, employees, or agents of the agency exclusively for statistical purposes.

(b) Disclosure of Statistical Data or Information.-- (1) Data or information acquired by an agency under a pledge of confidentiality for exclusively statistical purposes shall not be disclosed by an agency in identifiable form, for any use other than an exclusively statistical purpose, except with the informed consent of the respondent. (2) A disclosure pursuant to paragraph (1) is authorized only when the head of the agency approves such disclosure and the disclosure is not prohibited by any other law. (3) This section does not restrict or diminish any confidentiality protections in law that otherwise apply to data or information acquired by an agency under a pledge of confidentiality for exclusively statistical purposes.

(c) Rule for Use of Data or Information for Nonstatistical Purposes.--A statistical agency or unit shall clearly distinguish any data or information it collects for nonstatistical purposes (as authorized by law) and provide notice to the public, before the data or information is collected, that the data or information could be used for nonstatistical purposes.

(d) Designation of Agents.--A statistical agency or unit may designate agents, by contract or by entering into a special agreement containing the provisions required under section 3561(2) for treatment as an agent under that section, who may perform exclusively statistical activities, subject to the limitations and penalties described in this title.

**Title 18, U.S. Code, Section 1902
Disclosure of crop information and speculation thereon**

Whoever, being an officer, employee or person acting for or on behalf of the United States or any department or agency thereof, and having by virtue of his office, employment or position, become possessed of information which might influence or affect the market value of any product of the soil grown within the United States, which information is by law or by the rules of such department or agency required to be withheld from publication until a fixed time, willfully imparts, directly or indirectly, such information, or any part thereof, to any person not entitled under the law or the rules of the department or agency to receive the same, or before such information is made public through regular official channels, directly or indirectly speculated in any such product by buying or selling the same in any quantity, shall be fined... or imprisoned..., or both. <See *Fines and Penalties*> No person shall be deemed guilty of a violation of any such rules, unless prior to such alleged violation he shall have had actual knowledge thereof.

**Title 18, U.S. Code, Section 1905
Disclosure of confidential information generally**

Whoever, being an officer or employee of the United States or of any department or agency thereof, 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 . . . , or imprisoned . . . , or both and shall be removed from office or employment. <See *Fines and Penalties*>

**Title 7, U.S. Code, Section 2276
Confidentiality of information**

(a) In the case of information furnished under a provision of law . . . , 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 use 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) (1) In carrying out a provision of law . . . , 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) Any person who shall publish, cause to be published, or otherwise publicly release information collected pursuant to a provision of law . . . , in any manner or for any purpose prohibited in section (a), shall be fined . . . or imprisoned . . . , or both. <See *Fines and Penalties*>

**Title 18, U.S. Code, Section 2072
False crop reports**

Whoever, being an officer or employee of the United States or any of its agencies, whose duties require the compilation or report of statistics or information relating to the products of the soil, knowingly compiles for issuance, or issues, any false statistics or information as a report of the United States or any of its agencies, shall be fined under this title or imprisoned not more than five years, or both.

Appendix C

NAS-004
(Rev. 12/20)



NASDA CERTIFICATION OF CONFIDENTIALITY AND MOTOR VEHICLE INSURANCE

As an **Officer, Employee, or Person Acting for or on Behalf of the United States Department of Agriculture** in activities related to data collection and preparation of Reports, I fully recognize my responsibility for:

- a. Safeguarding Confidential as well as Nonconfidential types of data, records, or information from unauthorized disclosure, destruction, or modification, whether accidental or intentional.
- b. Maintaining the minimum motor vehicle insurance coverage required in my State, while driving an automobile in relation to NASDA business.

The authorized representative of National Association of State Department of Agriculture and National Agricultural Statistics Service has placed before me the following:

- a. **NASS Security Expectations Brochure.**
- b. Title 18, United States Code, Paragraph 1905, "**Disclosure of confidential Information Generally.**"
- c. Title III of Pub. L. No. 115-435, codified in 44 U.S.C. Ch. 35 [Confidential Information Protection and Statistical Efficiency Act (CIPSEA)], Section 3572, "**Limitations on Use and Disclosure of Data and Information.**"
- d. Title III of Pub. L. No. 115-435, codified in 44 U.S.C. Ch. 35 (CIPSEA), Section 3572, "**Fines and Penalties.**"
- e. **NASDA motor Vehicle Insurance Regulation.** (*Required of all NASDA employees being reimbursed for mileage in connection with NASDA business.*)

I certify that I have read the above mentioned material this ____ day of _____, 20 __, and will abide by them.

Title: _____ Signature: _____

(Please type or print in ink the following information)

Name:
Street Address:
City, State, & Zip Code:

Witnessed by: _____ Date: _____

Representative of National Association of State Departments of
Agriculture or the National Agricultural Statistics Service

UNITED STATES CODE

Title 18, Section 1905, Disclosure of Confidential information generally.

Whoever, being an officer or employee of the United States or of any department or agency thereof, 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, profit, 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.

Title III of Pub. L. No. 115-435, codified in 44 U.S.C. Ch. 35 [Confidential Information Protection and Statistical Efficiency Act (CIPSEA)]

Section 3572, Limitations on Use and Disclosure of Data and Information.

(a) Use of Statistical Data or Information. – Data or information acquired by an agency under a pledge of confidentiality and for exclusively statistical purposes shall be used by officers, employees, or agents of the agency exclusively for statistical purposes.

- (b) Disclosure of Statistical Data or Information. –
- (1) Data or information acquired by an agency under a pledge of confidentiality for exclusively statistical purposes shall not be disclosed by an agency in identifiable form, for any use other than an exclusively statistical purpose, except with the informed consent of the respondent.
 - (2) A disclosure pursuant to paragraph (1) is authorized only when the head of the agency approves such disclosure and the disclosure is not prohibited by any other law.
 - (3) This section does not restrict or diminish any confidentiality protections in law that otherwise apply to data or information acquired by an agency under a pledge of confidentiality for exclusively statistical purposes.

(c) Rule for Use of Data or Information for Nonstatistical Purposes. – A statistical agency or unit shall clearly distinguish any data or information it collects for nonstatistical purposes (as authorized by law) and provide notice to the public, before the data or information is collected, that the data or information could be used for nonstatistical purposes.

(d) Designation of Agents. – A statistical agency or unit may designate agents, by contract or by entering into a special agreement containing the provisions required under section 502(2) for treatment as an agent under that section, who may perform exclusively statistical activities, subject to the limitations and penalties described in this title.

Section 3572, Fines and Penalties.

Whoever, being an officer, employee, or agent of an agency acquiring information for exclusively statistical purposes, having taken and subscribed the oath of office, or having sworn to observe the limitations imposed by Section 3752 (above), comes into possession of such information by reason of his or her being an officer, employee, or agent and, knowing that the disclosure of the specific information is prohibited under the provisions of this title, willfully discloses the information in any manner to a person or agency not entitled to receive it, shall be guilty of a class E felony and imprisoned for not more than 5 years, or fined not more than \$250,000, or both.

NASDA MOTOR VEHICLE INSURANCE REGULATION

As an employee of NASDA, you are not covered under the Federal Tort Claims Act. You must have motor vehicle liability insurance which meets the minimum requirement for your State. You should contact your insurance company to determine if additional coverage is needed. Survey work qualifies as a non-farm business. Insurance companies generally require a higher rate for cars and trucks used in a non-farm business in comparison with vehicles used solely for farm work. NASDA does have comprehensive liability insurance covering their liability in excess of insurance carried by Enumerators. Should you fail to inform your insurance company that you are engaged in a non-farm business with your motor vehicle, you could face possible cancellation of the policy if you are involved in an accident.