TITLE 13 - CENSUS
CHAPTER 7 - OFFENSES AND PENALTIES
SUBCHAPTER I - OFFICERS AND EMPLOYEES

§ 214. Wrongful disclosure of information

Whoever, being or having been an employee or staff member referred to in subchapter II of chapter 1 of this title, having taken and subscribed the oath of office, or having sworn to observe the limitations imposed by section 9 of this title, or whoever, being or having been a census liaison within the meaning of section 16 of this title, publishes or communicates any information, the disclosure of which is prohibited under the provisions of section 9 of this title, and which comes into his possession by reason of his being employed (or otherwise providing services) under the provisions of this title, shall be fined not more than $5,000 or imprisoned not more than 5 years, or both.


Historical and Revision Notes


Section consolidates parts of sections 73, 83 and 208 of title 13, U.S.C., 1952 ed., that part of section 122 of such title which made such section 208 applicable to the quinquennial censuses of manufactures, the mineral industries, and other businesses (see subchapter I of chapter 5 of this revised title), that part of section 252 of such title which made such section 208 applicable to the quinquennial censuses of governments (see subchapter III of chapter 5 of this revised title), and that part of subsection (b) of section 1442 of title 42, U.S.C., 1952 ed., which made such section 208 applicable to the decennial censuses of housing (see subchapter II of chapter 5 of this title).

Words “Secretary or other authorized officer or employee of the Department of Commerce or bureau or agency thereof” were substituted for reference to the Director of the Census. See Revision Note to section 9 of this title, into which other parts of sections 73, 83 and 208 of title 13, U.S.C., 1952 ed., have been carried.

The provision in section 208 of title 13, U.S.C., 1952 ed., designating the offense as a felony, was omitted as covered by section 1 of title 18, U.S.C., 1952 ed., Crimes and Criminal Procedure, and words in such section “upon conviction thereof” and “in the discretion of the court”, were omitted as surplusage.

Changes were made in phraseology.

Amendments

1994—Pub. L. 103–430 inserted “or whoever, being or having been a census liaison within the meaning of section 16 of this title,”.

1976—Pub. L. 94–521 provided that staff members would be liable for wrongful communication of information under this section, inserted “or having sworn to observe the limitations imposed by section 9 of this title” after “oath of office”, substituted a provision predicating liability under this section upon disclosure of information prohibited by section 9 of this title for a former provision predicating such liability upon disclosure of information without the written authority of the Secretary or other authorized officer or employee of the Department of Commerce or bureau or agency thereof, substituted “being employed (or otherwise providing services)” for “employment”, increased maximum amount of fine under this section to $5,000 from $1,000, and increased maximum prison term to 5 years from 2 years.

Effective Date of 1976 Amendment