

## **BTS Confidentiality Statute 49 U.S.C. 111(i)**

BTS' confidentiality statute provides the legal requirement for protecting a respondent's confidential information from unauthorized release. It reads as follows:

"(i) Prohibition on Certain Disclosures.

- (1) In general, an officer or employee of the Bureau may not -
  - (A) make any disclosure in which the data provided by an individual or organization can be identified;
  - (B) use the information provided for a nonstatistical purpose; or
  - (C) permit anyone other than an individual authorized by the Director to examine any individual report.
  
- (2) Prohibition on requests for certain data.
  - (A) Government agencies - No department, bureau, agency, officer, or employee of the United States (except the Director in carrying out this section) may require, for any reason, a copy of any report that has been filed with the Bureau or retained by an individual respondent.
  - (B) Courts - Any copy of a report described in subparagraph (A) that has been retained by an individual respondent or filed with the Bureau or any of its employees, contractors, or agents
    - (i) shall be immune from legal process; and
    - (ii) shall not, without the consent of the individual concerned, be admitted as evidence or used for any purpose in any action, suit, or other judicial or administrative proceeding.
  - (C) Applicability - This paragraph shall apply only to reports that permit information concerning an individual or organization to be reasonably inferred by direct or indirect means.
  
- (3) Data collected for nonstatistical purposes. - In a case in which the Bureau is authorized by statute to collect data or information for a nonstatistical purpose, the Director shall clearly distinguish the collection of the data or information, by rule and on the collection instrument, so as to inform a respondent that is requested or required to supply the data or information of the nonstatistical purpose."