

(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; or

(3) in the case of information collected under the authority described in paragraph (12) or (13) of subsection (d), disclose the information to any person or any Federal, State, local, or tribal agency outside the Department of Agriculture, unless the information has been converted into a statistical or aggregate form that does not allow the identification of the person that 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), 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), in any manner or for any purpose prohibited in section<sup>1</sup> (a), shall be fined not more than \$10,000 or imprisoned for not more than 1 year, or both.

**(d) Provisions of law references**

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);

(10) section 3(e) of the Forest and Rangeland Renewable Resources Research Act of 1978 (16 U.S.C. 1642(e));

(11) section 2204g of this title;

(12) section 302 of the Rural Development Act of 1972 (7 U.S.C. 1010a) regarding the authority to collect data for the National Resources Inventory; or

(13) section 10109 of the Agriculture Improvement Act of 2018.

**(e) Information provided to Secretary of Commerce**

This section shall not prohibit the release of information under section 2204g(f)(2) of this title.

(Pub. L. 99-198, title XVII, §1770, Dec. 23, 1985, 99 Stat. 1657; Pub. L. 105-113, §4(a)(2), (b), Nov. 21, 1997, 111 Stat. 2276; Pub. L. 106-113, div. B, §1000(a)(3) [title III, §348], Nov. 29, 1999, 113 Stat. 1535, 1501A-207; Pub. L. 107-171, title II, §2004(b), May 13, 2002, 116 Stat. 236; Pub. L. 115-334, title X, §10109(d), Dec. 20, 2018, 132 Stat. 4907.)

**Editorial Notes**

REFERENCES IN TEXT

Section 10109 of the Agriculture Improvement Act of 2018, referred to in subsec. (d)(13), is section 10109 of Pub. L. 115-334, which relates to a multiple crop and pesticide use survey. Subsecs. (a) to (c) of section 10109 are not classified to the Code. Subsec. (d) of section 10109 amended this section.

AMENDMENTS

2018—Subsec. (a). Pub. L. 115-334, §10109(d)(1)(A), inserted heading.

Subsec. (a)(3). Pub. L. 115-334, §10109(d)(1)(B), substituted “paragraph (12) or (13) of subsection (d)” for “subsection (d)(12)”.

Subsec. (d). Pub. L. 115-334, §10109(d)(2)(A), inserted heading.

Subsec. (d)(13). Pub. L. 115-334, §10109(d)(2)(B)-(D), added par. (13).

2002—Subsec. (a)(3). Pub. L. 107-171, §2004(b)(1), added par. (3).

Subsec. (d)(12). Pub. L. 107-171, §2004(b)(2), added par. (12).

1999—Subsec. (d)(10), (11). Pub. L. 106-113 added par. (10) and redesignated former par. (10) as (11).

1997—Subsec. (d)(10). Pub. L. 105-113, §4(a)(2), added par. (10).

Subsec. (e). Pub. L. 105-113, §4(b), added subsec. (e).

**§ 2277. Contracts by Animal and Plant Health Inspection Service for services to be performed abroad**

Funds available to the Animal and Plant Health Inspection Service (APHIS) under this and subsequent appropriations shall be available for contracting with individuals for services to be performed outside of the United States, as determined by APHIS to be necessary or appropriate for carrying out programs and activities abroad. Such individuals shall not be regarded as officers or employees of the United States

<sup>1</sup> So in original. Probably should be “subsection”.

under any law administered by the Office of Personnel Management.

(Pub. L. 102-142, title VII, § 737, Oct. 28, 1991, 105 Stat. 915.)

#### Editorial Notes

##### PRIOR PROVISIONS

Provisions similar to those in this section were contained in the following prior appropriation act:

Pub. L. 101-506, title VI, § 641, Nov. 5, 1990, 104 Stat. 1350.

### § 2278. Consistency with international obligations of United States

#### (a) In general

Prior to the promulgation of, or amendment to, any order or plan under a research and promotion program relating to research and promotion of any agricultural commodity or product, after November 28, 1990, where such order or plan would provide for an assessment on imports, the Secretary of Agriculture shall consult with the United States Trade Representative regarding the consistency of the provisions of the order or plan with the international obligations of the United States.

#### (b) Compliance with U.S. international obligations

The Secretary of Agriculture shall take all steps necessary and appropriate to ensure that any order or plan or amendment to such order or plan, and the implementation and enforcement of any order or plan or amendment to such order or plan, or program as it relates to imports is nondiscriminatory and in compliance with the international obligations of the United States, as interpreted by the United States Trade Representative.

#### (c) Construction

Nothing in this section shall be construed as providing for a cause of action under this section.

(Pub. L. 101-624, title XIX, § 1999T, Nov. 28, 1990, 104 Stat. 3928.)

### § 2279. Farming opportunities training and outreach

#### (a) Definitions

In this section:

##### (1) Agricultural programs

The term “agricultural programs” are those established or authorized by—

(A) the Agricultural Act of 1949 [7 U.S.C. 1421 et seq.];

(B) the Consolidated Farm and Rural Development Act [7 U.S.C. 1921 et seq.];

(C) the Agricultural Adjustment Act of 1938 [7 U.S.C. 1281 et seq.];

(D) the Soil Conservation Act;

(E) the Domestic Allotment Assistance Act;

(F) the Food Security Act of 1985; and

(G) other such Acts as the Secretary deems appropriate.

##### (2) Beginning farmer or rancher

The term “beginning farmer or rancher” means a person that—

(A)(i) has not operated a farm or ranch; or  
(ii) has operated a farm or ranch for not more than 10 years; and

(B) meets such other criteria as the Secretary may establish.

#### (3) Department

The term “Department” means the Department of Agriculture.

#### (4) Secretary

The term “Secretary” means the Secretary of Agriculture.

#### (5) Socially disadvantaged farmer or rancher

The term “socially disadvantaged farmer or rancher” means a farmer or rancher who is a member of a socially disadvantaged group.

#### (6) Socially disadvantaged group

The term “socially disadvantaged group” means a group whose members have been subjected to racial or ethnic prejudice because of their identity as members of a group without regard to their individual qualities.

#### (7) Veteran farmer or rancher

The term “veteran farmer or rancher” means a farmer or rancher who has served in the Armed Forces (as defined in section 101(10) of title 38) and who—

(A) has not operated a farm or ranch;

(B) has operated a farm or ranch for not more than 10 years; or

(C) is a veteran (as defined in section 101 of that title) who has first obtained status as a veteran (as so defined) during the most recent 10-year period.

#### (b) Farming opportunities training and outreach

The Secretary shall carry out this section to encourage and assist socially disadvantaged farmers and ranchers, veteran farmers and ranchers, and beginning farmers and ranchers in the ownership and operation of farms and ranches through—

(1) education and training; and

(2) equitable participation in all agricultural programs of the Department.

#### (c) Outreach and assistance for socially disadvantaged and veteran farmers and ranchers

##### (1) Eligible entity

In this subsection, the term “eligible entity” means any of the following:

(A) Any community-based organization, network, or coalition of community-based organizations that—

(i) has demonstrated experience in providing agricultural education or other agriculturally related services to socially disadvantaged farmers and ranchers and veteran farmers or ranchers;

(ii) has provided to the Secretary documentary evidence of work with, and on behalf of, socially disadvantaged farmers or ranchers and veteran farmers or ranchers during the 3-year period preceding the submission of an application for assistance under this subsection; and

(iii) does not engage in activities prohibited under section 501(c)(3) of title 26.