

**CONFIDENTIALITY STATEMENT**  
**FOOD STAMP PROGRAM**  
**Store Tracking and Redemption Subsystem (STARS)**  
**and**  
**The Integrity Program (TIP)**

**I. Confidentiality of Information**

Confidential information, for the purposes of this statement, means: (1) information or data of a personal nature, proprietary information about an individual, firm, private or public corporation, or (2) information or data submitted by or pertaining to an institution or organization, or (3) information which might require special consideration with regard to the timing of its disclosure where such release might injure the integrity of the Food Stamp Program's (FSP) retailer compliance monitoring and law enforcement activities or WIC State agencies compliance investigations.

**II. Restriction against Disclosure**

Confidential information as defined in paragraph I above, shall not be disclosed without the prior written consent of the Food & Nutrition Service (FNS); this is further defined in FNS Handbook 701 "FNS Computer Security Policy Handbook."

In the event of any uncertainty with regard to the proper handling of material, a written determination shall be requested from the FNS Computer Security Manager, Information Technology Division, to cover any release, disclosure, dissemination, or publication.

Federal Food Stamp Program Regulations at 7CFR278.1(q) states, in part, "...the contents of applications or other information furnished by firms, including information on their gross sales and food sales volumes and their redemptions of coupons (The regulations elsewhere states that coupons also refer to electronically transferred food stamp benefits), may not be used or disclosed to anyone except for purposes directly connected with the administration and enforcement of the Food Stamp Act..."

Federal WIC Program Regulations at 7CFR246.26 3(e) restrict the use or disclosure of confidential vendor information to persons directly connected with the administration or enforcement of the WIC Program or the Food Stamp Program who the State agency determines have a need to know the information for purposes of these programs, and persons directly connected with the administration or enforcement of any Federal or State law. Vendor information is any information about a vendor (whether it is obtained from the vendor or another source) that individually identifies the vendor, except for vendor's name, address and authorization status. A WIC State agency requesting access to the STARS The Integrity Profile subsystem agrees to permit its confidential vendor information to be accessed through this subsystem by other WIC State agencies only for use or redisclosure for purposes directly connected to the administration of enforcement of a Federal or State law.

In addition, 7CFR246.26 (f) states "...the State agency must restrict the use or disclosure of information about Food Stamp Program retailers obtained from the Food Stamp Program, including information provided pursuant to Section 9(c) of the Food Stamp Act of 1977 (7 U.S.C. 2018(c) and 278.1(q) of this chapter, to persons directly connected with the administration or enforcement of the WIC Program."

### **III. Safeguarding Confidentiality**

All personal and proprietary information will be kept physically secure and maintained in strict confidence. This means that reasonable measures will be taken to prevent access by unauthorized persons such as leaving materials unsecured in a work area. Confidential data will be destroyed when it is no longer needed for the original purpose for which it was released.

### **IV. Notification**

In the event that anyone has reason to suspect or determines that there has been a breach of the confidentiality requirements, FNS shall immediately be notified in writing, addressing the notification to the FNS Benefit Redemption Division Director, FSP, 3101 Park Center Drive, Alexandria, VA 22302-1594

### **V. Penalties**

Disclosing confidential information is a misuse of Federal property and may result in prosecution to the full extent of remedies available under the law, including fines, imprisonment, or both.

Disclosing the FSP retailer store financial data carries additional penalties under Section 9 of the Food Stamp Act and the Code of Federal Regulations section 278.1(q).

Disclosing information on individuals is protected under the Federal Privacy Act of 1974, 5 U.S.C. 552a, and implementing regulations and policies; and may also be protected under State privacy acts.

### **VI. Certification**

The undersigned certifies to having read and understood the above stated confidentiality requirements covering use and disclosure of Food Stamp Program retailer data or WIC Program vendor data.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Title: \_\_\_\_\_

Organization \_\_\_\_\_

Address: \_\_\_\_\_

Signature of the Approving FNS Representative: \_\_\_\_\_

3101 Park Center Drive, Room 408

Alexandria, VA 22302

Attn: Reginald Alexander