



THIS NONDISCLOSURE AGREEMENT (“Agreement”) is entered into as of 01/31/2023 by and between The Puerto Rico Department of Housing and the United States Department of Commerce, United States Census Bureau (“Census Bureau”).

WHEREAS, The Puerto Rico Department of Housing is providing information it deems proprietary to the Census Bureau for an official purpose of the Census Bureau,

and in consideration of the foregoing, the parties agree:

1. The Puerto Rico Department of Housing acknowledges and agrees that:
 - (a) the Data it deems to be proprietary has been identified and marked by The Puerto Rico Department of Housing as proprietary.
 - (b) The Puerto Rico Department of Housing has informed the Census Bureau that it derives significant economic value from this Proprietary Data, not being generally known to The Puerto Rico Department of Housing competitors;
 - (c) The Puerto Rico Department of Housing has informed the Census Bureau that any disclosure or unauthorized use of the The Puerto Rico Department of Housing Proprietary Data could cause harm and loss to The Puerto Rico Department of Housing;
2. The Census Bureau acknowledges and agrees:
 - (a) to disclose the The Puerto Rico Department of Housing data marked as proprietary only to those of its employees with a need to know and to protect the data to the extent permitted by law;
 - (b) to not disclose, reveal, report, publish or transfer, directly or indirectly, any of the The Puerto Rico Department of Housing Proprietary Data to any other person or entity, or allow any third- Party access to the The Puerto Rico Department of Housing Proprietary Data to the extent permitted by law.
3. This agreement is made under and shall be governed by the laws of the United States. This Agreement may be amended by written agreement signed by both Parties hereto.
4. This Agreement may be terminated immediately by either party upon written notification to the other party. Such termination shall not affect the Census Bureau’s duties with respect to proprietary information provided by The Puerto Rico Department of Housing prior to termination.
5. This Agreement imposes no obligation upon The Census Bureau with respect to information that:
 - (a) was in the Census Bureau’s possession before receipt from The Puerto Rico Department of Housing;
 - (b) is or becomes a matter of public knowledge;
 - (c) is received by the Census Bureau from a third party without a duty of confidentiality;
 - (d) is disclosed by The Puerto Rico Department of Housing to a third party without a duty of confidentiality on the third party;
 - (e) is disclosed by the Census Bureau with The Puerto Rico Department of Housing prior written approval;
 - (f) Is required by law to be disclosed.

- 6. As required by 5 U.S.C. § 2302(b)(13), any restriction with respect to disclosure by a Government employee must be consistent with, not supersede, nor 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 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. This paragraph shall not be construed to authorize the withholding of information from Congress or the taking of any personnel action against an employee who discloses information to Congress.

- 7. This agreement does not bar disclosures to Congress or to an authorized official of an executive agency or the Department of Justice that are essential to reporting a substantial violation of law.

IN WITNESS WHEREOF, this Agreement has been executed by the Parties hereto, as of the day and year first above written.

US Department of Commerce, U.S. Census Bureau

By (signature): DEIRDRE BISHOP Digitally signed by DEIRDRE BISHOP
Date: 2023.01.31 12:08:55 -05'00'

Name (print): Deirdre Dalpiaz Bishop

Title: Chief, Geography Division

Date: January 31, 2023

The Puerto Rico Department of Housing

By (signature): 

Name (print): William Rodriguez Rodriguez

Title: Secretary

Date: February 7, 2023

NONDISCLOSURE AGREEMENT