Information Sharing Guidelines

Public and Press
Publicly available information completely redacted for NPI

State Employees[1]
Under 20.88 Agreement
CCI, PPI[2], Deliberative Docs and Investigatory Records

State Employees[1]
Commissioned or Under State Contract
Same as Above + Trade Secret Information
ALL Categories of Information

Non – HHS Federal Agencies
Via 20.85 Agreements[3]
CCI, PPI*, Deliberative Docs and Investigatory Records

Centers for Disease Control and Prevention (CDC)
ALL Categories of Information
To Be Released as Outlined in MOU 225-03-8001

Other HHS Sister Agencies
ALL Categories of Information

Key
NPI = Non-Public Information
CCI = Confidential Commercial Information
PPI = Personal Privacy Information

1 When information is necessary as part of their responsibilities as a commissioned official or to carry out contract.

2 Any Personal Privacy Information that is contained in a Privacy Act system of records must be disclosed in accordance with the Privacy Act. Certain system of records include routine uses that permit disclosures to certain state agencies. Please consult with the FDA's Privacy Officer.

3 Certain deliberative information, such as draft rulemaking, does not require a 20.85 agreement if shared during inter-agency deliberations.

NOTE: The FDA is responsible for ensuring that it is necessary to share specific non-public information and that such sharing meets legal requirements. If certain non-public information does not need to be shared – even if legally it can be shared – is should be redacted wherever possible. The FDA is responsible for marking documents as confidential and making clear to the recipient the restrictions on further sharing this information.