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# DACCC INDIVIDUAL COMMITMENT TO CONFIDENTIALITY

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The Data Coordination and Consolidation Center (DACCC) was established by the Center for Substance Abuse Prevention (CSAP) as a centralized resource for substance abuse prevention data management and analysis. The work performed by the employees and contractors associated with the DACCC often requires that individuals be given access to data that contain confidential information.

The *E-Government Act of 2002* (Public Law 107-347) provides a framework of measures governing how confidential statistical data shall be used. *Section 512 (Limitations on Use and Disclosure of Data and Information)* and *Section 513 (Fines and Penalties)* of the Act are reproduced in Appendix A of this agreement.

By signing this agreement, you agree to observe the limitations imposed by section 512 of the E-Government Act of 2002 in relation to all confidential data gathered, used or maintained by the DACCC (the DACCC datasets).

Further, by signing this agreement, you give the following specific assurances with respect to the DACCC datasets:

- You will not use nor permit others to use DACCC data in any way except for public health surveillance and associated aggregate statistical reporting.
- You will not release nor permit others to release any information that identifies persons, directly or indirectly.
- You will not attempt to use nor permit others to use the DACCC data sets to learn the identity of any person included in any set.
- You will not contact nor permit others to contact persons for whom data are included in the data sets to question, verify, or discuss data in the DACCC database.
- You will make no statements nor permit others to make statements indicating or suggesting that interpretations drawn from the data are those of data suppliers.
- You will not release in any public forum any data or estimates from DACCC data sets that have not received prior approval for release by the U.S. Department of Health and Human Services and SAMHSA/CSAP.

*Your signature below indicates that you have carefully read and understood the above statements and you agree to comply with the above-stated requirements. You sign this agreement with the knowledge that deliberately making a false statement in any matter within the jurisdiction of any department or agency of the Federal Government violates 18 U.S.C. 1001 and is punishable by a fine of up to \$10,000 or up to 5 years in prison.*

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Printed Name

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Signature

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Date

## APPENDIX A

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### Excerpt from the E-Government Act of 2002 (Public Law 107-347):

#### SEC. 512. LIMITATIONS ON USE AND DISCLOSURE OF DATA AND INFORMATION.

(A) *USE OF STATISTICAL DATA OR INFORMATION.*—Data or information acquired by an agency under a pledge of confidentiality and for exclusively statistical purposes shall be used by officers, employees, or agents of the agency exclusively for statistical purposes.

(B) *DISCLOSURE OF STATISTICAL DATA OR INFORMATION.*—

(1) *Data or information acquired by an agency under a pledge of confidentiality for exclusively statistical purposes shall not be disclosed by an agency in identifiable form, for any use other than an exclusively statistical purpose, except with the informed consent of the respondent.*

(2) *A disclosure pursuant to paragraph (1) is authorized only when the head of the agency approves such disclosure and the disclosure is not prohibited by any other law.*

(3) *This section does not restrict or diminish any confidentiality protections in law that otherwise apply to data or information acquired by an agency under a pledge of confidentiality for exclusively statistical purposes.*

(c) *RULE FOR USE OF DATA OR INFORMATION FOR NONSTATISTICAL PURPOSES.*—A statistical agency or unit shall clearly distinguish any data or information it collects for nonstatistical purposes (as authorized by law) and provide notice to the public, before the data or information is collected, that the data or information could be used for nonstatistical purposes.

(d) *DESIGNATION OF AGENTS.*—A statistical agency or unit may designate agents, by contract or by entering into a special agreement containing the provisions required under section 502(2) for treatment as an agent under that section, who may perform exclusively statistical activities, subject to the limitations and penalties described in this title.

#### SEC. 513. FINES AND PENALTIES.

*Whoever, being an officer, employee, or agent of an agency acquiring information for exclusively statistical purposes, having taken and subscribed the oath of office, or having sworn to observe the limitations imposed by section 512, comes into possession of such information by reason of his or her being an officer, employee, or agent and, knowing that the disclosure of the specific information is prohibited under the provisions of this title, willfully discloses the information in any manner to a person or agency not entitled to receive it, shall be guilty of a class E felony and imprisoned for not more than 5 years, or fined not more than \$250,000, or both.*

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# DITIC INDIVIDUAL COMMITMENT TO CONFIDENTIALITY

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The Data Information Technology Infrastructure Center (DITIC) was established by the Center for Substance Abuse Prevention (CSAP) as a centralized data warehouse for substance abuse prevention data. The work performed by the employees and contractors associated with the DITIC often requires that individuals be given access to data that contain confidential information.

The *E-Government Act of 2002* (Public Law 107-347) provides a framework of measures governing how confidential statistical data shall be used. *Section 512 (Limitations on Use and Disclosure of Data and Information)* and *Section 513(Fines and Penalties)* of the Act are reproduced in Appendix A of this agreement.

By signing this agreement, you agree to observe the limitations imposed by section 512 of the E-Government Act of 2002 in relation to all confidential data gathered, used or maintained by the DITIC (the DITIC datasets).

Further, by signing this agreement, you give the following specific assurances with respect to the DITIC datasets:

- You will not use nor permit others to use DITIC data in any way except for public health surveillance and associated aggregate statistical reporting.
- You will not release nor permit others to release any information that identifies persons, directly or indirectly.
- You will not attempt to use nor permit others to use the DITIC data sets to learn the identity of any person included in any set.
- You will not contact nor permit others to contact persons for whom data are included in the data sets to question, verify, or discuss data in the DITIC database.
- You will make no statements nor permit others to make statements indicating or suggesting that interpretations drawn from the data are those of data suppliers.
- You will not release in any public forum any data or estimates from DITIC data sets that have not received prior approval for release by the U.S. Department of Health and Human Services and SAMHSA/CSAP.

*Your signature below indicates that you have carefully read and understood the above statements and you agree to comply with the above-stated requirements. You sign this agreement with the knowledge that deliberately making a false statement in any matter within the jurisdiction of any department or agency of the Federal Government violates 18 U.S.C. 1001 and is punishable by a fine of up to \$10,000 or up to 5 years in prison.*

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(1) *Data or information acquired by an agency under a pledge of confidentiality for exclusively statistical purposes shall not be disclosed by an agency in identifiable form, for any use other than an exclusively statistical purpose, except with the informed consent of the respondent.*

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(C) *RULE FOR USE OF DATA OR INFORMATION FOR NONSTATISTICAL PURPOSES.*—A statistical agency or unit shall clearly distinguish any data or information it collects for nonstatistical purposes (as authorized by law) and provide notice to the public, before the data or information is collected, that the data or information could be used for nonstatistical purposes.

(D) *DESIGNATION OF AGENTS.*—A statistical agency or unit may designate agents, by contract or by entering into a special agreement containing the provisions required under section 502(2) for treatment as an agent under that section, who may perform exclusively statistical activities, subject to the limitations and penalties described in this title.

#### SEC. 513. FINES AND PENALTIES.

*Whoever, being an officer, employee, or agent of an agency acquiring information for exclusively statistical purposes, having taken and subscribed the oath of office, or having sworn to observe the limitations imposed by section 512, comes into possession of such information by reason of his or her being an officer, employee, or agent and, knowing that the disclosure of the specific information is prohibited under the provisions of this title, willfully discloses the information in any manner to a person or agency not entitled to receive it, shall be guilty of a class E felony and imprisoned for not more than 5 years, or fined not more than \$250,000, or both.*