

**Designated Agent Agreement – NCHS Research Data Center (RDC)  
Affidavit of Non-Disclosure**

I, (name) \_\_\_\_\_, do solemnly swear (or affirm) I will observe all policies and procedures that protect the confidential data I access from unauthorized disclosures. The data that I will access in the RDC is described in my RDC proposal. I will not disclose this confidential data, either while as an agent or after project conclusion, whether in data files, lists, or reports created using the confidential data, as specified under section 308 (d) of the Public Health Service Act and under penalties\* set forth in §3572(f) of the Confidential Information Protection and Statistical Efficiency Act of 2018 (44 USC 3561 – 3583).

I agree that the output will be reviewed by an RDC staff member for disclosure of confidential data and that it is my responsibility to use the output in a way that does not pose additional risk to the respondents. If I discover or can inadvertently deduce individual level-information, I agree that I will not share this information with anyone or in any publication and will immediately bring it to the attention of RDC staff. If I have questions about confidentiality policies or procedures or any other concerns, it is my responsibility to ask an RDC staff member.

Signature of Designated Agent:	[SEAL]
Subscribed and sworn or affirmed before me on:	
At (city, state):	
Notary Public Signature:	
My commission expires:	
Title (Officer/Notary Public):	

NCHS RDC employee supervising the Designated Agent:

NCHS RDC Employee name
NCHS RDC employee signature
Date

**Note:** The oath of non-disclosure must be administered by a person specified in 5 U.S.C. §2903. The word “swear,” wherever it appears above, should be stricken out when the appointee elects to affirm rather than swear to the affidavit; only these words may be stricken, and only when the appointee elects to affirm the affidavit.

\*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 3572, 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 subchapter, 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.

Notice – CDC estimates the average public reporting burden for this collection of information as 30 minutes per response, including the time for reviewing instructions, searching existing data/information sources, gathering and maintaining the data/information needed, and completing and reviewing the collection of information. An agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to CDC/ATSDR Information Collection Review Office, 1600 Clifton Road, MS D-74, Atlanta, GA 30333; ATTN: PRA (0920-1393).

The information you provide will be used by staff at the National Center for Health Statistics (NCHS) Research Data Center (RDC) to determine your eligibility for access to restricted-use NCHS data and for other administrative purposes. Your information will be protected in accordance with the Privacy Act of 1974 as amended (5 U.S.C. 552a); details about routine uses can be found in the system of records notice, CDC/NCHS – 09-20-0169, Users of Health Statistics; HHS/CDC/NCHS (51 FR 42371). Providing the information on this form is voluntary; however, the NCHS RDC will not be able to grant access to restricted-use NCHS data without this information. The information provided will be used to determine whether access can be granted to restricted-use data, which upon full execution may become public records (see 44 U.S.C. 3583). The NCHS RDC is authorized to request the information contained in this form under Title 42, United States Code, Section 242k(b)(4).