National Center for Health Statistics
Data Use Agreement (DUA) for Vital Statistics Data Files

Requesting Organization:

Requested Data File(s):

Proposed Use(s):

Vital statistics data are provided to NCHS by vital statistics jurisdictions with the understanding that the data are protected under the provisions of the Public Health Services Act (42 U.S.C. 242m(d)), and that any file released under a data use agreement requires both NAPHSIS and NCHS review and approval of proposed use.

The Public Health Service Act (42 U.S.C. 242m(d)) provides that the data collected by the National Center for Health Statistics (NCHS) may be used only for the purpose for which they were obtained; any effort to determine the identity of any reported cases, or to use the information for any purpose other than for health statistical reporting and analysis, would violate this statutory restriction and the conditions of this data use agreement. NCHS does all it can to assure that the identity of data subjects cannot be disclosed; all direct identifiers, as well as characteristics that might lead to identification, are omitted from the data set. Nevertheless it may be possible in rare instances, through complex analysis and with outside information to ascertain from the data set the identity of particular persons or establishments. Considerable harm could ensue if this were done.

Therefore, the undersigned gives the following assurances with respect to all NCHS data sets:

- I will not use nor permit others to use the data in these data sets in any way except for statistical reporting and analysis and for the purposes described in the data request.

- I will not release nor permit others to release the data sets or any part of them to any person who is not a member of this organization, except with the approval of NCHS. Under section 308(d) of the Public Health Service Act, the only persons to be allowed access to these data sets will be staff members of this organization or its contractor(s) who have been authorized to work with the data and have, prior to being granted access to the data, read and signed this DUA Statement in the space provided below.

- I will not attempt to link nor permit others to attempt to link the data set with individually identifiable records from any other NCHS or non-NCHS data set;
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- I will not attempt to use the data sets nor permit others to use them to learn the identity of any person or establishment included in any data set;

- If I should inadvertently discover the identity of any person or establishment, then (a) I will make no use of this knowledge, (b) I will immediately advise the Director of the Division of Vital Statistics of the incident, (c) I will safeguard or destroy the information that would identify an individual or establishment, as requested by NCHS, and (d) I will inform no one else of the discovered identity.

In addition, I will make every effort to release all statistical information in such a way as to avoid inadvertent disclosure. For example:

- No figure, including totals, should be less than 10 in tabulations for sub-national geographic areas, regardless of number of years combined.
- No data on an identifiable case should be derivable through subtraction or other calculation from the combination of tables in a given publication.
- No data should permit disclosure when used in combination with other known data.

I will secure identical written assurances from every individual within this organization who will have access to this data set.

My signature below indicates my agreement to comply with the above-stated statutorily-based requirements 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 USC 1001 and is punishable by a fine of up to $10,000 or up to 5 years in prison.

Further conditions for data use:
NAPHSIS and NCHS have reviewed and approved the use of the data provided under this agreement for purposes described in the requestor’s application for one year from the date of receipt of the data. The data files listed under “Requested Data Files” above are the property of the National Center for Health Statistics (NCHS), Division of Vital Statistics (DVS). Permission is granted to use these data files for one year from the date of receipt. At the expiration of the one year period, the data files and any copies of the data files must be destroyed. Users must notify DVS in writing that the file(s) have been destroyed. This policy will be strictly enforced; however, extension of this usage period will be given consideration under appropriate circumstances, when requested in writing. Requests for extensions must be sent to the Director, Division of Vital Statistics, 3311, Room 7311 Toledo Road, Hyattsville, MD, 20782.
Citation of NCHS: Users of these data are asked to acknowledge NCHS and the vital statistics jurisdictions as the data source in published reports and studies for which the files were used. NCHS and the vital statistics jurisdictions should also be cited in reports, articles, and news releases in electronic and print media describing the studies or results of the studies. The following is the recommended citation:

National Center for Health Statistics. [Name of data file(s)] [year(s)], as compiled from data provided by the 57 vital statistics jurisdictions through the Vital Statistics Cooperative Program.

Return completed and signed form:
Joyce Arbertha
Division of Vital Statistics
National Center for Health Statistics
3311 Toledo Road - Room 7324
Hyattsville, MD 20782

Print Name of Official authorized to execute agreements*, or Faculty Advisor (if applicable):

Title: __________________________

Organization: __________________________

Signature: __________________________ Date: ____________

*The type of "official authorized to execute agreements" will, of course, vary among organizations. Whenever possible, this official should be at a higher level of authority than the principal investigator or other person responsible for the study or project; for example, the dean of a college, a vice president of a company, the director of a government division or bureau.

Under section 308(d) of the Public Health Service Act, the only persons to be allowed access to these data sets will be staff members of the above organization or its contractor(s) who have been authorized to work with the data and have, prior to being granted access to the data, read and agreed to the data-use requirements specified above in this DUA. By their signatures below, the following individuals affirm that they have read the DUA and will abide by the specified DUA data-use requirements:

Print: __________________________ Signature __________________________ Date: ____________

Print: __________________________ Signature __________________________ Date: ____________