

CDC Data Hub (CDH) Rules of Behavior (ROB) Agreement for CDC Staff and Contractors

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Introduction

1.1 Purpose

CDC seeks to ensure compliance with applicable laws, policies and procedures with respect to data in its custody and control, in order to assure appropriate data confidentiality and security of data systems and data residing therein. Authorized users of the CDC Data Hub (CDH), managed by the Center for Surveillance, Epidemiology, and Laboratory Services (CSELS), are responsible for being familiar with CDC's general confidentiality and security policies and procedures. In addition, certain data assets made available in the CDH may be governed by specific laws and/or agreements that limit the use, access and sharing of that data asset. To that end, the purpose of this *CDC Data Hub (CDH) Rules of Behavior (ROB) for CDC Staff and Contractors* is to provide you with general rules and instructions on the appropriate use of the CDH and the data assets to which you are provided within the CDH.

All CDC staff and contractors granted access to the CDH should review, sign and return this ROB before data access is granted. Should this ROB be revised or updated, you may be asked to sign that revision or update.

By signing this ROB¹, you acknowledge that you, as the data recipient, have read, understand and agree to the terms in the ROB, consistent with your duties and responsibilities as a CDC employee or contractor and with applicable federal law.

The information presented in this ROB includes:

- Statements of policy related to your expected behaviors and responsibilities;
- Descriptions of your responsibilities; and
- A formal acknowledgement and agreement.

1.2 Scope

The primary focus of the CDC Data Hub is to develop a public health data lake or repository for access to CDC employees and contractors in furtherance of their research and programmatic purposes and uses. To accomplish this, public health data assets within the data lake are available to CDC employees and contractors in the AWS cloud environment and on CDC network share drives (CDH Share drives) that are collectively known as the "CDC Data Hub" or "CDH". The CDH has many data assets, some of which have been acquired or developed specifically for the Coronavirus Disease 2019 (COVID-19) response. While COVID-19 data assets are there to help understand the spread and impact of the COVID-19 pandemic, other non-

¹ CSELS recognizes that employees and contractors have, as part their access to CDC information technology (IT) systems, likely already sign certain Rules of Behaviors; this agreement does not replace those existing ROB's or CDC policies related to IT systems, security and confidentiality and should be read to complement and not conflict with those ROB's and policies. This ROB is intended to address access to the specific data assets residing in the CDH.

COVID-19 data assets and projects are also part of the CDH and are available for access and use if a user has been granted permission to access that specific other data asset.

The CDH data assets may contain limitations or restricted access based on a range of possible reasons, including legal or statutory protections, legally binding contractual language, or that the asset contains personally identifiable information (PII) or other confidential or sensitive information. In those cases, the use and further disclosure of those data by the user must be consistent with applicable laws, regulations, and agreements. Unauthorized disclosure may violate the law and may subject the user to civil and/or criminal penalties.

For your awareness, CDH is a U.S. Government information system that is provided for U.S. Government-authorized use only. As such, CDC may routinely intercept and monitor activity on this system for purposes including, but not limited to, penetration testing, security monitoring, network operations and defense, personnel misconduct, law enforcement, and counterintelligence investigations. At any time, CDC, and the CDH team specifically, may inspect activity through auditing, tracking, and monitoring logs of your activity and your attempts to access data. Your agreement to and signature on this ROB stand as consent to carry out such operations.

1.3 User Responsibilities

As noted, there are various data assets in CDH that may have limitations on use and sharing. Consistent with CDH processes, to seek access to a data asset, you agree to submit a CDC Data Access Request Form. That form will be considered by the CDH team, relevant COVID-19 Response unit if applicable, and the data steward(s) of each asset for which access is requested. Once you obtain access to the requested data asset, you should confer with the data steward of the specific data asset to ensure that you understand any limitations on your use of that data asset.

If you are granted access to a certain data asset or assets, your access is provided for you to use data in accordance with: 1) for employees, your duties, responsibilities and programmatic role in a CDC program or, for contractors, consistent with your underlying scope of work ; and 2) your adherence to the rules of behavior specified in this document.

As part of your access to the data assets in the CDH, you acknowledge that:

- a. Your access to a specific data asset does not allow you to access other data assets in the CDH. If you seek access to other data assets in CDH, you agree to specifically request access to those assets through an additional CDC Data Access Request Form.
- b. You will seek to prevent unauthorized use of and access to CDH data assets. This responsibility includes taking appropriate care and reasonable precautions when accessing and handling these data assets and not downloading the data into unsecured environments.

- c. Unless otherwise required by law, you will use the data assets to which you have been provided access for the research, analysis, and reporting project(s) listed in your CDH Data Access Request.
- d. You will adhere to any underlying legal restrictions or licenses that apply to the original source data sets made available in CDH and to which you have been given access, including seeking guidance proactively from the data steward to ensure continued compliance with such restrictions.
- e. You will obtain Institutional Review Board review of projects when appropriate. For internal CDC projects, you will need to first obtain project determination approval to determine if IRB is necessary. For external CDC projects, you will need IRB approval and provide FWA (Federal Wide Assurance) number from the academic institution, hospital, agency, etc.
- f. You will not attempt, in any way, to re-identify any person included in the data asset to which you are given access, and to make no use or disclosure of the identity of any person discovered except to advise the CDH Team within twenty-four (24) hours of any such discovery. You will also not disclose or use the identity of a person discovered inadvertently.
- g. Except as may be allowed or required by law, no data asset within CDH will be used for commercial or competitive purposes or for any other purpose incompatible with or outside the scope of the stated data project in your CDH Data Access Request.
- h. Except as may be required by law, you will not use, share or disclose the data, and you will prohibit others from using, sharing or disclosing the data, for purposes outside the scope of the stated data project or use-case set out in your CDH Data Access Request. Access should be limited to individuals who have also signed an ROB. If any such uses or disclosures are required by law, you agree to notify the CDH team, relevant COVID-19 Response unit if applicable, and the data steward(s) of each data asset prior to such disclosure to coordinate on the legal request.
- i. Except as may be required by law or consistent with the use identified in your CDH Data Access Request Form, you will not redistribute the data assets or any part of the data assets by posting on any website or publishing in any other publicly accessible online repository.
- j. You will confer with the data steward of the specific data asset to ensure you are in compliance with citation, clearance, and publication protocols prior to releasing any findings. Where appropriate, you should reference sources by name and date when creating combined data products within a single data source.
- k. Linking between data sources is not allowed without specific approval from the CDH team, the relevant COVID-19 Response unit if applicable, the data vendor if applicable, and the data steward(s) of each asset for which linking is being considered. You will comply with applicable CDC policies for release of data publicly, and include appropriate clearance from data stewards and programs leads to ensure compliance with conditions that may apply to the specific data set
- l. Your access to the data asset is for the use as set out in the CDH Data Access Request Form; once the project is complete, your access to the CDH and that data asset will end. Additional requests may be submitted.

1.4 Non-Compliance

Non-compliance with this ROB may subject you to certain consequences available under applicable laws, regulations, and policies including, but not limited to disciplinary action; revocation or suspension of system privileges; or monetary fines and/or criminal penalties. Penalties may depend on the law or agreement applicable to the relevant data asset. Suspensions from a specific data asset within CDH or from the CDH enterprise as a whole can be imposed on a temporary basis (period of time to be determined on the nature of the infraction), or on a permanent basis.

2. Acknowledgement and Agreement of Rules of Behavior for CDC Staff and Contractors

I have read and agree to comply with the terms and conditions of the *CDC Data Hub Rules of Behavior* as defined by this document, applicable agency policy, and state and federal law.

I agree to abide by the procedures and policies indicated in this document.

Signature

Date

Printed Name

Organization (CIO)

References

1. Policy on Public Health Research and Non-research Data Management and Access,
<https://www.cdc.gov/maso/policy/policy385.pdf>
2. Clearance of Information Products Disseminated Outside CDC for Public Use,
[https://www.cdc.gov/os/policies/docs/CDC-GA-2005-06 Clearance of Information Products Disseminated Outside for Public Use.pdf](https://www.cdc.gov/os/policies/docs/CDC-GA-2005-06%20Clearance%20of%20Information%20Products%20Disseminated%20Outside%20for%20Public%20Use.pdf)