

Federal Motor Carrier Safety Administration

DRUG & ALCOHOL CLEARINGHOUSE

FMCSA IT RULES OF BEHAVIOR: EMPLOYERS

As a user of the Federal Motor Carrier Safety Administration (FMCSA) Drug and Alcohol Clearinghouse, I understand that I am personally responsible for the use and any misuse of my system account and password. I also understand that by accessing a U.S. Government information system, I must comply with the following requirements:

1. The Drug and Alcohol Clearinghouse is authorized for official use only.
2. The Drug and Alcohol Clearinghouse may not be used (i) for a purpose that violates any Federal law; (ii) for mass mailings of personal messages/statements; (iii) for commercial purposes, financial gain, or to support “for profit” non-Government activities; or (iv) to engage in any DOT or FMCSA-discrediting activities (e.g., gambling; viewing of adult content). “FMCSA-discrediting activities” also include seeking, transmitting, collecting, or storing defamatory, discriminatory, obscene, harassing, or intimidating messages or materials.
3. FMCSA reserves the right to monitor the activity of any machine connected to its infrastructure.
4. Drug and Alcohol Clearinghouse is the property of the Federal Government and FMCSA owns the data stored in this system.
5. Non-public Information that was obtained via the Drug and Alcohol Clearinghouse may not be divulged outside of authorized channels without the express permission of the owner of that information.
6. Any activity that violates Federal laws for information protection (e.g., hacking, spamming) is prohibited.
7. Users must lock the computer if they are away from the desk and use a password-protected screensaver to automatically lock the computer.
8. Drug and Alcohol Clearinghouse accounts are linked to your login.gov profile solely for the use of the individual for whom they were created. Your login.gov passwords or any other authentication mechanisms **must never** be shared or stored in **printed form** in any place accessible. If stored **digitally**, a password must not be stored in a clear-text or a readable format. You may store your login.gov “just in case” information in printed or digital form.
9. The Drug and Alcohol Clearinghouse uses login.gov to authenticate you. Login.gov has password format requirements and a password expiration policy that must be followed. Login.gov passwords do not expire because login.gov uses multi-factor authentication. Multi-factor authentication expires every 30 days. See <https://www.login.gov/help/changing-settings/turn-off-two-factor-authentication/> for more information.
10. Any security problems or password compromises must be reported immediately to the FMCSA Information System Security Manager at FMCSASecurity@dot.gov.
11. Users must protect all confidential/sensitive and privacy information from disclosure.
12. Hard copies of confidential/sensitive and privacy information must be shredded and destroyed.
13. I agree to accept any written communication from FMCSA relating to my participation on Drug and Alcohol Clearinghouse by electronic mail at the email address(es) I provide to FMCSA. Such electronic communication shall be complete upon its transmission by FMCSA.

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14. I understand that Federal law provides for punishment under Title 18 of the U.S. Code, including a fine and up to 10 years in prison for the first offense for anyone who:
 1. Intentionally accesses a Government information system without authorization, or exceeds authorized access, and obtains information that requires protection against unauthorized disclosure.
 2. Intentionally accesses a Government information system without authorization, or exceeds authorized access, and impacts the Government's operation, including availability of that system.
 3. Intentionally accesses a Government information system without authorization, or exceeds authorized access, and alters, damages, or destroys information therein.
 4. Intentionally accesses a Government information system without authorization, or exceeds authorized access, and obtains anything of value.
 5. Prevents authorized use of a Government information system.
15. Users must only use Sensitive Personally Identifiable Information (SPII) on encrypted laptops, mobile devices, and storage media devices. SPII is a subset of PII which if lost, compromised or disclosed without authorization, could result in substantial harm, embarrassment, inconvenience, or unfairness to an individual. (e.g., DoB, SSN, and Driver's License).
16. Users of FMCSA IT systems using non-FMCSA furnished equipment to access FMCSA IT systems must install and maintain antivirus and anti-spyware tools on said equipment.

Drug and Alcohol Clearinghouse Terms of Use

I am capable and willing to comply with the requirements under of 49 CFR 382 Subpart G, Requirements and Procedures for Implementation of the Commercial Driver's License Drug and Alcohol Clearinghouse (Clearinghouse).

I agree to accept any written communication from FMCSA relating to the Clearinghouse by electronic mail at the email address(es) I provide to FMCSA or by physical letters sent via United States Postal Service, including any notice of proposed removal from the Clearinghouse and any information addressing my obligations as an authorized user of the Clearinghouse. Such communications shall be considered complete upon its transmission by FMCSA.

I understand that by utilizing the Clearinghouse, I am participating in covered transactions and am required to comply with the suspension and debarment regulations at 2 C.F.R. part 180 and that I am required to comply with the regulations at 49 CFR part 382. I certify that I will comply with the information use and disclosure requirements set forth in 49 C.F.R. part 382. I agree that I will not access information in the Clearinghouse without authorization; share, distribute, publish, or otherwise release information unless specifically authorized by law; and I will not report inaccurate or misleading information to the Clearinghouse. I understand that by submitting information to the Clearinghouse I am participating in covered transactions and that submitting false or misleading statements may subject me to administrative, civil, or criminal penalties, including prosecution under 18 U.S.C. § 1001 or government-wide suspension and debarment under 2 C.F.R. part 180. I understand that failure to comply with the Clearinghouse Rules of Behavior and Terms of Use may result in revocation of my Clearinghouse registration under 49 C.F.R. § 382.713.

I agree that I will obtain the driver's written or electronic consent before querying the Clearinghouse to determine whether a record exists or to obtain any of the types of information identified in 49 C.F.R. § 382.703. I agree that I will only access and use information obtained from the Clearinghouse to determine whether there is a prohibition on a driver performing a safety-sensitive function in accordance with FMCSA regulations and will not divulge or permit other persons to divulge the information for any other purpose. I understand that violations of §382.723 are subject to criminal and civil penalties in accordance with applicable law, including those set forth at §382.507.

I accept the FMCSA Privacy Policy (see <https://www.transportation.gov/dot-website-privacy-policy>).