

**Guaranty Fund**  
**Agreement for the use of NCIGF Secure UDS Process (“SUDS”)**

The National Conference of Insurance Guaranty Funds “NCIGF” has established and made available to member guaranty associations and participating receivers, a secure process for transferring UDS data from the guaranty associations to insurance receivers. The Secure UDS Process (SUDS) utilizes Secure File Transfer Protocol (SFTP). This process is available to members associations and signatory insurance receivers without charge.

The NCIGF will:

- Provide and maintain a secure FTP server for the purpose of facilitating the secure transfer of UDS data from the guaranty association to insurance receivers.
- Make reasonable efforts to protect sensitive non-public personal information from accidental loss, interception, or disclosure to unauthorized persons.
- Issue user accounts and passwords as requested by authorized personnel as designated by the Association.
- Allow access to SUDS only to its personnel who have direct responsibility for operating or maintaining the server or for performing services described in this agreement.
- Notify users of the system any potential outages lasting more than 24 hours.

NCIGF will not:

- Examine, audit, add, delete, or otherwise modify UDS data, submitted in the SUDS process
- Permit unauthorized person within its control to examine, analyze, compile, extract, copy, utilize or distribute any data from SUDS without the express written authorization of the Association.

Association:

- Represents that it has already adopted and implemented (or prior to the use of SUDS) it shall adopt and implement data security procedures that include provisions for the protection of sensitive non-public information
- Will limit access to SUDS and distribute user accounts and passwords only to those personnel whose job responsibilities reasonably require they have such access;
- Require that all personnel with access to SUDS first receive instruction in their respective organization’s password protection policy and procedures and apply such procedures to the user accounts and password assigned for SUDS;
- Promptly notify the NCIGF helpdesk if they experience any problems in accessing or using SUDS, or if they discover any potential security breaches or instances where unauthorized persons have accessed or attempted to gain access to SUDS.

Hold harmless

Association will hold NCIGF harmless for any loss, actions, or causes of action arising out of the performance of NCIGF's functions under this agreement.

Duration of Agreement

This agreement will continue indefinitely or until it is terminated by any party or otherwise modified in writing by agreement of the Parties. Any Party may terminate this agreement by providing the other Parties 30 day's written notice. NCIGF may require execution of a new agreement if the nature or scope of the services it is providing materially change or if such change is reasonable or necessary for compliance with applicable laws.

Notices/ Contact information

All notifications to the NCIGF under this agreement should be sent via email and first class mail to: \_\_\_\_\_

All notifications to Association under this agreement should be sent via email and first class mail to: \_\_\_\_\_

[Association]: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

By: \_\_\_\_\_  
As its: (title) \_\_\_\_\_  
Date: \_\_\_\_\_

NCIGF: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

By: \_\_\_\_\_  
As its: (title) \_\_\_\_\_  
Date: \_\_\_\_\_