



Washington, D.C. 20530

July 10, 2006

MEMORANDUM FOR ALL DEPARTMENT EMPLOYEES

FROM: Paul J. McNulty *PJM*  
Deputy Attorney General

Jane C. Horvath *JCH*  
Chief Privacy and Civil Liberties Officer

SUBJECT: Privacy and Safeguarding of Personally Identifiable Information

In response to recent events, this memorandum serves to remind all Department employees of their responsibility to safeguard and protect personally identifiable information about individuals from improper access or disclosure. As employees of the Department, many of you have access to and work with sensitive information about individuals in the performance of your official duties. It is important that you are generally familiar with your responsibilities that come with handling that data as improper disclosures can be harmful to the individual in question as well as to the Department's mission.

- As a general matter, Departmental regulations state employees should be mindful of their responsibility to protect and conserve Government property, which includes Government records. See 28 C.F.R. § 45.4(c); 5 C.F.R. § 2635.704.
- You should not disclose personally identifiable information about an individual to persons outside the Department other than for an authorized official business purpose.
- Disclosure of personally identifiable information within the Department is subject to a need to know standard. In other words, you may reveal information about an individual only to others within the Department who have a need for the information in the performance of their official duties.
- Additionally, some personally identifiable information is covered by the requirements of the Privacy Act of 1974, 5 U.S.C. § 552a. The disclosure of Privacy Act records within the Department are covered by the same need to know standard described above. For disclosures of Privacy Act records outside the Department, a statutory exception in the Privacy Act or a published routine use must authorize such disclosure or the disclosure must be otherwise provided for by law. There are criminal penalties for willful unauthorized disclosures under the Privacy Act.

Memorandum for All Department Employees  
Subject: Privacy and Safeguarding of Personally  
Identifiable Information

Page 2

- To prevent unauthorized disclosures, employees should follow all applicable Departmental rules for safeguarding personally identifying information.
- Report any loss or compromise of personally identifying data to your supervisor immediately.

Please discuss with your supervisor any further questions regarding how to handle personally identifiable information or whether information is considered personally identifiable information.