



Greetings from the OD/OM/OMA/DMS Office of the Senior Official for Privacy! We are excited to introduce a “How-To” e-mail series entitled *The Privacy Pulse*. It’s designed to equip you with quick and helpful tips on protecting privacy at NIH. Each of us is responsible for ensuring that the personally identifiable information (PII) we handle on a regular basis is kept private and safe. This duty extends from your computer to your desk to your fax machine, copier and beyond. We’ve got the pulse on privacy and our goal is to foster an improved privacy culture.

### **Dos and Don’ts for NIH Web Sites: *Highlights of New OMB Requirements***

#### **1) OMB Memoranda M-10-22, *Guidance for Online Use of Web Measurement and Customization Technologies* (such as persistent cookies)**

[http://whitehouse.gov/omb/assets/memoranda\\_2010/m10-22.pdf](http://whitehouse.gov/omb/assets/memoranda_2010/m10-22.pdf)

#### **Do**

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If you are considering the use of Web measurement and customization technologies,

- Use the technologies to improve Federal services online through conducting measurement and analysis of usage of through customization of the user’s experience;
- Comply with applicable privacy laws (including the Privacy Act of 1974, as amended);
- Get approval for any use of multi-session Web measurement and customization technologies when PII is collected and is able to identify an individual (Tier 3 Usage).

#### **Don’t**

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- Do not collect PII without the user’s explicit consent;
  - Do not make it difficult for public users to opt-out from NIH’s use of them;
  - Do not dispose of Federal e-records when required by law, the Federal Records Act regulations, or NIH policy. Consult your Records Liaison.

#### **2) OMB Memoranda M-10-23, *Guidance for Agency Use of Third-Party Web sites and Applications* (such as Facebook or Twitter)**

[http://whitehouse.gov/omb/assets/memoranda\\_2010/m10-23.pdf](http://whitehouse.gov/omb/assets/memoranda_2010/m10-23.pdf)

#### **Do**

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If you are considering the use of a third party Web site or application,

- Examine its privacy policy and consult with the NIH Office of General Counsel to evaluate the risks and determine whether it’s appropriate for NIH use;
- Conduct a PIA when the Web site/application causes PII to become available/accessible to NIH (an individual submits, links, posts, or associates PII when using the Web site/app).
- Comply with existing policies regarding privacy and data safeguarding standards.

#### **Don’t**

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- Do not collect any information other than what is necessary to accomplish a purpose required by statute, regulation, or executive order;
  - Do not make IC Privacy Notices hard to read. They should be conspicuous, salient, clearly labeled, written in plain language, and prominently displayed at all locations where the public might make PII available to NIH. They should describe that the Web site/app is controlled or operated by a 3<sup>rd</sup> party, state the NIH Privacy Policy does not apply to the 3<sup>rd</sup> party, whether and how NIH will maintain, use, or share PII that becomes available through the use of the 3<sup>rd</sup> party, explain that by using the Web site/app to communicate with NIH, individuals may be providing non-government 3<sup>rd</sup> parties access to PII, direct individuals to the NIH official Web site and direct individuals to the NIH Privacy Policy.

Feedback? Please contact [privacy@mail.nih.gov](mailto:privacy@mail.nih.gov).

Favorite? SharePoint OSOP Web site homepage:

<http://oma.nih.gov/dms/programs/privacy/default.aspx>