Privacy

Laws

and

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Legislative Drivers (Public Laws):

  http://www.coppa.org/coppa.htm
  http://www.coppa.org/comply.htm

  http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=104_cong_public_laws&docid=f:publ104.104.pdf

  http://www.gpo.gov/fdsys/pkg/STATUTE-100/pdf/STATUTE-100-Pg1213.pdf

  http://www.whitehouse.gov/omb/inforeg/final_guidance_pl100-503.pdf


  http://www.ecfr.gov/cgi-bin/text-
  idx?c=ecfr&sid=11975031b82001bed902b3e73f33e604&rgn=div5&view=text&node=34:1.1.1.33&indno=34


  http://uscode.house.gov/download/pls/44C33.txt
• Freedom of Information Act (FOIA) of 1966, (5 U.S.C 552a, as amended) (Public Law 104-231) (July 4, 1967) (P.L. 89-554):  
  http://www.nih.gov/icd/od/foia/efoia.htm


  http://www.ftc.gov/privacy/glbact/glbsub1.htm


  http://ocio.nih.gov/itmra/itmra96.html


  http://www.justice.gov/opcl/privstat.htm

  http://www.access-board.gov/sec508/guide/act.htm
Presidential Directives:

Federal Regulations:

**Code of Federal Regulations (CFR):**

- 45 CFR, Part 5b, HHS Privacy Act Regulations:
  [http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&sid=d8c05a9cf0b3dd219f61ecf068cb7260&rgn=div5&view=text&node=45:1.0.1.1.7&idno=45](http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&sid=d8c05a9cf0b3dd219f61ecf068cb7260&rgn=div5&view=text&node=45:1.0.1.1.7&idno=45)

**Federal Acquisition Regulations (FAR):**

- FAR Part 1.602-1(b), Career Development, Contracting Authority, and Responsibilities:

- FAR Part 24, Protection of Privacy and Freedom of Information:
  [http://www.acquisition.gov/far/current/html/Subpart%2024_1.html#wp1074189](http://www.acquisition.gov/far/current/html/Subpart%2024_1.html#wp1074189)

- FAR Part 39.105, Privacy:
  [http://www.acquisition.gov/far/current/html/Subpart%2039_1.html#wp1096819](http://www.acquisition.gov/far/current/html/Subpart%2039_1.html#wp1096819)

- FAR Part 39.107, Contract Clause:
  [http://www.acquisition.gov/far/current/html/Subpart%2039_1.html#wp1096819](http://www.acquisition.gov/far/current/html/Subpart%2039_1.html#wp1096819)

- FAR Part 52.224-1, Privacy Act Notification:

- FAR Part 52.224-2, Privacy Act:

- FAR Part 52.239-1, Privacy or Security Safeguards:

**Health and Human Services Acquisition Regulations (HHSAR):**

- HHSAR Part 324, Protection of Privacy and Freedom of Information:

- HHSAR Part 352.224-70, Privacy Act:
Federal Publications:

**Federal Information Processing Standards (FIPS):**


**National Institute of Standards and Technology (NIST):**

- NIST Special Publications (SP), Complete list of NIST Publications: [http://csrc.nist.gov/publications/PubsSPs.html](http://csrc.nist.gov/publications/PubsSPs.html)


Office of Management and Budget Guidance (OMB):

**OMB Circulars:**

- Office of Management and Budget Circular A-11, Section 53, Information Technology and E-Government:
  [http://www.whitehouse.gov/omb/circulars_a11_current_year_a11_toc](http://www.whitehouse.gov/omb/circulars_a11_current_year_a11_toc)

- OMB Circular A-130, Management of Federal Information Resources (November 28, 2000):
  [http://www.whitehouse.gov/omb/circulars/a130/a130trans4.html](http://www.whitehouse.gov/omb/circulars/a130/a130trans4.html)

**OMB Memoranda:**

**Calendar Year 2012:**

- M-12-20. FY 2012 Reporting Instructions for the Federal Information Security Management Act and Agency Privacy Management (September 27, 2012):

**Calendar Year 2011:**

- M-11-02, Sharing Data While Protecting Privacy (November 3, 2010):

**Calendar Year 2010:**


- M-10-23, Guidance for Agency Use of Third-Party Websites and Applications (June 25, 2010):
• M-10-22, Guidance for Online Use of Web Measurement and Customization Technologies (June 25, 2010):
  http://www.whitehouse.gov/sites/default/files/omb/assets/memoranda_2010/m10-22.pdf


• M-10-06, Open Government Directive (December 8, 2009):
  http://www.whitehouse.gov/sites/default/files/omb/assets/memoranda_2010/m10-06.pdf
Calendar Year 2009:


Calendar Year 2008:


Calendar Year 2007:

Calendar Year 2006:

- M-06-26, Suspension and Debarment, Administrative Agreements, and Compelling Reason Determination (August 31, 2006):

  http://www.whitehouse.gov/sites/default/files/omb/assets/omb/memoranda/fy2006/m06-25.pdf

  http://www.whitehouse.gov/sites/default/files/omb/assets/omb/memoranda/fy2006/m06-20.pdf

- M-06-19, Reporting Incidents Involving Personally Identifiable Information Incorporating the Cost for Security in Agency Information Technology Investments (July 12, 2006):

- M-06-16, Protection of Sensitive Agency Information (June 23, 2006):
  http://www.whitehouse.gov/sites/default/files/omb/assets/omb/memoranda/fy2006/m06-16.pdf

- M-06-15, Safeguarding Personally Identifiable Information (May 22, 2006):

  http://www.whitehouse.gov/sites/default/files/omb/assets/omb/memoranda/fy2006/m06-06.pdf

Calendar Year 2005:


• M-05-08, Designation of Senior Agency Officials for Privacy (February 11, 2005): http://www.whitehouse.gov/sites/default/files/omb/assets/omb/memoranda/fy2005/m05-08.pdf


**Calendar Year 2004:**


**Calendar Year 2003:**


Calendar Year 2002:
• M-02-01, Guidance for Preparing and Submitting Security Plans of Action and Milestones (October 17, 2001): http://www.whitehouse.gov/omb/memoranda_m02-01/

Calendar Year 2001:
• M-01-05, Guidance on Inter-Agency Sharing of Personal Data – Protecting Personal Privacy (December 20, 2000): http://www.whitehouse.gov/omb/memoranda_m01-05/

Calendar Year 2000:
• M-00-13, Privacy Policies and Data Collection on Federal Web Sites (June 22, 2000): http://www.whitehouse.gov/omb/memoranda_m00-13/
• M-00-07, Incorporating and Funding Security in Information Systems Investments (February 28, 2000): http://www.whitehouse.gov/omb/memoranda_m00-07/
Calendar Year 1999:


Calendar Year 1998:

HHS Privacy Policy:

- HHS General Administration Manual, Chapter 45-10, Privacy Act – Basic Requirements and Relationships:  

- HHS General Administration Manual, Chapter 45-13, Safeguarding Records Contained in Systems of Records:  

- HHS Privacy Impact Assessment (PIA) Standard Operating Procedures:  
  http://intranet.hhs.gov/it/docs/policies_guides/PIA/PIA_SOP.html

- HHS Policy for Internet Domain Names:  
  http://www.hhs.gov/policies/webpolicies/200501.html

- HHS Policy for Section 508 Compliance:  
  http://www.hhs.gov/web/508/
HHS Cybersecurity Program Privacy Documents:

- HHS OCIO Policies, Standards and Charters

- HHS Privacy
  [http://intranet.hhs.gov/it/cybersecurity/privacy/index.html](http://intranet.hhs.gov/it/cybersecurity/privacy/index.html)

- HHS-OCIO Policy for Information Systems Security and Privacy:

- HHS-OCIO Policy for Social Media Technologies:

- HHS-OCIO Memo for the Implementation of OMB M-10-22 and 23:
  [http://intranet.hhs.gov/it/cybersecurity/docs/policies_guides/PC/memo_implementation_of_omb_m_10_22_and_m_10_23_pdf.pdf](http://intranet.hhs.gov/it/cybersecurity/docs/policies_guides/PC/memo_implementation_of_omb_m_10_22_and_m_10_23_pdf.pdf)

- HHS-OCIO Guide for Using Web Measurement and Customization Technologies:

- HHS-OCIO Policy for Information Systems Security and Privacy (IS2P) Handbook:

- HHS-OCIO Policy for Privacy Impact Assessment (PIA):
  [http://www.hhs.gov/ocio/policy/20090002.001.html](http://www.hhs.gov/ocio/policy/20090002.001.html)

- HHS-OCIO Policy for IT Security and Privacy Incident Reporting and Response:

- HHS-OCIO-Policy for Machine-Readable Privacy Policies:

- HHS-OCIO-Policy for Machine-Readable Privacy Policies Guide:

- HHS-OCIO Incident Management and Response Website:
  [http://www.hhs.gov/ocio/securityprivacy/incidentmanagement/incidentresp.html](http://www.hhs.gov/ocio/securityprivacy/incidentmanagement/incidentresp.html)
• HHS Updated Departmental Standard for the Definition of Sensitive Information

• Machine-Readable Privacy Policy FAQs:
  http://intranet.hhs.gov/it/cybersecurity/docs/privacy/MRFAQ/mrpp_faq.pdf

• Privacy in the System Development Lifecycle (SDLC):
  http://intranet.hhs.gov/it/docs/privacy/PSDLC/Privacy_in_SDLC.html

• Privacy Tri-Fold Brochure:
  http://intranet.hhs.gov/infosec/docs/privacy/Trifold/Privacy_Tri-fold.pdf
NIH Policy, Provisions & Guidelines:

- NIH Manual Chapter 1130, Delegations of Authority: Program, General 4B, Privacy Act Appeals:  

- NIH Manual Chapter 1183, NIH Publications and Audiovisuals: Preparation, Review, Approval, and Distribution:  

- NIH Manual Chapter 1184, Scientific, Technical, and Other Professional Information Presented by NIH Employees: Review, Approval, and Distribution:  

- NIH Manual Chapter 1186, Use of NIH Names and Logos:  

- NIH Manual Chapter 1743, NIH Records Control Schedule “Keeping and Destroying Records”:  

- NIH Manual Chapter 1744, NIH Vital Records Program:  

- NIH Manual Chapter 1745, NIH Information Technology (IT) Privacy Program:  

- NIH Manual Chapter 1745-1, NIH Privacy Impact Assessments:  

- NIH Manual Chapter 1754, Reporting Allegations of Criminal Offenses, Misuse of NIH Grant and Contract Funds, or Improper Conduct by an NIH Employee:  

- NIH Manual Chapter 1825, Information Collection from the Public:  

- NIH Manual Chapter 2400-01, Introduction to Government Ethics at the NIH:  

- NIH Manual Chapter 2400-04, Managing Conflicts of Interests and the Introduction of Bias:  
• NIH Manual Chapter 2804, Public-Facing Web Management Policy:  

• NIH Manual Chapter 2805, Web Privacy Policy:  

• NIH Manual Chapter 2806, Limited Authorized Personal Use of NIH Information Technology (IT) Resources:  

• NIH Manual Chapter 2809, Social and New Media Policy:  

• NIH Manual Chapter 3014, Human Research Protection Program:  
  http://www1.od.nih.gov/oma/manualchapters/intramural/3014/
National Archives and Records Administration (NARA):


Training:

- HHS Privacy Awareness Training: 

- HHS Security Education and Awareness Website: 
  [http://intranet.hhs.gov/it/cybersecurity/training/index.html](http://intranet.hhs.gov/it/cybersecurity/training/index.html)

- HHS Privacy Impact Assessment (PIA) Training 
  [http://intranet.hhs.gov/it/docs/education/privacy_impact/PrivacyImpactAssessmentTraining_20100818_v1.0.pdf](http://intranet.hhs.gov/it/docs/education/privacy_impact/PrivacyImpactAssessmentTraining_20100818_v1.0.pdf)

- NIH Privacy and Information Security Awareness Training: 
Websites:

*Health and Human Services (HHS):*

- HHS ProSight-FISMA Database: [https://sport.hhs.gov/prosight/](https://sport.hhs.gov/prosight/)
- HHS Residual Standards of Conduct: [http://ethics.od.nih.gov/LawReg/HHS-Resid-Std.HTM](http://ethics.od.nih.gov/LawReg/HHS-Resid-Std.HTM)
- HHS Supplemental Standards of Ethical Conduct for Employees of DHHS: [http://ethics.od.nih.gov/LawReg/5cfr5501.pdf](http://ethics.od.nih.gov/LawReg/5cfr5501.pdf)

*National Institutes of Health (NIH):*

• NIH Privacy Web Page:
  http://oma.od.nih.gov/ms/privacy/

• NIH Privacy SharePoint Website (NIH Employees Only):
  http://oma.nih.gov/dms/programs/privacy/SitePages/Home.aspx

• NIH Records Management Web Page:
  http://oma.od.nih.gov/ms/records/

• NIH FOIA Web Page:
  http://www.nih.gov/icd/od/foia/

• NIH HIPAA Web Page:
  http://privacyruleandresearch.nih.gov/

• NIH Privacy Act Systems of Records (SOR) Notices:
  http://oma.od.nih.gov/ms/privacy/pa-files/read02systems.htm

• NIH Website Privacy Policy Statement:
  http://www.nih.gov/about/privacy.htm

• NIH Ethics Program:
  http://ethics.od.nih.gov/

• NIH Web Authors Group (WAG) Policy & Guidance on Web Site Development,
  Management, and Evaluation:

• NIH, OCPL Guidance on Developing Web Sites at NIH:

• NIH OMB Project Clearance:
  http://grants.nih.gov/grants/oer_offices/opera.htm
Other Useful Websites:


