




Department of Energy  
Washington, DC 20585

June 26, 2008

MEMORANDUM FOR INGRID KOLB  
DIRECTOR, OFFICE OF MANAGEMENT

FROM: KEVIN T. HAGERTY   
DIRECTOR, OFFICE OF INFORMATION RESOURCES

SUBJECT: Notice of Intent to Develop a DOE Order Titled, *Department of Energy Privacy Program*

PURPOSE: The proposed Order will implement the Department's Privacy Act Program, the privacy objectives of Section 208 and Title III of the E-Government Act of 2002 (E-Gov Act), and comply with the requirement of OMB Memorandum 07-16 to issue breach notification policy involving Personally Identifiable Information (PII). The proposed Order will also incorporate the Department's January 2007 *Procedures for Conducting Privacy Impact Statements* already in use.

JUSTIFICATION: DOE N 206.5, *Response and Notification Procedures for Data Breaches Involving Personally Identifiable Information*, expires on October 9, 2008 and must be converted to a permanent Order prior to submission of the FY 2008 *Federal Information Security Management Act (FISMA)* report to OMB.

The proposed Order will integrate several privacy provisions defined in the above laws and OMB guidance to include: (1) Privacy Act compliance, (2) conducting privacy impact assessments, and (3) the PII breach response and notification procedures currently issued under DOE N 206.5.

The Office of Information Resources is requesting a thirty-day processing time for this Order.

IMPACT: The proposed Order will ensure Departmental compliance with the Privacy Act, E-Gov Act, and OMB guidance. The proposed Order will cancel DOE N 206. Affected contracts will require modification to incorporate a Contractor Requirement Document.



No additional impacts on other directives, technical standards or procedures are anticipated.

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CTA CONCURRENCE \_\_\_\_\_(DOE/Energy)

\_\_\_\_\_ (DOE/Energy)

\_\_\_\_\_ (NNSA)

DECISION:

Concur: \_\_\_\_\_

Non-Concur \_\_\_\_\_

Timeframe: \_\_\_30 days\_\_\_60 days\_\_\_90 days\_\_\_120 days

Date: \_\_\_\_\_