

SEP 16 2015

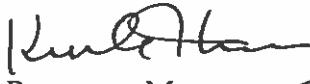


UNITED STATES DEPARTMENT OF COMMERCE  
Chief Financial Officer and  
Assistant Secretary for Administration  
Washington, D.C. 20230

MEMORANDUM FOR

Principal Human Resources Managers

FROM:

Kevin E. Mahoney   
Director for Human Resources Management and  
Chief Human Capital Officer

Catrina D. Purvis   
Senior Agency Official for Privacy and  
Chief Privacy Officer

SUBJECT:

Mandatory Critical Element Language for Performance  
Plans Related to Personally Identifiable Information and  
Business Identifiable Information

Effective immediately, the Department of Commerce is implementing a requirement to include the handling of Personally Identifiable Information (PII) and Business Identifiable Information (BII) in the Fiscal Year 2016 performance plans of General Schedule (GS), Wage Grade (WG), Commerce Alternative Personnel System (CAPS), and Alternative Personnel Management System (APMS) employees. Safeguarding this information in the possession of the government and preventing its breach are essential to ensure the government retains the trust of the American public. (See the Office of Management and Budget Memorandum 07-16, "Safeguarding Against and Responding to the Breach of Personally Identifiable Information.")

The Privacy Act of 1974 requires agencies to establish "rules of conduct for persons involved in the design, development, operation, or maintenance of any system of records, or in maintaining any record, and instruct each such person with respect to such rules and the requirements of [the Privacy Act], including any other rules and procedures adopted pursuant to [the Privacy Act] and the penalties for noncompliance." In addition, the appropriate administrative, technical, and physical safeguards must be established to insure the security and confidentiality of records and to protect against any anticipated threats or hazards to their security or integrity that could result in substantial harm, embarrassment, inconvenience, or unfairness to any individual on whom information is maintained.

Further, individuals with authorized access to PII and BII and their supervisors must understand their responsibilities for safeguarding such information.

The following **mandatory language** must be incorporated as part of an existing critical element in performance plans for GS, WG, CAPS, and APMS employees:

Results of Major Activities

Sensitive Personally Identifiable Information and Business Identifiable Information, both physical and electronic, is protected.

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Credible Measures

Sensitive Personally Identifiable Information and Business Identifiable Information is protected from unauthorized release, alteration, loss and deletion, and complies with security and privacy policies regarding access to computerized and paper files.

If you have any questions, please contact Kelly Spence, Program Manager for Performance Management and Recognition, at (202) 482-8015 or via e-mail at [kspence@doc.gov](mailto:kspence@doc.gov).

Attachment: Privacy Brochure