



UNITED STATES DEPARTMENT OF COMMERCE
Chief Information Officer
Washington, D.C. 20230

OCT 15 2010

MEMORANDUM FOR: Chief Information Officers

FROM: Simon Szykman *Simon Szykman*

SUBJECT: Commerce Persistent Cookies Policy

In January 2001, this Office issued a policy, Persistent Cookies and Other Tracking Technology. This policy expressly prohibited the use of persistent cookies on Commerce Web sites unless a waiver was obtained from the Secretary. This policy was consistent with the OMB policy at that time, M-00-13, *Privacy Policies and Data Collection on Federal Web Sites*. In June 2010, OMB issued M-10-22, *Guidance for Online Use of Web Measurement and Customization Technologies*, http://www.whitehouse.gov/sites/default/files/omb/assets/memoranda_2010/m10-22.pdf, which rescinded the 2001 policy.

I am rescinding the existing Commerce persistent cookie policy because it is obsolete and have informed the Secretary's office of my intent to do so. The current OMB policy is the guiding document for Commerce use of Web measurement and customization technologies until the Commerce Web Advisory Council (WAC) drafts a policy that aligns with the new OMB guidance. Please be aware that M-10-22 lays out three tiers of tracking and measurement technology usage: Tier 1, single Web measurement and customization technologies session; Tier 2, multi-session Web measurement and customization technologies without personally identifiable information (PII); and Tier 3, multi-session measurement and customization technologies with PII. Among other restrictions, Tier 3 usage must be approved by the Agency CIO.

Please contact Diana Hynek if you have any questions or concerns at 202-482-0266 or dhynek@doc.gov.

cc: Michael Kruger, Director for New Media
Jonathon Cantor, Chief Privacy Officer