

WEB PAGE PRIVACY POLICY

- 1. REASON FOR ISSUE:** To establish Department-wide procedures that implement the policies contained in VA Directive 6502.3, Web Page Privacy Policy, for creating Privacy Policies for VA Internet Web pages and to implement the policies set forth in Department of Veterans Affairs (VA) Directives 6502, Privacy Program.
- 2. SUMMARY OF CONTENTS/MAJOR CHANGES:** This handbook provides procedures for implementing the privacy policy provisions of the E-Government Act of 2002, as well as relevant OMB guidance relating to the posting of privacy policies on federal Web pages.
- 3. RESPONSIBLE OFFICE:** Office of Policy, Portfolio Oversight & Execution (005P), Office of the Assistant Secretary for Information and Technology (005).
- 4. RELATED DIRECTIVE:** VA Directive 6502.3; Web Page Privacy Policy.
- 5. RESCISSIONS:** None

CERTIFIED BY:

/s/

Robert N. McFarland
Assistant Secretary for
Information and Technology

**BY DIRECTION OF THE
SECRETARY OF VETERANS AFFAIRS:**

/s/

Robert N. McFarland
Assistant Secretary for
Information and Technology

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WEB PAGE PRIVACY POLICY

1. PURPOSE AND SCOPE

a. This document outlines general guidelines with regard to creating, posting, and maintaining all Department of Veterans Affairs (VA) Web page Privacy Policies on the Internet.

b. The requirements in this document do not extend to non-public VA Intranet pages.

c. While the term Privacy Statement is frequently used, current Office of Management and Budget (OMB) Guidance requires that to promote clarity for the public, all Federal agencies must use the term Privacy Policy when referring to their posted policy statements relating to Web page privacy.

d. This Handbook provides guidance and describes requirements regarding both the policy applicable to all VA Web pages (the VA General Web Privacy Policy, or the General Policy), and policies limited in scope to a particular Web page or set of Web pages. (Limited Web Privacy Policies, or Limited Policies)

e. The term Privacy Policy applies to both General and Limited Policies.

f. In order to promote compliance with existing Federal privacy laws, regulations, and guidance, this Handbook provides procedures and requirements to those individuals who are responsible for the development and maintenance of VA Web pages.

2 REQUIREMENTS AND PROCEDURES

a. General Considerations.

(1) All VA Privacy Policies should be clear, concise, and written in plain language.

(2) Every VA Web page should link to an appropriate Privacy Policy. For each page, the responsible official should determine whether a link to the General Policy is sufficient to satisfy legal and regulatory requirements, or whether a link to a page- or site-specific Limited Policy is required. This Handbook provides additional guidance for making this determination.

b. The VA General Web Page Privacy Policy.

(1) The principal VA Web entry page (www.va.gov) and all other Web pages that do not include a link to a Limited Policy must include a link to the General Policy.

(2) The General Policy must be updated from time to time as necessary to ensure that it remains accurate and complete to the extent required by applicable law, regulation, or guidance.

Thus, Web pages must link to the version of the policy maintained by the Privacy Service at www.va.gov/privacy, rather than copy the text of the policy and include it on a discrete page.

c. Limited Web Page Privacy Policies.

(1) Limited Policies must be created, posted and linked from a particular Web page if:

- (a) information collected on that Web page is subject to the Privacy Act, or
- (b) applicable law, regulation, or guidance requires that additional Privacy Policy information be disclosed beyond that included in the General Policy.

(c) Web pages use persistent cookies or web beacons

(2) Each Limited Policy must include a link to the General Policy.

(3) A copy of each Limited Policy must be accessible in a *machine-readable format*, as defined in VA Directive 6502.3 paragraph 5b.

(4) If a particular Web page or set of Web pages collects information subject to the Privacy Act, then the Limited Policy covering that page must include a Privacy Act Statement, as outlined in Appendix A – Limited Privacy Policy Sample. The Privacy Act Statement must describe:

(a) the authority (whether granted by statute, or by Executive Order of the President) which authorizes the solicitation of the information and whether disclosure of such information is mandatory or voluntary;

(b) the principal purpose or purposes for which the information is intended to be used;

(c) the routine uses which may be made of the information, as published pursuant to the Privacy Act, and;

(d) the effects on the user, if any, of not providing all or any part of the requested information;

(e) contact information by which a user may contact the appropriate office for additional information regarding the policy; and

(f) if a social security number is being collected, the data subject must be informed whether that disclosure is mandatory or voluntary, by what statutory authority such number is solicited, and what uses will be made of it.

(5) All Limited Policies must comply with the requirements of the Paperwork Reduction Act, pursuant to VA Directive 6000, VA IRM Framework, and VA Directive 6300, Records Information Management, and handbooks.

(6) All Limited Policies must comply with the requirements of Section 508 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794d). This Act requires that when VA develops, procures, maintains, or uses electronic and information technology, Federal employees and members of the public with disabilities have access to and use of information and data that is comparable to that provided to individuals without disabilities, unless an undue burden would be imposed on the agency.

(7) Web pages requiring Limited Policies may be subject to the Privacy Impact Assessment requirements of Section 508 of the E-Government Act of 2002 (Pub. L. 107-347). Webmasters and other responsible officials should refer to VA Handbook 6502.2, Privacy Impact Assessments, for guidance.

(8) The Webmaster or other responsible official should verify that all collections of personally identifiable information are protected by appropriate security measures, conforming to the representations made in the Limited Policy.

d. Format Requirements for Privacy Policy Links

(1) Links to Privacy Policies must be clear and conspicuous. The text of the link must read "Privacy Policy."

(2) Links to Limited Policies should be visible on the same screen (viewed at a standard resolution) as the form or email link by which information is collected.

e. Restrictions on Tracking and Customization Activity. VA Websites must not use persistent cookies or any other means (e.g. Web beacons) to track visitors' activity on the Internet except as provided below:

(1) The Secretary or other properly-authorized senior official reporting directly to the Secretary may approve the use of persistent tracking technology for a compelling need. When used, the Limited Policy must clearly state:

- (a) the nature of the information collected;
- (b) the purpose and use for the information;
- (c) whether and to whom the information will be disclosed; and
- (d) the privacy safeguards applied to the information collected.

(2) VA must report to OMB the use of persistent tracking technologies as authorized for use under these requirements. To enable this reporting, any such use must be sufficiently documented and reported to the appropriate officials within VA.

DEPARTMENT OF VETERANS AFFAIRS LIMITED PRIVACY POLICY SAMPLE

This Limited Policy applies only to the following Web page(s): [URL]. For general information regarding the information handling policy of the Department of Veterans Affairs (VA), please review the Department of Veterans Affairs General Web Privacy Policy, available at www.va.gov/privacy.

Privacy Act Statement

VA follows the requirements of the Privacy Act, which protects your personal information that we maintain in what are called systems of records. A system of records is a file, database, or program from which personal information is retrieved by name or other personal identifier. In other words, the Privacy Act applies when we use your personal information to know who you are and to interact with you – such as when you provide information to request a product or service, register on one of our Web sites, or submit an inquiry or complaint. The Privacy Act provides a number of protections for your personal information. This includes how information is collected, used, disclosed, stored, and discarded.

The Web page from which you linked to this Limited Policy [URL] collects certain information from you which may be subject to the Privacy Act. This information includes: [describe information collected – state purposes and state routine uses]

VA publishes notices in the Federal Register that describe in more detail when information about you may be made available to others. A copy of the notice(s) and any relevant amendments relating to [URL] is available at the following locations:

- [URL for SOR Notice] *[Note that link must go directly to RELEVANT SOR Notices.]*

[If not stated in the SOR Notice] The collection of information on [URL] is authorized by [cite authority]. Your disclosure of such information is voluntary.

The principal purpose(s) for which the information will be used is [state purpose or purposes].

By voluntarily providing information on [URL], you are consenting to VA's use and disclosure of that information in the manner described in this Limited Policy, the Department of Veterans Affairs General Web Privacy Policy, and the Privacy Act notice to which a link is provided above. If you refuse to provide this information, [state effects, e.g., inability to apply for benefits electronically, VA will be unable to process your request, etc. Description must be specific, i.e., it must describe effects of not providing all or any part of requested information.]

Additional information regarding your legal rights is available at: [provide link to Privacy Act rights summary and FOIA rights summary].

Tracking and Site Customization Technologies

Describe and state authority, if required. Include all required disclosures identified in this handbook.

Information Collected from Online Forms

Many of our programs and Web sites allow you to send us an email. Generally, we will use the information you provide to respond to your inquiry. In some circumstances VA may be required by law to retain or forward emails; examples of such emails might include emails that contain threats to VA personnel or property or contain information that is required as part of a judicial proceeding

Remember that email may not be secure against interception. If your email communication is very sensitive, or includes information such as your bank account, charge card, or social security number, you should send it by mail unless the Web site clearly indicates that such communications are appropriately secured.

Security

In those instances where we secure your personal information in transit to us and upon receipt, VA uses Federal Information Processing Standards (FIPS) 140-2 compliant encryption. The URL in your browser will change to “HTTPS” instead of “HTTP” when this security feature is invoked. Your browser may also display a lock symbol on its bottom task bar line to indicate this secure transmission is in place.

For site security purposes and to ensure that VA Web sites remain available to all users, VA employs software programs to monitor network traffic in order to identify unauthorized attempts to upload or change information, or otherwise cause damage. Except for authorized law enforcement investigations, no other attempts are made to identify individual users or their usage habits other than those uses identified in this policy. Unauthorized modification or misuse of information stored on VA systems will be investigated and may result in criminal prosecution.

VA takes the security of all personally identifiable information we maintain very seriously. We implement various measures to protect the security and confidentiality of personally identifiable information. Such measures include access controls designed to limit access to personally identifiable information to the extent necessary to accomplish our mission. We also employ various security technologies to protect personally identifiable data stored on our systems. We test our security measures periodically to ensure that they remain operational.

Information from Children [Include Only if Collecting Information from Children Under 13]

VA may, from time to time, collect information from children under 13 years of age. In instances where we collect personal information from children under 13 years old, we will do so only with parental notice and consent. We will take reasonable steps necessary to protect the privacy and safety of any child from whom information is collected, in accordance with the Children's Online Privacy Protection Act (COPPA).

Contact Information

For additional information regarding this Limited Policy please contact:

[Insert Contact info.]