



INSPECTOR GENERAL
DEPARTMENT OF DEFENSE
400 ARMY NAVY DRIVE
ARLINGTON, VIRGINIA 22202-4704

August 29, 2003

MEMORANDUM FOR CIVILIAN AND MILITARY OFFICERS AND
EMPLOYEES ASSIGNED TO THE OFFICE OF THE
INSPECTOR GENERAL OF THE DEPARTMENT OF
DEFENSE

SUBJECT: Release of OIG Reports Containing Privacy Act Protected Information

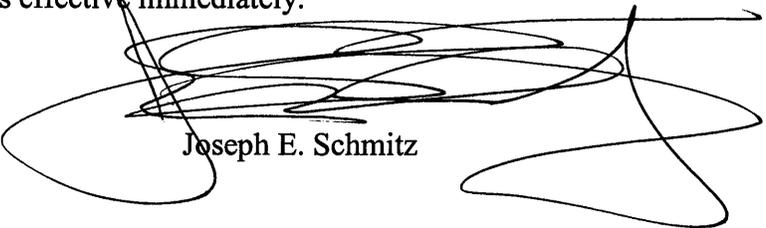
References: (a) Inspector General Act of 1978, as amended
(b) The Privacy Act of 1974, 5 U.S.C. § 552a, as amended
(c) DoDD 5400.11, "DoD Privacy Program" (December 13, 1999)
(d) DoD Principles of Information, January 21, 2002
(e) IG Policy 2003-14, "Public Release of Information from the Office
of the Inspector General of the Department of Defense (OIG DoD)"

Purpose: To establish a policy for the release of Privacy Act protected information to Congress.

Statutory Duty and Regulatory Responsibilities: Section 2(3) of Reference (a) directs the Inspector General to "provide a means for keeping the head of the establishment and the Congress fully and currently informed about problems and deficiencies relating to the administration of [DoD] programs and operations and the necessity for and progress of corrective action." Section (b)(9) of Reference (b) mandates that "[n]o agency shall disclose any record which is contained in a system of records by any means of communication to any person, or to another agency, except pursuant to a written request by, or with the prior written consent of, the individual to whom the record pertains, unless disclosure of the record would be . . . to either House of Congress, or, to the extent of matter within its jurisdiction, any committee or subcommittee thereof, any joint committee of Congress or subcommittee of any such joint committee." Section 4 of Reference (c) states the "DoD policy that [t]he personal privacy of an individual shall be respected and protected." Reference (d) provides "the underlying public affairs philosophy" of the Department of Defense that "[i]nformation shall be made fully and readily available, consistent with statutory requirements, unless its release is precluded by national security constraints or valid statutory mandates or exceptions." Reference (e) assigns the "Director of the Office of Communications and Congressional Liaison (OCCL) as the OIG PAO."

Policy: References (b), (c), and (d) are hereby incorporated by reference as policy guidance for all components of this Office of Inspector General. Further, to ensure that the personal privacy of individuals is respected and protected, Privacy Act protected information will only be released to "either House of Congress[,] any committee or subcommittee thereof, any joint committee of Congress or subcommittee of any such joint committee" in response to (a) a written request signed by a Committee Chairman; or (b) a verbal request made by a Chairman if otherwise documented, e.g., in an OCCL forwarding letter along with the requested report.

Effective Date: This memorandum is effective immediately.


Joseph E. Schmitz