

Persistent Cookies

(Approved January 11, 2001)

This policy supercedes the guidance published October 20, 2000,
by the Department of Commerce's Chief Information Officer.

Policy:

It is the policy of the Department to prohibit the use of persistent cookies on Department of Commerce Web sites except where: there is a compelling need; there are appropriate safeguards in place; the use is personally approved by the Secretary of Commerce; and there is clear and conspicuous notice to the public.

Approval Process: Before using a persistent cookie on any Department of Commerce Web site, the Web site owner must submit an Approval Request to the Secretary of Commerce through the Web site owner's CIO and the Department's Chief Information Officer. The Approval Request shall contain the following elements:

- a description of the compelling need ;
- a description of what information will be gathered through the cookie;
- a description of the measures taken to protect the information (e.g., the way safeguards will be implemented); and
- a copy of the proposed Web site privacy statement that is compliant with the requirements outlined in Web [Policy on Privacy Statements and Information Collection](#).

Since the Approval Request may divulge methods used in safeguarding information it should always be marked as
"For Official Use Only"

Purpose:

This policy is designed to ensure the Department's Operating Units and organizational components comply with directives from the Office of Management and Budget.

Exceptions:

None

Deadline for Implementation:

Immediate.

Scope:

This policy applies to all Web sites of all Department of Commerce organizations, but not to Department of Commerce Intranet Web sites which are not accessible to any member of the public, as these are not "Department of Commerce Web sites."

Discussion:

The Department's Web site policy on privacy statements, and in particular this policy on the use of cookies, is designed to fully implement OMB guidance.

"Persistent cookies" can be used to track the activities of users over time and across different web sites, thus making it possible to build a profile of a Web user's preferences, tastes, Web reading habits, and other characteristics by combining information gathered from multiple visits to different Web sites. OMB and the Department of Commerce have therefore taken the position that, because of the unique laws and traditions about government access to citizens' personal information, the presumption should be that cookies will not be used at Federal Web sites.

The policy outlined above is designed to limit the use of "persistent cookies" to those circumstances which are of a compelling nature. This policy does not apply to "session cookies," (i.e. cookies which are intended to be used only in the browser session in which they were created). The use of these session cookies, however, shall continue to be disclosed in the Web site privacy statements as required by the Privacy Statement Policy.

Definitions:

Cookie - Data that a Web server causes to be placed on a user's hard drive (or equivalent) that can be read by a Web server.

Persistent Cookie - A cookie that is intended to maintain information over more than one browser session.

Session Cookie - A cookie that is intended to be used only in the browser session in which it is created.