

*United States Court of Appeals*

FIFTH CIRCUIT  
OFFICE OF THE CLERK

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CLERK OF COURT

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August 7, 2008

Mr. Carl Malamud  
Public Resource Org  
1005 Gravenstein Highway North  
Sebastopol, CA 95472

Dear Mr. Malamud:

You wrote Judge Lee Rosenthal and copied Chief Judge Jones concerning the availability of alien numbers and social security numbers on opinions on our website.

I understand Judge Rosenthal recently answered you, and that you may have received responses from other courts you copied on your letter. The E-Government Act gives the Judiciary power to prescribe rules concerning the protection of privacy in electronic documents. The Federal Rules of Civil and Criminal Procedure and the Bankruptcy Rules implement the Act. Those rules require the redaction of Social Security and taxpayer identification numbers, names of minor children, financial account numbers, dates of birth and in criminal cases, home addresses.

We have looked at the cases on our website where you identify social security numbers. We redacted the social security numbers in case numbers 93-07360; 94-40713 and 03-51274, even though redaction may not have been required by FED. R. DIV. P. 5.2(b)(4). we did not change numbers in other cases cited because we could not find a social security number.

We know of no specific restriction against including alien numbers in a court's opinion, and at present our court does not seem inclined to change its current practices.

Thank you for your interest in this matter.

Sincerely,

*Charles R. Fulbruge III*