

**IN A GENERAL COURT-MARTIAL
IN THE SECOND JUDICIAL CIRCUIT, U.S. ARMY TRIAL JUDICIARY
FORT BRAGG, NORTH CAROLINA**

UNITED STATES)	
)	
v.)	Protective Order for
)	Personally Identifiable Information and
SGT Robert B. Bergdahl)	Other Sensitive Personal Data
HHC, Special Troops Battalion)	
U.S. Army Forces Command)	16 May 2016
Fort Bragg, North Carolina 28310)	

1. In order to protect personally identifiable information and other sensitive personal data and pursuant to the general supervisory authority of the Court under the Rules for Courts-Martial, and regulations of the Department of the Army, it is hereby ORDERED:

a. PURPOSE. The purpose of this Protective Order is to safeguard, and prevent the unauthorized disclosure or dissemination of, personally identifiable information and other sensitive personal data. The terms of this Order may be modified by further order of this Court. This Order is not intended to impede the Defense's ability to represent the Accused.

b. APPLICABILITY. This Protective Order applies to all information provided to, or otherwise obtained by, any party during these proceedings, both prior to and subsequent to the date of this Order. The following persons are subject to the terms of this Order: the Accused; all Defense Counsel (civilian and military) and support staff and assistants working on behalf of Defense Counsel; members of the Defense team; all Trial Counsel and support staff and assistants working on behalf of Trial Counsel; all other counsel involved in this case, and support staff and assistants working on their behalf; security officers; all Court personnel; and all other individuals who receive access to, or are otherwise in possession of, information provided in connection with this case. The terms of this Order shall apply to all pre-trial, post-trial, and appellate aspects of this case, as supplemented by the requirements of the Rules for Courts-Martial and the Military Rules of Evidence. This order supersedes all previous protective orders issued in this case, except for this Court's 14 January 2016 Protective Order for Classified Information.

c. DEFINITIONS. The following definitions apply to this Protective Order:

(1) Personally Identifiable Information: Social Security Numbers, Names of Minor Children, Dates of Birth, Financial Account Numbers, and Home Addresses.

(2) Sensitive Personal Data: All personal sensitive information including personal identifying numbers, medical records, individual financial information, employment history, information regarding an individual's cooperation with the government, and national security information.

d. UNAUTHORIZED DISCLOSURE. Direct or indirect unauthorized disclosure, or dissemination of personally identifiable information or other sensitive personal data is prohibited. All parties have a responsibility to safeguard personally identifiable information and other sensitive personal data in their possession and to prevent its theft, loss, or compromise.

(1) Persons subject to this Protective Order are obligated by law, regulation, and the terms of this Order not to disclose or disseminate any personally identifiable information or other sensitive personal data in an unauthorized manner or to an unauthorized recipient.

(2) Any unauthorized disclosure or dissemination of personally identifiable information or other sensitive personal data information violates this Court Order and will subject the violator to contempt proceedings and possible UCMJ action. Violations of this order may also violate the United States criminal code and various Army Regulations. Any person with knowledge of a violation of the terms of this Order will immediately notify the Military Judge and report the disclosure or dissemination in accordance with applicable Army Regulations..

e. DURATION. This Protective Order shall remain in effect until superseded or amended by the Military Judge. The provisions of this Order apply during the time persons subject to the Order are granted access to classified information and at all times thereafter consistent with their obligations pursuant to applicable statutes, orders, and regulations. Nothing contained in this Order shall be construed as a modification of any additional statutory or regulatory requirements for handling of Government information and documents. Nothing contained in this Order shall be construed as a waiver of any right of the Accused.

ORDERED, this 16th day of May 2016.

A handwritten signature in black ink, appearing to read "Jeffery R. Nance", with a long horizontal line extending to the right.

JEFFERY R. NANCE
COL, JA
Military Judge

**IN A GENERAL COURT-MARTIAL
IN THE SECOND JUDICIAL CIRCUIT, U.S. ARMY TRIAL JUDICIARY
FORT BRAGG, NORTH CAROLINA**

UNITED STATES)	
)	
v.)	
)	
BERGDAHL, ROBERT BOWDRIE)	Memorandum of Understanding
(BOWE))	Regarding Protective Order for
SGT, U.S. Army)	Personally Identifiable Information and
HHC, Special Troops Battalion)	Other Sensitive Personal Data
U.S. Army Forces Command)	
Fort Bragg, North Carolina 28310)	

1. I, _____ understand that I have already received or may become the recipient of personally identifiable information or other sensitive personal data in the above-captioned case.

2. I have received, read, and understand the provisions of the Protective Order entered in this case, including the prohibition on unauthorized disclosure of personally identifiable information or other sensitive personal data. I agree that I am subject to the terms of the Protective Order and that I will comply with the provisions contained therein, and understand the potential repercussions of violations of the Protective Order and of applicable statutes and regulations governing the safeguarding of personally identifiable information and other sensitive personal data. I agree that I will not divulge, publish, or otherwise disseminate, in any manner, such information except as authorized by the terms of the Protective Order and applicable regulations, or as authorized by the Military Judge.

3. I understand and agree that I will remain bound to this Memorandum of Understanding after the conclusion of proceedings in this case.

Signature: _____

Name: _____

Date: _____