

MERLAN Consulting

Privacy Policy

MERLAN Consulting
Highland Falls, New York
September 2025

Revision History

Revision Date	Nature of Revision	Approved By
0.1, January 2025	Initial Draft	Michael Lanham
0.2, September 2025	Total re-write, reduction in content, restructured to mimic GDPR's individual rights	Michael Lanham
1.0, September 2025	Removed all passive voice. Fixed page number and footers. Adjusted cookie discussion after installing and using CookieBot to conform to GDPR and 4 US states' privacy frameworks	Michael Lanham

Signature of Approval



Michael Lanham
Chief Executive Officer

Privacy Policy

MERLAN Consulting

Table of Contents

CHAPTER 1	INTRODUCTION	1
1.1	Purpose	1
1.2	Background	1
1.3	Applicability	1
1.4	Precedence	1
1.5	Review Cycle	1
CHAPTER 2	RESPONSIBILITIES	1
CHAPTER 3	INFORMATION WE COLLECT, FROM WHOM WE COLLECT, AND HOW WE USE YOUR INFORMATION	2
3.1	Website(s) Visitors	2
3.2	Customers and Potential Customers.....	4
3.3	Employees and Sub-contractors	5
3.4	Applicants for employment and/or sub-contracting	7
Chapter 4	Retention of Data	8
Chapter 5	Communications from MERLAN	8
Chapter 6	Individual Rights.....	9
Chapter 7	Record Access Procedures.....	9
Chapter 8	Contesting Record Procedures	10

Chapter 9	Notification Procedures	10
Chapter 10	Changes to this Privacy Notice	10
Chapter 11	Contact Information	10
APPENDIX A	REFERENCES	A-1
A.1	Required Publications	A-1
A.2	Other Required Publications	A-1
A.3	Related Publications.....	A-1
APPENDIX B	ACRONYMS.....	B-1
APPENDIX C	DEFINITIONS.....	C-1
APPENDIX D	GLOSSARY.....	D-1

Chapter 1 Introduction

1.1 Purpose

The purpose of this implementing policy is to establish the basis for implementing Privacy practices for protecting information of MERLAN Consulting ('MERLAN') users, MERLAN customers, employees, vendors, sub-contractors and other persons' and organizations' information MERLAN stores in its systems. This Privacy Policy describes our policies and practices regarding the most common ways we collect, use, disclose, or otherwise process others' information. In certain circumstances, we may provide you with supplemental disclosures regarding our data processing activities.

1.2 Background

See MERLAN [Cybersecurity Policy](#) paragraph 1.2 Background.

1.3 Applicability

The Privacy policy applies to all users (e.g., interactive and non-interactive) (see also MERLAN [Cybersecurity Policy](#) for authorized categories of users), devices, and processes within the MCFE assessment boundary (see also MERLAN Cybersecurity Policy [Figure 1](#)).

1.4 Precedence

In the event of a conflict between this implementing policy and the MERLAN Cybersecurity Policy or any other MERLAN policy, the reader should bring the conflict to the attention of security@merlanconsulting.com and support@merlanconsulting.com. The proponents of the respective policies will coordinate to resolve the conflict. While the coordination is ongoing, authorized users will adhere to the MERLAN Cybersecurity Policy.

1.5 Review Cycle

In accordance with (IAW) the MERLAN [Cybersecurity Policy](#), this Privacy policy shall undergo review, revision, and re-publishing at least once every three (3) years.

IAW the MERLAN [Cybersecurity Policy](#), any supporting processes and/or procedures applicable to this privacy policy shall undergo review, revision, and re-publishing at least annually.

It is MERLAN's policy to incorporate lessons learned into reviews, revision, and re-publishing of policies, processes, and procedures.

Chapter 2 Responsibilities

See [MERLAN Cybersecurity Policy](#) Chapter 2 Roles and Responsibilities.

Chapter 3 Information We Collect, From Whom We Collect, and How We Use Your Information

3.1 Website(s) Visitors

3.1.1 Information We Collect

MERLAN's website is an information system intended to present an integrated view of MERLAN to prospective customers, vendors, employees, and sub-contractors. If you visit these sites to view or download information or submit information to us, we or our third-party vendors may automatically collect the following types of personal information:

- the name of the domain from which you access the Internet
- the date and time of your visit
- the page(s) you visit
- your computing platform
- your consent (or denial) of permission to collect data with various types of cookies.

If you use our website(s) to complete forms, use our applications, or submit information to us (such as through our SMS Opt-In form or Message Use form, we will collect the information that you provide to us.

3.1.2 How We Collect Your Information

You directly provide MERLAN with most of the data we collect. We collect data and process data when you:

- Register online or place an order for any of our products or services.
- Voluntarily complete a customer survey or provide feedback on any of our message boards or via email.
- Submit information via forms on our website
- Submit consent (or denial) via web-based control for cookies. MERLAN maintains consent records for twelve (12) months. MERLAN then requires renewal of consent (or denial) and records the selection of the user.

3.1.2.1 Cookies

Cookies are text files that web servers and browsers place on your computer to collect standard Internet log information and visitor behavior information.

For further information, visit allaboutcookies.org.

3.1.2.2 What types of cookies does MERLAN use?

- Functionality – MERLAN uses cookies to inherent to the web services we use (i.e., Azure Static Web Pages) and the various web development libraries and packages that we use to render our information on your browser.
- Our Company uses these cookies so that we recognize you on our website and remember your previously selected preferences. These could include what language you prefer and location you are in. MERLAN uses a mix of first-party and third-party cookies.
- Advertising – MERLAN does not use these cookies to conduct advertising.

3.1.3 How We Use Your Information

We may also use your information for the following purposes:

- For compliance with legal obligations, to respond to subpoenas, court orders, or other legal process, and to enforce our agreements
- To prevent or investigate fraud or other unlawful activity, and to protect the security of MERLAN property, websites, and other systems
- To protect the health, safety, or rights of you, customers, potential customers, vendors, sub-contractors and visitors

3.1.4 How We Share Your Information

MERLAN does not disclose the automatically collected personal information to third parties unless the third party is a vendor or provider of services to MERLAN.

MERLAN website(s) contains links to many sites that are beyond our control. MERLAN is not responsible for the privacy practices or content of these other sites. Users of these services are subject to the privacy policies established by the third-party provider.

3.1.5 How We Store Your Information

MERLAN incorporates cybersecurity into its design, operations, maintenance, and defense of its IT systems and information collections. MERLAN incorporates the US National Institute of Standards and Technology (NIST) 800-171 and the US Cybersecurity Maturity Model Certification (CMMC) in its design, operations, maintenance, and defense of its IT systems and information collections.

Generally, MERLAN stores data it collects within computing systems within US jurisdiction (e.g., Microsoft 365 commercial and Microsoft Azure Commercial). Its mobile devices travel within and between EU and US judicial jurisdiction.

MERLAN stores data consent data within the EU in conformance with the General Data Protection Regulation (GDPR).

3.1.6 Legal Basis for Processing

With respect to personal information, we rely on the following lawful bases for processing:

- Our legitimate interests, such as monitoring our website usage
- To provide you with services or perform on contractual obligations
- For compliance with our legal obligations
- With your consent, when applicable

3.2 Customers and Potential Customers

3.2.1 Personal Information We Collect

MERLAN holds personal information related to its customers and potential customers. If you are customer or potential customer, we may collect and use the following types of personal information about you:

- Biographical information (e.g., name, role in organization(s))
- Contact information (e.g., email address, phone number, work address(es))
- Your involvement with MERLAN and other potential business opportunities from MERLAN's perspective (e.g., customer's interests)
- Other information relevant to providing service to Customers and/or establishing MERLAN as a trusted advisor to Customers
- Financial information (e.g., accounts receivable and payable, credit score)

We collect data about customers and potential customers from various sources, including directly from the individual (e.g., filling out a form on our website). We also collect information from publicly available sources, such as social media, and from third parties, such as companies that conduct employment and business opportunity screening or other people that might know you and help MERLAN better position itself as a trusted provider of services.

3.2.2 How We Use Your Personal Information

Your personal information is used for the following purposes:

- Sending you informational messages, notes, updates, alerts from which you can opt-out at any point.

- Conducting surveys so that we can learn more about our customers and potential customers
- Providing services (e.g., Cybersecurity consulting, Cybersecurity control assessment, penetration testing, and more)
- For statistical purposes
- For compliance with legal obligations, to respond to subpoenas, court orders, or other legal process, and to enforce our agreements
- To prevent or investigate fraud or other unlawful activity, and to protect the security of MERLAN property, websites, and other systems
- To protect the health, safety, or rights of you, customers, potential customers, vendors, sub-contractors and visitors

3.2.3 How We Share Your Personal Information

We share your personal information with the following:

- Vendors who provide services to MERLAN
- Governmental bodies as necessary for compliance with the law, with law enforcement authorities when necessary, and other third parties to enforce our legal rights

3.2.4 Legal Basis for Processing

With respect to personal information, we rely on the following lawful bases for processing:

- Our legitimate interests, such as building and maintaining customer conducting fundraising activities
- To provide you with services or perform on contractual obligations
- For compliance with our legal obligations
- When necessary for scientific or historical research or statistical purposes
- With your consent, when applicable

3.3 Employees and Sub-contractors

3.3.1 Personal Information We Collect

When you are an employee or sub-contractor, MERLAN maintains records containing your personal information. We may collect and use the following types of personal information about you, as applicable:

- Your contact information and biographical data (e.g., name, address, date of birth, race, ethnicity)
- Employment application materials and supporting documents (e.g., resumes, letters of reference, interview notes, W-9, W-4, certifications/certificates of education/training)

- Employment and/or educational records (e.g., job history, job reviews, transcript information)
- Financial information (e.g., payroll information)
- Health information as shared by applicant/sub-contractor (e.g., for reasonable accommodation, for Family and Medical Leave Act (FMLA), for MERLAN's health insurance carrier)
- Information about technology usage (e.g., IP addresses, software downloads, web traffic, usage logs)

3.3.2 How We Use Your Personal Information

We use this information for the following purposes as applicable:

- To provide training, employment, and/or related services (e.g., maintaining relevant records of your training or employment, providing you with access to facilities and support services, such as human resources (HR) and IT services)
- To administer the financial aspects of the relationship (e.g., payroll, reimbursement of expenses as applicable)
- To accommodate special needs
- To provide basic contact information in staff directory, email directory, etc.
- For the general operations of MERLAN and its related administrative functions
- For compliance with legal obligations, to respond to subpoenas, court orders, or other legal process, and to enforce our agreements
- To prevent or investigate fraud or other unlawful activity, and to protect the security of MERLAN property, websites, and other systems
- To protect the health, safety, or rights of you, customers, potential customers, vendors, sub-contractors and visitors

3.3.3 How We Share Your Personal Information

We may share your personal information with the following:

- Supervisors and relevant staff to fulfill their responsibilities
- Individuals or entities inquiring about employment history
- Vendors who provide services to MERLAN
- Governmental bodies as necessary for compliance with the law, with law enforcement authorities when necessary, and other third parties to enforce our legal rights

3.3.4 Legal Basis for Processing

With respect to personal information, we rely on the following lawful bases for processing:

- Our legitimate interests, such as providing business and administrative services to employees, sub-contractors, vendors, etc.
- To provide you with services or perform on contractual obligations, such as managing our relationships with our employees, vendors, sub-contractors, customers, etc.
- For compliance with our legal obligations
- When necessary for statistical purposes
- With your consent, when applicable

3.4 Applicants for employment and/or sub-contracting

3.4.1 Personal Information We Collect

MERLAN collects and uses personal information about applicants. If you are or have been an applicant, we may collect and use the following types of personal information about you:

- Information and supporting documentation that you provide in your application
- Related application materials that others provide on your behalf (e.g., recommendations, references)
- Information that you have permitted a third party to release (e.g., CompTIA, ECCouncil, past employers, academic information)
- Contact information for prospective applicants that we receive from vendors who conduct advertising and/or recruiting activities for us
- Survey responses (if you choose to respond to a survey sent by us or on our behalf)

3.4.2 How We Use Your Personal Information I

MERLAN uses your personal information to evaluate your application and related activities, to communicate with you about your application, and to perform other administrative functions related to your application. We may also use or disclose your personal information for the following purposes:

- Considering requests for accommodation
- For statistical purposes
- To provide you with information about MERLAN and events that you might be interested in attending
- For compliance with legal obligations, to respond to subpoenas, court orders, or other legal process, and to enforce our agreements

- To prevent or investigate fraud or other unlawful activity, and to protect the security of MERLAN property, websites, and other systems
- To protect the health, safety, or rights of you, customers, potential customers, vendors, sub-contractors and visitors

3.4.3 How We Share Your Personal Information

We may share your information with the following individuals and entities:

- Individuals and/or vendors who assist in the application process, such as MERLAN personnel and outside consultants
- Credit Agencies
- Educational institutions (e.g., to confirm the validity of information in the application)
- Vendor(s) who conduct personnel screening for MERLAN
- Governmental bodies as necessary for compliance with the law, with law enforcement authorities when necessary, and other third parties to enforce our legal rights

3.4.4 Legal Basis for Processing

With respect to personal information, we rely on the following lawful bases for processing:

- Our legitimate interests, such as recruiting employees and contractors
- To provide you with services or perform on contractual obligations, such as managing our relationships with our prospective, current, and past customers, vendors, and sub-contractors
- For compliance with our legal obligations
- When necessary for historical research or statistical purposes
- With your consent, when applicable

Chapter 4 Retention of Data

MERLAN retains information about customers and potential customers for six (6) years for customers, potential customers, vendors, employees, and sub-contractors from the last date of interaction between the parties. MERLAN retains and disposes of other personal information in accordance with applicable local and/or national laws and MERLAN policies.

Chapter 5 Communications from MERLAN

MERLAN periodically sends marketing communications to customers, potential customers, vendors, sub-contractors, and others who have submitted their contact information via the web site's forms. If you would like to request that MERLAN stop these communications with

you, please contact us at privacy@merlanconsulting.com. If you ask that we remove you from our mailing lists, we will retain your contact information to ensure that we do not continue to contact you for these purposes. If applicable, we will also continue to process your personal information for other purposes consistent with this Privacy Policy.

Chapter 6 Individual Rights

You may have the following legal rights under applicable law with respect to the information processed by MERLAN.

- To access the information that MERLAN has about you
- To request that MERLAN rectify your information.
- To request MERLAN erase your information from MERLAN systems and information collections.
- To restrict consent to processing of your information.
- To withdraw and/or object to processing your information.
- The right to transfer data MERLAN has collected to another organization, or directly to you, under certain conditions.
- To lodge a complaint with an appropriate data protection authority

Applicable law or other controlling authority(ies) may limit MERLAN's ability or obligation to comply with your requests. To request to exercise these or other applicable rights, please contact us at privacy@merlanconsulting.com.

Chapter 7 Record Access Procedures

Individuals seeking access to information about themselves contained in this system of records should address written inquiries to the support@merlanconsulting.com. An individual should provide full name, and other disambiguating information verifiable from the record itself.

The requester must provide a notarized statement or a sworn declaration made in the following format:

- If executed outside the United States: "I declare (or certify, verify, or state) under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on (date)." (Signature)
- If executed within the United States, its territories, possessions, or commonwealths: "I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct. Executed on (date)}." (Signature).

Chapter 8 Contesting Record Procedures

MERLAN privacy office is the point of contact (POC) for contesting MERLAN-held privacy@merlanconsulting.com.

Chapter 9 Notification Procedures

Individuals seeking access to information about themselves contained in this system of records should address written inquiries to the support@merlanconsulting.com. An individual should provide full name, and other disambiguating information verifiable from the record itself.

The requester must provide a notarized statement or an unsworn declaration made in the following format:

- If executed outside the United States: I declare (or certify, verify, or state) under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on (date). (Signature)
- If executed within the United States, its territories, possessions, or commonwealths: I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct. Executed on (date). (Signature).

Chapter 10 Changes to this Privacy Notice

MERLAN reserves the right to amend this Privacy Notice at any time, for any reason, without giving notice to you.

MERLAN will publish any changes at <https://help.merlanconsulting.com/> and you should check our website to access our current Privacy Notice. This Privacy Notice was last updated on the date listed on the cover page.

Chapter 11 Contact Information

The controller of the information described in this Privacy Notice is the MERLAN CEO and Founder.

If there is ambiguity about who controls data, readers should use privacy@merlanconsulting.com or cyber@merlanconsulting.com for assistance.

-

Appendix A References

A.1 Required Publications

A.1.1 MERLAN Consulting Cyber Security Policy

A.2 Other Required Publications

A.2.1 [48 Code of Federal Regulation \(CFR\) § 52.204-21 Basic Safeguarding of Covered Contractor Information Systems](#)

A.3 Related Publications

Appendix B Acronyms

Acronym	Meaning
CFR	Code of Federal Regulation
CMMC	Cybersecurity Maturity Model Certification
FCI	Federal Contract
HR	Human Resources
IAW	In Accordance With
IS	Information System
IT	Information Technology
NIST	National Institute of Standards and Technology
O&M	Operations and Maintenance
PROPIN	Proprietary Information
SP	Special Publication
GDPR	General Data Protection Regulation
FMLA	Family and Medical Leave Act
POC	Point of Contact
DoD	Department of Defense

Appendix C Definitions

See also National Institute of Standards and Technology (NIST) Computer Security Resource Center Glossary at <https://csrc.nist.gov/Glossary/> for definitions.

Terms not defined by the National Institute of Science and Technology (NIST) are below:

Term	Definition

Appendix D Glossary

See also National Institute of Standards and Technology (NIST) Computer Security Resource Center Glossary at <https://csrc.nist.gov/Glossary/> for definitions.