Safe Harbor Privacy Policy Statement

Freeport-McMoRan Copper & Gold Incorporated and its affiliates (hereinafter the “Company” or “FCX”) are committed to preserving personal privacy. As part of that commitment, the Company adheres to the Safe Harbor Principles administered by the United States Department of Commerce in consultation with the European Commission (the “Safe Harbor Program”) with respect to personal information within the scope of this Statement, pursuant to the European Commission’s Data Protection Directive (Directive 95/46/EC) (the “EU Data Protection Directive”). This Safe Harbor Privacy Policy (the "Policy") sets forth the privacy principles that the Companies follow with respect to personal information transferred from the European Union (EU) to the United States.

Definitions

“Agent” means any third party that processes personal information pursuant to the instructions of, and solely for the benefit of, the Company, or to which the Company discloses personal information for processing on the Company’s behalf.

“Data subject” means, as to personal information, the natural person as to whom such personal information relates. Under this Statement, a data subject may be an employee of the Company or may be an employee, customer or other associate of the Company’s client (provided that such customer or associate is a natural person), or may be any other natural person about which personal information is received by the Company (or its subsidiaries) in the United States from the European Economic Area or Switzerland.

“European Union” (“EU”) means the 27 member countries: Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, Estonia, France, Finland, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, and United Kingdom.

“Personal information” means any information relating to an identified or identifiable natural person that is within the scope of the EU Personal Data Directive, received by the Company from the European Economic Area or Switzerland, and recorded in any form. An identifiable person is one who can be identified, directly or indirectly, in particular by reference to an identification number or to one or more factors specific to his physical, physiological, mental, economic, cultural or social identity. Personal information does not include information rendered anonymous, aggregate information (to the extent an individual’s identity cannot reasonably be derived from such information).

“Processing” of personal information means any operation or set of operations which is performed upon personal data, whether or not by automatic means, such as collection, recording, organization, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, blocking, erasure or destruction.

We self-certify compliance with:
“Self-Certification to the Department of Commerce” - FCX must certify annually to the U.S. Department of Commerce that it will abide by the Safe Harbor Principles. FCX must also state annually in its published privacy policy statement that it adheres to the Safe Harbor.

“Sensitive personal information” means personal information that reveals a natural person’s race, ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, or that concerns a natural person’s sex life or health.

Safe Harbor Principles

The following principles are based on the Safe Harbor Principles. Additional information about the Safe Harbor program is available at the U.S. Department of Commerce's website at http://www.export.gov/safeharbor.

Notice

FCX uses certain Internet-based human resource information management tools to conduct employment related activities to include recruitment and ongoing employee data maintenance, in addition to other methods of receiving information from individuals. The use of these HR systems requires individuals to provide personal data about themselves. FCX may also capture personal data about customers or suppliers in the course of conducting business with them, through its information systems and other avenues of communication, for the purposes of processing business transactions. Individuals, customers, and suppliers will be told the purpose for which the information is collected and used when asked to provide the information or soon thereafter. FCX may transfer personal information to third parties in the United States acting as agents for the Company to perform tasks on the Company’s behalf and under its instructions in association with certain employment related activities including pre-employment background review and illegal substance screening.

Choice

FCX gives you choices about the ways it uses and shares your personal information, and it respects the choices you make. Your personal information will not be used for a purpose other than the purpose for which it was originally collected or subsequently authorized by you or notified to you. Any sensitive personal data you provide to FCX in accordance with applicable law in each country will be treated in the utmost confidence and used only for the purposes for which it was provided, unless you give your explicit consent. The Company will take reasonable measures to ensure that personal information is relevant for its intended use, reliable for its intended use, accurate, complete, and current.

Any personal data provided to FCX in relation to a specific job application will be retained until the recruitment process for that role is complete, provided that in the case of successful applicants, their data will be retained by FCX for purpose of the person’s continuing employment. For applicants who have indicated that they wish to be considered for future opportunities, personal data will be retained on file.
Information gathered by FCX for the purposes of business transactions will be retained within the systems no longer than necessary, and in accordance with the FCX Records and Information Management guidelines and any other applicable retention periods, which may vary according to each country’s laws.

EU data subjects may choose to opt out of the transfer, processing, or disclosure of their personal information by the Company by contacting the Chief Compliance Officer at the address provided below. For further information on your right of choice about the ways FCX uses and shares personal information, please contact the Office of the Chief Compliance Officer at the address provided below.

**Onward Transfer**

The Company may transfer personal information to third parties in the United States acting as agents for the Company to perform tasks on the Company’s behalf and under its instructions. The Company will obtain reasonable assurances from its agents that they will safeguard personal information collected by the Company consistently with this Statement and the Safe Harbor Principles. Examples of appropriate assurances may include: a contract obliging the agent to afford a level of protection to the personal information that is at least equivalent to the Safe Harbor Principles; Safe Harbor certification by the agent; or the agent being subject to the EU Data Protection Directive (Directive 95/46/EC) or other law providing an adequate level of privacy protection. Where the Company becomes aware that an agent is using or disclosing personal information in a manner contrary to this Policy, the Company will take reasonable steps to prevent or stop the use or disclosure.

This provision does not apply to public record information or publicly available information except in certain situations as defined by the Safe Harbor Framework.

**Access**

Upon an individual’s request, the Company will offer an individual reasonable access to his or her personal information and will afford such individual a reasonable opportunity to correct, amend, or delete inaccurate information. If a Company employee would like to access personal information maintained by the Company, the employee should make a written request to his or her local human resources representative. If a non-Company data subject would like to access personal information maintained by the Company, the individual should contact the Company using the contact information set forth in the “Contact Information” section below. For security purposes, the individual may need to provide the Company with various pieces of personal information to process the request. The Company may limit or deny access to personal information, or charge a fee, where providing such access would be unreasonably burdensome or expensive under the circumstances, would violate the rights of another person, or as otherwise permitted by the Safe Harbor Principles.
Security

Other than the use of third party services providers, your personal data will not be shared outside the Company without your consent, except when required by law.

The Company will take reasonable measures including technical, physical, and administrative measures and training to protect personal information from loss, misuse, and unauthorized disclosure, access, alteration, and destruction. The Company safeguards information according to established security standards and periodically assesses new technology for methods of protecting information.

Data Integrity

The Company will take reasonable measures to ensure that personal information is relevant for its intended use, reliable for its intended use, accurate, complete, and current.

Amendments

This Safe Harbor Privacy Policy Statement may be amended at any time by FCX consistent with the requirements of the Safe Harbor framework.

Enforcement and Dispute Resolution

The Company will conduct periodic assessments to confirm the accuracy of, and verify its adherence to, this Statement and the Safe Harbor Principles. The Company will investigate suspected infractions and will remedy any problems that may arise out of a failure to comply with this Statement or the Principles. Any employee that the Company determines to be in violation of this Statement will be subject to disciplinary action, which may include termination of employment.

Any questions, concerns, or complaints concerning the collection and use of personal information by the Company should be directed to the Office of the Chief Compliance Officer at the address given below. The Company will conduct a reasonable investigation of and will attempt to resolve any complaints in accordance with the principles contained in this Statement.

The Company will cooperate with, and comply with any decisions by, the relevant European data protection authorities concerning unresolved complaints relating to personal data falling within the scope of this Statement.

Limitation On Application Of Principles

Adherence by the Company to this Statement may be limited (a) to the extent required to respond to a legal or ethical obligation; and (b) to the extent permitted by an applicable law, rule or regulation.
Contact Information

Questions or comments regarding this Policy should be submitted by mail as follows:

Freeport-McMoRan Copper & Gold
Attn: Office of the Chief Compliance Officer
333 North Central Avenue
Phoenix, AZ 85004

The Company must annually, in writing, certify to the U.S. Department of Commerce that it agrees to adhere to the Safe Harbor Principles.

Last Modified: September 07, 2011