

AR 7-21 (U//~~AIUO~~) LIMITED PERSONAL USE OF GOVERNMENT OFFICE EQUIPMENT INCLUDING INFORMATION TECHNOLOGY

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TECHNOLOGY

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Title: AR7-21 (U//~~AIUO~~) LIMITED PERSONAL USE OF GOVERNMENT
OFFICE EQUIPMENT INCLUDING INFORMATION TECHNOLOGY

CL BY: , **CL REASON:** , **DECL ON:** , **DRV FROM:**

REVISION SUMMARY: 27 May 2008

This regulation supersedes AR11-14, dated 28 July 2004.

AR 11-14, formerly titled *Personal Use of Agency Communications and Computer Resources*, is rewritten and retitled *Limited Personal Use of Government Office Equipment Including Information Technology*, and redesignated AR 7-21. The revised regulation's designation as an Information and Communications Systems Security regulation in the AR 11 series was changed; the revised regulation is now designated as a Management regulation in the AR 7 series.

AR 7-21 is an effort to liberalize Agency policy to the extent permitted by law, and make it more consistent with the policies of other agencies in the Federal Government, while also incorporating necessary modifications dictated by unique Agency requirements, such as cover.

AR 11-14, dated 28 July 2004, is hereby rescinded.

Because this regulation has been extensively revised, boldfaced text has not been used.

This regulation was written by the Office of General Counsel.

**21. (U//~~AIUO~~) LIMITED PERSONAL USE OF GOVERNMENT OFFICE EQUIPMENT
INCLUDING INFORMATION TECHNOLOGY**

a. **(U)AUTHORITY.** The Central Intelligence Agency (CIA) Act of 1949, as amended; Executive Order 13011; the *Standards of Ethical Conduct for Employees of the Executive Branch* (5 C.F.R. 2635); and the Federal Chief Information Officer (CIO) Council's Recommended Executive Branch Model Policy Guidance on "Limited Personal Use" of Government Office Equipment Including Information Technology, dated 19 May 1999.

b. **(U//~~FOUO~~) DEFINITIONS**

- (1) **Personal use** means activity that is conducted for purposes other than accomplishing official or otherwise authorized activity. Executive Branch personnel are specifically prohibited from using government office equipment to maintain or support a personal private business. Examples of this prohibition include personnel using a government computer and Internet connection to run a travel business or investment service. The ban on using government office equipment to support a personal private business also includes personnel using government office equipment to assist relatives, friends, or other persons in such activities. Personnel may, if cover appropriate, make limited use under this policy of government office equipment to check their Thrift Savings Plan or other personal investments, or communicate with a volunteer charity organization.
- (2) **Privilege** means, in the context of this policy, that the Executive Branch of the Federal Government is extending the opportunity to its personnel to use government property for personal use in an effort to create a more supportive work environment. However, this policy does not create a right to use government office equipment for non-government purposes. Nor does the privilege extend to modifying such equipment, including loading personal software or making configuration changes.
- (3) **Government office equipment including information technology** includes but is not limited to: computers (including laptops) and related peripheral equipment and software, library resources, telephones (including cellular telephones), facsimile machines, photocopiers, office supplies, Internet connectivity and access to Internet services, and e-mail. This list is provided to show examples of office equipment as envisioned by this policy. The Agency may identify additional types of office equipment.
- (4) **Minimal additional expense** means that the individual's personal use of government office equipment is limited to those situations where the government is already providing equipment or services, and the individual's use of such equipment or services will not result in any additional expense to the government or the use will result in only normal wear and tear or the use of small amounts of electricity, ink, toner or paper. Examples of minimal additional expenses include: making a few photocopies, using a computer printer to print out a few pages of material, making occasional brief personal telephone calls, infrequently sending personal e-mail messages, or limited use of the Internet for personal reasons.
- (5) **Non-work time** means times when the individual is not otherwise expected to be addressing official business. Individuals may, for example, use government office equipment during their own off-duty hours such as before or after a workday (subject to local office hours), lunch periods, authorized breaks, or weekends or holidays (if their duty station is normally available at such times).

- (6) **Information technology** means any equipment or interconnected system or subsystem of equipment that is used in the automatic acquisition, storage, manipulation, management, movement control, display, switching, interchange, transmission, or reception of data or information.
- (7) **Social software/websites** is a range of web-based tools that facilitate information sharing between users and are frequently collaborative in nature. The tools are often associated with the creation of electronic or online communities. This computer-mediated communication can include, but is not limited to: wikis, blogs, social networking, media sharing, and social bookmarking sites, mashups, and annotation services.
- c. (~~UNITED~~)**POLICY.** This regulation supersedes all other Agency regulations and policies with respect to what constitutes authorized limited personal use of Agency office equipment, including information technology. This regulation shall be the exclusive statement of Agency policy in this area, and any future policy changes must be codified in this regulation.
- (1) **Overt Agency Personnel.** Overt Agency personnel are permitted limited use of government office equipment for personal needs if the use does not interfere with official business, involves minimal additional expense to the U.S. Government, does not affect Agency personnel under cover, and does not violate the *Standards of Ethical Conduct for Employees of the Executive Branch*. This limited personal use of government office equipment should take place during the individual's non-work time. This privilege to use government office equipment for non-governmental purposes may be revoked or limited at any time by the Agency.

(b)(3)

- (3) **Contractor Personnel and Other Non-Government Personnel.** Agency officials may apply this policy to contractor personnel and other non-government personnel through incorporation by reference in contracts or memorandums of agreement as conditions for using government office equipment.

- (4) **Official Activities.** This policy in no way limits Agency personnel in the use of government office equipment, including information technology, for official activities.

d. (U//~~FOUO~~) AUTHORIZED PERSONAL USE

- (1) Agency personnel are hereby authorized to make limited personal use of government office equipment consistent with cover. Any limited personal use not prohibited in paragraph e below is allowed. However, this personal use must not result in loss of productivity, impairment of cover, or interference with official duties or any Agency security systems. Moreover, such use should incur only minimal additional expense to the U.S. Government. Any personal use that occurred prior to the effective date of this regulation that would be authorized by this regulation is hereby ratified. Limited personal use with minimal additional expense is allowed in areas such as:

- (a) Communications infrastructure (for example, domestic telephone charges, telecommunications traffic);
- (b) Use of consumables in limited amounts, such as paper, ink, toner;
- (c) General wear and tear on equipment;
- (d) Data storage on storage devices; and
- (e) Transmission impacts with moderate e-mail message sizes such as e-mails with small attachments.

Please note that any Agency information technology approved for

must be used only in accordance with operational approvals, which usually preclude any personal use.

(b)(3)

- (2) Whenever the personal use of government office equipment results in the preparation of any materials that meet the criteria for prepublication review under AR 6-2, the materials shall be submitted to the Agency's Prepublication Review Board in accordance with that regulation.
- (3) Examples of authorized personal use include, but are not limited to:
 - (a) Use of Agency telephones (including cellular telephones) to make personal domestic calls. Consistent with 41 C.F.R. 101-35.201, the Agency has determined that it is in the interest of the government to permit domestic personal calls by Agency personnel when they:
 - (i) Do not adversely affect the performance of official duties by the individual or the Agency;
 - (ii) Are of reasonable duration and frequency; and
 - (iii) Could not reasonably have been made at another time.
 - (b) Use of Agency facsimile machines and photocopiers to transmit and copy personal documents.

- (c) Use of Agency information systems including the Agency Data Network (ADN) and the Agency Internet Network (AIN) and Agency computers (including laptops) to send and receive personal e-mail, and to compose and print personal documents (that are not unduly extensive) using Microsoft Office Word and other available applications.
 - (d) Use of Agency computers (including laptops) to access online information of personal interest, including daily news, sports news and scores, weather, fine arts activities, entertainment activities, and financial news and market figures.
 - (e) Use of Agency telephones (including cellular telephones) and Agency computers (including laptops) to conduct banking activities, 401(k) plan or other retirement plan transactions, or to move funds within a Thrift Savings Plan account.
 - (f) Use of Agency telephones (including cellular telephones) and Agency computers (including laptops) to purchase personal items (for example, airline tickets for personal travel, clothing, or gifts), or to pay bills, or to check personal investments.
- e. ~~(U//A//FO)~~ **UNAUTHORIZED PERSONAL USE.** Agency personnel are expected to conduct themselves professionally in the workplace and to refrain from using government office equipment for activities that are inappropriate or risk exposure of cover. Unauthorized personal use of government office equipment includes:
- (1) Any activities inconsistent with cover.
 - (2) Any personal use that could cause congestion, delay, or disruption of service to any government system or equipment. For example, massive multi-player online gaming, or frequent use of streaming video and extraordinarily large file downloads or attachments, would degrade the performance of the entire network, and would be inappropriate.
 - (3) Using the government systems as a staging ground or platform to gain unauthorized access to other systems.
 - (4) The creation, copying, transmission, or retransmission of chain letters or other unauthorized mass mailings regardless of the subject matter.
 - (5) Using government office equipment for activities that are illegal, inappropriate, or offensive to co-workers or the public. Such activities include, but are not limited to: hate speech, or material that ridicules others on the basis of race, creed, religion, color, sex, age, disability, national origin, or sexual orientation.
 - (6) The creation, downloading, viewing, storage, copying, or transmission of sexually explicit or sexually oriented materials.
 - (7) The creation, downloading, viewing, storage, copying, or transmission of materials that promote illegal activities (such as illegal gambling) or facilitate participation in such activities.

- (8) Use for commercial purposes or in support of "for-profit" activities or in support of other outside employment or business activity (such as consulting for pay, sales or administration of business transactions, sale of goods or services). This prohibition does not apply to the purchase of personal items (for example, airline tickets for personal travel, clothing, or gifts), or to the payment of bills.
- (9) Engaging in certain income producing transactions including, but not limited to, day trading; arbitrage; the buying and selling of stocks, bonds, and futures on a frequent basis; and the buying and selling of real estate for income producing purposes. This prohibition does not apply to personal banking activities, 401(k) plan or other retirement investment transactions, or the movement of funds within a Thrift Savings Plan account.
- (10) Engaging in any outside fund-raising activity, endorsing any product or service, participating in any lobbying activity, or engaging in any prohibited partisan political activity.
- (11) Posting any nonofficial electronic communications to external newsgroups, social software/websites, bulletin boards, nonofficial blogs, nonofficial wikis, nonofficial chat rooms, or other external Internet forums, since any such posting could create the perception that the communication was made in one's official capacity as a representative of the Agency.
- (12) Any use that could generate more than minimal additional expense to the U.S. Government.
- (13) The unauthorized acquisition, use, reproduction, transmission, or distribution of any legally controlled information, including computer software and data, that includes privacy information, copyrighted, trade marked or material with other intellectual property rights (beyond fair use), proprietary data, or export controlled software or data.
- (14) Any personal use that involves online undisclosed participation in an organization in the U.S. to accomplish an Agency objective.

f. (U) PRIVACY EXPECTATIONS

- (1) Executive Branch personnel do not have a right, nor should they have an expectation, of privacy while using any U.S. Government office equipment at any time, including accessing the Internet, and using e-mail. To the extent that Agency personnel wish that their private activities remain private, they should avoid using the Agency's office equipment such as their computer, the Internet, or e-mail. By utilizing such office equipment for personal use, Agency personnel consent to the monitoring of such equipment as noted in paragraph g below, and consent to the disclosure of the contents of any personal files or information maintained or passed through U.S. Government office equipment, if necessary for an official government purpose.
- (2) **Warning Notice.** CIA cannot guarantee the privacy of personal information, including passwords, Social Security numbers, and credit card information that is transmitted during any personal use of CIA Internet connections or other government office equipment. CIA Internet connections and other government office equipment are the target of hostile intelligence services, and are more likely to be monitored than home Internet connections and telecommunications.

Use of CIA Internet connections and other government office equipment for personal activities may associate your personal activities with CIA, may be mistaken for CIA activities by anyone monitoring CIA Internet connections and other government office equipment, and may cause monitoring of your home Internet connections and telecommunications. The Agency is not liable for the loss or compromise of any personally identifiable information, such as name, date of birth, Social Security number, address or telephone number that results from the personal use of CIA Internet connections or other government office equipment.

g. (U) MONITORING AND RECORDING

- (1) By using U.S. Government office equipment, Agency personnel consent to the monitoring and recording of such use, including (but not limited to) accessing the Internet and using e-mail for personal purposes. Any use of the Agency's non-secure communications resources is made with the understanding that such use is non-secure, is not private, and is not anonymous.
- (2) System managers employ monitoring tools to detect improper use. Authorized Agency officials, such as system managers and supervisors, may access electronic communications in the performance of their official duties. Electronic communications may be disclosed inside and outside the Agency to government personnel who have a need-to-know in the performance of their official duties.

h. (U) PENALTIES FOR MISUSE

- (1) Unauthorized or improper use of U.S. Government office equipment could result in loss of use, or limitations on use, of such equipment; disciplinary or adverse administrative actions; criminal penalties; or users being held financially liable for the cost of the unauthorized or improper use.
- (2) Unauthorized or improper use by industrial or independent contractors could result in contractual remedies that may include contract termination.

_____/s/_____
27 May 2008

Director, Central Intelligence Agency Date