

### **Standard Mandatory DoD Notice and Consent**

You are accessing a U.S. Government (USG) Information System (IS) that is provided for USG-authorized use only. By using this IS (which includes any device attached to this IS), you consent to the following conditions:

- The USG routinely intercepts and monitors communications on this IS for purposes including, but not limited to, penetration testing, COMSEC monitoring, network operations and defense, personnel misconduct (PM), law enforcement (LE), and counterintelligence (CI) investigations.
- At any time, the USG may inspect and seize data stored on this IS.
- Communications using, or data stored on, this IS are not private, are subject to routine monitoring, interception, and search, and may be disclosed or used for any USG authorized purpose.
- This IS includes security measures (e.g., authentication and access controls) to protect USG interests - not for your personal benefit or privacy.
- Notwithstanding the above, using this IS does not constitute consent to PM, LE or CI investigative searching or monitoring of the content of privileged communications, or work product, related to personal representation or services by attorneys, psychotherapists, or clergy, and their assistants. Such communications and work product are private and confidential.

### **Acknowledgement Of Responsibilities Of Receiving And Maintaining Privacy Act Data**

Data you access in the ESGR Portal could potentially be protected by the Privacy Act of 1974. You must:

- Have completed the necessary training with regards to Security Awareness and safe-guarding Personally Identifiable Information (PII).
- Ensure that data is not posted, stored or available in any way for uncontrolled access on any media.
- Ensure that data is protected at all times as required by the Privacy Act of 1974 (5 USC 552a(l)(3)) as amended and other applicable DOD regulatory and statutory authority; data will not be shared with offshore contractors; data from the application, or any information derived from the application, shall not be published, disclosed, released, revealed, shown, sold, rented, leased or loaned to anyone outside of the performance of official duties without prior ESGR approval.
- Delete or destroy data from downloaded reports upon completion of the requirement for their use on individual projects.
- Ensure data will not be used for marketing purposes.
- Ensure distribution of data from an ESGR application is restricted to those with a need-to-know.
- Be aware that criminal penalties under section 1106(a) of the Social Security Act (42 USC 1306(a)), including possible imprisonment, may apply with respect to any disclosure of information in the application(s) that is inconsistent with the terms of application access. The

user further acknowledges that criminal penalties under the Privacy Act (5 USC 552a(l)(3)) may apply if it is determined that the user has knowingly and willfully obtained access to the application(s) under false pretenses.