



## DEFENSE CONTRACT AUDIT AGENCY

Santa Ana Branch Office  
3 Hutton Centre Drive, Suite 750  
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August 31, 2007

MEMORANDUM FOR DIEM-THI LE, SENIOR AUDITOR, GS-511-12,  
SANTA ANA BRANCH OFFICE

Subject: Safeguarding and Nondisclosure of Agency Records and Contractor  
Proprietary, Financial, Sensitive and Confidential Information

On August 28, 2007, you sent an electronic message (email) to me concerning certain Agency documents in connection with an audit assignment you previously performed work on, and you stated your purpose for searching for those materials was to assist you in preparing a complaint to the Office of Special Counsel.

You are not permitted to access or copy or possess any Agency document for your private purposes, including preparation of complaints in any forum. You are instructed to cease any efforts to access any Agency documents except those for which you have an official need in the performance of your assigned tasks and audits. If you believe you have a legitimate reason to personally access any other Agency documents, you may make a request to me and it will be considered fully.

As a DCAA Auditor, you are at all times responsible for the safeguarding and nondisclosure of Agency records and contractor proprietary, financial, sensitive and confidential information. You are not authorized to access, acquire, download, transfer, copy, or possess, by any means, any Agency document, record, information, working papers, or other Agency property outside of the workplace or unless contained solely on your government issued computer. You are not entitled or authorized to examine or copy or download or otherwise access any audit documents not within your assigned duties. You may not access such Agency documents for any private purpose, including the pursuit of any complaints or other proceedings in any forum. If such Agency documents are required in the course of investigations, these will be made available as required by law to the proper and authorized investigative entities; you may not provide such Agency documents personally. Covered Agency documents and property include emails and any electronic records in any format, as well as hard copies. Under no circumstances may you transfer or download any Agency record, document, or information to a nongovernment computer, or make any copies by electronic or other means except as required for the performance of your audit assignments.

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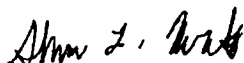
For further information concerning these prohibitions, please refer to DCAAR 4140.2, Use of Government Office Equipment (September 13, 2002), which provides in pertinent part:

4.6.6.15. The unauthorized acquisition, use, reproduction, transmission, or distribution of any controlled information including: computer software and data that includes privacy information; copyrighted, trademarked material or material with other intellectual property rights (beyond fair use); proprietary data; or export-controlled software or data is strictly prohibited.

Please also refer to DCAAM 7640.1, DCAA Contract Audit Manual, Section 1-507, Security Requirements for Contractor Information. Be advised that 18 U.S.C. § 641 (Theft of Government Property) and 18 U.S.C. § 1905 (Trade Secrets Act) (quoted in the CAM at Section 1-507) each provide severe criminal penalties for unauthorized possession and/or disclosure of Government and contractor proprietary data. If you have any questions concerning the use or protection of Agency or contractor information, please contact me.

If you have already copied or otherwise retained such documents as referred to above, you are directed to provide to me a list of all that you have in your possession, and to return to me all such documents not later than September 7, 2007 by the close of business. If you have distributed any such documents, you are instructed to inform me of what documents you provided to any person other than yourself. This includes any attorney you may have retained for personal legal services. Any attorney hired by you has no greater rights to Agency property than you do, and as explained above, you have no possessory or other rights of control over Agency documents. If you have an attorney or if there are others to whom you have provided Agency documents, you are directed to inform me of their identities and with appropriate contact information. I urge you inform those to whom you gave any Agency documents that they may not retain possession of them, and to contact me to arrange the return of those documents.

I must advise you that a failure to follow these instructions may result in disciplinary action against you.



Sharon L. Kawamoto  
Supervisory Auditor