

LIMITED PERSONAL USE OF GOVERNMENT OFFICE EQUIPMENT POLICY

8-1 Introduction

Effective immediately, the Department is implementing a new policy on the "limited personal use" of HUD's office equipment, including the use of information technology (IT) resources. Authority for this policy is cited as 5 U.S.C. Section 301, which provides that the head of an executive or military department may prescribe regulations for the use of its property; and Executive Order 13011, Federal Information Technology, Section 3(a)(1), which delineates the responsibilities of the Chief Information Officer (CIO) Council in providing recommendations to agency heads relating to the management and use of information technology resources.

The intent of this policy is to foster a more friendly work environment for HUD employees while still protecting Government interests. Allowing limited personal use of these tools helps enhance the quality of the workplace and helps the Government retain highly qualified and skilled workers. This policy replaces the Policy Governing Use of HUD's Computing and Information Resources, dated March 12, 1998. However, this policy does not supersede any other applicable law or higher level Government directive or policy. Further, this policy in no way limits HUD employees in the use of Government office equipment, including information technology resources, **for official activities**.

While this new policy allows for the "limited personal use" of HUD's office equipment during non-work time, employees are reminded that Government office equipment is furnished to accomplish the public's business. Under the Standards of Ethical Conduct for Employees of the Executive Branch, 5 U.S.C. Section 2635, employees are responsible for putting forth an honest effort in the performance of their duties. An employee's "limited personal use" of HUD's office equipment and information technology resources must not interfere with conducting the Department's official business or result in a loss of employee productivity.

8-2 Policy

HUD employees may use Government office equipment for **limited** non-government purposes when such use: (1) does not interfere with official business

or with the mission or operations of the Department; (2) involves minimal additional expense to the Government; (3) is performed on the employee's non-work time; and (4) does not violate the Standards of Ethical Conduct for Employees of the Executive Branch, and HUD's ethics standards, or is otherwise considered an "inappropriate" use. For background and more specific information on the CIO Council's policy/guidance on this subject, at Appendix 6 see the Recommended Executive Branch Model Policy/Guidance On "Limited Personal Use" Of Government Office Equipment Including Information Technology, which was approved by the CIO Council on May 19, 1999.

Employees are expected to conduct themselves professionally in the workplace and refrain from using government office equipment for activities that are inappropriate. Appropriate use of HUD office equipment for personal needs includes activities that incur minimal additional expense to the Government in such areas as communications infrastructure costs; e.g., telephone charges, telecommunications traffic, etc. Limited use of HUD IT resources is authorized as long as only small amounts of paper, ink, toner, etc., are involved and as long as the use does not interfere with official business or result in the loss of employee productivity. Employees should consult with their supervisor if there is any question of appropriate use of office equipment and/or information technology resources.

This policy also authorizes limited personal telephone/fax calls to locations within the office's general commuting area and calls that are charged to non-government accounts (e.g., personal telephone credit cards). Again, such use must not interfere with official business, and supervisors should be consulted if there is any question of appropriate use.

Basic access to the Internet does not result in increased cost to the Department, and employees may now use the Internet in moderation, during non-work time, for matters that are not official business. This will help employees develop the skills necessary to use the Internet effectively in the performance of their jobs. This includes the use of Internet e-mail. It is the responsibility of the employees to ensure that they are not giving a false impression that they are acting in an official capacity when they are using Government office equipment for non-government purposes. If there is expectation that such a personal use could be interpreted to represent HUD, then an adequate disclaimer must be used. One acceptable disclaimer is - "The contents of this message are mine personally and do not reflect any position of the Government or my agency."

Employees should be aware that they have no expectation of privacy while using any Government-provided access to the Internet or e-mail. Further, by using Government office equipment, employees imply their consent to disclosing the contents of any files or information maintained or passed through this equipment. The Department views electronic mail messages to be Government materials, and it may have access to those messages whenever it has a legitimate governmental purpose for doing so. Please remember that all Internet communications identify the user to all sites accessed. Specifically, the sender is identified by his/her complete Internet address, including the "hud.gov" domain.

Employees are not authorized to make personal use of any Internet sites that will result in an additional charge to the Government. It is the employee's responsibility to be aware of whether an additional cost is involved. Further, the Internet contains material, such as sexually explicit material, that is not appropriate for the workplace. Again, the Department expects all employees to adhere to the Standards of Ethical Conduct for Employees of the Executive Branch and to HUD's ethics standards. Employees are expected to conduct themselves professionally in the workplace and refrain from using HUD resources for activities that may be offensive to co-workers or the public.

8-3 Inappropriate Personal Uses

This policy precludes the use of Government equipment/information systems for non-government purposes when the use:

- a. Could cause congestion, delay, or disruption of service to any Government system or equipment. For example, large file attachments, such as greeting cards, video, and sound files, and the use of "push" technology on the Internet and other continuous data streams can degrade the performance of the entire network.
- b. Is to gain unauthorized access to other systems.
- c. Is for the creation, copying, transmission, or retransmission of chain letters or other unauthorized mass mailings regardless of the subject matter.
- d. Is for the creation, downloading, viewing, storage, copying or transmission of sexually explicit or sexually oriented material.

- e. Is for activities that are illegal, inappropriate, or offensive to fellow employees 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, disability, national origin, or sexual orientation; illegal gambling; illegal weapons and terrorist activities; and any other illegal activities.
- f. Is for commercial purposes or "for-profit" activities. The use of Government equipment, including IT resources, to generate personal income is prohibited.
- g. Is for the unauthorized acquisition, use, reproduction, transmission, or distribution of any 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.
- h. Is for engaging in any fund-raising activity, endorsing any product or service, participating in any lobbying activity, engaging in internal union business, or engaging in any prohibited partisan political activity.
- i. Is for posting agency information to external newsgroups, bulletin boards, or perception that the communication was made in one's official capacity as a Federal Government employee, unless appropriate HUD approval has been obtained.

8-4 Conclusion

Again, the general rule is that "limited personal use" of HUD's office equipment including IT resources must be restricted to non-work time, and must not detract from an employee's performance of official duties. It is the responsibility of each employee to protect and conserve Government property, and to use official time in an honest effort to perform official duties. Unauthorized or improper use of Government office equipment, including information technology resources, could result in loss of use, or limitations on the use, of equipment, disciplinary or adverse actions, criminal penalties and/or employees being held financially liable for the cost resulting from damages due to improper use.

See Appendix 6