

U.S. DEPARTMENT OF AGRICULTURE
WASHINGTON, D.C. 20250

DEPARTMENTAL REGULATION		Number: 3300-001
SUBJECT: Telecommunications & Internet Services and Use	DATE: March 23, 1999	
	OPI: Office of the Chief Information Officer	

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1 PURPOSE

This Regulation establishes policies and assigns responsibilities for the management and use of telecommunications services, equipment, and resources within the United States Department of Agriculture (USDA).

2 BACKGROUND

This directive is divided into two areas: 1) main body, and 2) appendices. The main body addresses major topics applicable to the entire directive, while the appendices address additional policy and responsibility areas applicable to specific telecommunications topics.

Secretary's Memorandum 1030-30, dated August 8, 1996, established within the United States Department of Agriculture (USDA) the position of the Chief Information Officer (CIO). The CIO is independent of any other office or agency of the Department, and reports directly to the Secretary, as recommended in the Clinger-Cohen Act, formerly known as the Information Technology Management Reform Act of 1996 (ITMRA). The Office of the Chief Information Officer (OCIO) has been established as part of the USDA organizational structure to provide the necessary support to the CIO in carrying out mandated functions and assigned responsibilities for supervision and coordination within the Department for the design, acquisition, maintenance, use, and disposal of information technology by USDA agencies, and for monitoring the performance of USDA's information technology programs and activities.

The Clinger-Cohen Act, effectively repealed the Brooks Act (40 U.S.C. 759) and abolished the Federal Information Resources Management Regulation (FIRMR). Most of the language that was contained in the FIRMR has been moved to the Federal Property Management Regulation (FPMR).

Executive Order 13011, dated July 16, 1996, requires that agencies significantly improve the management of their information systems, including the acquisition of information technology, by implementing the provisions of the Paperwork Reduction Act of 1995 (Public Law 104-13), the Information Technology Management Reform Act of 1996 (Public Law 104-106), and the Government Performance and Results Act of 1993 (Public Law 103-62).

The CIO has instituted changes in policy to significantly improve the management of USDA telecommunications such as:

- a The implementation of the Information Technology (IT) Moratorium on all IT investments requires agencies to rethink and restructure work processes before acquiring information technology to support that work;

- b Development of an enterprise wide IT architecture which includes three basic components: Business/Data, Technical Standards and Telecommunications. Together the three parts of the architecture facilitate informed decision making regarding technology and services needed to support USDA business objectives;
- c Implementation of an investment review process that drives budget formulation and execution for information systems, through the Information Technology Investment Portfolio System (I-TIPS);
- d Eliminating past practices that have led to a current environment of stove-piped duplicative networks, high costs, inadequate planning and poor investments with the implementation of the Telecommunications Network Stabilization and Migration Program (TNSMP);
- e Development of an Enterprise Network that will provide multiple services across a nationwide network that will be managed by the CIO;
- f Coordinated acquisition of telecommunications services and equipment while ensuring that USDA telecommunications systems are effectively, economically, and efficiently maintained and accurately accounted for through the Telecommunications Ordering Billing and Inventory (TOBI) project; and
- g Implementation of the Year 2000 (Y2K) Independent Validation and Verification (IV&V) program to provide an impartial evaluation of major Information Technology programs to assess risks as the programs proceed through the decision-making process.

3 SPECIAL INSTRUCTIONS

The use of telecommunications equipment and services (telephones, facsimile, electronic messaging, computer equipment, and the Internet) by all USDA employees shall be in accordance with the requirements of 5 C.F.R., Part 2635, Subpart G, Sections 704 and 705, and the United States Office of Government Ethics document, Standards of Ethical Conduct for Employees of the Executive Branch.

This policy authorizes the limited personal use of telecommunications resources by USDA employees in the workplace on an occasional basis provided that the use involves minimal expense to the Government and does not interfere with official business. Occasional personal use of telecommunications resources shall normally take place during the employees' personal time. This policy follows the Chief Information Officer (CIO) Council's model for guidance on limited personal use attached in figure MB-1.

Telecommunications resources and official time shall not be used to earn outside income. Employees shall not use telecommunications resources or official time for private gain. Employees shall exercise common sense and good judgement in the personal use of telecommunications resources. Official Government business always takes precedence over the personal use of telecommunications resources.

While the occasional use of telecommunications resources in moderation is acceptable, uses not conforming with this order are strictly prohibited. Also, employees are expected to conduct themselves professionally in the workplace and to refrain from using telecommunications resources for activities that are inappropriate or offensive to co-workers or the public, such as the use of sexually explicit materials or remarks that ridicule others on the basis of race, creed, religion, color, sex, handicap, national origin, or sexual orientation. Pursuant to the authority vested in the Inspector General Act, 5 U.S.C., appendix 3, section 1-12, the Office of Inspector General is exempt from the provisions in this directive for mission-related activities only.

Agencies and Staff Offices may supplement this Directive as required to clarify internal operating procedures. No modification of the intent or purpose of this Directive is allowed. One copy of each supplement or of any agency-unique directive relating to telecommunications must be forwarded to the OCIO, Information Systems Security and Telecommunications Division, upon publication.

4 ABBREVIATIONS

ADPE	-	Automatic Data Processing Equipment
CFR	-	Code of Federal Regulations
CIO	-	Chief Information Officer
CTMP	-	Centralized Telecommunications Management Plan
DM	-	Departmental Manual
DR	-	Departmental Regulation
EN	-	Enterprise Network
EO	-	Executive Order
FOIA	-	Freedom of Information Act

FPMR	-	Federal Property Management Regulation
FTS	-	Federal Telecommunications System
GSA	-	General Services Administration
HRM	-	Human Resources Management
IRM	-	Information Resources Management
ISSTD	-	Information Systems Security and Telecommunications Division
IT	-	Information Technology
I-TIPS	-	Information Technology Investment Portfolio System
ITMRA	-	Information Technology Management Reform Act
LCM	-	Life Cycle Management
NFC	-	National Finance Center
NIST	-	National Institute of Standards and Technology
NITC	-	National Information Technology Center
NTIA	-	National Telecommunications and Information Administration
OCFO	-	Office of the Chief Financial Officer
OCIO	-	Office of the Chief Information Officer
OMB	-	Office of Management and Budget
OO	-	Office of Operations
PL	-	Public Law
POSIT	-	Profiles For Open Systems Internetworking Technologies
TSO	-	Telecommunications Services and Operations
USC	-	United States Code
USDA	-	United States Department of Agriculture

5 CANCELLATIONS

This Directive supersedes Departmental Regulation 3300-1 and cancels Departmental Notice 3300-5-USDA Internet Access Security for Private Internet Service Providers.

6 POLICY

It is the policy of the United States Department of Agriculture to:

- a Improve USDA program delivery through implementing procedures and practices identified in the USDA Telecommunications Network Stabilization and Migration Program (TNSMP) and migrating to a coordinated, interoperable, secure, and shared USDA Enterprise Network (EN);
- b Use government wide contracts, such as FTS2000 and FTS2001, in accordance with established regulations and interagency agreements and transition to new contracts based on an enterprise wide decision making process;
- c Manage USDA telecommunications services, equipment, and facilities in accordance with prescribed laws, regulations, and standards;
- d Maintain a comprehensive inventory of telecommunications equipment and services which is biennially reviewed and re-validated. When found to be no longer needed in current configurations, agencies shall reallocate to other bona fide needs or discontinue services or dispose of equipment through established procedures;
- e Develop and maintain compatibility between systems and networks through adherence to government-wide standards and the Profiles for Open Systems Internetworking Technologies (POSIT);
- f Ensure that telecommunications systems, services, and facilities are fully accessible to hearing, speech, and physically impaired individuals;
- g Encourage the use of electronic exchange of information where practical and beneficial; and
- h Procure or use telecommunications services and equipment in a manner that promotes information sharing among agencies.

7 AUTHORITY

This regulation is published pursuant to the authority:

- a Vested in the Secretary of Agriculture in 5 U.S.C. 301 and Reorganization Plan No. 2 of 1953 (7 U.S.C. Section 2201 note); and
- b Delegated to the Chief Information Officer in 7 CFR 2.25(e)(12).

8 RESPONSIBILITIES

a The Office of the Chief Information Officer will:

(1) Develop a USDA-wide telecommunications program life cycle management process to include:

(a) Establishing and maintaining a USDA telecommunications architecture to serve the framework for USDA-wide telecommunications investment planning, acquisition, and deployment to ensure:

1 cost effective telecommunications system solutions based on a common telecommunications architecture; and

2 establishing mission-based performance measures for these telecommunications systems, aligned with Departmental performance plans.

(b) Establishing policy and procedures for the management of telecommunications resources, including meeting Year 2000 telecommunications requirements and providing leadership for the FTS2001 transition process;

(c) Reviewing agency strategic and tactical telecommunications plans, policies and procedures, and updating the USDA Telecommunications Strategic Plan in accordance with new requirements;

(d) Monitoring and reviewing telecommunications activities to ensure:

1 continuous and effective communications with the agencies, a sound understanding of agency needs, and a

proper balance between cost and customer satisfaction requirements;

2 compliance with regulatory requirements and standards;

3 cost savings and/or cost avoidance are realized; and

4 maximum benefits are gained from USDA's telecommunications investments in supporting USDA program delivery.

- (2) Provide advice and assistance to agencies and staff offices regarding telecommunications services and facilities to ensure that the Department's telecommunications resources are shared and used effectively and prudently;
- (3) Serve as liaison for telecommunications-related activities and interchange between USDA and GSA and other central management agencies;
- (4) Evaluate acquisition requests for telecommunications services, facilities, and equipment submitted in accordance with the IT waiver process;
- (5) Provide leadership and direction for Department-wide initiatives and the optimization and consolidation of telecommunications resources;
- (6) Periodically conduct market surveys to ensure that equipment and services are being acquired at the most economical cost available; determine the need for Department-wide mandatory-for-use telecommunications resources; and terminate uneconomical contracts;
- (7) Develop, implement, and manage Department-wide telecommunications systems and networks such as the Enterprise Network;
- (8) Establish a Risk Assessment program to identify risks and conduct reviews of Metropolitan Area Networks connecting to the USDA Enterprise Network;
- (9) Conduct independent assessments of major telecommunications projects to ensure strategies and decisions are sound throughout the various stages of the project. Independent Validation and Verification (IV&V) results shall be shared with managers so risks are well understood, and risk management approaches developed, before decision

authorities can authorize a program to proceed into the next phase of the acquisition process;

(10) Provide leadership, guidance and oversight in the establishment and maintenance of inventories of telecommunications resources; and

(11) Ensure that telecommunications systems are continuously updated to provide reliable, secure and non-secure voice, data, facsimile and video conferencing capability between the Secretary of Agriculture and other senior Government leaders as appropriate.

b Agencies and Staff Offices will:

(1) Ensure compliance with this regulation and that Agency/Staff Office directives conform to its requirements;

(2) Identify agency business and program requirements and work with OCIO to develop standardized cost effective solutions based on a common telecommunications architecture;

(3) Establish a telecommunications management program, to include agency-wide and project-level management structures and processes responsible and accountable for managing, selecting, controlling, and evaluating investments in telecommunications systems, establishing mission-based performance measures for these telecommunications systems, aligned with agency performance plans prepared pursuant to the Government Performance and Results Act of 1993 (Public Law 103-62);

(4) Eliminate redundant, uneconomical or unused services and equipment;

(5) Maintain inventories of their telecommunications resources to the extent necessary to:

(a) Ensure adequate and appropriate telecommunications resources to support the agency mission;

(b) Identify telecommunications resources that are outdated or no longer needed;

(c) Serve as the basis for the 5-year plan for meeting the agency's information technology needs and to help determine requirements for replacement of telecommunications resources;

(d) Ensure that the agency is paying for only those resources that it is using, and cancels/modifies leases as required;

- (e) Ensure accountability for Government property; and
 - (f) Meet Department and GSA requests for periodic or special inventory reports;
- (6) Include telecommunications requirements and initiatives as part of the telecommunications planning process;
 - (7) Use GSA's and USDA's mandatory-for-use programs, when the agency/staff office's requirements can be met cost effectively through those programs;
 - (8) Obtain waivers and approvals from OCIO when the agency/ staff office's requirements cannot be met through those programs; and
 - (9) Share telecommunications resources with other agencies.
- c The National Finance Center will:
- (1) Develop and establish payment systems, which provide financial data related to the processing of all

telecommunications invoices allowing for the needs of departmental and agency management; and
 - (2) Provide backup material of vendor telecommunications invoices when requested by agency personnel allowing for the verification of services for which funds have been disbursed.

9 PLANNING

a Telecommunications Plans. Agencies shall develop a Centralized Telecommunication Management Plan (CTMP) that will specify how an agency will centrally manage telecommunications services. In developing each individual agency telecommunications plan, the agency will use the USDA Telecommunications Network Stabilization and Migration Program, IT Moratorium Policies and the Clinger-Cohen Act as guidance.

b Budget Estimates for Information Technology. OMB Circular A-11 requires Federal agencies to submit annual budget estimates for information technology. Budget estimates for FIP telecommunications resources are to be included with agency I-TIPS submissions.

c Life Cycle Management. OCIO advocates an LCM approach to IRM, which includes the planning and development of an agency's telecommunications infrastructure. Acquisition of telecommunications resources should be viewed within the context of the entire life cycle of an IRM program. Strategic activities such as planning and budgeting should be completed and approved within the agency before an agency acquires telecommunications resources.

10 DEPARTMENTAL APPROVALS

a Acquisition of Telecommunications Resources. Agency requests to acquire telecommunications resources shall be submitted for approval in accordance with the IT Moratorium policies and guidance found in the USDA Telecommunications Network Stabilization and Migration Program.

b Mandatory-for-use Program. Agency requests for a waiver to mandatory-for-use telecommunications services shall be submitted in accordance with the appropriate appendix in this directive.

11 DEFINITIONS

a Telecommunications. Includes the transmission, emission, or reception of signals, writing, images, sounds, or intelligence of any nature, by wire, cable, satellite, fiber optics, laser, radio, or any other electronic, electric, electromagnetic, or acoustically coupled means. The term includes the telecommunications facilities and equipment necessary to provide telecommunications services. Telecommunications is a component of the IRM delivery system.

b Life Cycle. All of the phases associated with planning, approving, acquiring, installing, using, maintaining, and converting from or terminating the use of an Application Information System.

c Telecommunications Infrastructure. The underlying foundation or framework which supports the delivery of information, comprised of telecommunications equipment, services, networks and related resources.

12 AGENCY REPORTING REQUIREMENTS

This section contains a summary of agency reporting responsibilities established by this regulation. The requirement is listed by the Main Body (MB) or appendix and page number, title, and report due date.

<u>APPENDIX/PAGE</u>	<u>TITLE</u>	<u>SUBMISSION</u>
MB-4	Agency Telecommunications	OCIO (Upon Directive (One copy of each Publication) supplement or of any agency-unique directive relating to telecommunications must be forwarded to the OCIO)
MB-9	CTMP Budget Estimates I-TIPS	(Budget estimates for FIP telecommunications resources are to be included with agency I-TIPS submissions)
B-8	Updated AD-474 NFC Annually	(Agencies must annually review and provide NFC with an updated AD-474-Transmittal-Telephone and Utilities for telecommunications services)
C-2	Frequency Modulated (FM) OCIO OMB Annually	Land Mobile Radio (LMR) Strategic Plan (Agencies shall submit a strategic plan each year covering narrowband Frequency Modulated Land Mobile Radio use)
C-3	Radio Frequency Assignment USDA Frequency (RFA) Requests	(Frequency requirements) Assignment Subcommittee (FAS) Rep. One year prior for new systems or major to planned
C-4	RFA Five-Year Review USDA FAS Rep.	(NTIA requires that all Every 5 Years radio frequency assignments be reviewed regularly and updated within 5 years of the revision date on the assignment)
G-7	Telecommunications Action Annually Plan	(Agencies will develop and implement an action plan for improving the management of telecommunications resources and services, reducing costs, and assuring security requirements are met)
L-4	Request for Telecom. 90 Days Prior Services Change	(Agencies will submit a request for telecommunications services change to the OCIO prior to changing, terminating, and/or withdrawing from the services provided by the local lead agency and/or GSA shared telecommunications services and facilities)
M-7	Network Internet Protocol Annually Addressing Plan	(Agencies will develop and submit an Individual Agency Network IP Addressing Plan to the OCIO)

13 INQUIRIES

Questions and comments concerning the requirements of this regulation should be directed to the Office of the Chief Information Officer, Information Systems Security and Telecommunications Division on (202) 720-4301.

14 Copies of Related Documents

a CIO Council Review, Approval of Limited Personal Use Policy, Dated: March 2, 1999, at URL www.itpolicy.gsa.gov/fedpost/

- END -

FIGURE MB-1

CIO Council Review

Approval of Limited Personal Use Policy

Background -

At a CIO Council meeting, the Social Security Administration raised the issue for the need for a de Minimus personal use policy. Joan Steyaert (GSA) worked with SSA - formed a committee that provided the ground work for this policy. The group was composed of technologist, ethics officers and lawyers.

Members of the committee were -

Joan Steyaert (GSA) Janet Barnes (OPM) Dick Eisinger (SSA) Norman Oslin (HHS) Cliff Bowers (GSA) Jim Knotts (AF/ DOD) Pauline Perrow (DOL) Ron Torezan (DOD) Jacqueline Parks (VA) Diane Whitaker-Hayes (VA) Danny Ross (GSA) Keith thurston (GSA) Crystal Bush (DOT) Michele Heffner (GSA) Rich Kellet (GSA) Steve King (DOI) Serena Eriksen (Treasury) Greg Pace (SSA). Gonza Kirksey (GSA) chaired the process.

After drafting - the draft model policy sent for review by members of the interagency **Ethics Officers** group who provided a number of good comments, the **Office of Government Ethics, and Human Resources Officers** throughout the Government. Comments were received and reconciled.

The **Federal Email Postmasters** had developed a similar policy during 1 998 relating to Email usage. Comments were received and reconciled.

The **Interoperability Committee** vetted the, document and approved it at it February meeting for CIO Council consideration.

The comments received can be viewed in a separate document.

March 2, 1999 DRAFT

RECOMMENDED EXECUTIVE BRANCH MODEL POLICY/GUIDANCE
ON "LIMITED PERSONAL USE" OF GOVERNMENT OFFICE
EQUIPMENT INCLUDING INFORMATION TECHNOLOGY

I. PURPOSE

This document provides general recommended policy, or a model, for assisting agencies or departments in defining acceptable use conditions for Executive Branch employee personal use of Government office equipment including information technology. This model provides a backdrop of conditions for an agency or department to consider when developing a personal use policy for of conditions for an agency or department to consider when developing a personal use policy for Government office equipment. This model makes use of material already implemented in various agencies or departments personal use policies and can be implemented unless superseded by any other applicable law or regulation..

II. BACKGROUND

The Executive Branch of the Federal Government serves the American people through hundreds of thousands of employees located in offices across the nation. Increasingly, the Government is called upon to deliver more and better services to a growing population that continues to expect ever-increasing improvements in service delivery. Much of this productivity increase has come about through the use of modern information technology such as computers, facsimile machines, and the Internet. This technology has raised new opportunities for its use by employees to live their lives more efficiently in balance with the overriding imperative that American taxpayers receive the maximum benefit for their tax dollars.

This policy establishes new privileges and additional responsibilities for employees in the Executive Branch of the Federal Government. It recognizes these employees as responsible individuals who are the key to making government more responsive to its citizens. It allows employees to use government office equipment for non-government purposes when such use involves minimal additional expense to the government, is performed on the employees personal time, does not interfere with the mission or operations of a department or agency and does not violate the Standards of Ethical Conduct for Employees of the Executive Branch.

Taxpayers have the right to depend on their Government to manage their tax dollars wisely and effectively. Public confidence in the productiveness of government is increased when members of the public are confident that their government is well managed and assets are used appropriately. The relationship between the Executive Branch and the employees who administer the functions of the Government is one based on trust. Consequently, employees are expected to follow rules and regulations and to be responsible for their own personal and professional conduct. The Standards of Conduct

states "Employees shall put forth honest effort in the performance of their duties" (Section 2635. 101 (b)(5)).

Executive Branch employees should be provided with a professional supportive work environment. They should be given the tools needed to effectively carry out their assigned responsibilities. Allowing limited personal use of these tools helps enhance the quality of the workplace and helps the Government to retain highly qualified and skilled workers.

This policy does not supersede any other applicable law or higher level agency directive or policy guidance.

III. AUTHORITY

Generally, Federal employees may use Government office equipment for authorized purposes only. As set forth below, limited personal use of the government office equipment by employees during personal time is considered to be an "authorized use" of Government property. Authority for this policy is cited as 5 U.S.C. sec 301 which provides that the head of an executive department 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 13011, Federal Information Technology, section 3(a)(1), which delineates the responsibilities of the Chief Information Office (CIO) council in providing recommendations to agency heads relating to the management and use of information technology resources.

IV. GENERAL POLICY

Federal employees are permitted limited use of government office equipment for personal needs if the use does not interfere with official business and involves minimal additional expense to the Government. This limited personal use of government office equipment should take place during the employee's personal time, not during official duty time. This privilege to use Government office equipment for non-government purposes may be revoked or limited at any time by appropriate Federal agency or department officials.

Agency officials may apply this policy to contractor personnel, interns, and other non-government employees through incorporation by reference in contracts or memorandums of agreement as conditions for using Government office equipment and space.

This policy in no way limits agency personnel in the use of Government office equipment including information technology for official activities.

A. DEFINITIONS

1. Privilege means, in the context of this policy, that the Executive Branch of the Federal Government is extending the opportunity to its employees to use government property for personal use in an effort to create a more supportive work environment.

However, this policy does not create 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. Employees abusing this privilege are subject to all appropriate disciplinary measures including revocation of this privilege.

2. Government office equipment including information technology includes but is not limited to: personal computers and related peripheral equipment and software, library resources, 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. Executive Branch managers may include additional types of office equipment.

3. Minimal additional expense means that employees personal use of government office equipment is limited to those situations where the government is already providing equipment or services and the employee'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 printout a few pages of material, making occasional brief personal phone calls, infrequently sending personal E-mail messages, or limited use of the Internet for personal reasons.

4. Employee personal time means non-work hours. Employees may 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).

5. Personal use means activity that is conducted for purposes other than accomplishing official or otherwise authorized activity. Executive Branch employees are specifically prohibited from using government office equipment to maintain or support a personal private business. Examples of this government office equipment to maintain or support a personal private business. Examples of this prohibition include employees 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 employees using government office equipment to assist relatives, friends, or other persons in such activities. Employees may, however, make limited use under this policy of government office equipment to check their Thrift Savings Plan or other personal investments, or to seek employment, or communicate with a volunteer charity organization (examples).

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.

A. Specific Provisions on Use of Equipment and Services

Employees are authorized limited personal use of Government office equipment. This personal use must not result in loss of employee productivity or interference with official duties and incurs only minimal additional expense to the Government in areas such as:

- * Communications infrastructure costs; e.g., telephone charges, telecommunications traffic, etc.;
- * Use of consumables in limited amounts; e.g., paper, ink, toner, etc.;
- * General wear and tear on equipment.
- * Minimal data storage on storage devices.
- * Minimal transmission impacts with moderate message sizes such as emails, with small attachments.

(Minimal additional expense may be defined further in any specific agency directive that implements this policy.)

B. Inappropriate Personal Uses

Employees are expected to conduct themselves professionally in the workplace and to refrain from using government office equipment for activities that are inappropriate. Misuse or inappropriate personal use of government office equipment includes:

- * Any personal use that could cause congestion, delay, or disruption of service to any government system or equipment. For example, greeting cards, video, sound or other large file attachments can degrade the performance of the entire network. "Push" technology on the Internet and other continuous data streams would also degrade the performance of the entire network and be an inappropriate use.
- * Using the Government systems as a staging ground or platform to gain unauthorized access to other systems.
- * The creation, copying, transmission, or retransmission of chain letters or other authorized mass mailings regardless of the subject matter.
- * Using government office equipment for activities that are illegal, inappropriate, or offensive to fellow employees or the public. Such activities include, but is 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.

*The creation, download, viewing, storage, copying, or transmission of sexually explicit or sexually oriented materials; or materials

*The creation, download, viewing, storage, copying, or transmission of materials related to illegal gambling, illegal weapons, terrorist activities, and any other illegal activities or activities otherwise prohibited, etc.

* Use for commercial purposes or in support of "for-profit" activities or in support of other outside employment or business activity (e.g. consulting for pay, sales or administration of business transactions, sale of goods or services).

* 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.

*Use for posting agency information to external newsgroups, bulletin boards or other public forums without authority. This includes any use that could create the perception that the communication was made in one's official capacity as a Federal Government employee, unless appropriate Agency approval has been obtained or uses at odds with the agencies mission or positions.

* Any use that could generate more than minimal additional expense to the government.

* The unauthorized acquisition, use, reproduction, transmission, and distribution of computer software or other material protected by national and international copyright laws, trade marks or other intellectual property rights.

C. Proper Representation

It is the responsibility of employees to ensure that they are not giving the 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 an agency, 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.*"

The Standards of Conduct states - "...an employee shall not use or permit the use of his Government position or title or any authority associated with his public office in a manner that could reasonably be construed to imply that his agency or the Government sanctions or endorses his personal activities..." (Section 2635.702(a).

D. Access Management

Employees have no inherent right to use government office equipment. Therefore, all Agencies will establish appropriate controls to ensure that the equipment is used

appropriately. ¹⁸ establish appropriate controls to ensure that the equipment is used appropriately.

E. Agency Use

This policy is intended to be a model policy/guidance for the Executive Branch. Therefore, each Agency must assess its individual needs and responsibilities as they relate to mission, security, budget, workload, public contact, etc. in determining the extent to which this policy is established and implemented.

F. Labor Relations Responsibilities

Implementation of this policy is contingent upon Agencies completing any labor relations obligations for bargaining, where appropriate.

G. Privacy Expectations

Executive Branch employees do not have a right nor should they have an expectation, of privacy while using any Government office equipment at any time, including accessing the Internet, using E-mail. To the extent that employees wish that their private activities remain private, they should avoid using an Agency or departments office equipment such as their computer, the Internet, or E-mail. By using Government office equipment, executive branch employees imply their consent to disclosing the contents of any files or information maintained or pass-through Government office equipment.

By using this office equipment, consent to monitoring and recording is implied with or without cause, including (but not limited to) accessing the Internet, using E-mail. Any use of government communications resources is made with the understanding that such use is generally not secure, is not private, and is not anonymous.

System managers do employ monitoring tools to detect improper use. Electronic communications may be disclosed within an agency or department to employees who have a need to know in the performance of their duties. Agency officials, such as system managers and supervisors, may access any electronic communications.

Related Authorities

5 CFR 2635 - Standards of Ethical Conduct for Employees of the Executive Branch

Part 1 of Executive Order 12674 - Implementing Standards of Ethical Conduct for Employees of the Executive Branch

5 CTR 301 - Departmental Regulations