

## Use of Government Resources

By Unknown | Administrative and Civil Law, SJA | April 24, 2009

References:

- a. 31 U.S.C. § 1301; 1344;
- b. 5 C.F.R. § 2635.704;
- c. DoD 5500.7-R, Joint Ethics Regulation § 2-300b;

General Rule: Employees must protect and conserve government property and use it (or allow its use) only for authorized purposes.

Communications systems. Federal communications; equipment including governmental owned telephones, facsimile machines, electronic mail, and Internet systems) are available only for official use and authorized purposes.

(1) "Official use" includes emergency communications, communications that are necessary in the interest of the government; and "morale and welfare" communications by DoD employees on extended deployments.

(2) "Authorized purposes" include brief calls home while TDY to notify family of official transportation or schedule changes.

(3) Personal communications from the workplace are also authorized, if supervisor determines that:

- (a) Communication does not adversely affect official duty performance;
- (b) Is of reasonable duration and frequency and made during personal time whenever possible;
- (c) Serves a legitimate public interest;
- (d) Does not reflect adversely on DoD; and
- (e) Doesn't overwhelm the communication system or create a significant additional cost to DoD.

Government vehicles may only be used for official purposes.

Government resources (other than personnel, communications equipment and vehicles) may be used for personal purposes if supervisor determines that the use does not adversely affect official duty performance; is of reasonable duration and frequency and occurs only during the employee's personal time; serves a legitimate public purpose; does not reflect adversely on DoD; and creates no significant additional cost to DoD.

Commanders may authorize limited use of DoD facilities and equipment (and DoD services necessary to properly use the equipment) in support of an event sponsored by a non-federal entity (except for fundraising and membership drives) if:

- (1) Support does not interfere with official duty performance or detract from readiness;
- (2) Support serves DoD community relations, public affairs or military training interest;
- (3) It is appropriate to associate DoD with the event;
- (4) The event is of interest and benefit to the local civilian community or DoD;
- (5) The command is able and willing to provide the same support to comparable events sponsored by other similar non-federal entities;
- (6) The use is not restricted by other statutes or regulations; and
- (7) No admission fee (beyond that required to cover reasonable sponsorship costs) is charged for the event.

The level of Command varies. The authorization is subject to local directives.

If you have any questions on the appropriate use of Government Resources, please contact this office at (785)239-2717.