

Reclamation Manual

Policy

Use of Government Resources

1. **Purpose.** This appendix provides guiding principles on both the correct and improper use of Government resources and applies to all Reclamation employees.
2. **Definitions.**
 - A. **Official Use.** Official use means the use for which the government resource was made available by Congress. An official use of a Government resource is normally directly related to the accomplishment of Reclamation's mission.
 - B. **Authorized Use.** Authorized use is the use of a Government resource for a purpose that is not "official use" but is used when the following conditions are met.
 - (1) The authorized use does not affect the user's official duties.
 - (2) The use is of reasonable duration and frequency.
 - (3) There is a legitimate purpose served by the use (i.e., keeping personnel at their desks, furthering the professional development of employees, or improving morale).
 - (4) The use does not reflect adversely on Department of the Interior or Reclamation.
 - (5) The use does not overburden Reclamation's systems or resources.
 - (6) The use creates no significant additional cost to Department of the Interior or Reclamation.
 - (7) Use may also be "authorized" if the use has been approved in advance by the appropriate supervisor.
 - C. **Personal Use.** Personal use means activity that is conducted for purposes other than accomplishing official or otherwise authorized activities. Limited personal use permitted in paragraphs 6-9 does not include illegal, inappropriate, or offensive materials or uses for outside fund-raising, soliciting money, endorsing any product or service, lobbying activities, or engaging in political activities.
3. **Guiding principle.** Reclamation employees shall protect and conserve Government resources and shall not use them for other than official or authorized purposes.
4. **Prohibition on use of public office for private gain.**
 - A. Employees shall not use their public office for their own private gain, or for the private gain of friends, relatives, or persons with whom the employee is affiliated in a

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nongovernmental capacity, including non-profit organizations of which the employee is an officer or member, and persons with whom the employee has or is seeking employment or business relations. Specific prohibitions include:

- (1) coercing or inducing any person to provide any benefit to the employee or any person with whom the employee is affiliated in a nongovernmental capacity, and
- (2) implying official endorsement of personal activities.

B. Reclamation employees shall not use or permit their Government position, title, or authority associated with their public office to be used in any manner that could reasonably be construed to imply that Reclamation sanctions or endorses their personal activities or those of another. This provision does not preclude Reclamation employees from referring to their official title or position, as permitted, when teaching, speaking, or writing in a personal capacity.

5. **Misuse of Position.** An employee may not use his or her official position, including information learned by virtue of his or her position, for his or her personal benefit or for the benefit of others. An employee may not use his or her public office for his or her own private gain or for that of persons or organizations with which he or she is associated personally. An employee's position or title should not be used to coerce, to endorse any product, service or enterprise, or to give the appearance of governmental sanction.

6. **Use of Official Title.**

A. Generally, an employee engaging in teaching, speaking or writing in his or her personal capacity may not use his or her official title or position to identify himself or herself in connection with the activity or to promote any book, seminar, course, program, etc. The two exceptions to this rule are:

- (1) an employee may allow the use of his title if it is included as part of several other biographical details and the title is given no more prominence than other information, and
- (2) an employee may allow the use of his title in connection with an article published in a scientific or professional journal provided it is accompanied by an appropriate and prominent disclaimer.

B. The basic content of a disclaimer is as follows and may be edited to fit the specific permissible situation. ***“The opinions expressed in this article are the author's own and do not reflect the view of the Bureau of Reclamation, the Department of the Interior, or the United States government.”***

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7. **Letters of Recommendation on Official Stationery.** If an employee is requested to provide a letter of support or letter of recommendation from a non-federal entity or individual, the employee should contact an ethics official for further guidance. Generally, an employee may sign a letter of recommendation using his official title and office letterhead in response to a request for an employment recommendation or character reference for someone provided it is based on his personal knowledge of the ability or character of the person. In addition, the individual must be someone with whom the employee has dealt with in the course of his Federal employment or someone he is recommending for Federal employment.
8. **Use of official time.** Reclamation employees shall use official time in an honest effort to perform official duties, unless authorized under law or regulation to use official time for other purposes. An employee may not use the official time of another employee for anything other than official business. Supervisors shall not encourage, direct, coerce, or request a subordinate to use official time to perform activities other than those required in the performance of official duties or authorized in accordance with law or regulation.
9. **Personal Use of Government Property.** Reclamation employees may not use their Government-furnished equipment or facilities for any personal use, unless that use meets the Department's De Minimis Rule (refer to paragraph 6-9.1). However, the use of any government property, including computers and the Internet, by a Reclamation employee for any partisan political activities is always prohibited.
 - A. **De Minimis Use.** Department of the Interior employees are generally authorized to make minimal personal use of most office equipment and library facilities where the cost to the Government is negligible and, on an employee's own time. This is the Department's de minimis use policy and would permit an employee to send a short, personal electronic message to another individual, for example. However, personal messages sent to large groups of people and messages sent to disseminate information on non-Governmental activities, such as charitable events and causes, commercial activities such as personal businesses, and religious observances, are prohibited. Refer to the Department of the Interior Acceptable Use Policy on Telephones, Equipment, and the Internet.
10. **Use of non-public information.** An employee may not engage in a financial transaction using nonpublic information nor allow the use of such information to further his or her private interests or those of another. Nonpublic information is information an employee gains on the job that has not been made available to the general public and is not authorized to be made available upon request.
11. **Disclosing Procurement Information.** An employee is prohibited from disclosing contractor bid or proposal information or source selection information to any person other than one authorized to receive such information.

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12. Support to Non-Federal Entities.

- A. Under certain circumstances, it may be permissible to support non-Federal entities with the use of government resources (e.g., conference rooms, bulletin boards, etc.). Generally, the use should:
- (1) be at no cost to the Government,
 - (2) be open to all non-Federal entities on an equal basis, and
 - (3) not reflect poorly on Reclamation or Department of the Interior.
- B. Government need and use should be given priority over any non-Federal request. Additionally, if an employee is an active participant in the non-Federal entity, the employee would have a “covered relationship” with that entity and should not be involved in the approval process. Contact your ethics official for further guidance.

13. Teaching, Speaking and Writing.

- A. Employees should consult with an ethics official for outside teaching, speaking, or writing that relates to their official duties. (*Refer to Appendix 3a – Official Participation with Non-Federal Entities for further additional information.*)
- B. An employee shall not receive compensation from any source other than the Government for teaching, speaking or writing that relates to the employee’s official duties except when teaching a course requiring multiple presentations offered as a part of a regularly established curriculum at an institution of higher education, elementary school, or secondary school.
- C. For purpose of this paragraph, teaching, speaking or writing relates to the employee’s official duties if:
- (1) the activity is undertaken as part of the employee’s official duties,
 - (2) the circumstances indicate that the invitation to engage in the activity was extended to the employee primarily because of his official position rather than his expertise on the particular subject matter,
 - (3) the invitation to engage in the activity or the offer of compensation for the activity was extended to the employee, directly or indirectly, by a person who has interests that may be affected substantially by performance or nonperformance of the employee’s official duties,
 - (4) the information conveyed through the activity draws substantially on ideas or official data that are nonpublic information as defined in 5 CFR 2635.703(b), or

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- (5) the subject of the activity deals in significant part with:
- (a) any matter to which the employee presently is assigned or to which the employee had been assigned during the previous one-year period;
 - (b) any ongoing or announced policy, program or operation of the agency; or
 - (c) in the case of a noncareer employee, the general subject matter area, industry, or economic sector primarily affected by the programs and operations of their agency.

14. Use of Government Resources Examples:

- A. **Example 1:** Employee is asked to provide a letter of recommendation for a former subordinate on his staff. The employee may provide the recommendation using official stationery and may sign the letter using his official title because he dealt with the former subordinate in the course of Federal employment.
- B. **Example 2:** Employee is asked to provide a letter of recommendation for a personal friend. Employee should not use official stationery or sign the letter of recommendation using his official title, unless the recommendation is for Federal employment. In writing the letter of recommendation for his personal friend, it may be appropriate for the employee to refer to his official position in the body of the letter.
- C. **Example 3:** Employee is asked to provide a letter of support for a university's grant application. If awarded the grant, Reclamation will likely work with the university on the particular grant project. The employee should contact their ethics official for further guidance on the request. In general, a letter on official stationery signed with official title may be provided if the appropriate supervisor has approved participation in the project and the letter of support states only facts. The letter should not state opinions on the validity or value of the project and should not indicate that Reclamation supports or recommends the approval of the grant.
- D. **Example 4:** A stakeholder has asked for a letter of support for a grant application for a project Reclamation does not intend to collaborate on. A letter on official stationery signed with official title may not be provided. Since Reclamation is not collaborating on the project, the only purpose of the letter would be to endorse the application, which is prohibited.

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- E. **Example 5:** Employee is preparing a presentation for a conference sponsored by a professional association of which they are a member. Employee will attend the conference in their personal capacity while on leave. The employee would like to use their work computer to prepare the presentation. If the use involves only a negligible expense to the government, the employee may use their work computer in accordance with Department of the Interior policy. However, the employee may not prepare the presentation during duty hours or using non-public information.