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NASA Policy Directive

NPD 2540.1FEffective Date: May 25, 2005
Expiration Date: May 25, 2010**COMPLIANCE IS MANDATORY**[Printable Format \(PDF\)](#)

Request Notification of Change

(NASA Only)

Subject: Personal Use of Government Office Equipment Including Information Technology

Responsible Office: Office of the Chief Information Officer

1. POLICY

a. Purpose: This policy directive provides the NASA policy permitting limited use of Government office equipment, including information technology. This new policy is based on the model policy developed by the Federal Government's Chief Information Officers (CIO) Council in May 1999. NASA employees and contractors have new privileges and responsibilities under this policy. The intent is to provide a professional and supportive work environment while meeting taxpayer expectations that tax dollars be spent wisely. By authorizing limited personal use of Government office equipment, NASA assumes that employees and contractors are responsible individuals, capable of balancing this privilege with the expectations of American taxpayers.

b. General Policy: NASA employees and contractors are permitted limited use of Government office equipment for personal needs if the use does not interfere with official business and involves only minimal additional expense to the Government. This limited personal use of Government office equipment should not take place during the employee's scheduled work time, with limited exceptions including brief exchanges of information with doctors' offices, car repair shops, child care facilities, and schools during their establishment's regular office hours. This privilege to use Government office equipment for non-Government purposes may be revoked or limited at any time by appropriate Federal or Agency officials. Individual NASA Centers and contractors may invoke more stringent policy if they desire. This policy in no way limits Agency employees' use of Government office equipment, including information technology, for official activities.

c. Definitions:

(1) Privilege means, in the context of this policy, that NASA is extending the opportunity

to its employees and contractors to use Government property for personal use in an effort to create a more supportive work environment. As a privilege, employees and contractors have no inherent right to personal use of Government office equipment. Nor does the privilege extend to modifying such equipment, including loading personal software or making configuration changes.

(2) Government office equipment, including information technology, includes but is not limited to: personal computers and related peripheral equipment and software, library resources, telephones and wireless communications devices (e.g., cell phones, BlackBerries, pagers, etc.), 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.

(3) Minimal additional expense means that an employee's 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 discernable additional expense to the Government or the use will result in only normal wear and tear or the use of small amounts of electricity, toner, ink, or paper. Examples of minimal additional expense include making occasional brief personal local phone calls, infrequently sending personal e-mail messages, making a copy of a personal bill, receiving a fax from a car repair shop, or limited use of the Internet for personal and appropriate reasons.

(4) Non-work time means the time when employees are not otherwise expected to be addressing official business. Employees may, for example, use Government office equipment during their own off-duty hours such as before or after a workday, lunch periods, authorized breaks, or weekends and holidays (depending upon availability of duty station).

(5) Personal use means uses other than for official Government business.

(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.

d. Specific Provisions: Employees are authorized personal use of Government office equipment to the extent that such personal use does not interfere with official duties or result in a loss of employee productivity. Employees must be authorized to use the office equipment for official business before it is available for personal use. NASA is not required to supply employees with equipment if it is not required for the employee to perform official business. Moreover, personal use should incur only minimal additional expense to the Government in areas such as:

(1) Communications infrastructure costs such as telephone or airtime charges, telecommunications traffic, etc. However, an authorized personal long distance toll call may be made at Government expense to locations within the local commuting area to speak to a spouse or dependent (or those responsible for their care), to reach a number only available during working hours (such as a local government agency, physician, or dentist), or to arrange for emergency repairs to the employee's residence or property.

(2) Consumables such as paper, ink, toner, etc.

(3) Wear and tear on equipment such as copiers, printers, etc.

(4) Transmission impacts with moderate e-mail message sizes such as e-mails with small attachments.

e. 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 use of Government office equipment includes:

(1) Any personal use that could cause inordinate congestion, delay, or disruption of service to any Government system or component or that would violate Agency information technology security policy and procedural requirements.

(2) Use of "Push" technology, which is an Internet technology that sends prearranged information to users before they actually request it, and other continuous data streams. Receiving pushed information such as notification of school closings or severe weather alerts is not inappropriate. However, utilizing government office equipment to push non-official information to others is inappropriate.

(3) Using the Government system as a staging ground or platform to gain unauthorized access to other systems.

(4) The creation, copying, transmission, or retransmission of chain letters or other unauthorized mass mailings regardless of subject matter.

(5) Using the Government office equipment for activities that are inconsistent with Federal Standards of Conduct and Equal Opportunity regulations such as hate speech or material that ridicules others on the basis of race, religion, color, sex, disability, national origin, or sexual orientation.

(6) The creation, download, viewing, storage, copying, or transmission of materials describing or depicting sexually explicit conduct, as defined by 18 U.S.C., § 2256, or sexually oriented materials.

(7) 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.

(8) Use for commercial purposes or in support of "for profit" activities or in support of other outside employment or business activity such as a personal private business, assisting friends, relatives, or others in such activities (e.g., consulting for pay, sales or administration of business transactions, and sale of goods or services).

(9) Engaging in a personal or private capacity in any outside fund-raising activity, endorsing any product or service, participating in any lobbying activity, or engaging in any prohibited political activity (e.g., expressing opinions about candidates, distributing campaign literature).

(10) 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 or uses at odds with NASA's mission or positions. Inappropriate use also includes participating in Chat Rooms, News Groups, or other similar activities where the posting and NASA internet address will be seen by the public. Adding a disclosure statement that the views expressed do not represent those of the Agency is not an acceptable alternative.

(11) Any use that could generate more than minimal additional expense to the Government.

(12) The unauthorized acquisition, use, reproduction, transmission, or distribution of any controlled information, including computer software and data, that includes privacy information, copyrighted, trademarked, or material with other intellectual property rights (such as literature, music, and videos beyond fair use), proprietary data, or export controlled software or data.

(13) Peer to peer file sharing activities.

f. Privacy Expectations: Employees and contractors 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 and using e-mail. Employees and contractors are advised that the Government maintains call detail records to monitor telephone activity, and employs monitoring tools to track system performance and improper use. To the extent that employees and contractors wish that their private activities remain private, they should avoid using Government office equipment including information technology. By using the Government office equipment, employees and contractors consent to disclosing the contents of any files or information maintained or passed through Government office equipment. Any use of Government communication resources is made with the understanding that such use is generally not secure, is not private, and is not anonymous.

g. Sanctions for Misuse: Unauthorized or improper use of Government office equipment could result in loss of use or limitations on use of equipment, disciplinary or adverse actions, criminal penalties, and/or employees/contractors being held financially liable for the cost of improper use.

2. APPLICABILITY

This NPD applies to NASA Headquarters and all NASA Centers, including Component Facilities, to all employees of NASA, other Federal employees and military personnel assigned to NASA, and all NASA contractor and subcontractor personnel who are authorized by contract to use Government office equipment.

3. AUTHORITY

a. 42 U.S.C. § 2473(c)(1), Section 203(c)(1) of the National Aeronautics and Space Act of 1958, as amended.

b. 5 U.S.C. § 301, Departmental Regulations, as amended.

4. APPLICABLE DOCUMENTS

a. 18 U.S.C., § 2256, Sexual Exploitation and Other Abuse of Children.

b. 5 C.F.R. § 2635, Standards of Ethical Conduct for Employees of the Executive Branch.

c. Executive Order 13011 of July 16, 1996, as amended by Executive Order 13284 of

January 23, 2003, and Executive Order 13286 of February 28, 2003, Federal Information Technology.

d. Executive Order 12674 of April 12, 1989, as amended by Executive Order 12731 of October 17, 1990, Principles of Ethical Conduct for Government Officers and Employees.

e. NASA Procedural Requirements (NPR) 1900.3A, Ethics Program Management.

f. NASA Policy Directive (NPD) 1900.9D, Ethics Program Management.

g. NASA Procedural Requirements (NPR) 2810.1, Security of Information Technology.

h. Office of Management and Budget Memorandum 04-26 - "Personal Use Policies and File Sharing Technology."

5. RESPONSIBILITY

a. The Office of the Chief Information Officer is responsible for development, implementation, and management of this NPD.

b. Each Center Director and, for Headquarters, the Assistant Administrator for Infrastructure and Administration, are responsible for developing procedures for ensuring that employees are aware of proper personal use of Government office equipment, including information technology, and developing cost-effective controls for monitoring or preventing abnormal or inappropriate use. Controls to be considered include blocking of inappropriate websites and phone numbers, flagging abnormal long distance or phone charges, and monitoring network traffic for peer to peer file sharing and other inappropriate use.

c. Supervisors are responsible for reasonably monitoring appropriate use of Government office equipment, including information technology, and pursuing sanctions for misuse, including potential disciplinary action.

d. Employees and contractors are responsible for being knowledgeable of Federal and NASA requirements and complying with personal use privileges of Government office equipment, including information technology, as outlined herein. Employees and contractors shall ensure that their personal use of government office equipment does not give rise to an appearance that they are acting in an official capacity or that NASA endorses or sanctions their personal activities.

6. DELEGATION OF AUTHORITY

None.

7. MEASUREMENTS/VERIFICATION

None.

8. CANCELLATION

NPD 2540.1D, dated November 27, 1998.

/s/ Michael D. Griffin
Administrator

ATTACHMENT A: (TEXT)

None.

(URL for Graphic)

None.

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