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Here's how you know



An employee may not use his official position, including information learned by virtue of his position, for his personal benefit or for the benefit of others.

## MISUSE OF POSITION

An employee may not use his public office for his own private gain or for that of persons or organizations with which he 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. An employee may use his official title and stationery only in response to a request for a reference or recommendation for someone he has dealt with in Federal employment or someone he is recommending for Federal employment.

5 C.F.R. § 2635.702 (see **Subpart G - Misuse of Position; Use of Public Office for Private Gain**)

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## USE OF OFFICIAL TITLE

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

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 there is an appropriate disclaimer.

5 C.F.R. § 2635.807(b) (see **Subpart H - Outside Activities; Teaching, Speaking and Writing**)

An employee engaging in fundraising in his personal capacity is also prohibited from using his official title, position or authority. In addition, he cannot solicit funds or other support from a subordinate or from any person that has business with his component.

5 C.F.R. § 2635.808(c) (see **Subpart H - Outside Activities; Fundraising activities**)

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## PERSONAL USE OF GOVERNMENT PROPERTY

An employee should recognize her responsibility to protect and conserve government property and resources, and to make an honest effort to use official time and government property only for official business. 5 C.F.R. § 2635.704 through .705 **Use of Government property, and Use of official time**.

An employee may not use the official time of another employee for anything other than official business. The use of any government property, including computers and the Internet, for any partisan political activities is always prohibited.

Department of Justice 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. 28 C.F.R. § 45.4. This is the

Department's *de minimis* use policy, and would permit an employee to send a short, personal electronic message to another individual. 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.

If an employee of the Department of Justice has questions about the Department's rules covering the limitations on personal use of government equipment and resources, or questions about whether planned personal use of office equipment is permitted, she should consult with her supervisor, or her ethics official.

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## 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 private interests or those of another. Nonpublic information is information an employee gains on the job which has not been made available to the general public and is not authorized to be made available upon request.

5 C.F.R. § 2635.703 (see **Subpart G - Misuse of Position; Use of Non-public Information**)

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## USE OF OFFICIAL TIME

An employee shall use official time in an honest effort to perform official duties. Generally, personal activities should not be conducted during duty hours.

5 C.F.R. § 2635.705 (see **Subpart G - Misuse of Position; Use of official time**)

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## 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.

48 C.F.R. § 3.104-4-5

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## LETTERS OF RECOMMENDATION ON OFFICIAL STATIONERY

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.

5 C.F.R. § 2635.702(b) (see **Subpart G - Misuse of Position; Use of public office for private gain**)

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Yes No