



DEPARTMENT OF THE ARMY  
US ARMY MEDICAL RESEARCH AND MATERIEL COMMAND  
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MCMR-AAP-A  
MEMORANDUM FOR SEE DISTRIBUTION

01 August 2010

SUBJECT: Procurement Advisory Notice (PAN) 10-02  
Contractor Use of Government Office Equipment

1. Introduction. This Memorandum establishes Command policy and guidance concerning the incidental personal usage of Government computers, telephones, and other office equipment by Contractor personnel.

2. Summary.

a. Contractor employees are permitted limited use of Government office equipment for personal needs if the use: (1) does NOT interfere with official business; (2) involves minimal additional expense to the Government; (3) is performed on the employee's non-work time (during breaks and lunch); and (4) does not violate any applicable provision of law.

b. This limited use policy does not override statutes, rules, regulations, or agency orders governing the use of specific types of government property or equipment.

3. Definitions.

a. Government Office Equipment – includes, but is not limited to, personal computers and related peripheral equipment and software, library resources, telephones, facsimile machines, photocopiers, Internet connectivity and access to Internet services and email.

b. Minimal Additional Expense – means that a contractor employee's use of Government office equipment is limited to situations where the Government is already providing equipment or services and the contractor employee's use of the 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 in the use of small amounts of such items as electricity, ink, toner, or paper. Examples include: making a few photocopies; using a computer printer to print a few pages of materials, making occasional brief non-toll telephone calls; infrequently sending personal e-mail message; or making limited use of the Internet for personal reasons.

c. Non-work time – means time when the contractor employee is not otherwise expected to be addressing official business. Examples would be before or after their workday, during lunch, or during authorized breaks.

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4. Policy.

a. Contractor employees are permitted to make limited, occasional use of Government office equipment for non-governmental purposes when such use:

- (1) does not interfere with official business;
- (2) involves minimal additional expense to the Government;
- (3) is performed on the employee's non-work time; and
- (4) does not violate any applicable provision of law

b. The use of Government office equipment for personal purposes is a privilege—not a right—that may be revoked or limited at any time at the discretion of the Government.

c. This policy in no way limits contractor employees in the use of Government office equipment for official activities.

d. Contractor employees are expected to conduct themselves professionally in the workplace and must refrain from using Government office equipment for inappropriate activities.

e. Inappropriate use of Government office equipment includes:

(1) Any personal use that could cause congestion, delay, or disruption of service to any government system or equipment. Examples of such uses that would degrade an entire network would include, but are not limited to; greeting cards, video, sound, large file attachments, and continuous data streams;

(2) Use of any government system as a staging ground or platform to gain unauthorized access to other systems;

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

(4) Use for activities that are illegal, inappropriate, or offensive to fellow workers or the public;

(5) The creation, downloading, viewing, storage, copying, or transmission of sexually explicit or oriented material;

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(6) The creation, downloading, viewing, storage, copying, or transmission of materials related to gambling, illegal weapons, terrorist activities, or any other illegal or prohibited activities;

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

(8) Use to engage in any outside fund-raising activity, to endorse any product or service, to participate in any lobbying activity, or to engage in any prohibited partisan political activity;

(9) Use of posting agency information to external newsgroups, bulletin boards, blogs, etc. without authority;

(10) Any 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, proprietary data, or export controlled software of data.

5. Method. USAMRAA issued awards that employ use of contractor employees will include USAMRAA local policy, "Contractor Use of Government Office equipment including Information Technology" (Appendix A).

6. Point of Contact. The point of contact for this memorandum is Anthony Petrone, Procurement Analyst, Policy Branch, USAMRAA. Email: anthony.petrone@us.army.mil. Phone: (301) 619-2260.



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Encl

DISTRIBUTION:  
DIST A

**52.037-4001 - Contractor Use of Government Office Equipment including Information Technology**

Contractor employees are permitted limited use of Government office equipment for personal needs if the use: (1) does NOT interfere with official business; (2) involves minimal additional expense to the Government; (3) is performed on the employee's non-work time (before and after work hours, during authorized breaks, and lunch); and (4) does not violate any applicable provision of law.

In this context, the term "Government office equipment" includes, but is not limited to: personal computers and related peripheral equipment and software, library resources, telephones, facsimile machines, photocopiers, Internet connectivity and access to Internet services and email.

The use of Government office equipment for personal needs is a privilege—not a right—that may be revoked or limited at any time at the discretion of the Government.

Contractor employees are expected to conduct themselves professionally in the workplace and refrain from using Government office equipment for inappropriate activities. 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; using the Government system to gain unauthorized access to other systems; creation, copying, transmission, or retransmission of chain letters or other unauthorized mass mailings regardless of subject matter; using Government office equipment for activities that are illegal, inappropriate, or offensive; creation, download, viewing, storage, copying, or transmission of sexually explicit or oriented material, illegal gambling, illegal weapons, terrorist activities, and any other illegal activities; use for commercial purposes or in support of 'for-profit' activities or in support of other outside employment or business activity; engaging in any fund-raising activity, endorsing any product or service, participating in lobbying activity, or engaging in any prohibited partisan political activity; use the posting agency information to external newsgroups, bulletin boards, blogs, etc. without authority; and any unauthorized acquisition, use, reproduction, transmission, or distribution of any controlled information including computer software and data, that includes privacy information, copyrighted, trade marked or material with other intellectual property rights, proprietary data, or export controlled software of data.

Examples of appropriate personal use include: the scheduling of doctor's appointments, home and auto repairs, checking on family members, etc.

This in no way limits contractor personnel in the use of Government office equipment for official activities such as accessing the contractor's company website, email, completing time cards, etc.