

Fermilab Acceptable Use Policy

This policy establishes requirements for incidental personal use of Fermilab computing resources

a) **Limited Personal Use.** This Policy authorizes employees and users to make limited use of Fermilab resources for personal purposes, in accordance with the provisions herein.

- (1) Employees and users may use Fermilab resources for personal purposes, but only where such use—
 - (a) involves de minimis¹ additional expense to Fermilab or the Government,
 - (b) does not interfere in anyway with the mission or operations of the Laboratory, and
 - (c) is otherwise permissible under Fermilab Acceptable Use and Policy on Computing documents, DOE Orders and applicable State and Federal laws and regulations.
- (2) There is no inherent right to use Fermilab resources, and one should not be inferred.
- (3) Use of Fermilab resources in support of or in connection with a private business with which you are associated is not considered a personal purpose and is prohibited.
- (4) The privilege to use Fermilab resources for personal purposes may be limited or revoked at any time.
- (5) Circumstances that may result in a supervisor's curtailing personal use of Fermilab resources include uses that—
 - (a) result in a loss of productivity,
 - (b) interfere with Laboratory responsibilities,
 - (c) compromise the mission of the Laboratory or experiment,
 - (d) exceed de minimis¹ expense to Fermilab or the Government,

- (e) violate Fermilab Policies, DOE Orders or State and Federal laws and regulations, or
- (f) are inconsistent with the guidance contained in this Policy.

b. Privacy.

- (1) Fermilab employees and users do not have a right to nor should they have an expectation of privacy while using Fermilab resources at any time, including when they are accessing the Internet or using e-mail.
- (2) Employees and users who wish for their personal activities to be private should not conduct such activities using Fermilab resources.
- (3) Employees and users who use Fermilab resources implicitly consent to review and disclosure of their Internet, e-mail, or other information technology uses when deemed appropriate by Fermilab, DOE or as mandated by law.
- (4) The content of any files or information maintained in or on Fermilab equipment or transmitted using Fermilab equipment or networks may be disclosed in response to a valid, authorized subpoena, warrant, court order, Freedom of Information Act (5 U.S.C. Section 552) request, or other direction (e.g., Human Resources, Fermilab Incident Response in response to a Cybersecurity incident, Inspector General investigator, etc.).
- (5) Using Fermilab resources, including Internet access and e-mail, implies consent to monitoring with or without cause. Any use of Fermilab resources is with the understanding that such use is generally not secure, private, or anonymous.

c. Misrepresentation.

- (1) It is the responsibility of each employee and user to ensure that one's use of Fermilab resources does not give the impression of acting in an official capacity while using Fermilab resources for personal purposes.
- (2) If it is likely that personal use of Fermilab resources will create an appearance of official Fermilab action, the employee must discontinue that use.

d. [Appropriate Uses of Fermilab Resources for Personal Purposes](#). The following is provided for employees and users in determining acceptable personal uses of Fermilab resources.

- (1) Personal use of Fermilab resources is authorized only if it involves de minimis additional expense to Fermilab or the Government and does not interfere in any way with the

mission or operations of the Fermilab, and is otherwise permissible under Fermilab Policies or DOE Orders and applicable State and Federal laws and regulations. Examples of appropriate personal uses may include—

- (a) checking credit union or Thrift Savings Plan accounts using information technology equipment;
 - (b) other limited personal financial activities (transactions in retirement, bank, and brokerage accounts, looking up quotes and news, paying bills, etc.)
 - (c) limited personal online purchases and one-time (or very infrequent) personal sales
 - (d) retaining personal data in electronic form with the understanding that data may be deleted without notice
 - (e) accessing library books and equipment, public reading rooms and materials, and other publicly available data;
 - (f) obtaining detailed information or conducting research (e.g., reading newspaper and magazine articles, comparing airline prices and schedules, browsing sales catalogs, or comparing prices of automobiles) on the Internet during non-work hours;
 - (g) reading and sending private email on a non-Fermilab email account. Use your private email address as much as possible for personal business and ensure all Fermilab business is conducted using your Fermilab email account;
 - (h) occasional personal use of laptop computers, personal data assistants (PDAs), pagers, and cellular phones (when such use will not incur additional charges) issued by Fermilab for official business.
 - (i) Invitations to personal acquaintances to a personal event (party, softball game, house painting, barn raising, etc.)
 - (j) Announcements of personal milestones to personal acquaintances (marriages, births, deaths, graduations, confirmations, bat mitzvahs, baptisms, etc.)
- (2) Other personal use of Fermilab resources is authorized, but only if it results in minimal impact or normal wear and tear of the equipment, requires de minimis workday time for personal pursuits, and requires use of de minimis consumable items (paper, ink,

toner, etc.), as determined by a reasonable person with knowledge of all the relevant facts.

- e. **Inappropriate Uses of Fermilab Resources.** Employees and users are expected to conduct themselves professionally in the workplace and to refrain from using Fermilab resources inappropriately. Examples of misuse of Fermilab resources include, but are not limited to, the following:
- (1) Violation of any copyrights or software licenses
 - (2) Threats of violent behavior
 - (3) modification of Fermilab equipment, particularly information technology, by loading application software or making configuration changes not approved for use in the site's operating environment;
 - (4) seeking help from Fermilab employees, users or contractor personnel (e.g., librarians, computer support staff, administrative assistants, or paralegals) in pursuit of personal projects;
 - (5) any frequent personal use that may cause congestion, delay, or disruption of service to any Fermilab system or equipment, including greeting cards and streaming video and audio, etc.;
 - (6) any personal use (including e-mail and Internet service) that may impair the performance of Fermilab's network or of a unit, including—
 - (a) opening a program with large file attachments (e.g., music or graphic files) or
 - (b) extensive use of a program or Internet site that provides continuous data streams, e.g., continuous stock quotes, or headline news updates, etc.;
 - (c) visiting web sites that can result in download of malicious software;
 - (d) engaging in peer-to-peer files sharing that can results in downloading of malicious software, improper sharing of copyrighted material, or over-utilization of network bandwidth;
 - (5) Actions that would create a public embarrassment to the laboratory: It is best to avoid the necessity of explaining to the general public or government officials what is and is not permitted on lab computers. In the same way that chat sessions or public auctions using an fnal.gov computer (or mail address) can give the wrong impression to the

general public and result in complaints to Congress and the DOE, use of lab computers as upload sites can have the same result.

- (6) creating, copying, transmitting, or retransmitting chain letters or other mass mailings, regardless of the subject matter;
- (7) using Fermilab resources for activities that are illegal, inappropriate, or offensive to a reasonable person with knowledge of all the relevant facts, including hate speech; material that ridicules others on the basis of race, creed, religion, color, sex, disability, national origin, or sexual orientation; and harassing or threatening activities;
- (8) creating, downloading, viewing, storing, copying, or transmitting sexually explicit or sexually oriented materials;
- (9) creating, downloading, viewing, storing, copying, or transmitting materials in the conduct or furtherance of any type of illegal activity;
- (10) unauthorized acquisition, use, reproduction, transmission, or distribution of controlled information (e.g., computer software and data; classified, business sensitive, or other nonpublic data; proprietary data; export controlled software or data; or any information in violation of the Privacy Act, copyright, trademark, or other intellectual property rights beyond fair use);
- (11) gaining unauthorized access to internal or external systems or networks using Fermilab or personal computer systems and technology;
- (12) Spamming (sending an email message to a list) on any kind of non-Fermilab business (except, personal invitations and announcements.)
- (13) fundraising;
- (14) gambling;
- (15) Email or postings supporting a political candidate or cause
- (16) participating in any lobbying activity (attempting to directly influence legislation by contacting a member of Congress or a State Legislature or a member of their staff, unless explicitly requested by one of them to provide information);
- (17) any personal use of Fermilab resources that is misleading in that it creates the impression that the employee is acting in an official capacity;

- (18) using Fermilab resources for commercial pursuits, to support for-profit activities, or to benefit one's outside employment or business activities (e.g., receiving personal business calls on the office telephone, sending or receiving e-mail messages related to a part-time real estate or other business venture, selling or trading business merchandise over the Internet, or conducting regular auctions for a hobby collection (books, art, collectibles, etc.));
 - (19) Invitations to political or religious events;
 - (20) using Fermilab resources (e.g., copying, printing, etc.) for any non-official activity that results in greater than de minimis expense (such as printing e-books or other large manuals)
- f. **Official Union Business.** The privileges and limitations enumerated in this Policy do not supersede the negotiated rights of exclusive representatives of bargaining unit employees in the conduct of their official business.
- g. **Sanctions for Misuse.** Unauthorized or improper use of Fermilab resources may result in losing or having limitations placed on use of Fermilab resources, disciplinary or adverse actions (up to and including separation from Fermilab).

¹De minimis Additional Expense. That cost which results when small amounts of electricity, ink, toner, or paper supplies are used for purposes other than performance of official duties. For example, the cost from a relatively small number of brief telephone calls, electronic mail messages, or internet sessions, result in de minimis, if any, additional expense to Fermilab or the Government. In contrast, the cost associated with large copying or printing projects, downloading large files, such as a motion picture video, or the contents of an entire compact disc, or other files with large space requirements, would exceed de minimis additional expense.