

Legal Opinion: GMP-0003

Index: 6.600, 6.835
Subject: Use of Department Letterhead
FOIA Exemption 6: Name Withheld

October 16, 1991

MEMORANDUM FOR:

FROM: Carole W. Wilson, Associate General Counsel for Equal
Opportunity and Administrative Law

SUBJECT: Use of Department Letterhead

You asked whether you could use Department letterhead to provide a character reference to a Peruvian agency for an acquaintance who is adopting a Peruvian child. You indicate that Peru requires a character reference from a "civil servant" prior to allowing the adoption of a child.

Under 24 C.F.R. Part 0, employees of the Department are prohibited from engaging in conduct that results in, or might reasonably create, the appearance of impropriety. Included within this prohibition are actions that could be construed to be the official actions of the Department. Similarly, actions that suggest department endorsement are to be avoided.

Use of Department letterhead to provide a character reference creates the appearance that the Department endorses the subject of the reference. Consequently, Department letterhead may not be used to provide the character reference. Nothing, however, precludes you from writing a letter on your personal letterhead and identifying that you are a "civil servant."