

Department of the Interior Departmental Manual

Effective Date: 05/21/18
Series: Information
Part 470: Public Communications
Chapter 2: Digital Media Policy

Originating Office: Office of Communications

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2.1 **Purpose.** This chapter establishes Department of the Interior (DOI) policy for official use of social media sites and tools. It describes the official use by bureaus/offices of a social media account or service as a means of communication and public engagement. This policy serves as the primary policy on social media for all bureaus/offices within the Department. Bureaus/offices may create additional guidance tailored to specific needs. The guidance must align with the policy in this chapter and the DOI Digital Media Guide (www.doi.gov/dmguide). The DOI Digital Media Guide provides additional information and best practices about the use of social media at DOI.

2.2 Scope.

- A. The requirements and policy in this chapter apply to all bureaus/offices.
- B. This policy does not govern the use of social media sites in one's official capacity for research or informational purposes.

2.3 **Authorities.** Authorities applicable to this policy are provided below. Additional federal policies, regulations, and laws that guide how digital tools can and should be used are provided in the Appendix.

- A. The President's January 21, 2009, Memorandum on Transparency and Open Government.
- B. Presidential Memorandum on Building a 21st Century Digital Government, May 23, 2012.
- C. OMB M-10-06, Open Government Directive, December 8, 2009.
- D. OMB Memorandum M-10-23, Guidance for Use of Agency Third-Party Websites and Applications, June 25 2010.
- E. OMB Memorandum for the Heads of Executive Department Agencies, and Independent

Regulatory Agencies, Social Media, Web-Based Interactive Technologies.

F. OMB Memorandum M-17-06, Policies for Federal Agency Public Websites and Digital Services, DOI Privacy Program.

2.4 **Policy.** It is the policy of DOI that social media tools be accessed and used in a responsible manner. Official use of social media to communicate and engage with the public must be in accordance with all applicable Federal laws, regulations, and policies including those regarding accessibility; records management; information quality; and intellectual property.

2.5 **Official Use of Social Media at DOI.** Bureaus/offices use social media to communicate their missions and engage with the public. The DOI Digital Media Guide (www.doi.gov/dmguid) provides current guidance on the use of social media, including specific types of social media tools and services available for use.

A. Bureaus/offices may use only approved social media services. Social media services are approved for use following official review by the Department's Office of Communications.

B. Employees must be granted approval to use social media, or other third-party services, to directly support or enhance activities being undertaken in an official capacity. This includes receiving approval to create social media accounts for locations, programs, offices, and employees that are to be used for official work. Social media accounts created as professional personas (for example an account dedicated to "Bark Ranger Gracie") for official business and maintained using government resources (staff time, devices, etc.) are the property of the federal government. Content created in an official capacity may constitute a federal record and is subject to relevant information related laws and regulations, including the Freedom of Information Act.

C. Bureaus/offices must follow the approval process detailed in the Department's Digital Media Guide when creating social media accounts. Any social media account that has not been approved via the approval process detailed in the Digital Media Guide is subject to immediate termination. Approval is required to ensure:

(1) Cross-departmental alignment of social media efforts and reduce duplication in accounts.

(2) When appropriate, information is delivered to citizens and the general public in the context of unified themes or messages; and

(3) The social media service has an appropriate Terms of Service (TOS) Agreement, PIA, and when required, a System of Records Notice (SORN).

D. Each bureau/office will maintain a list of all official social media accounts on its public website and in accordance with OMB memorandums. This catalog will be periodically provided to DOI's Office of Communications (OCO) and Office of the Chief Information Officer. See the Digital Media Guide for details.

E. Official social media accounts (both new and already existing) must have a primary point of contact who is responsible for managing account security, overseeing employee access and training, and distributing guidance. The contact must be a full-time, permanent federal employee. (A list of bureau/office contacts is provided in the Digital Media Guide.)

F. Before gaining access to an official social media account, employees (including part-time, seasonal, volunteers, and partners) must take the mandatory social media training and sign DOI's social media user agreement.

2.6 Guiding Principles for Official Use of Social Media. The following principles should be employed when using social media services in an official capacity within DOI:

A. Do not discuss any bureau/office related information that is considered non-public information. The discussion of internal, sensitive, proprietary, or classified information is strictly prohibited. Failure to comply may result in fines and/or disciplinary action.

B. Do not use social media sites as the sole venue for conducting official government business or disseminating information related to official DOI functions. Press releases, grant opportunities, rulemaking notices, and other official announcements must also be provided in another publicly available format such as a DOI or bureau/office website.

C. When representing DOI or a bureau/office in an official capacity, what you say reflects on DOI, and the bureau/office is responsible for the content you publish. Any content that you post to a social media site while acting in your official capacity is likely to be considered public content, regardless of any privacy controls that restrict access to that content, as a result of public-sharing language in the TOS or the fact that you have already shared the content with a third party, the social media service itself. Always assume the content will be available to a large audience, may be published and discussed in the media, and is subject to FOIA and other rules requiring public disclosure.

D. Remain focused on your mission. If using social media tools to communicate with the public isn't one of your primary duties, don't let it interfere with those duties.

E. When using social media in an official capacity (when either managing an official organizational account or an official individual account), know and follow all applicable laws, regulations, and guidelines, such as the Appropriate Use of the Internet, Rules of Behavior for Computer Network Users, and the Standards of Ethical Conduct for Employees of the Executive Branch. Restrictions include:

- (1) Do not engage in vulgar or abusive language, personal attacks of any kind, or offensive terms targeting individuals or groups.
- (2) Do not endorse non-Federal products, services, or entities.
- (3) Do not solicit donations of any kind.

(4) Do not engage in activity directed toward the success or failure of political parties, candidates, or groups.

(5) Do not advocate for a policy or Congressional bill.

2.7 Personal (Non-Official) Use of Social Media. Social media can sometimes blur the line between professional and personal lives and interactions. Statements intended as personal opinion can be mistaken for official expressions of agency policy or position. Care must be taken to ensure that personal use of social media does not create the appearance of official use of social media, such as by the use of a government title or position in a manner that would create an appearance that the Government sanctions or endorses one's activities. Additionally, many ethics laws, regulations, and policies that apply to an employee's official activities apply also to employee activities in their personal lives. Questions concerning ethics restrictions applicable to personal use of social media should be directed to your bureau Deputy Ethics Counselor.

Appendix

Federal Policies Applicable to the Official Use of Social Media

Bureaus/offices are required to comply with all relevant federal laws, regulations, and policies, including, but not limited to, Section 508, Records Management, the Privacy Act, and the Freedom of Information Act

Publicity, Propaganda, and Anti-Lobbying Provision

Annual appropriation acts typically contain provisions that generally prohibit the use of funds for publicity or propaganda purposes or in a way that tends to promote public support or opposition to any legislation pending before Congress. Exceptions to the general prohibitions include official presentations of the Department's stance on pending legislation when briefing Congress or in Congressional hearings, and certain actions undertaken by Senate confirmed Presidential appointees. The use of government resources, including social media accounts and employee time, to post social media messages that constitutes publicity, propaganda, or lobbying activities violate these provisions. Agencies directly appealing for members of the public to contact Congress is also prohibited.

Additionally, the Government Accountability Office (GAO) has determined that social media campaigns that promote agency messaging but conceal or otherwise mislead the public as to the agency's role in creating the campaign is prohibited activity. GAO has also found agency hyperlinks to external websites that contain calls to contact members of Congress in support or opposition of pending legislation is likewise prohibited. Questions about the applicability of these appropriations provisions should be directed to the Office of the Solicitor.

Resources: 18 U.S.C. § 1913 for the general Anti-Lobbying Act, Annual Appropriations for U.S. Department of the Interior, most recently Consolidated Appropriations Act, 2016 (P.L. 114-113), Division E, Title VII, Sec. 718.

Section 508 (Accessibility)

Section 508 of the Rehabilitation Act of 1973, (as amended), requires that electronic and information technologies purchased, maintained, or used by the Federal Government meet certain accessibility standards. These standards are designed to make online information and services fully available to the 54 million Americans who have disabilities that would otherwise prevent them from having access to that content. Agencies are already required by Federal Acquisition Regulations to modify acquisition planning procedures to ensure that the section 508 standards are properly considered and to include the standards in requirements documents. The OMB reminds agencies to disseminate information to the public on a timely and equitable basis, specifically mentioning meeting the Section 508 requirements in OMB Memorandum M-06-02. Agencies employing non-Federal social media services are required to ensure that persons with disabilities have equal access to those services as defined in the Accessibility Standards. Third-party services have a varying degree of accessibility support, therefore it is incumbent upon bureaus/offices to make their content

as accessible as possible on those services. However, equivalent access to the same information should be made available on any DOI website.

All content displayed on DOI websites must adhere to section 508 standards regardless of whether or not the content is created and hosted by DOI or bureaus/offices. Content created and hosted by a third party and displayed on DOI website via a widget is subject to 508 compliance standards.

In January 2017, the federal government revised existing section 508 standards with the more comprehensive requirements of the Web Content Accessibility Guidelines (WCAG) 2.0, level AA standards. All DOI websites must conform to WCAG 2.0 Level AA standards.

Resources: 29 U.S.C. § 794(d) - [Section 508 of the Rehabilitation Act](#), [About the Section 508 Standards](#), and [current and future OMB memos](#).

Records Management

When using electronic media, whether it is a blog, a website, social media, or any other type of electronic communication, the laws and regulations that govern proper management and archival of records still apply. The [National Archives and Records Administration](#) offers resources and guidance to agencies to ensure proper records management.

Bureaus/offices will need to work with their Records Officers to determine the best way to capture and retain social media records, and the proper records maintenance schedules and dispositions for content posted on third-party websites. See the Digital Media Guide for additional information regarding social media records.

Resources: [OMB Circular A-130, "Management of Federal Information Resources,"](#) (see section 8a4); [Implications of Recent Web Technologies for NARA Web Guidance](#)

Information Quality

The public places a high degree of trust in government content and considers it an authoritative source. Under the Policies for Federal Agency Public Websites and Digital Services, agencies are required to maximize the quality, objectivity, utility, and integrity of information and services provided to the public. With regard to digital products, agencies must reasonably ensure suitable information and service quality consistent with the level of importance of the information. Reasonable steps include: (1) clearly identifying the benefits and limitations inherent in the information dissemination product (e.g., possibility of errors, degree of reliability, and validity), and (2) taking reasonable steps to remove the limitations inherent in the product or information produced. Agency management must ensure that the agency position is reflected in all communications rather than one person's opinion.

Bureaus/offices should include a disclaimer when posting content on third-party websites that explains that DOI is only responsible for quality of the information posted by the official DOI account and not for the quality of the information posted by other users.

Resource: [M-17-06: Policies for Federal Agency Public Websites and Digital Services Section 11](#)

Availability to Persons with Limited English Proficiency

Executive Order 13166 requires that agencies provide appropriate access to persons with limited English proficiency. The scope of this requirement encompasses all "Federally conducted programs and activities," including using social media to communicate and collaborate with citizens. Under this Executive Order, agencies must determine how much information they need to provide in other languages based on an assessment of customer needs. The requirements for social media implementations are no different than those for other electronic formats.

Bureaus/offices are responsible for satisfying all policy requirements related to content that they provide to a third-party site; however, they cannot control and are thus not responsible for other content on that site, including section headings, login screens, or other components of the site.

Resources: [Commonly Asked Questions and Answers Regarding Executive Order 13166](#);
[Executive Order 13166](#)

Availability of Information to Persons Without Internet Access

Agencies are required to provide members of the public who do not have internet connectivity with timely and equitable access to information, for example, by providing hard copies of reports and forms upon request.

Resources: [OMB Circular A-130](#) (See 5(e)(2)(f))

Usability of Data

Many digital technologies allow users to take data from one website and combine it with data from another, commonly referred to as "mashups." Agency public websites are required, to the extent practicable and necessary to achieve intended purposes, to provide all data in an open, industry-standard format that permits users to aggregate, disaggregate, or otherwise manipulate and analyze the data to meet their needs. Agencies need to ensure that these open industry-standard formats are followed to maximize the utility of their data.

Resource: [OMB Memo M-05-04](#)

Intellectual Property

Bureaus/offices must comply with Copyright Law of the United States of America and Related Laws Contained in Title 17 of the United States Code and other Federal policies and directives when posting images, text, video, audio files in blogs or on third party social media websites.

Generally, U.S. Government works are not protected by intellectual property law. However, the absence of intellectual property protections does not mean that all Government works are considered Public Domain and public dissemination may be restricted by other authorities.

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In addition, where an employee generates a joint work with outside entities pursuant to a contract or other agreement, the outside entity may have intellectual property rights to the final product as governed by the agreement. Employees should be careful about the nature of the work before posting to social media.

Resources: [Cendi](#), [Copyright.gov](#), [U.S. Trademark Law](#)

Privacy

Federal public websites and digital services are required to comply with all relevant Federal laws and policies, including the Privacy Act of 1974, E-Government Act of 2002, and Office of Management and Budget (OMB) policy. Agencies must provide privacy policies on websites, mobile applications and digital services, implement privacy controls to protect individual privacy, and post a privacy notice or "Privacy Act Statement" when personally identifiable information (PII) is collected that describes the legal authority for the collection, the purpose, and how the data will be used and shared. Privacy policies must be written in plain language and in a standardized machine readable format, and address the nature, purpose, use and sharing of information collected from individuals through websites or digital services.

Individuals may provide PII to DOI when communicating, posting, blogging, linking, submitting, or other comparable functions. Employees must take care to limit any collection of PII to that which is authorized and necessary for the performance of official duties in support of the DOI mission. A privacy notice should be provided at the point of collection or prominently displayed on pages where PII may be made available so individuals have an opportunity to read the notice and make informed choices about what information they wish to provide or how they want to interact with the agency. The provision of information should be voluntary in accordance with Federal law and DOI privacy policy. Alternatives should be provided (where possible) for individuals seeking information, assistance, or who do not want to provide PII.

The DOI requires a Privacy Impact Assessment (PIA) be conducted for all systems, applications, mobile applications, information collections from the public, and official uses of social media applications to identify, evaluate and analyze potential privacy risks associated with their use. The PIAs are a useful tool that allow DOI to identify, analyze, and mitigate privacy risks associated with the use of information technology. See the [DOI PIA Guide](#) for detailed guidance on conducting PIAs.

The collection of IP addresses, browser information, cookies, and similar data for server log files and website analytics used internally for site management purposes or summary statistics must be in accordance with OMB M-10-22 and DOI policy. The use of these technologies may improve navigation and customer experience, however, bureaus/offices must take appropriate steps to assess

the privacy implications for that use, implement controls, or procedures to protect privacy, provide clear notice of the bureau/office practices, and obtain approval as appropriate and consistent with DOI policy.

It is DOI's responsibility to protect PII on internal websites and through its actions on third-party social media sites. For instance, DOI may not disclose PII or any other information on a third-party social media site that it is prohibited from disclosing on its own website. The Privacy Act of 1974 (as amended) applies to Federal government activities conducted on social media platforms, and individuals should consult [DOI privacy officials](#) for guidance on privacy protection requirements.

Employees are required to immediately report any potential compromise of PII, in any medium or format, to their supervisor and helpdesk, or to DOICIRC@ios.doi.gov. Timely reporting and response allows the agency to take immediate steps to mitigate any harm resulting from the compromise.

Resources: [Privacy Act of 1974](#), [E-Government Act of 2002](#), [OMB Memorandum M-10-22, Guidance for Online Use of Web Measurement and Customization Technologies](#), [OMB Memorandum M-17-06, Policies for Federal Agency Public Websites and Digital Services](#), [DOI Privacy Program](#)

Information Collection & Paperwork Reduction Act

Agencies are required, when possible, to use electronic forms and filing to conduct official business with the public, and social computing technologies can be used in many cases to meet this need. Federal public websites must ensure that information collected from the public minimizes burden and maximizes public utility. The Paperwork Reduction Act (PRA) covers the collection of data from the public. The PRA requires OMB approval of all surveys given to ten (10) or more participants. This includes any sort of survey in which identical questions are given to ten (10) or more participants, regardless of the format. The exception to the survey rule is an anonymous submission form where users can provide open-ended comments or suggestions without any sort of Government guidance on the content. Questions about the applicability of the PRA should be directed to the DOI or bureau privacy officers or the Office of the Solicitor. See Privacy, above.

Resources: [Paperwork Reduction Act](#), [DOI Office of the Solicitor](#); [OMB Memorandum, "Social Media, Web-Based Interactive Technologies, and the Paperwork Reduction Act"](#)

Freedom of Information Act (FOIA)

Government-sourced content posted via social media sites or on public Government Web servers becomes part of the public domain upon posting. With limited exceptions, such content is therefore not exempt from FOIA requests.

Resource: FOIA (5 U.S.C. §552)

Security

Social media services and applications communicating official DOI information require a detailed assessment and subsequent authorization by the Office of the Chief Information Officer prior to use. The data to be hosted by the social media service must be assessed and categorized to determine the

impact to DOI in the event of a compromise of Confidentiality, Integrity and/or Availability. Appropriate security controls, as defined in the DOI IT Security Control Standards, must be implemented based on the categorization of the data.

Ethics

When writing for, posting or participating on social media, you are either acting in your official capacity as a DOI employee or you are acting in your personal capacity. Typically, an activity is undertaken in official capacity when it is consistent with statutory authority and agency or office mission and assigned duties. However, due to the nature of social media, there may be times when your personal social media use could be interpreted as official use. It's important at those times that you understand how you use your personal social media when sharing/discussing public information related to your organization.

In particular there are specific rules around the use of personal social media with regards to political activity. If you have concerns that your personal use of social media may be interpreted as official use, please contact your bureau Deputy Ethics Counselor.

All Government-wide and DOI standards and codes of ethical behavior for employees apply to employees' use of social networking and social media tools for both official and personal use including:

- 1) [Hatch Act: FAQs on Federal Employees and the Use of Social Media and Email](#)
- 2) [Standards of Conduct as Applied to Personal Social Media Use](#)
- 3) [Limited Use of Government Equipment for Personal Purposes](#)
- 4) [Standards of Ethical Conduct for Employees of the Executive Branch](#)

Disclaimer

Bureaus and offices are responsible for satisfying all policy requirements related to content that they provide to a third-party site; however, because they cannot control and are thus not responsible for other content on that site, they should determine whether or not DOI's presence on the site reflects favorably upon the Department and does not diminish its reputation or integrity.

Bureaus/offices should note that they are not responsible for, nor can they control other content on the site on the part of the site which the bureau does control, as well as on its website.