EPA INFORMATION PROCEDURES

OFFICE OF ENVIRONMENTAL INFORMATION

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Issued by the EPA Chief Information Officer,
Pursuant to Delegation 1-19, dated 07/07/2005

USING SOCIAL MEDIA TO COMMUNICATE WITH THE PUBLIC

1. PURPOSE

These procedures establish the required steps for using social media intended for external use to communicate with the public. External use refers to EPA content on an Extranet (password protected site) or the Internet – either in the EPA domain (epa.gov) or on third party sites. For procedures on using social media internally on the Intranet, please refer to "Using Social Media Internally at EPA" procedures. For purposes of these procedures, "social media" is a term for a wide-spectrum of user-driven content technologies (see Definitions section).

2. SCOPE AND APPLICABILITY

These procedures apply to EPA employees, contractors, and other personnel acting in an official capacity on behalf of EPA when using social media on an Extranet or the Internet, whether such use occurs on the EPA Web site or third party sites that EPA maintains.

These procedures do not apply to EPA employees using social media in their own personal capacities or on their own time. Employees are reminded to abide by the Standards of Ethical Conduct and the Hatch Act, and to use clear disclaimers when they are not representing EPA.

3. AUDIENCE

The audience for these procedures is any EPA employee, contractor, or other person who uses social media on behalf of EPA.

4. BACKGROUND

EPA is using social media tools to create a more effective and transparent government, to engage the public and EPA's partners, and to facilitate collaboration. These types of tools are another way for EPA to accomplish its mission.

5. AUTHORITY

CIO Policy 2184.0: Social Media Policy (June 20, 2011)

6. PROCEDURES

EPA will use social media tools for official Agency business in support of EPA's mission and will adhere to the following required steps:

1. Identify mission need when developing a concept that may potentially use social media. Consider the types of tools appropriate for the concept. Use EPA-approved social media tools. Refer to Step 8 for more details.
2. Discuss the concept first with your immediate supervisor and obtain approval to proceed.

3. Discuss the concept with the appropriate Web Content Coordinator and Web Infrastructure Coordinator. http://www.epa.gov/webgovernance/leadership.html

4. Initiate concept review with the Office of Web Communications (OWC). http://www.epa.gov/productreview/

5. Maintain Standards of Ethical Conduct Online

   When you are working in your official capacity while online, you are still representing EPA and must abide by the Standards of Ethical Conduct for Employees of the Executive Branch, 5 C.F.R. Part 2635, as well as the federal conflicts of interest statutes and the Hatch Act that governs partisan political activity. Remember that you are "speaking" for the Agency when you are working in your official capacity. Set forth below are several general ethics areas of concern.

   - Do not say anything online that you would not say in a speech in your official capacity.
   - Do not misuse your federal position for your own gain or to help others inappropriately.
   - Do not endorse any product, service, company, non-profit organization or any other enterprise. There are some exceptions but, generally, even if you are communicating solely within EPA, you should be careful about giving an appearance of governmental sanction or endorsement.
   - Do not divulge nonpublic information. This includes any information designated as confidential, privileged, or any other type of information that may not be disclosed, even if someone else asks you for it.
   - Do not engage in any partisan political activity.
   - Do not fundraise for any charitable organization.
   - Do not attempt to directly or indirectly lobby Congress.

   Additional information about the EPA Ethics Program is available at: http://intranet.epa.gov/ogc/ethics.htm

6. Ensure Accessibility under Section 508

   EPA's content in social media tools must be accessible as required by Section 508 of the Rehabilitation Act of 1973, as amended.

   - Make EPA content accessible regardless of its location on EPA.gov or a third party site in accordance with EPA's Accessible Electronic and Information Technology Policy, unless it would impose an undue burden on the Agency. http://www.epa.gov/irmpoli8/ciopolicy/2130.pdf
   - If making the content accessible would impose an undue hardship on the Agency, or would otherwise fall under a Section 508 exception, you should provide alternative access. Examples of alternative access include, but are not limited to, linking to an accessible version of the content on the EPA Web site from an inaccessible third party site, providing EPA contacts for additional assistance, and posting a text-only version. www.epa.gov/accessibility

7. Protect Privacy

   The statutes, regulations and policies that govern privacy, the collection of personal information and the protection of a user's personally identifiable information (PII) still apply when using social media. The applicable privacy requirements will depend on the types and uses of social media. Refer to EPA's Privacy Policy for further information http://www.epa.gov/privacy/.
   Consult with the Agency's Privacy Officer to determine privacy implications and specific requirements. The following requirements will always apply:

   - Do not collect or browse information containing PII from individual or personal user profiles in the absence of express affirmative consent ("opt-in") in accordance with EPA's Privacy Policy (http://www.epa.gov/privacy/). For example, simply becoming a fan or a

friend of EPA's profile does not qualify as opting in, and you must not browse that person's profile, unless the person explicitly gives permission.

- If you use a third-party website or application that makes PII available to EPA, a Privacy Impact Assessment (PIA) is required. OMB M-10-23, "Guidance for Agency use of Third-party Websites and Applications," June 25, 2010 http://www.whitehouse.gov/omb/assets/memoranda_2010/m10-23.pdf

- Use EPA's Third Party Web Site Disclaimer when using third party sites for official EPA pages or accounts (e.g., Facebook, YouTube) if possible. Some third party sites do not have this possibility (ex. Twitter). http://www.epa.gov/epahome/thirdparty.html

- Use EPA's External Links Disclaimer when linking to a third party site from www.epa.gov sites. http://www.epa.gov/epahome/exitepa.htm

8. Consider Security, IT Infrastructure and Architecture requirements

- Social media tools and usage on EPA networks must comply with all requirements established in the Agency Network Security Policy (http://www.epa.gov/irmpoli8/policies/21500.pdf) and related procedures (http://www.epa.gov/irmpoli8/policies/EPAInformationSecurityManual.pdf).

- Sensitive or confidential information is not permitted on EPA.gov or on the third party sites EPA uses. For more information, refer to FIPS 199, Standards for Security Categorization of Federal Information and Information Systems.

- Use EPA approved social media tools. Refer to http://yosemite.epa.gov/OEI/webguide.nsf/socialmedia/social_media_tos_agreements for a list of sites EPA has a Terms of Service (TOS) with. If the tool is not on this list, contact the Office of Web Communications (OWC) in the Office of External Affairs and Environmental Education (OEAEE) before concept review or raise it during concept review (Step 4). OEAEE coordinates these agreements with OEI to determine what tools are allowed for external use. EPA staff, managers, program or Regional offices are not authorized to negotiate or sign Terms of Service agreements on behalf of EPA with social media sites. * Please note that a TOS for a tool does not automatically mean that you can use the tool. Social media tools still need to be supported by EPA's IT infrastructure. For more information about what is supported at EPA, please refer to the EPA IT Standards Profile: http://cfint.rtpnc.epa.gov/otop/itarchitecture/standards.cfm

- Contact your Information Security Officer (ISO) for assistance with security requirements. All ISOs can be found at http://intranet.epa.gov/itsecurity/compoversightassit/iso-list.html

9. Follow established Agency procedures, standards, and guidance for specific tools or processes, if applicable.

- EPA Social Media Guidance (e.g., Facebook, wikis, blogs, Twitter) found at http://blog.epa.gov/socialmedia/ under "guidance"

- Requirements for creating, customizing, and maintaining Web products on the Agency's Public Access and Intranet servers are found at: http://www.epa.gov/webguide

- All contractors must follow applicable contracting rules.

10. Share Experiences and Best Practices.

To help all of EPA learn good models for external online engagement and to enable all of EPA to be informed about social media activity, please inform your Web Content Coordinator of your external social media activity.

Adhere to the following requirements when applicable:

11. Moderate Comments

Some types of social media allow users to add comments, e.g., blogs, YouTube, Facebook. When the tool allows it, accept comments in accordance with the following requirements:

- Moderate all comments before they are public if the tool allows pre-moderation (commenter comments, administrator/moderator of the tool reviews the comment and posts it publically).

- If comments cannot be moderated before posting, they must be reviewed as soon as possible during business hours after they are public. This is sometimes referred to as "post-moderation." Ex. Facebook is a tool that does not have provisions for pre-moderation but does allow for post-moderation.

- Any comments that are removed or not posted due to comment policy violations should be documented by the moderator.

- Link to the EPA Comment Policy. The link is found at http://epa.gov/epahome/commentpolicy.html.

- For more information on how to use the EPA Comment Policy link or how to document comment policy violations refer to http://yosemite.epa.gov/OEI/webguide.nsf/socialmedia/comment_policy.

Additional note regarding comments: EPA employees should use caution if considering the use of social media sites to receive formal comments on a rule or regulation; EPA employees should consult with the Office of General Counsel attorney assigned to their rule or regulation before doing so.

12. Protect Copyright

Copyrighted material may not be copied or displayed by EPA, or incorporated in EPA Web sites unless written permission of the copyright owner has been obtained.

- Protect copyright as appropriate in accordance with EPA's "Posting Copyrighted Works on EPA Web Site" policy (http://www.epa.gov/irmpoli8/ciopolicy/2181.p.pdf) and "Copyright Issues of Special Interest to EPA Employees" (http://yosemite.epa.gov/OEI/webguide.nsf/content/copyright).

- Ensure that a disclaimer (Refer to Step 13) is included that provides notice to potential commenters and submitters that copyrighted material should not be posted on Agency Web sites unless permission to do so is clearly indicated. This disclaimer must also state that commenters and submitters implicitly grant EPA and anyone viewing the EPA Web site irrevocable permission to copy, distribute, make derivatives, display or perform the submitter's work publicly and free-of-charge.

- For all questions regarding copyright, you should contact the Office of General Counsel, General Law Office.

13. Provide Disclaimers and/or Disclosures

Determine if a disclaimer or a disclosure is needed. Please note that, in general, EPA may not endorse any product, service or enterprise. The Office of General Counsel can provide further assistance on determining when disclaimers or disclosures are necessary.

- A disclosure is a statement of information or risks associated with the social media. For example, an office must disclose that comments on a blog are moderated.

- A disclaimer makes a statement that limits or specifies rights or obligations. In many instances you will need to include the standard disclaimer that views expressed are opinions and not official Agency policy. Another often-used disclaimer is the standard exit disclaimer when you include a link to an outside website.

14. Prepare Information Collection Request (ICR) Package

Social media does not automatically trigger an ICR. OMB Memo April 7, 2010 http://www.whitehouse.gov/omb/assets/inforeg/SocialMediaGuidance_04072010.pdf explains that "certain uses of social media and web-based interactive technologies will be treated as equivalent to activities that are currently excluded from the PRA."

However, certain activities such as surveys and web polls are subject to ICR requirements. Adhere to Information Collection Request (ICR) processes and procedures when applicable. http://intranet.epa.gov/icrintra/

If in doubt, consult the Collection Strategies Division in the Office of Information Collection in OEI.

15. Maintain Records

The laws, regulations and policies that govern proper records management (i.e., creation, maintenance/use and disposition) still apply when using social media.

- New content created with social media tools that qualifies as a federal record must be captured and maintained in a recordkeeping system according to EPA's Records Management Policy. http://www.epa.gov/records/policy/

- If the exact content has been captured as a record elsewhere, then you do not need to capture it again.

- Your Records Liaison Officer can help you to determine the most appropriate methods to capture and maintain records. For additional guidance, call the Records Help Desk. http://intranet.epa.gov/records/about.htm

- Please note that content created with social media tools may be subject to document production under FOIA or litigation.

- National Archives and Records Administration (NARA) has issued a bulletin about social media: NARA Bulletin 2011-02, Guidance on Managing Records in Web 2.0/Social Media Platforms, http://www.archives.gov/records-mgmt/bulletins/2011/2011-02.html.

16. Ensure Integrity of Shortened Links

Use http://go.usa.gov to create short, trustworthy .gov URLs to use on online services with character restrictions. This service only shortens government URLs. You must use your government email address in order to use Go.USA.Gov.

7. RELATED DOCUMENTS

Please refer to the CIO Policy 2184.0: Social Media Policy (June 20, 2011)

8. ROLES AND RESPONSIBILITIES

The Chief Information Officer/Assistant Administrator, Office of Environmental Information, and the Associate Administrator for External Affairs and Environmental Education are jointly responsible for monitoring compliance with this procedure.

Office of Environmental Information (OEI) applies the requirements of this procedure in its functions of providing appropriate Agency-wide web technology services and security, policy, guidance, and technical assistance to Program and Regional offices. OEI develops policy and procedures for social media use in consultation with OEAEE.

Office of External Affairs and Environmental Education (OEAEE) applies the requirements of this procedure in its functions of managing communications and product review, specifically the Office of Web Communications (OWC)ever. OEAEE also develops Terms of Service agreements with third-party sites in consultation with OEI and the Office of General Counsel. OEAEE develops and implements social media awareness training in conjunction with OEI.

Office of General Counsel (OGC) provides legal guidance relating to the Web, reviews and approves terms of service, and oversees ethics requirements for EPA employees.

Office of the Inspector General (OIG) will adhere to the Social Media Policy to the extent that it is not inconsistent with the Inspector General Act of 1978, as amended, or with the policies, procedures, and guidelines established by the Office of Inspector General.

Senior Information Officials (SIOs) serve as the primary point of accountability for the effective oversight, coordination, and management of information and information technology (IT) within their respective organizations and are responsible for ensuring that their office is in compliance with EPA's Social Media Policy, procedures and supporting documents.

Information Management Officers (IMOs) support their respective SIO in implementing the SIO's information technology and information management functions and responsibilities.

Communication Directors in program offices are responsible for managing communications from their organizations, including Web efforts.

Public Affairs Directors at Regional Offices are responsible for managing communications from their organizations, including Web efforts.

Web Content Coordinators, as members of the Web Council, are responsible for working with their respective regional and program offices to discuss appropriate social media usage for that office in accordance with OEAEE and OEI web policy and web practices.

Web Infrastructure Coordinators, as members of the Web Council, are responsible for working with their respective regional and program offices to discuss appropriate social media usage for that office in accordance with OEAEE and OEI web policy, procedures, and web practices.

Agency Privacy Officer - National program manager for Agency's National Privacy Program. Develops Agency level privacy policies, procedures, standards, and guidelines; leads Agency efforts to protect PII; provides direction and oversight of Agency's privacy responsibilities, reports to the Senior Agency Official for Privacy and the Office of Management and Budget on privacy compliance and administration activities.

Information Security Officer (ISO) - Designated by the Assistant Administrator (AA), Regional Administrator (RA), Inspector General (IG), or General Counsel for their respective organizations. The ISO ensures that information resources under his/her purview are managed and protected appropriately. The primary role of an ISO is to ascertain that a current information security program is in place for his/her respective organization and that the information is properly managed from an information security perspective.

Records Liaison Officer (RLO) - A person responsible for overseeing a records management program in a headquarters or field office in cooperation with the agency records management officer.

Regional and program offices provide quality content and appropriate infrastructure and resources to communicate the Agency's work and mission on the web. Regional and program offices may provide additional procedures and guidance as needed to meet their respective priorities, provided they do not conflict with those that apply to the Agency as a whole. Ultimate accountability for Region and program areas on the web is at the most senior level, typically at the Assistant Administrator or Regional Administrator level.

9. DEFINITIONS

Disclaimer - A statement that limits or specifies rights or obligations. In many instances you will need to include the standard disclaimer that views expressed are opinions and not official Agency policy. Another often-used disclaimer is the standard exit disclaimer when you include a link to an outside website.

Disclosure - A statement of information or risks associated with the social media. For example, an office must disclose that comments on a blog are moderated.

Information Collection Request (ICR) - A set of documents that describe reporting, record keeping, survey, or other information collection requirements imposed on the public by the Environmental Protection Agency.

Moderation (of a blog, wiki, etc.) – Reviewing comments and content created by readers or viewers outside of the group that created the tool. Moderation occurs under an established comments policy.

Personally Identifiable Information (PII) - Any information about an individual maintained by an agency that can be used to distinguish, trace or reveal an individual's identity, including but not limited to the individual's name, Social Security Number, or biometric records. Such information may be recognized as PII when disclosed in isolation or when combined with other personal or identifying information which is linked or linkable to a specific individual, such as date and place of birth, mother's maiden name, etc.

Privacy Impact Assessment (PIA) - An analysis of how information is handled: (i) to ensure handling conforms to applicable legal, regulatory, and policy requirements regarding privacy, (ii) to determine the risks and effects of collecting, maintaining and disseminating information in identifiable form in an electronic information system, and (iii) to examine and evaluate protections and alternative processes for handling information to mitigate potential privacy risks.

Records - Include all books, papers, maps, photographs, machine-readable materials, or other documentary materials, regardless of physical form or characteristics, made or received by an agency of the United States Government under Federal law or in connection with the transaction of public business and preserved or appropriate for preservation by that agency or its legitimate successor as evidence of the organization, functions, policies, decisions, procedures, operations, or other activities of the Government or because of the informational value of data in them. Library and museum material made or acquired and preserved solely for reference or exhibition purposes, extra copies of documents preserved only for convenience of reference, and stocks of publications and of processed documents are not included. (Source: 36 CFR 1220.14)

Social Media - any online tool or application that goes beyond simply providing information, instead allowing collaboration, interaction, and sharing. Examples of social media include: blogs; microblogs; wikis; photo and video sharing; podcasts; virtual worlds; social networking; social news and bookmarking; web conferencing and webcasting.

Third party Web site – for purposes of this procedure, any Web site that is not owned, operated or co-sponsored by EPA. Refers to sites as a whole; EPA accounts on such sites are still third party, even though EPA controls the content of those accounts.

10. WAIVERS

There are no waivers from these procedures.

11. RELATED PROCEDURES, STANDARDS AND GUIDANCE

Using Social Media Internally at EPA Procedure, CIO 2184.0-P01.1
(http://intranet.epa.gov/oeiintra/imitpolicy/policies.htm June 20, 2011)

Representing EPA Online Using Social Media Procedure, CIO 2184.0-P03.1
(http://intranet.epa.gov/oeiintra/imitpolicy/policies.htm June 20, 2011)

Requirements for creating, customizing, and maintaining Web products on the Agency's Public Access and Intranet servers are found at: http://www.epa.gov/webguide

EPA Order CIO2101.0 A1, "Policy on Limited Personal Use of Government Office Equipment," covers limited personal use of government-owned office equipment.
http://intranet.epa.gov/oei/imitpolicy/qic/ciopolicy/2101-0.pdf

Standards of Ethical Conduct for Employees of the Executive Branch, 5 C.F.R. Part 2635, http://www.usoge.gov/ethics_docs/publications/reference_publications/rfsoc_02.pdf

All design requirements for public access EPA web pages (www.epa.gov) are found at:
http://yosemite.epa.gov/oei/webguide.nsf/standards-guidance

Best practices and general information about EPA and social media can be found on the Social Media @ EPA blog: http://blog.epa.gov/socialmedia/

Security related information:
- FIPS 199, Minimum Security Requirements for Federal Information and Information Systems, http://csrc.nist.gov/publications/PubsFIPS.html
- NIST SP 800-60 Guide for Mapping Types of Information and Information Systems to Security Categories: (2 Volumes) - Volume 1: Guide Volume 2: Appendices, http://csrc.nist.gov/publications/PubsSPs.html
- NIST SP 800-53, Rev. 3, Recommended Security Controls for Federal Information Systems and Organizations, http://csrc.nist.gov/publications/PubsSPs.html
- "Guidelines for Secure Use of Social Media by Federal Departments and Agencies," version 1.0, Sept. 2009, http://www.cio.gov/Documents/Guidelines_for_Secure_Use_Social_Media_v01-0.pdf
- EPA IT Standards Profile: http://cfint.rtpnc.epa.gov/otop/itarchitecture/standards.cfm

All Office of Environmental Information (OEI) Information Management and Information Technology (IM/IT) policies are located at: http://intranet.epa.gov/oei/imitpolicy/policies.htm

EPA's administrative policies issued through the Office of Administration and Resources Management (OARM) Directives Clearance Review Process are located at: http://intranet.epa.gov/policy/index.htm

Federal Web requirements, best practices, and guidance are found at Webcontent.gov
http://www.usa.gov/webcontent/

12. MATERIAL SUPERSEDED

Not applicable.

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13. ADDITIONAL INFORMATION

For further information about these procedures, please contact the Policy and Program Management Branch, Office of Information Analysis and Access, in the Office of Environmental Information.
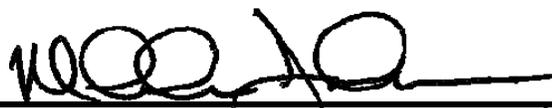
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