
Using Social Media to Communicate with the Public Procedure

Directive No: CIO 2184-P-02.2

*Issued by the EPA Chief Information Officer,
Pursuant to Delegation 1-19*

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1. PURPOSE

This procedure establishes the required steps for using social media for external use to communicate with the public. External use refers to EPA content on the Internet – either in the EPA domain (epa.gov) or on third party sites. For purposes of this Procedure, “social media” means the sharing of information through virtual networks and communities.

2. SCOPE

This Procedure applies to EPA employees, contractors, and other personnel who are authorized to use social media on behalf of EPA on the Internet, whether such use occurs on the EPA website or third-party sites that EPA maintains.

This Procedure does 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 for Employees of the Executive Branch](#) and the [Hatch Act](#), and to use clear disclaimers when they are not representing EPA.

3. AUDIENCE

The audience for this Procedure is any EPA employee, contractor, or other person who is authorized to use social media on behalf of EPA

4. AUTHORITY

CIO 2184.1, [Social Media Policy](#)

5. PROCEDURE

EPA utilizes social media tools for official agency business in support of EPA’s mission. The steps below outline required steps and processes in drafting, managing and publishing agency social media:

1. Public Affairs Directors (Regional Offices) or Communications Directors (National Program Offices) are responsible for establishing, implementing, and adhering to appropriate approval processes for developing and publishing content to their social media account(s) online.
2. Program Offices and Regions are required to use the agencywide social media management tool selected and implemented by the Office of Public Affairs.

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Public Affairs Directors/Communications Directors (or their designated social media lead) must coordinate social media content for national accounts managed by the Office of Web Communications (OWC).

3. New social media accounts must be requested through the Office of Public Affairs. The Office of Web Communications will coordinate with programs and regional offices to establish new accounts that are approved and ensure the accounts are registered in the [U.S. Digital Registry](#).
4. **Maintain 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 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 use official authority to interfere with the results of an election
 - 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 <https://work.epa.gov/ethics>.

5. **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 [Section 508 Policy](#), unless it would impose an undue burden on the Agency.
 - 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 Website from an inaccessible third-party site, providing EPA contacts for additional assistance, and posting a text-only version. <https://www.epa.gov/accessibility>

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6. 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 <https://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](#). For example, simply becoming a fan or 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 https://obamawhitehouse.archives.gov/sites/default/files/omb/assets/memoranda_2010/m10-23.pdf
- Use EPA's Third-Party Website Disclaimer when using third party sites for official EPA pages or accounts when possible. Some third-party sites may not have this capability. <https://www.epa.gov/privacy/privacy-and-security-notice#social>

7. Consider Security, IT Infrastructure and Architecture Requirements

- Social media tools and usage on EPA networks must comply with all requirements established in the Environmental Protection Agency [Information Security Policy](#) and related procedures.
 - a. Ensure there are no prohibitions on disclosure prior to posting information on EPA.gov or on a third party site EPA uses. Use EPA approved social media tools. Refer to <https://www.epa.gov/webguide/terms-service-agreements> for a list of social media tools EPA has a Terms of Service (TOS) agreement with. If the tool is not on this list, contact the Office of Web Communications (OWC) in the Office of Public Affairs (OPA) before concept review or raise it during concept review (Step 6). OPA coordinates these agreements with OGC 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: <https://work.epa.gov/it-architecture/it-infrastructure->

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- [management-technologies](#)
 - b. Contact your Information Security Officer (ISO) for assistance with security requirements. All ISOs can be found at <https://work.epa.gov/information-technology/information-security-officers>
- 8. Follow all established agency procedures, standards, and guidance related to agency social media.
 - [EPA Social Media IT/IM Directives](#)
 - [EPA Social Media Guidance](#)
 - All contractors must follow applicable contracting rules.
- 9. The Office of Web Communications will regularly audit all agency social media content to ensure compliance with established procedures, standards, and requirements and will retain access to all agency social media account credentials.
- 10. The Office of Web Communications may retain sole access of any agency social media account if required procedures, standards, and requirements are not followed. Before such a measure is taken, the Office of Web Communications will work closely with the Public Affairs Director/Communications Director (or their designee) to ensure that expectations are clearly communicated. OWC will provide guidance, tools, and resources to support the regional or program office's successful management of the account in question.

ADHERE TO THE FOLLOWING REQUIREMENTS WHEN APPLICABLE:

1. Moderate and Engage with Comments

Social media allows users to add comments. Accept comments in accordance with the following requirements:

 - Moderate comments before they are public consistent with the [Interacting with EPA Online webpage](#) if the tool allows pre-moderation (commenter comments, administrator/moderator of the tool reviews the comment and posts it publicly). Social media account administrators and editors are not required to moderate activity from outside organizations that mention or tag EPA.
 - If comments cannot be moderated before posting, social media account administrators and editors must review comments in a timely manner during business hours after they are public. This is sometimes referred to as "post-moderation."
 - Any comments that are removed or not posted due to Interacting with EPA Online webpage violations should be documented by the moderator consistent with the [Documenting Unapproved Comments Other than Spam webpage](#).
 - Social media account administrators and editors may reply to and engage with comments consistent with the [EPA Comment Guidance](#).

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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 (OGC) attorney assigned to their rule or regulation before doing so. If unsolicited comments are received on a rule or regulation, coordinate with OGC to determine if the comments need to be recorded.

2. Protect Copyright

Copyrighted material may not be copied or displayed by EPA or incorporated in EPA websites and third-party websites that EPA maintains unless written permission of the copyright owner has been obtained.

- Protect copyright as appropriate in accordance with EPA's [Posting Copyrighted Works on EPA Website](#) Policy and [Copyright Issues of Special Interest to EPA Employees](#).
- Ensure that a copyright disclaimer (Refer to Step 14) is included that provides notice to potential commenters and submitters that copyrighted material should not be posted on Agency websites or third-party sites that EPA maintains unless permission to do so is clearly indicated. This disclaimer must also state that by commenting or submitting information to EPA, commenters and submitters grant EPA, and anyone viewing the EPA website or third-party sites that EPA maintains 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.

3. Provide Disclaimers and/or Disclosures

Determine if additional disclaimers or disclosures are needed (see Step 13). 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.

4. Prepare Information Collection Request (ICR) Package

Social media does not automatically trigger an ICR. OMB Memo April 7, 2010 https://obamawhitehouse.archives.gov/sites/default/files/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

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procedures when applicable. <https://work.epa.gov/icr>

If in doubt, consult the Collection Strategies Division in the Office of Enterprise Information Programs in OMS.

5. 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. https://www.epa.gov/system/files/documents/2021-08/records_management_policy.pdf
- 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. <https://work.epa.gov/records-management/contact-us-about-records-management>
- 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. <https://www.archives.gov/records-mgmt/bulletins/2014/2014-02.html>.

6. **ROLES AND RESPONSIBILITIES**

Chief Information Officer/Deputy Assistant Administrator of the Office of Mission Support, and the **Associate Administrator** of the Office of Public Affairs are jointly responsible for monitoring compliance with this procedure.

Office of Mission Support (OMS) 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. OMS develops policy and procedures for social media use in consultation with OPA.

Office of Public Affairs (OPA) develops Terms of Service agreements with third-party sites in consultation with OMS and the Office of General Counsel. OPA develops and posts social media guidelines and tools in conjunction with OMS. OPA (specifically OWC) also applies the requirements of this procedure in its functions of managing communications and product review.

Office of Web Communications (OWC), as part of the Office of Public Affairs (OPA), drafts social media guidance and oversees the EPA national social media accounts. OWC

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is also responsible for the regular audit of all agency social media content to ensure compliance with established procedures and requirements.

Social Media Liaisons within the Office of Web Communication are responsible for working with regional and program offices to discuss appropriate social media usage for that office in accordance with OPA and OMS web policy and web practices.

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 social media and web efforts.
<https://www.epa.gov/webguide/epa-communications-and-web-staff#cdpad>

Public Affairs Directors in regional offices are responsible for managing communications from their organizations, including social media and web efforts.
<https://www.epa.gov/webguide/epa-communications-and-web-staff#cdpad>

Agency Privacy Officers are National Program Managers for the 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 the 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 (ISOs) are designated by the Assistant Administrator (AA), Regional Administrator (RA), Inspector General (IG), or General Counsel for their respective organizations. The ISOs ensure that information resources under his/her purview are managed and protected appropriately. The primary role for ISOs 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.

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Records Liaison Officer (RLOs) are 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.

7. RELATED INFORMATION

CIO Policy 2184.1, [Social Media Policy](#)

CIO 2184.1-P03.2, [Representing EPA Online Using Social Media Procedure](#)

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

CIO 2101.1, [Limited Personal Use of Government Office Equipment Policy](#), August 10, 2020

[Standards of Ethical Conduct for Employees of the Executive Branch, 5 C.F.R. Part 2635](#)

All design requirements for public access EPA webpages (www.epa.gov) are found at <https://www.epa.gov/web-policies-and-procedures/epa-web-standards>

Security related information:

- FIPS 200, Minimum Security Requirements for Federal Information and Information Systems, <https://csrc.nist.gov/publications/detail/fips/200/final>
- NIST SP 800-60 Rev. 1 Guide for Mapping Types of Information and Information Systems to Security Categories (2 vols) <https://www.nist.gov/publications/guide-mapping-types-information-and-information-systems-security-categories-2-vols>
- NIST SP 800-53, Rev. 5, Security and Privacy Controls for Federal Information Systems and Organizations, <https://csrc.nist.gov/publications/detail/sp/800-53/rev-5/final>
- "Guidelines for Secure Use of Social Media by Federal Departments and Agencies," version 1.0, Sept. 2009,
- [Guidelines for Secure Use of Social Media by Federal Departments and Agencies](#)
- [EPA Technical Infrastructure Portfolio and Standards](#)

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[Current EPA Information Directives - CIO Policies, Procedures, Standards, and Guidance](#)

Checklist of Requirements for Federal Websites and Digital Services are located at <https://digital.gov/resources/checklist-of-requirements-for-federal-digital-services/>

[Social Media Ethics FAQs](#) found in the Social Media Resources section of the EPA Web Guide.

[EPA Comment Guidance](#) found in the Social Media Resources section of the EPA Web Guide.

[Interacting with EPA Online](#) disclaimer found in the Policies and Procedures section of the EPA Web Guide.

[OGE LA-23-03: The Standards of Conduct and 18 U.S.C. § 208 as Applied to Official Social Media Use](#) (January 2023)

[OMB Memorandum M-13-10: Antideficiency Act Implications of Certain Online Terms of Service Agreements](#) (April 2013)

[Social Media, Web-Based Interactive Technologies, and the Paperwork Reduction Act](#) (April 2010)

8. 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 - Reviewing comments and content created by readers or viewers outside of the group that created the tool. Moderation is consistent with the [Interacting with EPA Online webpage](#).

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.

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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 - the sharing of information through virtual networks and communities.

Third-party website - for purposes of this procedure, any website that is not owned, operated or cosponsored 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.

9. WAIVERS

There are no waivers from this Procedure.

10. DIRECTIVE(S) SUPERSEDED

CIO 2184.0-P02.1, Using Social Media to Communicate with the Public, 06/20/2011.

11. CONTACTS

For further information about this Procedure, please contact the Office of Web Communications, Office of Public Affairs.

***Vaughn Noga, Chief Information Officer and Deputy Assistant Administrator
for Information Technology and Information Management***