

FEDERAL COMMUNICATIONS COMMISSION Washington, D.C. 20554 FCC DIRECTIVE	TITLE	
	Official Use of Social Media by FCC Bureaus, Offices, and Staff	
	Directive Number: FCCINST 1440.1	Effective Date: April 9, 2014

1. **PURPOSE:** This Directive sets forth the Federal Communication Commission’s (“Commission” or “FCC”) policies, procedures, and responsibilities relating to the official and authorized use of social media by FCC employees and contractors on behalf of the Commission.

2. **BACKGROUND:** The FCC is committed to using Social Media tools to create a more effective and transparent government, to engage practitioners, the public and other interested parties, and facilitate internal collaboration. Social Media provides a dynamic set of tools to help the FCC accomplish its objective to be a “responsive, efficient and effective agency capable of facing the technological and economic opportunities of the new millennium.”¹ Social Media use has been widely adopted as a means of making government “more efficient, effective and responsive to citizens’ needs.”²

3. **SCOPE AND APPLICABILITY:** This Directive applies to all Bureaus and Offices (B/Os) within the FCC. The policy and procedures outlined here apply to all Commission employees.

4. **DEFINITIONS:**

Branding. “Branding” refers to the use of a logo, seal, symbol, design, and/or name as part of activities to distinguish from those of non-FCC actors.

Employees. “Employees” refers to all Commission employees, including consultants, temporary employees, interns and contractors acting in an official capacity.

¹ See FCC What We Do webpage, available at <http://www.fcc.gov/what-we-do>

² See White House Open Government Initiative, available at <http://www.whitehouse.gov/open>

Social Media. “Social Media” is a broad term that encompasses a wide and evolving variety of interactive and user-driven content technologies (*i.e.*, social networks, blogs, wikis, podcasts, online videos, etc.).

Third-party websites or applications. The term “third-party websites or applications” refers to web-based technologies that are not exclusively operated or controlled by a government entity, or web-based technologies that involve significant participation of a nongovernmental entity.

5. ROLES AND RESPONSIBILITIES:

- A. Office of Media Relations (“OMR”) is responsible for external communications on behalf of the FCC, including the content-related aspects of Social Media. Content-related coordination on Social Media will occur among OMR representatives working with the Bureaus and Offices. OMR is responsible for identifying categories of content and the associated approval process. OMR is the final decision-maker for sensitive content that requires approval. OMR, or its designated staff, is responsible for creating content schedules, developing messages for social media distribution, and handling comment moderation on applicable Social Media tools.
- B. FCC Information Technology (“FCC IT”) is responsible for FCC’s Information Technology related to Social Media, including privacy, security, tools, and technological resources needed to successfully operate in the Social Media space.
- C. Office of General Counsel (“OGC”) is responsible for providing legal advice and counsel on issues relating to FCC use of Social Media.
- D. Office of the Managing Director (“OMD”) is responsible for the administration and management of the Commission including the Commission's budget and financial programs; human resources; contracts and purchasing; communications and computer services (including FCC IT); physical space; security; the Commission meeting schedule; and distribution of official FCC documents.
- E. Bureaus and Offices (“B/Os”) all B/Os are responsible for designating a Social Media liaison to work with OMR to coordinate with regarding Social Media requests, content clearance and responses to questions received on Social Media. While all staff members can submit content for Social Media distribution, the B/O designee will coordinate and obtain content approval on an as-needed basis. All B/O supervisors have a duty to ensure that FCC’s use of social media is focused and mission-oriented.

6. POLICY:

The Commission encourages the use of Social Media technologies to enhance communication, transparency, collaboration, and information exchange in support of its mission³ and Open Government.⁴

FCC personnel are encouraged to access and contribute content for distribution on FCC's Social Media tools.

When utilizing social media in an official capacity, FCC employees shall abide by the "Guiding Principles for Official Use of Social Media," set forth below in Section 7 and the rules outlined and agreed upon in the "FCC Information Technology Rules of Behavior".

Except as provided in 5 CFR 2635.702(c), employees may not use their government position, title, or any authority associated with their public office or employment to endorse any product, service, or enterprise when using FCC Social Media tools in their official capacity.

7. Requirements and Policies Governing Official Use of Social Media:

Employees seeking to use Social Media for official use should coordinate with OMR and, as appropriate, OGC, OMD, and FCC IT and others specified below, to ensure that the use complies with applicable federal laws, regulations, and requirements, as well as Commission policies.

A. Potentially Sensitive Information

- i. Confidentiality/privileged information. Employees should be cautious not to unintentionally release confidential or privileged information concerning, for example, a pending proceeding (when such information is non-public), ongoing policy issues, or personally identifiable information, in accordance with the policies set forth in the FCC's Rules of Behavior and Standards of Ethical Conduct for Employees of the Executive Branch,⁵ as well as the Commission's rules regarding employee responsibilities and conduct that are codified in Part 19 of its rules, 47 C.F.R. § Part 19.⁶

³ See FCC What We Do webpage, available at <http://www.fcc.gov/what-we-do>

⁴ See White House Open Government Directive, available at <http://www.whitehouse.gov/open/documents/open-government-directive>

⁵ See FCC Computer System User Rules of Behavior, available at http://intranet.fcc.gov/docs/omd/itc/crc/tipsheets/Network/rules_of_behavior.pdf

⁶ This includes confidential commercial information that, if released, could be a criminal violation of the Trade Secrets Act, 18 U.S.C. § 1905.

- ii. Personally Identifiable Information (PII)/Information collection. If information is collected through the FCC's use of a third-party website or application, the FCC shall collect only the information necessary for the proper performance of agency functions. If PII is collected, the FCC shall collect only the minimum necessary to accomplish a purpose required by statute, regulation, or executive order.⁷

B. Third Party Websites/Applications

- i. Terms of Service. FCC will only use third-party websites and applications that have been approved by OMR and OMD for Agency use, and such use must be in accordance with approved Federal Terms of Service ("ToS") agreements negotiated by the General Services Administration ("GSA") or approved by OGC.⁸ Potential security and procurement issues associated with new tools will be addressed through the existing FCC procurement and security review processes.
- ii. Privacy Policies of third party websites. FCC is committed to protecting the privacy of its social media visitors. As a default, FCC will adhere to the privacy policies outlined in the third party website's Terms of Service (ToS) agreement, unless otherwise stated and officially amended. When privacy is not addressed in a ToS agreement, FCC will adhere to the FCC Privacy Policy.⁹
- iii. Embedded applications/Cyber Security Policy. If the FCC incorporates or embeds a third-party application on its website or any other official government domain, it shall take the necessary steps to disclose the third party's involvement and ensure activity is consistent with the Commission's Cyber Security Policy.¹⁰
- iv. Agency branding. In general, when the FCC uses a third-party website or application that is not part of an official government domain, it shall apply appropriate branding to distinguish its activities from those of nongovernment actors. For example, to the extent practicable, the FCC should add its seal or

⁷ See Memo for The Heads of Executive Departments and Agencies, Subject: Social Media, Web-based Interactive Technologies, and the Paperwork Reduction Act, *available at* http://www.whitehouse.gov/omb/assets/inforeg/SocialMediaGuidance_04072010.pdf; *see also* Memo for The Heads of Executive Departments and Agencies, Subject: Guidance for Agency Use of Third-Party Websites and Applications, *available at* http://www.whitehouse.gov/omb/assets/memoranda_2010/m10-23.pdf

⁸ See listing of Federal-wide TOS agreements, *available at* <http://www.howto.gov/web-content/resources/tools/terms-of-service-agreements/negotiated-terms-of-service-agreements>

⁹ See FCC Privacy Policy, *available at* <http://www.fcc.gov/encyclopedia/privacy-policy>

¹⁰ See FCC Directive FCCINST 1479.4 Cyber Security Program, *available at* <http://intranet.fcc.gov/docs/omd/perm/directives/1479.4.pdf>; *see also* Guidelines for Secure Use of Social Media by Federal Departments and Agencies, *available at* https://cio.gov/wp-content/uploads/downloads/2012/09/Guidelines_for_Secure_Use_Social_Media_v01-0.pdf

emblem to its profile page on a social media website to indicate that it is an official agency presence. Whenever possible, accounts on Social Media sites should be identified by using the Commission's full name (the Federal Communications Commission), and where appropriate, a link to www.fcc.gov.

C. Other Issues

- i. OMR Issues: Employees should contact OMR with general questions about requirements and policies covered in this Directive.
- ii. OMD and FCC IT Issues: Employees should contact OMD with questions about Privacy, Procurement, Information Security, and Federal Records Management.
- iii. FCC IT Issues: Employees should contact FCC IT with questions about technology-related to Social Media tools and other FCC information systems.¹¹
- iv. OGC Issues: Employees should contact OGC with questions about ex parte, copyright/fair use, or financial disclosure issues.

8. CONTRIBUTING TO THE COMMISSION SOCIAL MEDIA ACCOUNTS:

- A. New Social Media Accounts. As a general practice, the Commission will only have one account for any given Social Media tool (*e.g.* FCC will only have one Facebook page). This is to ensure the Commission is communicating in a unified voice, adhering to its Social Media policies and procedures, maximizing reach by not fragmenting audiences across different pages, and making the most efficient and effective use of the resources available to maintain the Commission's Social Media presence.¹²
- B. Content Types (including "likes", "follows", "shares", and retweets ("RT")). The FCC will utilize Social Media to advance the FCC's mission. In addition to promoting content developed by the FCC, the FCC may share industry-related content from a variety of sources, including Government, commercial and nonprofit telecommunication organizations, consistent with applicable intellectual property laws. If and when the FCC shares third party content, attribution will be given to the originating content owner, which may include but is not limited to "tagging" the content owner's Social Media account.

The FCC may "follow" and/or "like" any Social Media page that has relevant content, including other government entities, commercial businesses and nonprofit

¹¹ The Consumer and Governmental Affairs Bureau (CGB), with support from FCC IT, will handle Section 508 issues. Employees should contact CGB with questions regarding Section 508.

¹² Excludes FCC Chair, Commissioners and certain approved senior-level positions.

organizations. OMR is responsible for implementing official decisions to “like” and “follow” accounts.

The FCC does not endorse any product or service, nor can it guarantee the validity or timeliness of the content posted by commenters outside of the FCC onto the official FCC Social Media page. All of FCC’s Official Social Media pages must include the disclaimer that “likes,” “follows” and “shares” do not imply endorsement.

9. PROCEDURES FOR CREATING NEW SOCIAL MEDIA ACCOUNTS AND SUBMITTING CONTENT FOR DISTRIBUTION AND CLEARANCE:

A. New Account Requests. Any and all requests for new Social Media accounts (whether FCC already has an established presence or not) should be made via email to SocialMedia@fcc.gov. In your request please include the following elements:

- Tool: Identify the tool requested
- Bureau/Office: Identify the Bureau/Office submitting the request
- Justification: Provide a brief justification on why this tool is needed, how this tool will meet that need, and why other Social Media channels already in use will not suffice
- Resources: Available resources your Bureau/Office has to maintain or manage presence
- Cost: Identify any costs associated with proposed tool

OMR, in conjunction with appropriate FCC management officials, will make a determination on each Social Media request.

B. Submitting Content for Social Media Distribution. All requests for content promotion across FCC Social Media tools should be sent to SocialMedia@FCC.gov with the following information:

- Bureau/Office: Identify the Bureau/Office submitting the request
- Description: Provide a brief description of material to be promoted
- URL: Will content related to Social Media request be available on FCC.gov?
- Date: Provide any dates associated with this request
- Public Information: Whether the content associated with the request is appropriate for public distribution

C. Content Clearance. As needed, OMR will work with OGC, OMD, FCC IT, other B/Os, and the Office of the Chairman to review content prior to public distribution to ensure:

- Alignment with Commission priorities
- Coordination with other communication channels
- Proper Disposition of Sensitive information

After the initial review, OMR will determine whether additional content review is needed. If additional review is needed, OMR will follow up directly with the designated point of contact for the proposed Social Media content.



Jon Wilkins
Acting Managing Director