



U.S. Department
of Transportation
**Federal Highway
Administration**

Order

Subject: **FHWA Social Media/Web 2.0
Management**

Classification Code	Date	OPI
1370.14	March 16, 2011	HPA

Par.

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1. **What is the purpose of this directive?**

- a. This directive establishes policy for access, conduct, account management, acceptable use, and responsibilities for using, managing, and maintaining Federal Highway Administration (FHWA) Social Media/Web 2.0 technologies. Examples include, but are not limited to, *Facebook* (social networking), *YouTube* (video sharing), *Flickr* (photo sharing), and *Twitter* (microblogging).
- b. This directive does not apply to U.S. Department of Transportation (DOT) or FHWA approved applications that are used for internal collaboration to help quickly share information with employees across the Agency (such as existing SharePoint and Communities of Practice).
- c. This directive provides guidelines for employees' use of all FHWA-managed Social Media/Web 2.0 technologies to minimize potential risks to FHWA Information Technology (IT) security.

- d. This directive establishes that communications on official FHWA social media accounts can be considered Federal records and, consequently, must be maintained and preserved in compliance with Federal records laws and regulations.
2. **Is this a new FHWA directive?** Yes, this is a new directive.
 3. **What is the background of this directive?** When used properly, Social Media/Web 2.0 technologies can contribute to transparent and efficient delivery of public information and broaden access to audiences who rely on these technologies for information. The FHWA has taken great care in selecting the most appropriate Social Media/Web 2.0 technologies to help facilitate the quick and effective dissemination of information.
 4. **What is the scope of this directive?**
 - a. This directive applies to all FHWA employees and contractors in field offices and Washington Headquarters.
 - b. This directive applies to all Web-based interactive technologies, including Social Media/Web 2.0 technologies, whether they are provided via an official “.gov” Web site or by a third party service provider.
 5. **What authorities were used in writing this directive?**
 - a. Title 44, United States Code (U.S.C.), Chapter 31, Records Management by Federal Agencies.
 - b. Title 36, Code of Federal Regulations (CFR), Section 1236, Electronic Records Management.
 - c. Title 5, CFR, Part 2635, Standards of Ethical Conduct for Employees of the Executive Branch.
 - d. Section 508 of the Rehabilitation Act (Title 29, United States Code, Part 794d), as amended by the Workforce Investment Act of 1998 (Public Law 105-220), dated August 7, 1998.
 - e. National Archives and Records Administration (NARA) Bulletin 2011-02, Guidance on Managing Records in Web 2.0/Social Media Platforms, dated October 20, 2010.
 - f. Office of Management and Budget (OMB) Memorandum M-10-23, Guidance for Agency Use of Third-Party Web Sites and Applications, dated June 25, 2010.

- g. OMB Memorandum, Information Collection under the Paperwork Reduction Act, dated April 7, 2010.
 - h. OMB Memorandum, Social Media, Web-Based Interactive Technologies, and the Paperwork Reduction Act, dated April 7, 2010.
 - i. Federal Chief Information Officer (CIO) Council's Guidelines for Secure Use of Social Media by Federal Departments and Agencies, Version 1.0, dated September 2009.
 - j. DOT Order 1351.24, Departmental Web Policy, Chief Information Officer Policy (CIOP) Chapter 24, dated September 27, 2010.
 - k. DOT Order 1351.28, Records Management, CIOP Chapter 28, dated November 1, 2010.
 - l. DOT Order 1351.33, Departmental Web-based Interactive Technologies Policy (Social Media and Web 2.0), CIOP Chapter 33, dated November 23, 2010.
 - m. FHWA Communications Reference Guide, Publication Number FHWA-RD-03-074.
6. **What is the definition of Social Media/Web 2.0?** Social Media and Web 2.0 are umbrella terms used to define the various activities integrating Web technology, social interaction, and user-generated content. Examples of Social Media/Web 2.0 technologies include, but are not limited to, blogs, wikis, podcasts, social network sites, and Internet-based services that emphasize collaboration and sharing (such as *Facebook*, *Twitter*, *Flickr*, and *YouTube*). The DOT Office of Chief Information Officer (OCIO) maintains a Social Media/Web 2.0 technologies catalog, listing all DOT approved technologies.
7. **What is FHWA's policy concerning Social Media/Web 2.0?**
- a. **Account Management**
 - (1) The Office of Public Affairs (HPA) is the authorized office responsible for the approval, management, maintenance, and governance of all FHWA Social Media/Web 2.0 accounts. All accounts created on third-party Social Media/Web 2.0 technologies for purposes of official communications will be approved, governed, and centrally managed by HPA.

- (2) To comply with the provisions of DOT Order 1351.33, FHWA may only use technologies approved by the OCIO and listed in the Web 2.0/Social Media technologies catalog maintained by that office.
- (3) This directive does not apply to existing FHWA Communities of Practice. However, existing or new Communities of Practice that incorporate or intend to incorporate Social Media/Web 2.0 components (e.g., blogs, wikis, YouTube, etc.) must be discussed, reviewed, and approved by HPA prior to implementation.

b. Content Management

- (1) All content to be shared on FHWA Social Media/Web 2.0 sites by FHWA employees and contractors must be approved by HPA prior to posting.
- (2) All FHWA Social Media/Web 2.0 sites shall comply with the requirements of Section 508 of the Rehabilitation Act and all the applicable provisions of the Departmental Web Policy, DOT Order 1351.24.
- (3) To ensure adequate access for individuals who prefer not to use Social Media/Web 2.0 sites to communicate with or obtain information and services from FHWA, equivalent content posted to a third-party platform must be available on an official “.gov” site; and visitors to the third-party platform must be properly directed to the official “.gov” site to find equivalent content.
- (4) All approved FHWA third-party Social Media/Web 2.0 sites must, to the extent practical, display or direct visitors to:
 - (a) An official FHWA “.gov” Web site for official information (e.g., www.fhwa.dot); and
 - (b) The Citizen Conduct Policy in DOT Order 1351.33, Appendix B, when Social Media/Web 2.0 technology allows for additional citizen conduct requirements (i.e., comment policies, take-down notices, terms of use, etc.), whether hosted on or outside a “.gov” Web site address. The Citizen Conduct Policy establishes general guidelines for participating in the use of FHWA maintained Social Media/Web 2.0 sites.

- (5) If the third-party Social Media/Web 2.0 site is used to invite feedback, an official FHWA e-mail address where users can also send feedback shall be provided. An official FHWA telephone number and/or mailing address may also be provided.
- c. **Privacy Management.** FHWA third-party Social Media/Web 2.0 technologies shall follow the privacy policies outlined in DOT Order 1351.24, paying particular attention to complying with requirements to collect the minimum information necessary.
- d. **Information Collection Requests / Paperwork Reduction Act (PRA)**
 - (1) When FHWA uses a “general suggestion/comment box” to generate feedback and does not request respondent identification beyond a username and e-mail address, Office of Management and Budget (OMB) approval is not required.
 - (2) When there is a need to solicit feedback from the public using a Social Media/Web 2.0 technology, an approval from OMB is required if:
 - (a) FHWA requests information from respondents beyond names and e-mail addresses (e.g., age, sex, race/ethnicity, mailing address, employment, or citizenship status); or
 - (b) FHWA asks the public to respond to a series of specific questions or a series of specific prompts that gather information (e.g., for purposes of aggregation or survey).
- e. **Records Management.** Official FHWA business information stored on Social Media/Web 2.0 sites are considered Federal records and must be managed accordingly. Refer to 44 U.S.C. 3301 for a definition of Federal records, 36 CFR 1236 for general guidance on electronic records management, and NARA Bulletin 2011-02 for guidance on managing records in Social Media/Web 2.0 technologies.
- f. **Intellectual Property.** The FHWA employees and contractors may not use or post copyrighted materials without permission from the copyright owner. FHWA-owned images and videos used in an agency context do not constitute copyright infringement and may be used wherever appropriate, given HPA’s approval. (See DOT Order

1351.33, Appendix C, for Departmental policy on Intellectual Property).

g. Employee Conduct

- (1) FHWA employees shall follow the Employee Conduct Policy in DOT Order 1351.33, Appendix A. Failure to comply with this policy may result in disciplinary action, up to and including removal from Federal service.
- (2) When using Social Media, FHWA employees are bound by the same conduct and ethical rules that apply to offline conduct, including those under 5 CFR 2635.
- (3) FHWA employees and contractors have no expectation of privacy for any communications executed on government-owned equipment, whether the communications are made by employee's in their official or personal capacities.

h. Citizen Conduct. While FHWA encourages the submission of comments on transportation-related issues from the public, FHWA expects communications to follow conventions of civil discourse. Therefore, FHWA will follow the Citizen Conduct Policy in DOT Order 1351.33, Appendix B.

8. What are the organizational responsibilities for managing and maintaining approved FHWA Social Media/Web 2.0 technologies?

a. HPA is responsible for:

- (1) Maintaining all FHWA Social Media/Web 2.0 accounts, including the content, look, and feel for all pages;
- (2) Ensuring that only approved technologies are in use and, if a different technology is requested, serve as the "sponsor" and make that request to the OCIO;
- (3) Reviewing and approving content submitted by program and field offices, prior to posting, to ensure consistency of messages and adherence to existing policy and strategies;
- (4) Ensuring that a disclaimer is provided as outlined in paragraph 8e(3);
- (5) Coordinating reviews with the Office of Chief Counsel (HCC) when necessary to ensure legal accuracy;

- (6) Modifying or declining the posting of proposed content from program and field offices; and
 - (7) Maintaining and preserving the operational records associated with FHWA Social Media/Web 2.0 sites.
- b. HCC is responsible for:
- (1) Reviewing terms of service (TOS) of all Web-based interactive technologies used by FHWA and providing advice and legal services in negotiating any unique TOS between FHWA and a third party;
 - (2) Advising HPA and program offices on compliance with this policy and assisting in the development of technology-specific guidance documentation for FHWA employees;
 - (3) Providing advice and legal services to HPA and program offices on the right to post content, especially embedded media;
 - (4) Providing advice and legal services to the FHWA Office of Human Resources on the DOT Employee Conduct Policy (see paragraph 7(g)(1)), which establishes general guidelines and expectations for employees and contractors when representing FHWA;
 - (5) Providing advice and legal services to HPA on the DOT Citizen Conduct Policy (see paragraph 7(b)(4)(b)); and
 - (6) Providing advice and legal services on the waiver processes prescribed in DOT Order 1351.33 for allowing advertisements on an FHWA Web-based interactive technology page, or entering into a TOS agreement outside the General Services Administration Web-based interactive technologies catalog.
- c. HAD is responsible for providing guidance on all privacy, information collections, security, intellectual property, records management, and contractual requirements.
- d. The FHWA program and field offices are responsible for providing appropriate content to HPA in support of the communication of

initiatives and programs on FHWA Social Media/Web 2.0 sites.

- e. FHWA employees and contractors are responsible for:
- (1) Limiting their personal use of Social Media/Web 2.0 technologies during working hours. Employees should exercise sound judgment and ensure a distinct separation between their personal use of these technologies and their job responsibilities;
 - (2) Accessing and posting entries to public, Internet-based Social Media/Web 2.0 sites using their personal profiles registered with personal e-mail addresses at those sites in compliance with the Employee Conduct Guidelines as specified in DOT Order 1351.33, Appendix A;
 - (3) Providing a disclaimer on the site that the views expressed are the employee/contractor's own views and not those of FHWA when an employee provides personal views on a subject of official concern during personal use of Social Media at work; and
 - (4) Adhering to this directive.
9. **Where can I find additional information?** Additional information is available in the FHWA Communications Reference Guide or by contacting HPA.



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