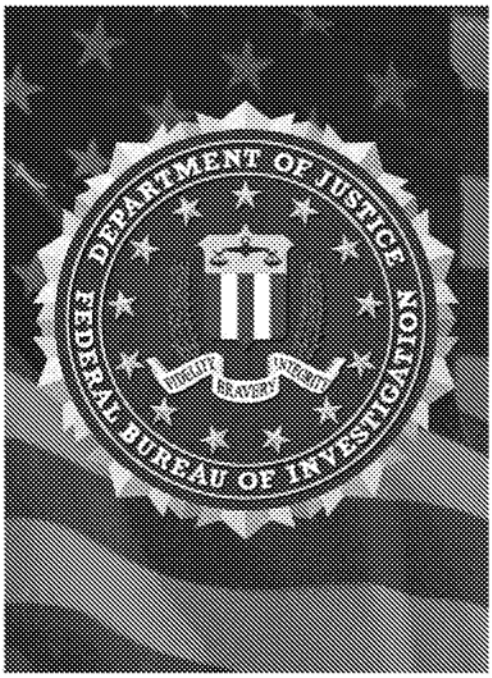
Public Affairs Policy Guide: Media Relations, External Communications, and Personal Use of Social Media



Federal Bureau of Investigation
Office of Public Affairs
1002PG
November 14, 2017

Approvals

Policy Information	
Date of Last Renewal	N/A
Effective Date	2017-11-14
Review Date	2020-11-14
Approval Information	
Sponsoring Executive Approval	**Michael Kortan** Assistant Director Office of Public Affairs
General Counsel Approval	**James Baker** General Counsel Office of the General Counsel
Final Approval	**Andrew McCabe** Deputy Director

General Information

Questions or comments pertaining to this policy guide can be directed to:

Federal Bureau of Investigation Headquarters, Office of Public Affairs

Division point of contact: division policy officer, OPA

Supersession Information

This document supersedes the *Media Relations at FBIHQ and in Field Offices Policy Guide* (0809PG).

This document and its contents are the property of the FBI. If the document or its contents are provided to an outside agency, it and its contents are not to be distributed outside of that agency without the written permission of the unit listed in the contact section of this policy guide.

This policy guide is solely for the purpose of internal FBI guidance. It is not intended to, does not, and may not be relied upon to create any rights, substantive or procedural, enforceable by law by any party in any matter, civil or criminal, nor does it place any limitation on otherwise lawful investigative and litigative prerogatives of the Department of Justice and the FBI.

DIOG Provision

No policy may contradict, alter, or otherwise modify the standards of the DIOG. Requests for DIOG modifications can be made to the Internal Policy Office, pursuant to DIOG subsection 3.2.2 paragraphs (A), (B), (C), and (D).

Revision Log

The revision log documents substantive changes made to the previous version of this policy, the *Media Relations at FBIHQ and in Field Offices Policy Guide,* 0809PG, published on October 13, 2015.

The numbers and titles in the "Revised" column refer to the subsections as they currently appear in this updated policy. "Deleted" subsection numbers refer to those in the previous published version of the policy.

Revised Section Number and Title	Deleted Section Number and Title
Significant changes have been made throughout the policy.	

Table of Contents

1. Introduction 1
1.1. Purpose 1
1.2. Intended Audience 1
1.3. Exemptions 1
2. Roles and Responsibilities 3
2.1. FBI Office of Public Affairs 3
2.1.1. Assistant Director (AD), Office of Public Affairs 3
2.1.2. Section Chief (SC), Media and Investigative Publicity Section, Office of Public Affairs 3
2.1.3. Section Chief, Strategic Communications Section, Office of Public Affairs 3
2.1.4. National Press Office 3
2.1.5. Investigative Publicity and Public Affairs Unit 4
2.1.6. FBI.gov and Internet Operations Unit 6
2.1.7. Employee Communications Unit 6
2.1.8. Executive Writing Unit 7
2.1.9. Community Relations Unit 7
2.1.10. Executive Staff Unit 8
2.2. Office of the General Counsel 8
2.3. Executives in FBIHQ Branches and Divisions Outside of the Office of Public Affairs 8
2.4. Legal Attaché (Legat) Offices 9
2.5. Field Offices 10
2.5.1. Assistant Director in Charge (ADIC) or Special Agent in Charge (SAC) 10
2.5.2. Public Affairs Officers 10
2.6. All FBI Personnel 12
3. Policy Statement 14
4. Processes and Procedures 15
4.1. Media Relations 15
4.1.1. Authorization of FBI Personnel to Have Contact With the Media About FBI Matters 15

4.1.2. The FBI's Open Stance With the Media 15
4.1.3. Guidelines for Interaction With the Media 16
4.1.4. Regulations, Statutes, and Policy Governing Media Interaction 16
4.1.5. Notification of Contact With the Media 17
4.2. Disclosures of Information to the Media and Public 19
4.2.1. Disclosures of Information in an Official Capacity 19
4.2.2. Use of Official FBI Digital and Social Media Platforms 20
4.2.3. Other Public Disclosures 20
4.2.4. Personal Use of Social Media Platforms 21
4.3. Administration and Management of Media Relations 23
4.3.1. *The Horizon* 23
4.3.2. Biannual Reports 23
4.3.3. Office of Public Affairs Teleconferences 24
4.3.4. Public Affairs Guidance 24
4.3.5. Press Releases 24
4.3.6. Press Conferences 25
4.3.7. Pen-and-Pad Briefings 26
4.3.8. Special Circumstances 26
4.4. Other Media Requests 26
4.4.1. Recording of Live-Action FBI Operations 26
4.4.2. Handling Requests From Television Series, Movies, Documentaries, Radio, or Authors for FBI Assistance 29
4.4.3. Ongoing Liaison With Television Series Depicting the FBI 29
4.4.4. Waivers and Releases 30
4.5. Publicity and Proactive Campaigns 30
4.5.1. Managing Proactive Campaigns 30
4.5.2. Producing Radio Shows and Podcasts 31
4.5.3. Creating Public Service Announcements 31
4.5.4. Investigative Publicity 31
4.6. Crisis Situations 32
4.6.1. Crisis Planning 32

4.6.2. During Crises 32
4.7. Training 34
4.8. Publications 35
4.8.1. Publications With External Distribution 35
4.8.2. Publications With Internal Distribution 36
4.9. Videos 36
4.9.1. Standards and Guidelines for Video Projects 36
4.9.2. Coordination of Video Projects 37
4.10. Speeches 37
4.10.1. Speech Program 37
4.10.2. Assistance and Review of Speech Materials 38
4.10.3. Sharing and Recordkeeping 38
4.10.4. Speech Waivers and Releases 38
4.10.5. Correspondence of Speech Matters 38
5. Summary of Legal Authorities 39
6. Recordkeeping Requirements 40

List of Appendices

Appendix A: Sources of Additional Information A-1
Appendix B: Contact Information B-1
Appendix C: Additional Information for Media Ride-Alongs C-1
Appendix D: Definitions and Acronyms D-1

1. Introduction

1.1. Purpose

The purpose of the *Public Affairs Policy Guide: Media Relations, External Communication, and Personal Use of Social Media* is to set forth the policies and procedures governing the public affairs activities of the Federal Bureau of Investigation (FBI) and its personnel. This policy guide (PG) establishes roles and responsibilities and provides guidance on a range of public affairs topics, including media relations, public disclosure of information, use of digital and social media, and investigative publicity. This PG is consistent with all applicable regulations, statues, and policies concerning media interaction and the public disclosure of information, including *United States Attorneys' Manual* (USAM) Title 1-7.000, "Confidentiality and Media Contacts Policy," as well as Title 28 Code of Federal Regulations (CFR) Section (§) 50.2 and Intelligence Community Directive (ICD) 119, *Media Contacts.*

1.2. Intended Audience

This PG applies to all FBI personnel, unless otherwise noted. The term *FBI personnel* is defined as FBI employees, as well as non-FBI employees (individuals who are associated with the FBI in the capacity of contractors, detailees, or task force officers [TFO], task force participants [TFP], and task force members [TFM]). The term *FBI employees* is defined as individuals who are directly employed by the FBI.

FBI employees who are found to be in violation of this policy may be subject to administrative action, up to and including termination of employment. FBI personnel who are not subject to the FBI's internal disciplinary process may still be held accountable for violation of this policy through other mechanisms, such as removal from, or cancellation of, the applicable contract or termination of the individual's participation on a task force.

If failure to comply with this policy results in the unauthorized disclosure of classified information, referral for prosecution may also occur.

1.3. Exemptions

This policy does not apply to contact with the news media or use of social media for investigative or intelligence purposes. In certain instances, such as investigative publicity and proactive media campaigns, operational coordination with the Office of Public Affairs (OPA) or respective field office (FO) public affairs officer (PAO) is required, as set forth within. Otherwise, any contact with the media or use of social media for operational purposes, whether overt or covert, is governed by FBI policy, including, but not limited to, the *Domestic Investigations and Operations Guide* (DIOG), as well as Department of Justice (DOJ) regulations and policies.

This policy also does not apply to the interaction of Records Management Division (RMD) personnel with members of the media regarding requests for FBI information made under the provisions of the Freedom of Information Act (FOIA) and Privacy Act of 1974 (Title 5 United States Code [U.S.C.] §§ 552 and 552a).

The requirements of this PG regarding contact with media on FBI matters are consistent with, and do not supersede, conflict with, or otherwise alter the obligations, rights, or liabilities created by existing statutes or executive orders (EO) relating to:

- Classified information.
- Communications to Congress.
- The reporting of:
    - A violation of any law, rule, or regulation.
    - Gross mismanagement.
    - A gross waste of funds.
    - An abuse of authority.
    - A substantial and specific danger to public health or safety.
- Any other whistleblower protection.

The definitions, requirements, obligations, rights, sanctions, and liabilities created by controlling EOs and statutory provisions are incorporated into the FD-291, "FBI Employment Agreement," and the FD-868, "Nondisclosure Agreement for Joint Task Force Members, Contractors, Detailees, Assignees, and Interns," and are controlling. Any such information that is disclosed pursuant to applicable federal law continues to be subject to the above agreements for all other purposes, and disclosure to the appropriate entities provided by federal law does not constitute public disclosure or declassification, if applicable, of such information.

2. Roles and Responsibilities

2.1. FBI Office of Public Affairs

2.1.1. Assistant Director (AD), Office of Public Affairs

The AD, OPA serves as the FBI's national spokesperson and provides leadership, oversight, and direction for OPA and FBI-wide media relations, community outreach, history, executive speeches, and employee communications functions. The AD must brief and advise the Director and senior executives on a range of public affairs and communication matters, including the current news environment and the impact of their decisions on public opinion, the FBI's public image, and communication to the FBI workforce. The AD must ensure that public affairs matters are closely coordinated with the AD of the Office of Congressional Affairs (OCA) and public affairs executives at DOJ, the White House, Department of Homeland Security (DHS), Office of the Director of National Intelligence (ODNI), and other agencies, as appropriate. The AD must maintain high-level liaison with news and entertainment industry leaders, executive producers, managing editors, and current and retired FBI executives. The AD must also approve requests for use of the FBI's name, initials, and seal in media whose content has been specifically reviewed and approved by the FBI (e.g., in public service announcements [PSA] and official letters to the editor). (See Policy Directive [PD] 0625D, *FBI Seal Name Initials and Special Agent Gold Badge* for more information.)

2.1.2. Section Chief (SC), Media and Investigative Publicity Section, Office of Public Affairs

The SC has oversight of the FBI-wide media relations program, coordinating the various FBI Headquarters (FBIHQ) and FO components that contribute to this program, including the National Press Office (NPO) and the Investigative Publicity and Public Affairs Unit (IPPAU). The SC also has oversight over the Executive Writing Unit (EWU). The SC must act as a high-level media relations and outreach expert to interact with the national and international news media and counterparts in other government agencies (OGA) on a daily basis.

2.1.3. Section Chief, Strategic Communications Section, Office of Public Affairs

The SC has oversight of the FBI's public online presence, internal employee communications, and community outreach program through management of the FBI.gov and Internet Operations Unit (FIOU), Employee Communications Unit (ECU), and Community Relations Unit (CRU), as well as the Executive Staff Unit (ESU). The SC must ensure that OPA's activities and support are aligned with FBI strategic objectives and priority initiatives. The SC is responsible for policies, compliance matters, and personnel professional development matters for OPA and the FBI's larger public affairs workforce at FBIHQ and in FOs. The SC must work in coordination with the unit chief (UC) of ESU on goals, objectives, performance measures, and strategic planning.

2.1.4. National Press Office

NPO must manage daily relations with the national and international media and ensure timely responses to all media requests, with the exception of requests from monthly publications and nontraditional media outlets, which are handled by IPPAU. (See subsection 2.1.5. of this PG.)

NPO must:

- Coordinate interview requests.
- Consult with applicable FBIHQ divisions and/or FO PAOs prior to responding to media inquiries.
- Draft and issue written press releases and responses.
- Produce briefing products for executives.
- Produce, maintain, and manage access to public affairs guidance (PAG), talking points, questions and answers (Q & A), and other materials to help guide FBI communications on issues in the news. NPO must review PAGs on a regular basis to ensure the information is current and accurate.
- Design, recommend, and, upon the approval of the AD, OPA, execute media strategies using print, broadcast, Internet, and social media platforms.
- Provide on-site and remote assistance for major media events involving the FBI.
- Serve as the FBI's external public communication center during a major incident or crisis, managing dissemination of all FBI public information via a number of methods, including, but not limited to, telephone, electronic mail (e-mail), and social media.
- Provide general program management of media relations and provide daily guidance to FOs.
- Coordinate media training for executives and PAOs and serve as their point of contact (POC) for the support and coordination of issues pertaining to the media.
- Provide training on interacting with the media to personnel who receive FBIHQ division head (i.e., AD) authorization to do so, and accompany personnel during any such interaction.
- Maintain staff-level liaison contacts with the public affairs offices of DOJ, the White House, DHS, ODNI, and other federal entities.
- Consult with the Office of the General Counsel (OGC) prior to publicly commenting on any policy or litigation-related matters.
- Notify OPA executive management (EM) immediately if contact with a member of the media concerns [redacted] b7E
- Adhere to all reporting requirements as mandated by the regulations, statutes, and policies detailed in subsection 4.1.4. of this PG.

2.1.5. Investigative Publicity and Public Affairs Unit

IPPAU must oversee and manage publicity efforts that directly support investigations or intelligence activities. IPPAU must manage relationships with national and international monthly publications and magazines. In addition, IPPAU must connect with media outlets not traditionally handled by NPO, such as authors, publishers, documentary productions, podcasts,

and the radio, television, motion picture, and other entertainment industries, including those in foreign languages and those aimed at women, ethnic, religious, industry, and specific age groups.

IPPAU must:

- Consult with applicable FBIHQ divisions, including OGC, and/or FO PAOs on requests from authors, publishers, documentary productions, podcasts, and radio, television, motion picture, and other entertainment industries.
- Coordinate with operational FBIHQ divisions and FOs on national and international investigative publicity matters.
- Approve and coordinate press releases and other public disclosures to solicit public assistance in national or international fugitive, missing person, unknown bank robber, and cold cases.
- Develop national and international publicity campaigns.
- Create Wanted posters and other fugitive publicity.
- Manage publicity for the Ten Most Wanted Fugitives and the Most Wanted Terrorists programs.
- Manage the "Most Wanted" pages of <FBI.gov>.
- Manage the "FBI Most Wanted" Twitter account.
- Manage the Wanted Bank Robbers Web site, a national system for publicizing the FBI's unknown bank robbery suspects.
- Manage the relationships with digital outdoor advertisers.
- Oversee the creation of PSAs.
- Coordinate approval for the recording of live-action FBI operations (also known as media ride-alongs) with appropriate input from the FO, OGC, applicable United States Attorney's Office (USAO), and DOJ.
- Coordinate "FBI 101s" (or workshops to educate different segments of the media on FBI jurisdiction and operations) by planning the agenda, coordinating speakers, and producing presentations, talking points, Q&As, fact sheets, and/or other background materials for these workshops, in coordination with subject matter experts (SME).
- Provide training to FBIHQ divisions and PAOs on opportunities to promote positive feature stories to the media.
- Work with the media to promote the development of positive feature stories.
- Notify OPA EM immediately if contact with a member of the media concerns [redacted] b7E
- Adhere to all reporting requirements as mandated by the regulations, statutes, and policies detailed in subsection 4.1.4. of this PG.

2.1.6. FBI.gov and Internet Operations Unit

FIOU is responsible for the FBI's official public presence on the Internet, including all issues related to content, design, security, compliance, policy, social media, and technical support. The unit directly manages <FBI.gov>, creating original content to keep the public informed and vetting, editing, and posting information from FBIHQ divisions and FOs. FIOU is also responsible for the FBI's history program, which includes the documenting, presenting, and assisting in the preservation of the FBI's historical records, activities, and media.

FIOU must:

- Approve and oversee all external, official FBI Web presences, including all public Web applications and public-facing social media sites such as Facebook, Twitter, and YouTube, unless excepted by OPA.
- Build and manage custom sites for FBI customers, as appropriate.
- Ensure the security and legal compliance of all FBI.gov-related sites, in coordination with OGC and appropriate security components.
- Ensure that all FBI.gov-related sites adhere to all applicable policies, including Office of Management and Budget (OMB) and DOJ policies.
- Analyze usage parameters and metrics, and evaluate and implement any emerging forms of Internet communication deemed appropriate for FBI public affairs use.

2.1.7. Employee Communications Unit

Through focused and coordinated communication, ECU advances the FBI mission by working to develop an informed and motivated workforce that:

- Is knowledgeable about the FBI mission and strategy and their individual roles in achieving them.
- Is aware of major cases, events, initiatives, and best practices.
- Has easy access to policies and resources to do their jobs.

ECU oversees internal communication intended for all FBI personnel. Both independently and in consultation with FBI executives and their staffs, ECU monitors the communication climate, sets policy, and guides efforts to address communication barriers or strengthen communication to help the FBI achieve or evaluate progress toward its goals.

ECU must:

- Provide guidance and assistance to FBI executives, their FBIHQ divisions/FOs, and personnel performing communication functions to develop and execute communication strategies and to develop FBIHQ division/FO visual identities consistent with the overall FBI corporate brand.
- Have strategic oversight governance of the FBI Intranet as it pertains to internal communication, content management, organizational presentation and branding, user

experience, design, style, and so on, in coordination with the Information and Technology Branch's (ITB) Web services, BUNET (Bureau Network) lead content managers, portal owners, communication leads, and FBI leadership.

- Create original content for the FBI Intranet and manage publications such as the weekly *Employee E-Brief* and the quarterly *The Investigator* magazine.

2.1.8. Executive Writing Unit

EWU supports the efforts of FBI executives to create and deliver critical information to the public, including law enforcement (LE) and intelligence partners, private sector partners, the media, and concerned citizens. EWU produces speeches, talking points, op-eds, letters, research, analyses, reports, congressional testimonies, constituent messaging, and other communications to support the OPA and FBI missions, with a focus on the Director's priority initiatives.

EWU must:

- Coordinate with the Director's Office (DO) and other key FBIHQ divisions (including the National Security Branch [NSB], Office of Private Sector [OPS], and Office of Partner Engagement [OPE]) to create consistent messaging that will resonate with respective audiences.
- Make recommendations to the DO on speaking invitations that will offer the best opportunities for FBI executives to deliver positive messages about the FBI, and work closely with the DO and with other speakers to schedule and prepare for each speaking engagement.
- Research, draft, and present to the DO a speech strategy highlighting the top speaking venues and the messaging strategies for the FBI's top programs and priorities for each calendar year.
- Produce unique graphic design and presentation materials for use by FBI executives, including visual materials for use by other FBIHQ divisions and FOs.

2.1.9. Community Relations Unit

CRU works to improve understanding, enhance relationships, and build partnerships between the FBI, community-based and industry groups and organizations, and members of the general public in order to encourage cooperation and crime prevention in support of the FBI's priorities, consistent with privacy, civil rights, and civil liberties. CRU fulfills this mission by:

- Providing management oversight, guidance, and support to community relations programs throughout the FBI, including the FBI Citizens Academy Program, minority outreach programs, and youth-oriented programs.
- Acting as the FBI's liaison to national minority and community organizations and supporting outreach efforts by FBIHQ executives. For more information on CRU, see the *Community Outreach in Field Offices Policy Directive and Policy Guide* (0575DPG).

2.1.10. Executive Staff Unit

ESU has four distinct functional areas: (1) special events, (2) program management, (3) creative messaging, and (4) executive functions. ESU manages OPA's strategies, policies, and compliance matters and coordinates communication and taskings regarding staffing, budget, inventory, service contracts, supplies, photo studio, and enhancement or planning of physical space between OPA's components and its executives, in coordination with the Administrative Management and Analysis Unit (AMAU) of the Resource Planning Office (RPO). ESU supports OPA's overall program management, assisting with coordination, performance tracking, training, and professional development efforts. ESU provides planning and support for major events involving the Director and other FBIHQ executives, such as FBI Family Day, and coordinates visits with selected groups, FBI personnel, official visitors, and high-level domestic and foreign guests. ESU is also responsible for cross-platform messaging throughout OPA for the Director's priorities and facilitates the review of video projects and publications.

ESU must:

- Receive and route, as appropriate, requests for new video projects or reviews of publications.
- Facilitate, in coordination with other OPA units, orientation, regular training, and professional development for the FBI's communications workforce.
- Facilitate management of the FBIHQ Communicators Group, ensuring that member lists and shared calendars are updated and that relevant information is shared with the group.

2.2. Office of the General Counsel

OGC must review and concur on the response to all requests for authorized recordings of FBI operations and related activities conducted pursuant to subsection 4.4.1. of this PG. OGC must review and approve releases, waivers, and authorization letters that any members of the media or production companies ask FBI personnel to sign. In addition, OGC must advise NPO of any litigation-related matters that may be of public interest, as appropriate in the discretion of OGC.

2.3. Executives in FBIHQ Branches and Divisions Outside of the Office of Public Affairs

At FBIHQ, the Director, deputy director (DD), and associate deputy director (ADD) are authorized to communicate with the media about FBI matters. Other members of the Senior Executive Service (SES) (hereafter referred to as "executives") in FBIHQ branches and divisions outside of OPA do not have the same autonomy to conduct liaison with the media that is afforded to FO executives pursuant to these guidelines. FBIHQ executives at the executive assistant director (EAD) and AD levels must only communicate with the media about FBI matters at the request of, or following coordination and concurrence with, OPA. Such authorization for a particular media contact does not constitute authorization for additional media engagement.

Accordingly, EADs and ADs must:

- Coordinate all public affairs activities with OPA.

- Notify NPO at the earliest practicable time of any cases, issues, events, or other matters that could result in media attention.
- Refer all media inquiries to NPO.
- Coordinate with NPO to obtain concurrence in advance of any contact with members of the media about FBI matters.
- Notify NPO, via e-mail, of any other contact regarding FBI matters with any individuals reasonably believed to be members of the media, even if contact was unplanned or unintentional.

All other FBIHQ executives, including deputy assistant directors (DAD) and SCs, must receive approval from their FBIHQ division heads and NPO prior to communicating with the media on FBI matters, as outlined below in the roles and responsibilities for all FBI personnel.

2.4. Legal Attaché (Legat) Offices

In a Legat office, the legal attaché (LEGAT) (and other personnel, as appropriate) must only communicate with the media about FBI matters with International Operations Division (IOD) AD approval and at the request of, or following coordination and approval with, OPA. The chief of mission (COM), as well as the public affairs section at the embassy, must also be notified prior to any media contact. Such authorization for a particular media contact does not constitute authorization for additional media engagement.

OPA will coordinate with other applicable FBIHQ divisions for any additional consideration on behalf of the LEGAT.

Legat office personnel must:

- Notify NPO at the earliest practicable time of any cases, issues, events, or other matters that could result in media attention.
- Refer all media inquiries to NPO and embassy public affairs personnel, as appropriate.
- Obtain IOD AD approval and coordinate with NPO for approval in advance of any contact with members of the media about FBI matters. Legat office personnel must also notify the COM in advance of media contact, as well as the public affairs section at the embassy.
- Notify NPO, via e-mail, of any other contact regarding FBI matters with any individuals reasonably believed to be members of the media, even if contact was unplanned or unintentional.
- Notify appropriate IOD operational UC immediately if contact with a member of the media concerns [redacted] b7E
- Ensure a representative of the embassy is present for any media interviews or other contact with the media.

2.5. Field Offices

2.5.1. Assistant Director in Charge (ADIC) or Special Agent in Charge (SAC)

The FO head (ADIC in New York, Los Angeles, and Washington, D.C., or SAC in all other FOs) is responsible for overseeing and participating in media relations in his or her FO, including appointing or hiring a PAO who reports directly to the ADIC or SAC, as well as a back-up PAO and/or a supervisory senior resident agent (SSRA), as appropriate. The FO head has autonomy to engage and interact with the local media on matters relevant to his or her current area of responsibility (AOR), with appropriate coordination with the respective USAO, as required by USAM Title 1-7.000, "Confidentiality and Media Contacts Policy." This authorization is by position, not individual, and is only granted for the duration in which the position is held.

The FO head must:

- Designate via the FD-1057, "Electronic Communication" (EC), (maintained in the appropriate Sentinel case file) any FO personnel (other than the PAO) who are authorized to communicate with the local media within his or her AOR, such as back-up PAOs or SSRAs located long distances from the FO headquarters city office.
- Coordinate with the respective USAO on media matters relevant to the USAO.
- Make appropriate FO personnel available to the local news media as SMEs or to otherwise provide information as authorized upon request.
- Notify NPO at the earliest practicable time of any case, issue, event, or other matter that could result in significant or national media attention. Such notifications can be made to NPO via the FO PAO.
- Advise NPO of any inquiries made by members of national or international media outlets about FBI matters. Such notifications can be made to NPO via the FO PAO.
- Coordinate with NPO to obtain concurrence in advance of any contact with members of the national or international media about FBI matters. Such coordination can be conducted via the FO PAO.
- Notify NPO, via e-mail, of any other contact regarding FBI matters with any individuals reasonably believed to be members of the national or international media, even if contact was unplanned or unintentional.
- Approve any memoranda of understanding (MOU), following OGC review, that are executed between the FBI and media outlets, such as those governing the authorized recording of FBI operations and related activities. The FO head must be involved in the MOU negotiations for live-action recording, must execute the MOUs once all parties are in agreement, and must oversee the approval process outlined in subsection 4.2.2. of this document.

2.5.2. Public Affairs Officers

All FBI FOs must have at least one PAO, either professional staff or special agent (SA), who functions as a liaison for the FO and as an official spokesperson, coordinating media activities

and information with his or her USAO(s), which exercises independent discretion as to investigative matters affecting its own districts. A PAO has autonomy to engage and interact with the local media on matters relevant to his or her current AOR, with appropriate coordination with the respective USAO, as required by USAM Title 1-7.000, "Confidentiality and Media Contacts Policy." This authorization is by position, not individual, and is only granted for the duration in which the position is held.

PAOs should not be the sole spokesperson for the FO and, to the extent practical, should respond to requests for information by coordinating interviews with managers, SMEs, or case agents (CA). As appropriate, an FO head may designate, via EC, other FO personnel, such as back-up PAOs or SSRAs located long distances from the FO headquarters city office, to communicate with the local media within his or her AOR. When authorized, these individuals hold the same roles and responsibilities as PAOs and must coordinate all public affairs activities with the primary PAO. This authorization is only granted to individuals for the duration for which they hold the designated positions.

PAOs must:

- Focus on proactive activities that highlight the priorities, mission, and accomplishments of the FBI.
- Build relationships with local media outlets and with other LE PAOs in their AORs, and coordinate with other PAOs on media activities, as appropriate.
- Provide materials, such as speeches and talking points, to assist ADICs or SACs with press events and other public affairs efforts.
- Coordinate press conferences.
- Draft press releases.
- Update press releases and other information on their public-facing FO Internet presence, including FO Web sites and, if applicable, OPA-approved Twitter accounts.
- Work with the media in crisis and emergency situations.
- Notify NPO at the earliest practicable time of any cases, issues, events, or other matters that could result in significant or national media attention.
- Advise NPO of any inquiries made by members of national or international media outlets about FBI matters.
- Coordinate with NPO to obtain concurrence in advance of any contact with members of the national or international media about FBI matters.
- Notify NPO, via e-mail, of any other contact regarding FBI matters with any individuals reasonably believed to be members of the national or international media, even if contact was unplanned or unintentional.
- Notify their FO heads immediately if contact with a member of the media concerns [redacted] b7E

- Coordinate investigative publicity matters through IPPAU.
- Coordinate all interaction with authors, publishers, documentary productions, television, motion picture, and other entertainment industries through IPPAU.
- Consult with FOs' chief division counsels (CDC) prior to publicly commenting on any policy or litigation-related matters in FOs' AORs.
- Coordinate with the community outreach specialist (COS) to publicize community programs. (See the *Community Outreach in Field Offices Directive and Policy Guide*, [0575DPG].)
- Brief new personnel on the FBI's public affairs policy and the FO public affairs program.
- On an annual basis, brief FO personnel on the FBI's public affairs policy and how to appropriately decline responses in the event they are contacted by members of the media.
- Provide training on interacting with the media to personnel who receive FO head authorization to do so, and accompany personnel during any such interactions.
- Provide oversight to ensure that the provisions in MOUs for media ride-alongs are followed by production companies. This responsibility cannot be delegated to a squad supervisor or any other personnel.
- Adhere to all reporting requirements as mandated by the regulations, statutes, and policies detailed in subsection 4.1.4. of this PG.

2.6. All FBI Personnel

Unless explicitly authorized, FBI personnel must not communicate with the media on behalf of the FBI or regarding FBI matters.

FBI personnel must only communicate with the media about FBI matters with FBIHQ division/FO head approval and at the request of, or following coordination and approval with, OPA (if assigned to FBIHQ) or their PAOs (if assigned to an FO). Such authorization for a particular media contact does not constitute authorization for additional media engagement.

All FBI personnel must:

- Notify NPO (if assigned to FBIHQ) or their FO PAOs at the earliest practicable time of any cases, issues, events, or other matters that could result in media attention.
- Refer all media inquiries to NPO (if assigned to FBIHQ) or their FO PAOs.
- Immediately contact NPO (if assigned to FBIHQ) or their FO PAOs if contacted by any member of the media about FBI matters.
- Obtain FBIHQ division/FO head approval and coordinate with NPO (if assigned to FBIHQ) or their FO PAOs for approval in advance of any contact with members of the media about FBI matters.

- Notify NPO (if assigned to FBIHQ) or their FO PAOs, via e-mail, of any other contact regarding FBI matters with any individuals reasonably believed to be members of the media, even if contact was unplanned or unintentional.
- Notify their supervisors immediately if contact with a member of the media concerns [redacted] b7E

3. Policy Statement

Public affairs activities support the mission of the FBI both directly, through investigative publicity efforts, and indirectly, by informing public perceptions about the FBI. At the same time, the need to preserve the integrity of ongoing investigations and protect the rights of individuals places necessary restrictions on the FBI's ability to share information of interest to the media and to the public. To be responsive to the press and the public while adhering to these restrictions, the FBI must have a public affairs policy that balances the public's right to know; an individual's privacy, civil liberties, and civil rights; and the FBI's ability to effectively enforce the administration of justice.

All FBI personnel must understand the framework of the FBI's public affairs program, the guidelines on who is authorized to communicate on behalf of the FBI, and the rules and restrictions on the public disclosure of FBI information. The *Public Affairs Policy Guide: Media Relations, External Communication, and Personal Use of Social Media* provides guidance on various public affair topics to ensure a consistent, comprehensive, and centralized approach to public affairs that remains true to the mission and values of the FBI.

4. Processes and Procedures

4.1. Media Relations

4.1.1. Authorization of FBI Personnel to Have Contact With the Media About FBI Matters

At FBIHQ, the Director, DD, ADD, and the AD, OPA are authorized to communicate with the media about FBI matters. Designated OPA personnel are also authorized to communicate with the media about FBI matters. Such designation must be documented from the AD, OPA via EC and maintained in an appropriate Sentinel case file. FBIHQ executives at the EAD and AD levels must receive concurrence from NPO to communicate with the media about FBI matters. All other FBIHQ executives, including executives at the DAD and SC levels, must receive approval from their FBIHQ division heads and NPO prior to communicating with the media about FBI matters, as per the guidelines for all FBI personnel.

In an FO, only the FO head (ADIC in New York, Los Angeles, and Washington, D.C., or SAC in all other FOs) and the designated PAO, or other personnel specifically authorized by the FO head (such authorization must be documented via EC and maintained in an appropriate Sentinel case file) may communicate with the media about FBI matters. The FO head, PAO, and other designated, authorized FO personnel have autonomy to engage and interact with the local media on matters relevant to their current AORs, with appropriate coordination with the respective USAO, as required by USAM Title 1-7.000, "Confidentiality and Media Contacts Policy." Notice of all FO contacts with national or international media outlets must be reported to, and coordinated with, NPO as soon as possible.

In a Legat office, the LEGAT must receive IOD AD and NPO approval and notify the COM and public affairs section at the embassy prior to communicating with the media about FBI matters.

All other FBI personnel must not communicate with the media on behalf of the FBI or regarding FBI matters without proper authorization. FBI personnel must only communicate with the media about FBI matters with FBIHQ division/FO head approval and at the request of, or following coordination and approval with, OPA (if assigned to FBIHQ) or their PAOs (if assigned to an FO).

Across the FBI, if there is any doubt regarding any interaction with the media, the interaction must be coordinated with OPA (if assigned to FBIHQ) or the PAO (if assigned to an FO) and with OGC or the FO's CDC, as applicable.

4.1.2. The FBI's Open Stance With the Media

Authorized FBI personnel must be as responsive as appropriate to inquiries and requests made by media representatives within the bounds of applicable law and policy. Authorized personnel must respond within the shortest possible time frame and must provide responses that are factual and courteous. Authorized personnel must not speculate or express personal opinions, and they must never ask or suggest that journalists withhold information from the public without the concurrence of FBIHQ division/FO heads and NPO.

Other than by reason of a court order, the FBI must not interfere with efforts to photograph, record, or televise events that take place in public. Members of the media must be allowed to take pictures of a crime scene from outside a sealed perimeter no larger than absolutely necessary for operational needs and record other activities engaged in by FBI personnel.

4.1.3. Guidelines for Interaction With the Media

FBI personnel authorized to have contact with the media must maintain appropriate, professional interaction with members of the media. All communication with the media about FBI matters must take place via FBI telecommunications or information technology systems or FBI-issued mobile devices.

4.1.4. Regulations, Statutes, and Policy Governing Media Interaction

The FBI's public affairs policy conforms to the guidelines issued by DOJ in 28 CFR § 50.2, concerning the release of information by DOJ personnel relating to criminal and civil proceedings, and in USAM Title 1-7.000, "Confidentiality and Media Contacts Policy," containing guidance for press conferences and other media contacts. The policy also conforms to the guidelines issued by the Director of National Intelligence (DNI) in ICD 119.

The releases of information to the media, and the public, must also conform to all applicable laws and regulations. In certain instances, additional review is required to determine the release of the information prior to disclosure. For example, special care must be taken with information pertaining to juveniles. 18 U.S.C. § 5038(e), the Federal Juvenile Delinquency Act, as amended, provides in part, "Unless a juvenile who is taken into custody is prosecuted as an adult neither the name nor picture of any juvenile shall be made public in connection with a juvenile delinquency proceeding." DOJ has advised that a news release concerning the arrest of a juvenile would not violate any restrictions of the act so long as it contains no identifying information. (See DIOG subsection 19.12.2[H].) In other instances, it may be permissible to release information pertaining to a juvenile. FBI personnel should consult with the OGC Investigative Law Unit (ILU) or their CDCs with any questions regarding the release of information pertaining to juveniles.

All releases of information must also comply with Privacy Act provisions. The Privacy Act of 1974 (5 U.S.C. § 552(a)) prohibits the FBI from disclosing personally identifiable information (PII) about an individual without his or her written consent or, in the case of a juvenile, the consent of a parent or a legal guardian, unless disclosure is authorized by an exemption or an exception contained in the Privacy Act. One such exception authorizes the disclosure of information pursuant to a published routine use, so long as the disclosure is compatible with the purpose for which the information was collected. The FBI has published in the *Federal Register* such routine uses authorizing the disclosure of information, including Blanket Routine Use (BRU) 3, "Appropriate Disclosures to the Public," published at 66 *Federal Register* 33559 (June 22, 2001). BRU 3 authorizes the FBI to disclose information "[t]o the news media or members of the general public in furtherance of a legitimate law enforcement or public safety function as determined by the FBI, e.g., to assist in locating fugitives; to provide notifications of arrests; to provide alerts, assessments, or similar information on potential threats to life, health, or property; or to keep the public appropriately informed of other law enforcement or FBI matters or other

matters of legitimate public interest where disclosure could not reasonably be expected to constitute an unwarranted invasion of personal privacy."

The Privacy Act also requires an agency to maintain an accurate accounting of the date, nature, and purpose of each relevant disclosure and the name and address of the person and the agency to whom the disclosure was made. This accounting must be retained for five years or the life of the record, whichever is longer. All disclosures of PII must be documented. When PII is disclosed for the purposes as stated in the paragraph above, the information is documented in 80-HQ-C1144322, Investigative Publicity Matters. The disclosure may also be referenced in 80-HQ-C1702378, NA - Ten Most Wanted Fugitive Matters, or 80-HQ-C1353047, Most Wanted Terrorists Program – Most Wanted Terrorists Program.

FBI personnel should consult with the OGC Privacy and Civil Liberties Unit (PCLU) or their CDCs with any questions regarding whether or not the release of information is permitted under the Privacy Act.

In addition, per the Intelligence Authorization Act for Fiscal Year 2013, Section 504, Notification Regarding the Authorized Public Disclosure of National Intelligence, as amended, in the event of an authorized disclosure of national intelligence or intelligence related to national security to media personnel (or any person or entity, if the disclosure is made with the intent or knowledge that such information will be made publicly available), the FBI must submit to the Congressional intelligence committees on a timely basis a notification of the disclosure if, at the time of the disclosure, such intelligence is classified or is declassified for the purpose of the disclosure.

Therefore, FBI personnel who authorize such a disclosure must submit to OCA information that includes the specific title and authority of the individual authorizing the disclosure; if applicable, the specific title and authority of the individual who authorized the declassification of the intelligence disclosed; and a description of the intelligence disclosed, including the classification of the intelligence prior to its disclosure or declassification and the rationale for making the disclosure.

This notification requirement does not apply to a disclosure made pursuant to any statutory requirement, including 5 U.S.C. § 552 (commonly referred to as FOIA); in connection with a civil, criminal, or administrative proceeding; as a result of a declassification review process under EO 13526 (50 U.S.C.§ 435 Note) or any successor order; or to any officer, employee, or contractor of the federal government or member of an advisory committee to an element of the Intelligence Community (IC) who possesses an active security clearance and a need to know the specific national intelligence or intelligence related to national security, as defined in the National Security Act of 1947 Section 3(5) (50 U.S.C. § 401a(5)).

4.1.5. Notification of Contact With the Media

To ensure a consistent, comprehensive, and centralized approach to public affairs that balances the public's right to know; an individual's privacy, civil liberties, and civil rights; and the FBI's ability to effectively enforce the administration of justice, all contact with members of the media about FBI matters must be reported to NPO or the FO PAO. This is in addition to the requirement to coordinate with the respective USAO on media matters that may affect that

USAO. FBI personnel also must immediately notify their supervisors if contact with a member of the media concerns [redacted] b7E

Notification is not required for interaction with the media on issues unrelated to FBI matters or not based on information acquired by virtue of FBI employment or association. Any proposed disclosure of FBI information, outside of official duty requirements, related to FBI matters or based upon information obtained by virtue of FBI employment or association must comply with the prepublication review requirements outlined in the *Prepublication Review Policy Guide* (0792PG). For any activity involving such disclosure that may constitute outside employment, employees must consult with the Office of Integrity and Compliance (OIC), and refer to the *FBI Ethics and Integrity Program Policy Directive and Policy Guide* (0754DPG).

All FBI personnel must notify NPO (if assigned to FBIHQ) or their FO PAOs at the earliest practicable time of any cases, issues, events, or other matters that could result in media attention. If such a matter in an FO could result in significant or national media attention, NPO must be notified by the PAO or ADIC/SAC.

Example 1: A squad is planning to utilize a special weapons and tactics (SWAT) team for the upcoming arrests of multiple subjects of a gang investigation. Because such activity could draw the attention of the public, and therefore the media, a squad member or a supervisor must notify his or her FO PAO in advance to ensure awareness in case the PAO receives media calls about the SWAT activity.

Example 2: An SC is planning to participate on a discussion panel at a large conference sponsored by a major cyber security organization that is open to the media. As this conference is likely to garner media coverage, the SC must notify NPO in advance of her participation.

All FBI personnel must refer all media inquiries to NPO (if assigned to FBIHQ) or their FO PAOs. All FBI personnel must also immediately contact NPO (if assigned to FBIHQ) or their FO PAOs if contacted by any member of the media about FBI matters. In an FO, the PAO or ADIC/SAC must advise NPO if any inquiries by members of national or international media outlets are received by FO personnel.

Example 1: A COS is contacted by a reporter from a local media outlet about a youth program the FO is conducting at a local elementary school. The COS must refer the reporter to the FO PAO and also immediately contact the FO PAO to advise of the inquiry.

Example 2: An intelligence analyst (IA) in the Cyber Division (CyD) is contacted by a newspaper reporter about a presentation the IA gave at a cyber security conference. The IA must refer the reporter to NPO and also immediately contact NPO to advise of the inquiry.

Example 3: An SAC is contacted by a national news network reporter looking to do a story on human trafficking in the SAC's AOR. The SAC (or FO PAO) must advise NPO of this inquiry for awareness and collaboration on response.

Example 4: An SA is approached by a newspaper reporter for a story on the SA's involvement in a local garden club. Since this interaction with the media is unrelated to FBI matters and not based on information acquired by virtue of the SA's FBI employment, FO head approval is not required, and the SA does not need to contact the FO PAO.

All FBI personnel must obtain FBIHQ division/FO head approval and coordinate with NPO (if assigned to FBIHQ) or their FO PAOs to obtain concurrence in advance of any contact with members of the media about FBI matters. If in an FO, the PAO or ADIC/SAC must also coordinate with NPO to obtain concurrence in advance if contact is with members of the national or international media.

Example 1: A COS would like to publicize the FO's upcoming summer youth academy. The COS must obtain FO head approval for such publicity, and must coordinate with his or her PAO to put together a public affairs plan and to approach the appropriate media outlet(s).

Example 2: An SAC would like to approach a national news network to do a story on the innovative community outreach efforts of the FO. The SAC (or FO PAO) must coordinate with NPO in advance of making such contact.

All FBI personnel must notify NPO (if assigned to FBIHQ) or their FO PAOs, via e-mail, of any other contact regarding FBI matters with any individuals reasonably believed to be members of the media, even if contact was unplanned or unintentional. If in an FO, and the individual is reasonably believed to be a member of the national or international media, the PAO or ADIC/SAC must notify NPO.

Example 1: An SAC gives a speech about the FBI at a local college event open to the media but is not aware that a reporter from a well-known news Web site is in the audience. During the Q & A period, the SAC answers some questions from this reporter. The SAC (or FO PAO) must then notify NPO of this contact.

Example 2: An SA assigned to an FO has a cousin and a long-time college friend who are both reporters for local media outlets. As long as the SA does not discuss FBI matters with these individuals, the SA does not have to report contact with these individuals.

4.2. Disclosures of Information to the Media and Public

4.2.1. Disclosures of Information in an Official Capacity

Personnel authorized to communicate with the media on behalf of the FBI and in regards to FBI matters must follow all applicable regulations, statutes, and policies as outlined in subsection 4.1.4. of this PG. Public disclosure of information must not prejudice an adjudicative proceeding and, except as indicated below, must not address an ongoing investigation. Disclosures must not be intentionally or knowingly erroneous, deceptive, or misleading. Any facts disseminated to the media must be validated to the extent practicable.

In some instances, it is permissible to [redacted] b7E
[redacted] This does not include the release of any classified information, which is governed by the *Safeguarding Classified National Security Information Policy Directive and Policy Guide*, (0632DPG). For example, it may be permissible to [redacted] to assure the public that an investigation is in progress; to protect the public interest, welfare, or safety; or to solicit information from the public that might be relevant to an investigation. In an FO, these releases must be approved by the ADIC/SAC, PAO, and the applicable USAO. If the matter is of significant or national interest, NPO must also be notified. At FBIHQ, these releases must be

approved by both NPO and the DOJ Office of Public Affairs (DOJ-OPA), and, if applicable, OGC and the FBIHQ division head of any relevant operational FBIHQ division(s).

4.2.2. Use of Official FBI Digital and Social Media Platforms

Use of official digital and social media platforms creates a risk of unauthorized disclosure of official information and harm to personal and/or operational security and safety, as well a risk to the FBI's reputation and integrity. Therefore, material posted to an official FBI Web site, social media page, or publicly-available mobile software application must be given the same scrutiny and vetting that would typically be afforded a written or verbal statement to the media. Such releases of information regarding FBI matters are governed by the same legal and policy framework as other releases of information to the media, and the same restrictions regarding disclosures and requirements to coordinate with the USAO apply. (See subsection 4.1.4. of this PG.)

Official public-facing FBI Web sites, including, but not limited to, digital and social media platforms such as social networking sites, blogs, podcasts, audio or video channels, and Rich Site Summary (RSS) feeds, are governed by PD 0672D, *Creating and Maintaining FBI Public Websites and FBI Web Presences on the Internet* (unless excepted by OPA), as well as DOJ Policy Statement 0300.02, *Use of Social Media to Communicate with the Public*, and DOJ Instruction 0300.02.01, *Social Media Account Management and Approval*. All FBI personnel authorized to use official FBI digital and social media platforms must abide by the same information disclosure regulations and procedures as set forth in this PG and in PD 0672D, *Creating and Maintaining FBI Public Websites and FBI Web Presences on the Internet*. These personnel must also abide by the same federal laws as detailed in subsection 4.1.4. of this PG, as well as by accessibility and recordkeeping laws and DOJ policies.

Personnel using official FBI digital and social media platforms must follow guidelines set forth by FIOU prior to sharing or reposting nongovernment information. Authorization to use official FBI digital and social media platforms may be revoked at any time or require additional reviews and controls. Personnel should contact FIOU if there is any question regarding the official use of social media.

4.2.3. Other Public Disclosures

All FBI personnel are required to protect from unauthorized disclosure any information from, or related to, FBI files or any other information acquired by virtue of their official employment or association with the FBI. All FBI personnel are obligated to comply with the nondisclosure requirements of the FD-291, "FBI Employment Agreement," signed by all FBI employees as a condition of employment; analogous forms such as the FD-868, "Nondisclosure Agreement for Joint Task Force Members, Contractors, Detailees, Assignees, and Interns," signed as a condition of assignment to the FBI; FD-857, "Sensitive Information Nondisclosure Agreement," signed by all FBI personnel as a condition of employment or assignment; Standard Form (SF)-312, "Classified Information Nondisclosure Agreement," signed by all FBI personnel as a condition of being granted access to classified information; and Form 4414, "Sensitive Compartmented Information [SCI] Nondisclosure Agreement," signed by all FBI personnel with access to SCI as a condition of such access.

In all cases, public disclosures of information that are not part of an individual's official duties are governed by these agreements. Any proposed disclosure of information, outside of official duty requirements, related to FBI matters or based upon information obtained by virtue of FBI employment or association must comply with the prepublication review requirements outlined in the *Prepublication Review Policy Guide* (0792PG).

4.2.4. Personal Use of Social Media Platforms

Personal use of digital and social media platforms may create the same risks of unauthorized disclosure of official information and harm to personal and/or operational security and safety, as well a risk to the FBI's reputation and integrity. While using such technologies in a personal capacity, all FBI personnel are subject to the same nondisclosure requirements as detailed in subsection 4.2.3. of this PG.

As agreed to by all FBI personnel as a condition to receive access, per FD-889, "FBI Information Technology and Information Systems Rules of Behavior for General Users Agreement Form," personnel are prohibited from personal use of social networking sites on FBI systems. In addition, per FD-889b, "Rules of Behavior Agreement for Unclassified FBI-owned Mobile Devices," personnel are prohibited from using FBI-owned mobile devices to access social media (except for authorized, official purposes).

FBI personnel should be careful when providing any information online about themselves, the FBI, or their jobs. Individuals who choose to identify their FBI affiliation should be aware of operational security concerns and social engineering techniques that may target FBI personnel. FBI personnel must be careful not to disclose personal or professional information that could jeopardize their personal security or the security of family members or co-workers, or leave them vulnerable to targeted cyber attacks that could impact personal or FBI systems. FBI personnel are also encouraged to check privacy settings of their respective social media accounts, take steps to ensure that their accounts are limited to the appropriate audiences, and remain familiar with the latest operational security guidance provided by Security Division (SecD).

FBI personnel must not post photographs or videos of other FBI personnel if the disclosure would reveal the individuals' FBI affiliations, unless the individuals have expressly consented to the use of such photographs or videos or unless the information has been publicly released in an authorized fashion. FBI personnel also must not display photographs or videos involving official FBI-related matters or FBI facilities, unless the information has been publicly released in an authorized fashion.

FBI personnel must be candid regarding their use of social media on the SF-86, "Questionnaire for National Security Positions," during personnel security interviews (PSI) and during any other background or security investigations, and they must complete the FD-981, "Report of Foreign Contact," for all reportable foreign contacts acquired through social media.

4.2.4.1. FBI Employees

While using social media in a personal capacity, FBI employees must adhere to the same standards that apply to all of their communications, including when an employee is not at work and not using government equipment, as set forth in the Standards of Ethical Conduct for

Employees of the Executive Branch (5 CFR Part 2635), supplemental regulations (5 CFR Part 3801), and the *FBI Ethics and Integrity Program Policy Directive and Policy Guide* (0754PG).

FBI employees do not surrender their First Amendment rights as a result of their employment; however, the Supreme Court and lower courts have held that the government may restrict the speech of its employees when employees are not speaking as private citizens on matters of public concern or when the government's interest in the efficient provision of public services outweighs its employees' interest in the speech.

The following guidelines apply to all FBI employees' personal social media activities, as set forth by DOJ in the Office of the Deputy Attorney General's memorandum "Guidance on the Personal Use of Social Media by Department Employees" (March 24, 2014):

> **Use of title and email address**: Employees may use their official title and [FBI or DOJ] affiliation on their personal social media page for professional identification or biographic data as long as they do not create an impression that they are speaking in an official capacity. Employees should not use their government email addresses when setting up personal social media accounts.
>
> **Communicating in personal capacity**: Employees must avoid stating, implying, or creating the impression that they are communicating in an official capacity on behalf of the [FBI or DOJ] in their personal social media activities. To the extent that there may be confusion about whether an employee is communicating in an official or personal capacity, the employee must include a disclaimer indicating that the employee is communicating in a personal capacity.

Note: As explained in the *Prepublication Review Policy Guide* (0792PG), FBI personnel publicly communicating their personal opinions on matters related to the FBI or matters that the FBI has jurisdiction over must take care to ensure that any comment related to the FBI is expressed as personal opinions. For senior FBI officials, it may be inappropriate to publicly express their personal views regarding matters within the jurisdiction of the FBI, as others are likely to perceive the personal views of senior management employees possessing substantial policy-making authority as indistinguishable from their official positions as senior FBI managers. This guidance does not change when social media is used to convey the opinion, such as through a post, a repost, or a "thumbs up," of another post.

> **Work or [FBI]-related posts**: Employees may post, comment, or share public information on matters related to their work or the work of the [FBI] provided such communications fully comport with the restrictions set forth [herein]. As discussed above, [FBI] employees must properly safeguard privileged, confidential, classified, privacy-protected, and/or sensitive [FBI] information. Attorneys must also comply with the applicable jurisdiction's Rules of Professional Conduct. Finally, absent express supervisory approval, employees should not engage in official [FBI] business on personal social media pages.
>
> **Engaging with colleagues**: Employees are permitted to engage with colleagues, including superiors and subordinates, on their personal social media sites. That said, care must be exercised to ensure that other rules are not inadvertently violated. For example, supervisors who "friend" their subordinates on their social media pages should ensure that they do not solicit contributions for personal causes on their pages in a way that could violate the regulation that prohibits fundraising from subordinates.
>
> **Political activity**: While most employees can engage in certain political activities while away from the workplace on their own time, including on their social media pages, some prohibitions exist, such as the prohibition on fundraising described above [i.e., no employee may solicit, accept, or receive political contributions at any time or in any forum]. Employees must understand the

> prohibitions that apply to their positions and be mindful of them as they engage in personal social media activities. See Hatch Act (5 U.S.C. §§ 7321-7326) [for more information].

Note regarding FBI employee involvement in partisan political activities: While most federal employees are "less restricted" under the Hatch Act and can engage in certain political activities outside of the workplace on their own time, including on their social media pages, FBI employees are "further restricted," which prohibits them from taking an active part in partisan political management or other activities done in concert with partisan political campaigns, at any time and in any forum, including while off duty or on social media. For example, FBI employees may passively participate by attending a political fundraiser but may not solicit, accept, or receive political contributions or even invite others to a political fundraiser via social media. Employees must understand the prohibitions that apply to their positions and be mindful of them as they engage in personal social media activities. For more information, see OIC's Intranet site for "Political Activity for FBI Employees," which provides a list of political activities that FBI employees may and may not be involved in. The U.S. Office of Special Counsel (OSC) also has provided guidance to federal employees concerning involvement in partisan political activities through the use of social media. See OSC's "The Hatch Act: Frequently Asked Questions on Federal Employees and the Use of Social Media and Email." Note: In certain circumstances, the Hatch Act may apply to contractors. OIC should be contacted for more information.

> **Discrimination and harassment**: As with [FBI] communications, employees may be subject to discipline if they use social media to engage in harassing or discriminatory conduct toward other employees (or individuals or groups) based on their race, color, religion, national origin, sex, gender identity, age, disability (physical or mental), genetic information, status as a parent, sexual orientation, marital status, political affiliation, or any other protected status.
>
> **Anonymous and pseudonymous postings**: …employees should recognize that attempts to post anonymously or pseudonymously are often unsuccessful, and therefore should take care not to engage in activity that they otherwise would not be permitted to engage in if their identity was known. The applicable rules and standards of conduct apply equally whether an employee uses social media anonymously (or using a pseudonym) or while properly identified.

4.3. Administration and Management of Media Relations

4.3.1. *The Horizon*

The Horizon is a widely disseminated, daily report of completed media inquiries, interviews, media events, and stories in which the FBI has participated in and anticipates coverage in the media overnight. PAOs must submit to NPO any activities and matters that could potentially draw or are drawing significant media attention in their areas of operations for inclusion in *The Horizon*. NPO will compile and publish these activities each business day in *The Horizon* report and disseminate the report to internal audiences, including all PAOs and FBI senior leadership. NPO must maintain records of *The Horizon* in 80-HQ-A1199962-HORIZON in Sentinel.

4.3.2. Biannual Reports

NPO must review and use biannual reports from every FO's PAO to program manage the media relations program across FOs. The PAO in each FO must submit these biannual reports by the designated deadline to NPO. NPO must maintain records of these biannual reports in 80-HQ-A1199962-FO MED REP in Sentinel.

4.3.3. Office of Public Affairs Teleconferences

OPA must hold monthly teleconferences with PAOs in FOs to discuss specific issues and matters of timely interest. Depending on the topic, OPA may invite the FO COSs to participate in the teleconferences.

4.3.4. Public Affairs Guidance

NPO must issue approved talking points on significant and/or emerging issues through PAGs for appropriate dissemination. FO heads and PAOs are permitted to use the language in PAGs as preapproved statements that can be offered in responses to media inquiries.

NPO must draft a PAG by coordinating information with the appropriate substantive FBIHQ divisions and FOs to establish appropriate responses. NPO must also obtain approvals from the appropriate FBIHQ division executives, OPA executives, and, as required, DOJ-OPA. NPO must e-mail the PAG to all PAOs and upload it to the OPA SharePoint site, Media Representatives Learning Community. PAGs will also be maintained in 80-HQ-A1199962-PAG in Sentinel.

4.3.5. Press Releases

NPO must draft press releases of executive appointments of ADs, ADICs/SACs, and above in coordination with the selectee.

NPO must consult with DOJ-OPA regarding any national press releases about pending cases or investigations that may result in an indictment.

IPPAU must approve and coordinate any press releases or other public disclosures regarding soliciting public assistance for the Ten Most Wanted Fugitives program, Most Wanted Terrorists program, and other fugitive, missing person, unknown bank robbers, and cold cases.

4.3.5.1. Single Office Local Press Releases

PAOs must obtain their FO heads' approval before publishing and disseminating press releases. If the press releases involve cases or investigations that may result in indictments, PAOs must also obtain the approval of the relevant USAOs. If the press releases involve significant or particularly sensitive issues or stories that may garner national attention, PAOs must consult with NPO.

PAOs must use a uniform format for press releases, write them with both the media and public in mind, and simultaneously disseminate the press releases by e-mail to media outlets and FIOU to post on <FBI.gov>.

PAOs must e-mail FIOU any press releases issued by the relevant USAOs on FBI operational matters as quickly as possible for posting on <FBI.gov>.

When the FO's ADIC or SAC decides to issue a national press release locally, the PAO must not expand on the content without the approval of both the substantive FBIHQ division and NPO.

PAOs do not need prior approval from NPO to issue press releases regarding noninvestigative matters, such as community outreach initiatives, employee award announcements, PSAs, transfers of FO executives, and other administrative matters.

4.3.5.2. Multioffice Local Press Releases

In the event that a wide-ranging investigation requires close coordination and simultaneous press releases to the media by two or more FOs, PAOs must consult NPO before issuing press releases. NPO may opt to release the information as a national press release. In joint or multidistrict cases, the approving official must consult with the other districts or FOs affected. (See USAM Title 1-7.400 for more information.)

4.3.5.3. Recordkeeping of Press Releases

Each FO must maintain a control file containing all press releases issued by the FO. Press releases concerning investigative matters must be also filed in the investigative case file noting the time and date the release was made and where it was released.

NPO must file FBIHQ press releases into 80-HQ-A1199962-PR.

4.3.6. Press Conferences

NPO must request approval to hold a press conference in advance from DOJ-OPA for any case or investigation that may result in an indictment. NPO must coordinate with DOJ-OPA on any materials, quotes, or information to be released in the press conference.

PAOs in FOs must request approval in advance for press conferences from their FO heads and, for issues relating to federal investigations and/or prosecutions, the applicable USAOs. If a press conference involves significant or particularly sensitive issues or stories that may garner national attention, the PAO must consult with NPO.

Local press conferences about pending cases or investigations that may result in an indictment must be approved by the appropriate assistant Attorney General (AAG) or by the United States attorney (USA) responsible for the case. In joint or multidistrict cases, the approving official must consult with the other districts or FOs affected. (See USAM Title 1-7.401 for more information.)

NPO and PAOs hosting press conferences must:

- Choose the time, location, and physical layout to accommodate spokespersons and the news media.
- Alert the media to the event by distributing a media advisory or inviting them to attend via e-mail, phone, or other form of communication.
- Create and provide press releases, media packets, and/or other materials to attendees before the press conference begins.
- Explain the ground rules at the onset of the press conference, such as whether cameras are permitted.
- Introduce the names and titles of the officials who will speak and take reporters' questions.
- Write and/or coordinate the public statements by the speakers.
- Close the press conference when its preset time is reached or when questions taper off.

- Address follow-up media inquiries as needed.

4.3.7. Pen-and-Pad Briefings

NPO must coordinate pen-and-pad briefings (informal, on-the-record briefings to press regulars) with any FBIHQ entity that may be a relevant stakeholder. If the pen-and-pad briefing will address ongoing investigations that may result in an indictment, NPO must consult with DOJ-OPA in advance.

NPO must:

- Issue a media advisory announcing the pen-and-pad briefing by e-mail, as appropriate.
- Secure room and security access for invited members of the media.
- Identify and schedule the briefer from the appropriate FBIHQ division.

Escort attending media to and from the briefing location, at the scheduled times.

4.3.8. Special Circumstances

4.3.8.1. Financial Institution Investigations

In financial institution investigations, FOs must not disclose the amount of money or property involved without prior concurrence from the Criminal Investigative Division (CID) and NPO.

4.3.8.2. Special Agent-Involved Shootings

PAOs must not identify nor verify the names of SAs involved in shooting incidents in the performance of duty. If the names of SAs involved in shooting incidents have been made public through inclusion in public records or disclosures at public proceedings, FOs may verify the SAs' identities in response to inquiries by members of the media.

4.3.8.3. Threats Against Human Life

In order to protect the safety of victims, FOs must not disclose any information regarding kidnap-for-ransom cases or other crimes that involve a threat against human life without the approval of the applicable investigative FBIHQ division and NPO.

4.3.8.4. Overseas Incidents

FOs and NPO must coordinate media responses if the victims, suspects, or other individuals thought to be related to an overseas incident are from the FO's AOR.

4.3.8.5. Hot Pursuit

In hot-pursuit fugitive cases, FO heads have discretion to approve national radio and television broadcasts without advance approval from NPO. As soon as possible, FOs must coordinate these cases with NPO.

4.4. Other Media Requests

4.4.1. Recording of Live-Action FBI Operations

In an effort to mitigate the legal and operational risks of filming live-action FBI operations (also known as media ride-alongs), the following rules must be followed:

- PAOs must direct all requests for media ride-alongs to IPPAU for coordination. The media recording of live FBI events should be approved in rare instances and should not become the norm.
- If IPPAU approves the request in concept, IPPAU and the FO, including the FO's CDC, must collaboratively negotiate an MOU that will be executed between the FBI and the production company and/or media outlet. A standard model MOU was created and approved by OGC and can be found in Appendix C of this PG. The MOU must ensure that the applicable statutes, regulations, and guidelines pertaining to the filming of LE activities are followed. The MOU is an important vehicle for formally communicating to the production companies the legal limitations and requirements placed on the FBI, as well as the many considerations relevant to the FBI's mission as an LE agency.
- Disclosure of any sensitive or legally protected information by FBI personnel to a production company must be considered equivalent to a public disclosure. For this reason, due to Privacy Act restrictions, the FBI may be precluded from sharing significant case-related information with the production company. FBI personnel must contact their CDCs and/or OGC PCLU to determine what, if any, case-related information they may disclose to the media, including the identities of possible subjects, victims, or FBI personnel involved.
- PAOs, by virtue of their responsibility for media relations within their FOs, must be present for all filming activities and must ensure that the parameters set forth within the MOU are followed by the production companies. This responsibility must not be delegated to a squad supervisor or any other personnel.
- Production company employees and others acting on behalf of the company must sign appropriate liability acknowledgements and nondisclosure agreements. All MOUs, nondisclosure agreements, and liability agreements must be maintained in 80-HQ-1077659 and the relevant investigative file. Examples of the MOU and nondisclosure agreements can be found in Appendix C of this PG.
- Production companies must agree to indemnify the FBI and hold it harmless for liabilities arising from the FBI's actions.
- OPA, in consultation with OGC, the substantive FBIHQ division, other affected FOs, and the participating FO's CDC must review and approve a production company's proposed video project, as well as the text of the MOU, prior to signature by any FBI official and any filming of FBI operations and related activities. The focus of the review must be whether the proposed project appears to be in the best interests of the FBI after considering the circumstances and attendant risks, and whether the MOU adequately addresses the risks.
- OPA must also ensure that the FBI has conducted the required coordination with DOJ-OPA in accordance with DOJ policy.
- Production companies, their employees, and others acting on their behalf must comply with their obligations under these agreements. The FBI may enforce these agreements by

requiring additional controls, limiting participation, terminating the agreement, or any other lawful means it determines to be appropriate. However, the involved FBI officials must understand that once a violation occurs, it may be difficult or impossible for the FBI to adequately remedy any harm done to FBI mission interests.

- The appropriate USAO must approve filming of any cases selected in accordance with the USAM.
- Filming must not be permitted in an area where an individual has, or may have, a reasonable expectation of privacy, such as within a residence or an enclosed yard, even if the FBI has obtained consent to enter the area. Production company personnel are not permitted to accompany FBI personnel into such locations.
- LE personnel must not reenact an LE action for the purpose of creating footage for a production company.
- Production companies must not film FBI personnel or disclose their identities in a production without their consent. The responsible FO must verify and document such consent. The FBI may provide a letter to a production company authorizing use of the footage and identification of specified personnel. FBI personnel may not sign releases or waivers without prior consultation with, and written approval by, OGC.
- The FBI must always guard the privacy of victims and witnesses. (See *The Attorney General Guidelines for Victim and Witness Assistance*, Article II(C), pp. 3-4, "Privacy and Confidentiality Considerations for Victims and Witnesses," and Article V(J), pp. 47-48, "Right to Fairness and Respect for Dignity and Privacy.") To ensure "best efforts" to protect the dignity and privacy of victims and witnesses, the FBI must alert the relevant production personnel as soon as practical whenever FBI personnel are aware that there is a reasonable likelihood of encountering a victim or a witness in a given situation. The production personnel, in turn, must agree to make their best efforts not to film victims or witnesses whenever it receives such notice from the FBI.
- If a production company uses film of an arrested individual in a production, IPPAU must provide a written consent form to the individual, including an acknowledgement that nothing has been given or promised to him or her in return for consent. IPPAU must retain the original, signed consent form, with a second original copy routed to the USAO.
- A production company must provide DOJ and the FBI an opportunity to review the final production before it is publicly screened. This check is to ensure that legally protected or sensitive investigative information is not disclosed and that the requirements of the signed agreement are followed.
- A production company must agree to provide, without the necessity of a subpoena or other legal order, a copy of the entire unedited film to DOJ or the FBI, the prosecution, defense, or court if requested by DOJ or the FBI.
- A production company must not publicly screen footage until after the case receives its final disposition, as per the FBI.

4.4.2. Handling Requests From Television Series, Movies, Documentaries, Radio, or Authors for FBI Assistance

PAOs must direct all requests from authors or the entertainment industry for FBI assistance and cooperation to IPPAU.

Once IPPAU receives a detailed description of the type of assistance or cooperation needed in writing, including a detailed treatment or a script in the case of movie industry requests, an IPPAU staff member must evaluate the quality, scope, and viability of each project.

If IPPAU approves the request in concept, IPPAU must provide the substantive FBIHQ division and/or FO with a recommendation on the level of support the FBI will offer, as well as a request for input and concurrence from either the FBIHQ division or FO. In some instances, the substantive FBIHQ division or FO may have knowledge of the case or issue that would preclude participation in the project at a given time. Support can include guidance on content, assistance with props and costumes, interviews with SMEs, and/or assistance in identifying supporting material.

If all relevant parties approve cooperation with the requestor, IPPAU must coordinate the execution of the request with the appropriate entities, and document it in the appropriate Sentinel case file.

IPPAU must direct authors to submit FOIA requests for access to, or information from, FBI investigative files. In addition, in accordance with ICD 119 Section D (5), IPPAU must consult with the DNI on any contacts with the media that involve support to projects such as books, television programs, documentaries, motion pictures, and similar works regarding intelligence-related information, including intelligence sources, methods, activities, and judgments, when support for such projects is substantive or could reasonably be construed as endorsement. If unclear whether consultation with the DNI is appropriate, IPPAU should consult with the ODNI PAO.

4.4.3. Ongoing Liaison With Television Series Depicting the FBI

IPPAU must coordinate all ongoing liaisons with television series depicting FBI personnel, investigations, and/or services.

All liaison activity must be approved by IPPAU, the substantive FBIHQ division, and any relevant FO head.

IPPAU supports and coordinates ongoing liaison with television writers and producers in an effort to ensure a more realistic portrayal of FBI investigations, operations, and personnel.

Once IPPAU receives a detailed description of the type of assistance or cooperation needed in writing from the writer, producer, or other production personnel, an IPPAU staff member must evaluate the quality, scope, and viability of each project. If IPPAU approves the request in concept, IPPAU must provide the substantive FBIHQ division and/or FO with a recommendation on the level of support, as well as a request for input and concurrence.

If all relevant parties approve cooperation with the television production, IPPAU must coordinate the fulfillment of the request with the appropriate entity or SME and document it in

the appropriate Sentinel case file. Support can include guidance on content, fact checks, assistance with costumes and props, liaison and coordination with FOs, coordination of location shots, access to FBI facilities for filming scenes, interviews with SMEs, and/or supporting film footage.

IPPAU must direct television personnel to submit a FOIA request for access to or information from FBI investigative files.

4.4.4. Waivers and Releases

Producers and publishers occasionally ask FBI personnel who participate in television, film, or book projects on behalf of the FBI to sign releases, waivers, or other written agreements. Through the use of releases, waivers, and other agreements (e.g., "life rights contracts"), production companies may attempt to secure authorization to use recorded material, including an individual's interviews, statements, likeness, and biographical data, in connection with a particular project, or limit the individual's or FBI's ability to share the story with other media outlets. Such documents often contain provisions rendering them legally objectionable or otherwise inappropriate for FBI personnel to sign.

Accordingly, FBI personnel participating in media projects in their official capacity must not sign releases, waivers, or other types of agreements provided by a producing or publishing entity. OPA has developed standard authorization letters that can be tailored to fit individual projects, which are maintained in 80-HQ-1077659, Public Affairs Matters Documentaries Television Movies. FBI personnel, or their FO PAOs on their behalf, must contact IPPAU to coordinate review of requests for releases or other agreements and to prepare appropriate authorization letters. IPPAU must consult with OGC, as appropriate.

FBI employees asked to participate in television, film, or book projects in their personal capacity must comply with all applicable laws, regulations, and policies (e.g., outside employment, use of title and position, or gifts of travel). Consultation with OIC is also recommended.

4.5. Publicity and Proactive Campaigns

4.5.1. Managing Proactive Campaigns

IPPAU must create and coordinate national proactive program or investigative publicity campaigns, and document all such activity in the appropriate Sentinel case file.

PAOs must contact IPPAU for guidance on proactive program communications efforts or investigative publicity with the local media. PAOs must provide IPPAU with a written campaign strategy form for proactive program or investigative publicity campaigns.

IPPAU must ensure that all facets of the proposed campaign strategy comply with federal laws regulating the dissemination of information to the public and the receipt of gifts from prohibited sources. IPPAU will assist in the production and design of the campaign, assist with script writing, provide guidance on the nature and timing of the release, and help PAOs navigate through the restrictions on endorsements by outside entities.

IPPAU may leverage the following elements for a national publicity campaign: press releases, television, radio, podcasts, newspapers, magazines, outreach to international and nontraditional

media, PSAs, digital outdoor advertisements, print advertisements, Wanted posters, and social media.

4.5.2. Producing Radio Shows and Podcasts

IPPAU will leverage its FBI radio programs for proactive publicity purposes.

IPPAU must coordinate all requests and necessary approvals for program or investigative publicity via FBI radio programs.

4.5.3. Creating Public Service Announcements

IPPAU coordinates the creation of all PSAs, including the concept, design, content approval, and production to ensure consistent messaging and approval by all internal and external stakeholders. IPPAU must coordinate and seek approval from other federal entities, as applicable.

4.5.4. Investigative Publicity

PAOs must obtain approval from IPPAU for significant or national investigative publicity related to a fugitive, a missing person, or other active investigation.

PAOs may draft press releases and other public disclosures designed to solicit public cooperation in the apprehension of FBI fugitives. PAOs may include more facts about the fugitives' criminal backgrounds than are otherwise permissible in press releases and announcements regarding arrests or indictments, after coordination with their CDCs.

PAOs must avoid prejudicial statements in these public disclosures. These statements may include, but are not limited to, statements that brand a fugitive as guilty of a crime for which he or she has not been convicted or photographs that show arrest numbers or other data that identifies a subject's past arrest or imprisonment.

PAOs must send written requests for national or international publicity related to fugitives, missing persons, or other active investigations to IPPAU. A PAO must provide the following information:

- A detailed summary of the case
- Descriptive information about the fugitive or missing person or unknown suspect, including eye and hair color, height, weight, date and place of birth, scars, tattoos or other marks, medical problems, locations where the fugitive might travel, hobbies or habits, occupations, and any known aliases
- If the fugitive should be considered armed and dangerous
- Any rewards being offered by the FBI

A PAO must also submit the following enclosures with the request:

- Any applicable state or federal warrants, including when, where, and in which judicial districts the state and federal warrants were issued. Sealed indictments and warrants must not be submitted.

- Photographs of the best possible quality and highest resolution must be submitted electronically and must be in .jpeg (Joint Photographic Experts Group) format. If available, the PAO must provide the date(s) when the photographs were taken.
- Relevant videos, if available. Video is extremely beneficial in cases with potential coverage by media outlets.
- Certification that "all other law enforcement authorities involved with this investigation have been contacted and have no objections to the requested national/international publicity." This must include contact with the FBI Legat office and foreign authorities, as appropriate.

IPPAU must obtain the concurrence of the applicable operational FBIHQ division for all significant or national investigative publicity.

After receipt of the appropriate documentation, IPPAU must consult with the CA and PAO to determine the most impactful avenues of publicity. At a minimum, IPPAU must create a Wanted poster for posting on <FBI.gov> and the affected FO's Intranet site. IPPAU may also suggest pitching the case to national and international media outlets, creating a podcast or a radio show, using digital billboard publicity, and/or engaging with the public via social media.

The CA, in coordination with the PAO, must approve all materials created by IPPAU prior to publication on <FBI.gov> or on the FO's Intranet site or prior to dissemination to the media.

4.6. Crisis Situations

4.6.1. Crisis Planning

A FO's and OPA's crisis response plans (CRP) must include an outline of how the FO or OPA will deal with the media during the course of a crisis, including specific potential situations, agreed allocation of personnel and financial resources to handle media requests, and planned coordination with federal, state, and local agencies.

A FO's and OPA's continuity of operations plans (COOP) must include guidance on public affairs issues.

PAOs must develop professional relationships with other federal, state, and local LE public information officers to develop strategies and protocols in responding to the news media in joint LE operations or in a crisis event. PAOs may also proactively meet public information officers in local military, academic, and/or private sector environments, as appropriate.

PAOs must foster healthy relationships with reporters to build trust and to ensure that reporters are aware of the dangers of speculation about tactical situations. PAOs must encourage reporters to confine reports to facts released by authorized LE officials in such situations.

4.6.2. During Crises

In a major crisis situation, a PAO must:

- Coordinate the establishment of a broadcast area for the news media near the incident but apart from a regular LE perimeter and apart from any victim services staging area.

- Establish a joint information center, if practical, to consolidate the flow of information between local, state, and other federal agencies.
- Engage regularly with his or her SAC and other management.
- Participate in operational briefings to remain fully informed.
- Maintain regular communication with NPO.

b7E

During major crisis situations in their AORs, FO heads and PAOs have discretion to engage with national and international media, as necessary, without having to coordinate with NPO. The FO head or PAO must be in contact with NPO about the situation as soon as possible.

4.6.2.1. On-Site Assistance

NPO may provide on-site assistance for major media events involving the FBI, as appropriate and as resources allow, with the concurrence of the AD of OPA and the FO head. On-site NPO personnel will assist the local PAO and FO head and will function as a liaison with relevant individuals at FBIHQ. NPO may assist the PAO with:

- Shaping a media strategy.
- Working with on-scene members of the media.
- Staffing a 24/7 command post such as a joint operations center or a joint information center.
- Liaising with state and local LE.
- Liaising with relevant individuals at FBIHQ.
- Liaising with other on-scene federal agencies.

4.6.2.2. Off-Site Assistance

NPO must also provide off-site assistance as the FBI's external public communications center during a major incident or a crisis by managing the dissemination of all FBI public information. NPO's responsibilities during a major incident may include:

- Preparing written statements for the press.
- Monitoring news and social media coverage.
- Responding to incoming press inquiries.

- Gathering Q&As from SMEs and executives.
- Providing briefing materials to senior executives.

NPO must also function as the primary liaison between all interested parties during a major media event. NPO must:

- Coordinate information with other OPA units, as appropriate, and provide briefs as needed to OPA leadership.
- Coordinate with senior FBI executives at FBIHQ.
- Coordinate with the FO in whose AOR the incident occurred.
- Maintain an open line of communication between FBIHQ and the FO, including with any on-site personnel.
- Coordinate with the White House, DOJ, and other federal or national-level partners.

If appropriate, NPO will establish a presence in the Strategic Information and Operations Center (SIOC) command post to liaise with operational FBIHQ divisions.

4.7. Training

4.7.1. Training for Internal Audiences

Per ICD 119, annual awareness training on contact with the media is required and must include procedures for having and reporting contact with the media, reporting requirements related to media contact, and the consequences of unauthorized contacts and unauthorized disclosures to the media.

NPO must provide training to FBIHQ personnel, including, but not limited to, any new SES members, on their roles and responsibilities with regard to this PG.

IPPAU must provide training to FBIHQ division and FO personnel on effectively using investigative publicity to assist with cases and to all personnel on their responsibility to report requests to OPA for any media research assistance.

PAOs must brief new FO personnel on the FBI's public affairs policy and the FO public affairs program when they arrive in an FO. On an annual basis, PAOs must brief FO personnel on the FBI's public affairs policy, as stated herein, and how to appropriately decline responses in the event that personnel are contacted by members of the media. PAOs must also train FO personnel who are approved for media engagement on handling press interviews and interaction.

Any records on training that OPA provides must be retained in 1Y-HQ-1702408.

4.7.2. Training for External Audiences

NPO must review and evaluate requests for public affairs trainings and exercises to domestic and international intelligence agencies, LE agencies, and community groups and deliver any approved training, with the following exceptions:

- If the training falls under the purview of the National Academy Unit (NAU), then the Training Division (TD) is responsible for reviewing the request and delivering any approved training.
- If the requestor is a foreign LE entity, the request should first be submitted to IOD. IOD must evaluate the training request and, if approved, forward the request to NPO to deliver the training.
- If PAOs receive local requests, they must evaluate the requests and must provide any approved trainings. PAOs may contact NPO for advice and resources to assist in any such trainings.

Any records on training that OPA provides must be retained in 1Y-HQ-1702408.

4.8. Publications

4.8.1. Publications With External Distribution

All FBI publications must have clear purposes tied to strategic priorities and goals and must represent the FBI in a consistent and professional manner. All FBI publications that will be distributed externally, either in print or digital form, must be maintained in the appropriate Sentinel case file and comply with applicable laws, regulations, and policies concerning public disclosures of information (as outlined in this policy), security, use of the official seal, and privilege, grand jury matters, libel, copyright, printing, and mailing of materials. The same standards and requirements apply regardless of whether a publication is created by FBI personnel or otherwise outsourced.

All publications originating from the FBI must reflect that they are products of the FBI and must follow any guidance promulgated by OPA regarding branding, style, and design, where appropriate, as well as PD 0686D, *Commercial Printing and Copying*.

All publications for external dissemination must be approved by the relevant FBIHQ division/FO head. Publications approved for internal distribution must not be distributed externally without prior approval to do so from the FBIHQ division/FO head. FBIHQ divisions and FOs should coordinate with OPA for concurrence on publications intended for broad distribution to national or regional audiences. OPA will provide guidance and support to ensure that all FBI publications maintain high quality standards, have a style consistent with professional branding practices, convey consistent and accurate facts and messaging, and comply with applicable laws, regulations, and policies.

A publication that may be costly and time consuming to produce should be coordinated with OPA at an early stage of the project to ensure that the project goes smoothly from development through distribution and marketing. Examples of such publications include major research reports, annual reports, lengthy white papers, or magazine-like publications to be printed in large quantities. OPA will work with the publication's proponent to determine whether existing language or graphical elements may be useful to the project, any sensitivities or risks associated with the project, additional recommended approvals, and if the project should be part of a larger communications strategy. OPA will also provide relevant guidance regarding branding, style,

and messaging. OPA's review will not typically include a detailed copy-edit, unless specifically requested.

A publication that will be distributed through <FBI.gov> or official FBI social media channels should be submitted to OPA sufficiently in advance of the target publication date to allow a reasonable amount of time for review. OPA will work with the publication's proponent to ensure compliance with legal and policy requirements for posting to online channels.

Coordination with OPA should be initiated by contacting ESU. ESU will route publication inquiries to the appropriate OPA unit for handling and a timely response.

4.8.2. Publications With Internal Distribution

Each FBIHQ branch and division and FO may determine approval processes for publications aimed at internal audiences. Content managers are authorized to publish information on BUNET, consistent with their respective internal approval requirements. Publication of information on BUNET must follow the *Federal Bureau of Investigation BUNET Style Guide and Procedures*, which can be found on OPA's BUNET site. Coordination with OPA is not required for information posted to branch or division or FO BUNET sites.

Internal publications aimed at all or large segments of the FBI workforce (such as all SAs or executives) should be coordinated through ECU.

4.9. Videos

Videos are increasingly viable vehicles for communications and outreach and are frequently used as part of effective communications and outreach strategies to reach internal and external audiences. FBI video products should reflect the FBI's standard of excellence by being high quality and consistent in their designs and messaging. An FBI video product must have an appropriate purpose tied to the FBI mission and must have an identified objective to reach specific audiences to convey information (e.g., the process to apply for the SA position), drive action (e.g., report tips on border corruption to the FBI), or change behavior (e.g., take steps to avoid being victimized by fraud).

Video projects covered by this subsection include videos intended to provide information or awareness to FBI personnel, other than those intended for use within a single FBIHQ division or FO, and videos intended for public affairs or outreach purposes that will be made available on any public Web site or social media platform (regardless of whether or not the FBI controls the Web site or platform), shown at widely attended conferences, or made available in any digital format. This policy does not apply to any video products produced for investigative or intelligence purposes.

4.9.1. Standards and Guidelines for Video Projects

All videos must adhere to relevant laws, regulations, and policies concerning public disclosures of information (as outlined in this policy), security, use of the official seal, and privilege, grand jury matters, libel, copyright, printing, and mailing of materials. In addition, all videos must be accessible to persons with disabilities, in accordance with 29 U.S.C. § 794(d), The Rehabilitation Act of 1973 (also known as Section 508).

The same standards and requirements apply regardless of whether a video is created by FBI personnel or otherwise outsourced. Any rules applicable to FBI-produced videos also apply to projects done in partnership with other government entities, LE partners, or private sector partners, if the FBI will be associated with the end product.

4.9.2. Coordination of Video Projects

Proposed video projects for training purposes should be coordinated with TD through the Creative Media Development Unit (CMDU). Proposed video products for all other purposes should be coordinated with OPA through ESU.

The FBI has internal capabilities for video development and production within OPA and TD, and these should be utilized to the extent possible to avoid unnecessary expenditures and help ensure consistent quality, design, and messaging. In order to identify and leverage internal video production capabilities that may be available to support a project, coordination with TD or OPA should occur prior to making any significant expenditure in support of the project.

4.9.2.1. Training Videos

For a training video, TD will collaborate with the project proponent and consult with OGC and a contracting officer (CO), as necessary, to determine the most effective means to accomplish the goal of the project, any sensitivities or risks associated with the project, if the project should be part of a larger training curriculum, if the project can and should be combined with similar requests, and if the project can be handled with internal resources or through a procurement of contractor support.

TD will work with the requester to produce the product, support procurement of contractor support, or identify other solutions, as appropriate.

4.9.2.2. Nontraining Videos

For a nontraining video for internal or external audiences, OPA will collaborate with the project proponent and consult with OGC and a CO, as necessary, to determine the most effective means to accomplish the goal of the project, any sensitivities or risks associated with the project, if the project should be part of a larger communications strategy, if the project can and should be combined with similar requests, and if the project can be handled with internal resources or through a procurement of contractor support.

OPA will work with the project proponent to produce the product, refer the project to TD to produce the product, support procurement of contractor support, or identify other solutions, as appropriate. Once a product is produced, OPA will assist with marketing and distribution through all appropriate channels. A nontraining video must be maintained according to the content and usage of that video.

4.10. Speeches

4.10.1. Speech Program

The speech program is the responsibility of the respective FBIHQ division head or FO head, and principal speech commitments within an FO territory should be handled by the FO head or a designee (e.g., SME) who has obtained FO head approval.

4.10.2. Assistance and Review of Speech Materials

As requested, EWU can review speeches to ensure that messaging is consistent across FBIHQ divisions/FOs and with Director-level messaging, and facilitate content reviews by other FBIHQ divisions, when needed.

4.10.3. Sharing and Recordkeeping

Public speeches by the Director and DD will typically be posted on <FBI.gov> for access by the general public.

In addition to maintaining a speech control file in Sentinel for speeches by the Director and DD, EWU must maintain a repository of other speech materials on OPA's BUNET site. The repository will include copies or transcripts of public speeches, speeches from events closed to the press, and stock speeches that can be appropriately adapted for local use.

To facilitate EWU's posting of speech materials to BUNET, all FBIHQ divisions and FOs must send final versions of speeches and related materials to EWU via e-mail. Business-use copies of speech materials from across the FBI will be kept in an EWU-maintained repository to help ensure consistent messaging and to save time and energy by avoiding duplication of effort. All FBI personnel who may be called upon to create speech materials will have access to EWU's BUNET site.

For formal recordkeeping purposes, each FBIHQ division and FO must also maintain a speech control file in Sentinel that includes records of both acceptances and declinations of speech invitations, as well as copies of given speeches.

4.10.4. Speech Waivers and Releases

FBI personnel who speak in an official capacity to non-FBI audiences or who participate as panelists at non-FBI conferences, seminars, or other events in which the public or media have access, may also be asked to sign releases, waivers, or other written agreements authorizing publicity, promotion, or sharing of information related to those events. Those personnel must advise NPO (if assigned to FBIHQ) or their PAOs of the participation and must consult with OGC (if assigned to FBIHQ) or their CDCs for approval of any releases, waivers, or other written agreements. OGC and OIC have developed an "FBI Standard Speaker Release Form" that should be utilized to the extent possible. FBI employees asked to participate in conferences, seminars, or other events in their personal capacity should consult with OIC.

4.10.5. Correspondence of Speech Matters

All correspondence relating to speeches and public appearances by the Director must be routed through the executive secretariat. The executive secretariat will then route the requests to the appropriate FBIHQ divisions/FOs for recommendations.

5. Summary of Legal Authorities

- 28 CFR § 50.2, Release of information by personnel of the Department of Justice relating to criminal and civil proceedings
- *United States Attorneys' Manual* Title 1-7.000, "Confidentiality and Media Contacts Policy"
- *Attorney General Guidelines for Victim and Witness Assistance,* Article II(C) pp. 3-4, "Privacy and Confidentiality Considerations for Victims and Witnesses"
- *Attorney General Guidelines for Victim and Witness Assistance*, Article V(J), pp. 47-48, "Right to Fairness and Respect for Dignity and Privacy"
- 18 U.S.C. § 5038(e), The Federal Juvenile Delinquency Act
- Privacy Act of 1974 (5 U.S.C. § 552(a))
- ICD 119, *Media Contacts*
- Intelligence Authorization Act for Fiscal Year 2013, Section 504, Notification Regarding the Authorized Public Disclosure of National Intelligence, as amended
- DOJ Office of the Deputy Attorney General memorandum, "Guidance on the Personal Use of Social Media by Department Employees" (March 24, 2014)
- DOJ Policy Statement 0300.02, *Use of Social Media to Communicate with the Public*
- DOJ Instruction 0300.02.01, *Social Media Account Management and Approval*
- 5 CFR Part 2635, Standards of Ethical Conduct for Employees of the Executive Branch, and 5 CFR Part 3801, Supplemental Standards of Ethical Conduct for Employees of the Department of Justice
- 5 U.S.C. §§ 7321-7326, The Hatch Act
- 29 U.S.C. § 794(d), The Rehabilitation Act

6. Recordkeeping Requirements

Sentinel is the FBI's official recordkeeping system. Records that have a permanent retention, such as speeches, must be uploaded into Sentinel to the appropriate case file. Copies or transcripts of permanent records may be stored in other repositories, such as SharePoint, for convenience. Please see Section 4 of this PG for specific recordkeeping guidance.

Appendix A: Sources of Additional Information

A.1. Applicable Policies and Other Guidance

- PD 0664D, *Office of Public Affairs Statement of Authorities and Responsibilities*
- PD 0672D, *Creating and Maintaining FBI Public Websites and FBI Web Presences on the Internet*
- PD 0625D, *FBI Seal Name Initials and Special Agent Gold Badge*
- *Community Outreach in Field Offices Policy Directive and Policy Guide* (0575DPG)
- *Prepublication Review Policy Guide* (0792PG)
- *FBI Ethics and Integrity Program Policy Directive and Policy Guide* (0754DPG)
- *Safeguarding Classified National Security Information Policy Directive and Policy Guide* (0632DPG)
- OIC "Political Activity for FBI Employees"

  OSC "The Hatch Act: Frequently Asked Questions on Federal Employees and the Use of Social Media and Email"

A.2. Applicable Forms

- FD-291, "FBI Employment Agreement"
- FD-868, "Nondisclosure Agreement for Joint Task Force Members, Contractors, Detailees, Assignees, and Interns"
- FD-857, "Sensitive Information Nondisclosure Agreement"
- SF-312, "Classified Information Nondisclosure Agreement"
- Form 4414, "Sensitive Compartmented Information Nondisclosure Agreement"
- FD-889, "FBI Information Technology and Information Systems Rules of Behavior for General Users Agreement Form"
- FD-889b, "Rules of Behavior Agreement for Unclassified FBI-owned Mobile Devices"
- FD-981, "Report of Foreign Contact"

Appendix B: Contact Information

Office of Public Affairs	202-324-5352
National Press Office	202-324-3691 npo@ic.fbi.gov
Investigative Publicity and Public Affairs Unit	202-324-5348 public.affairs@ic.fbi.gov
Address	J. Edgar Hoover Building 935 Pennsylvania Avenue, NW Washington, DC 20535

Appendix C: Additional Information for Media Ride-Alongs

This appendix contains a sample MOU and a sample liability agreement to be used for the recording of live-action FBI operations.

Sample Agreement With a Media Production Company

Note: Any substantial deviation from the language provided below must be fully justified. Before execution, the agreement must be reviewed and approved by the CDC (if applicable), OGC, and FBI OPA. It may only be signed for the FBI by the responsible FBIHQ division head (AD) or FO head (ADIC or SAC) after receiving the approval of the FBI's OPA and OGC.

CONTAINS ATTORNEY PRIVILEGED/

PRE-DECISIONAL INFORMATION

b5
b7E

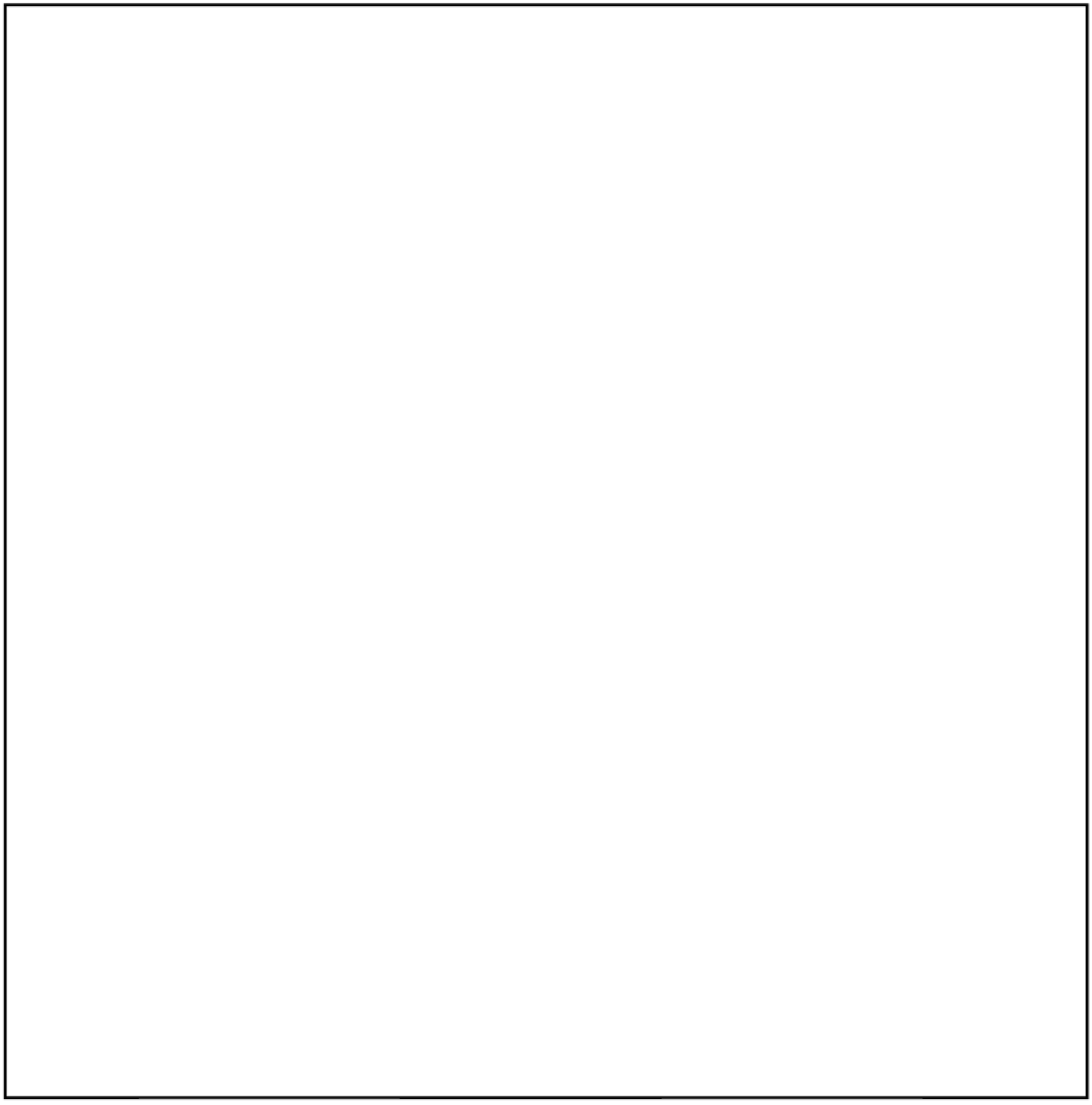
b5
b7E

b5
b7E

b5
b7E

b5
b7E

b5
b7E



b5
b7E

Appendix D: Definitions and Acronyms

Definitions

Digital and social media platforms: technologies used to facilitate the sharing and interactive exchange of information, including Web sites and social networking services.

Federal Bureau of Investigation employee: an individual who is directly employed by the FBI.

Federal Bureau of Investigation matters: any information or material from, or related to, FBI files or any other information acquired by virtue of official FBI employment or association.

Federal Bureau of Investigation personnel: FBI employees, as well as nonemployees (individuals who are associated with the FBI in the capacity of contractors, detailees, or TFOs, TFPs, and TFMs).

Local media: media that functions primarily to serve the communities or metropolitan areas in which they are located.

Media: any person, organization, or entity (other than federal, state, local, tribal, and territorial governments) operating with the primary purpose of collection, production, or dissemination of information to the public in any form, including print, broadcast, film, and the Internet.

National media: media engaged in nationally distributed or marketed print and broadcast products (e.g., major newspapers, television programming, and Web sites); likewise, international media is defined as those entities engaged in internationally distributed or marketed print and broadcast products.

Official FBI digital and social media platforms: technologies approved for the dissemination of FBI information.

Publications: include written or graphic material in the form of a book, a booklet, a magazine, a pamphlet, a brochure, a flyer, a paper, a fact sheet, a memorandum, a guide, or a poster, whether printed in hard copy or published in a digital format (publications posted online in a PDF [Portable Document Format] or other similar format are included in this definition but not presentation materials or content integrated into Web sites or social media feeds, which are governed by PD 0672D, *Creating and Maintaining FBI Public Websites and FBI Web Presences on the Internet*).

Acronyms

AAG	assistant Attorney General
AD	assistant director
ADD	associate deputy director
ADIC	assistant director in charge

AMAU	Administrative Management and Analysis Unit
AOR	area of responsibility
BRU	blanket routine use
BUNET	Bureau Network
CA	case agent
CDC	chief division counsel
CFR	Code of Federal Regulations
CID	Criminal Investigative Division
CMDU	Creative Media Development Unit
CO	contracting officer
COM	chief of mission
COOP	continuity of operations plan
COS	community outreach specialist
CRP	crisis response plan
CRU	Community Relations Unit
CyD	Cyber Division
DAD	deputy assistant director
DD	deputy director
DHS	Department of Homeland Security
DIOG	*Domestic Investigations and Operations Guide*
DNI	Director of National Intelligence
DO	Director's Office
DOJ	Department of Justice

DOJ-OPA	Department of Justice Office of Public Affairs
EAD	executive assistant director
EC	electronic communication
ECU	Employee Communications Unit
EM	executive management
EO	executive order
ESU	Executive Staff Unit
EWU	Executive Writing Unit
FBI	Federal Bureau of Investigation
FBIHQ	Federal Bureau of Investigation Headquarters
FIOU	FBI.gov and Internet Operations Unit
FO	field office
FOIA	Freedom of Information Act
IA	intelligence analyst
IC	Intelligence Community
ICD	Intelligence Community directive
ILU	Investigative Law Unit
IOD	International Operations Division
IPPAU	Investigative Publicity and Public Affairs Unit
ITB	Information and Technology Branch
.jpeg	Joint Photographic Experts Group
LE	law enforcement
Legat	legal attaché [office]

LEGAT	legal attaché [title of position]
MOU	memorandum of understanding
NAU	National Academy Unit
NPO	National Press Office
NSB	National Security Branch
OCA	Office of Congressional Affairs
ODNI	Office of the Director of National Intelligence
OGA	other government agency
OGC	Office of the General Counsel
OIC	Office of Integrity and Compliance
OMB	Office of Management and Budget
OPA	Office of Public Affairs
OPE	Office of Partner Engagement
OPS	Office of Private Sector
OSC	Office of Special Counsel
PAG	public affairs guidance
PAO	public affairs officer
PCLU	Privacy and Civil Liberties Unit
PD	policy directive
PDF	Portable Document Format
PG	policy guide
PII	personally identifiable information
POC	point of contact

PSA	public service announcement
PSI	personnel security interview
Q & A	questions and answers
RMD	Records Management Division
RPO	Resource Planning Office
RSS	Rich Site Summary
SA	special agent
SAC	special agent in charge
SC	section chief
SecD	Security Division
SES	Senior Executive Service
SF	standard form
SIOC	Strategic Information and Operations Center
SME	subject matter expert
SSRA	supervisory senior resident agent
SWAT	special weapons and tactics
TD	Training Division
TFM	task force member
TFO	task force officer
TFP	task force participant
U.S.C.	United States Code
UC	unit chief
USA	United States attorney

USAM	*United States Attorneys' Manual*
USAO	United States Attorney's Office