



Reducing Risk. Unleashing Opportunity.

Ethics and Social Media

Office of Ethics Brown Bag Series

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> Types of Social Media



- Media Sharing – e.g., YouTube, Flickr; Instagram; Snapchat
- Blogging/Microblogging – e.g., WordPress, Twitter;
- Social Networking – e.g., Facebook, MySpace, LinkedIn
- Document/Data-Sharing Repositories – e.g., Scribd, SlideShare, Socrata
- Social Bookmarking – e.g., Delicious, Digg, Reddit
- Internal and external blogs, message boards, etc.



Use of Government Time and Property

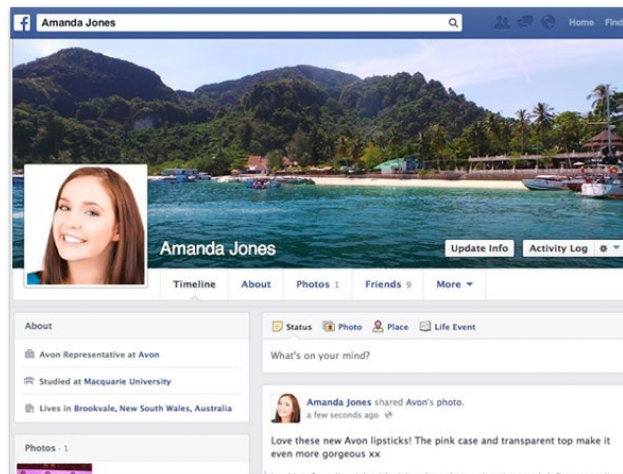


While on-duty, you are required to use official time in an honest effort to perform official duties. 5 C.F.R. 2635.705.

- You are required to protect and conserve government property only using it to perform official duties, unless authorized for other purposes. 5 C.F.R. 2635.704.
- EXIM Bank “Limited Personal Use” Policy- *use of Bank IT systems and equipment must be both “limited” and “personal”*
- IT “Rules of Behavior” Policy
- IT “Rules of Behavior for Using a Smartphone or Tablet to Access the Export-Import Bank’s Information Resources”

Reference to Government Title or Position

- In general, you may not use your official titles, positions, or any authority associated with your public offices for private gain. 5 C.F.R. 2635.702.
- Identifying one's official title or position in an area of a social media account designated for biographical information does not create the appearance of government sanction
- Disclaimers not required UNLESS confusion or doubt is likely to arise as to whether the social media activity is personal vs. government-sanctioned



Reference to Government Title or Position (cont'd)



Appearance of government sanction of a social media communication may be created (and a disclaimer should be used), where an employee does any of the following:

- states that he or she is acting on behalf of the government;
- refers to his or her connection to the government as support for the employee's statements;
- *prominently* features his or her Bank's name, seal, etc. on the social media account, or in connection with specific social media activities;
- refers to his or her government employment, title, or position in areas other than those designated for biographical information; and
- holds a highly visible, senior or political position, or is authorized to speak for the Bank as part of the employee's official duties

Recommending and Endorsing Others



- The Standards of Conduct permit you to use social media to make recommendations or endorsements in your *personal capacity* (i.e., endorsing a particular skill set of one of your LinkedIn connections), even if you provide your official title or position as part of your biographical information
- For social media networks where the user's title and employer name are added automatically, recommendations are still considered personal, rather than official, in nature
- However, employees should not purposely include a reference to their title, position, or agency in a recommendation



Seeking Employment Using Social Media



- In addition to actual negotiations, “seeking employment” includes unsolicited communications by an employee using social media regarding possible employment, as well as any response, other than rejection, to an unsolicited overture from a prospective employer
- If you are seeking or negotiating for employment through social media, you must comply with the applicable disqualification requirements. *See* 5 C.F.R. 2635.601, *et seq.* and 18 U.S.C. 208.

Seeking Employment Through Social Media (cont'd)



You are NOT considered to be seeking employment if:

- You post your resume or summary of professional experience to your personal social media account
- A person or organization merely views your resume on your social media account or has sent you an unsolicited message, including one containing a job offer
- You receive an unsolicited message or job offer and respond with a rejection

You ARE, however, considered to be seeking employment (and recusal may be required) if:

- You contact a person or organization concerning future employment
- You receive an unsolicited message or job offer and respond with *anything other than* a rejection

Disclosing Nonpublic Information

- You are prohibited from disclosing nonpublic information to further their private interests or the private interests of others, including on social media. *See* 5 C.F.R. 2635.703.
- You may not accept compensation for statements or communications made over social media that relate to your official duties. *See* 5 C.F.R. 2635.807(a); 2635.703.
- You may only discuss or share government information that is publicly available (check with Comms)
- You are prohibited from disclosing classified confidential information on social media



Personal Fundraising



- You may use personal social media accounts to fundraise for nonprofit charitable organizations in a personal capacity. See 5 C.F.R. 2635.808.
- However, you may not “personally solicit” from a subordinate or prohibited source, even using your personal social media account
- You are not considered “personally soliciting” a prohibited source or subordinate through your social media network by posting a general fundraising announcement
- You may not specifically reference, link to, or otherwise target a subordinate or known prohibited source when fundraising
- You may not use official titles, positions, or authority associated with your position to further fundraising efforts

Dos and Don'ts of Social Media Use



DOs

- Follow guidelines for discussing Bank-related matters in a public domain
- Protect sensitive information
- Refrain from reporting information that is pre-decisional or internal-only
- Comply with all Bank policies, including the Limited Personal Use and IT Rules of Behavior policies
- Follow the terms and conditions of the social media platform used
- Use Bank logos and or symbols only where approved
- Consult Comms if you are uncertain about whether you can disclose particular Bank-related information

DON'Ts

- Disclose PII, proprietary or otherwise non-public information
- Post anything obscene, threatening, or defamatory
- Use offensive speech targeting race, religion, or sexual orientation
- Promote hate or violence
- Imply personal content is endorsed by the Bank
- Discuss matters subject to litigation
- Use Bank seal or logos without approval
- Engage in lobbying activity using official title
- Use Bank-issued equipment for activity prohibited by law or policy

Examples for Discussion



- You have posted your resume on LinkedIn. One of your connections, who works for one of the Bank's customers, has messaged you with a possible employment opportunity. Another connection, an EXIM Bank colleague, has just "endorsed" one your professional skills.
- Your subordinate sends you a Facebook request, which you accept. A short while later, you receive a notice that she has pledged a contribution to your charity marathon team using a link you posted on your page last week.
- You have just opened a Twitter account and are filling out the biographical section to describe yourself, including your Bank title and official photo.

Any Additional Questions?



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