



INTELLIGENCE COMMUNITY STANDARD

500-35

(U) Implementing Frameworks Governing Appropriate Use of Intelligence Community Online Collaboration Platforms

A. (U) AUTHORITY: The National Security Act of 1947, as amended; Executive Order 12333, *United States Intelligence Activities*, as amended; Intelligence Community Directive (ICD) 101, *Intelligence Community Policy System*; ICD 500, *Director of National Intelligence Chief Information Officer*; Intelligence Community Policy Guidance (ICPG) 110.2, *Preventing and Responding to Workplace Harassment*, and other applicable provisions of law.

B. (U) PURPOSE: This Intelligence Community Standard (ICS) provides guidance for implementing Terms of Use, standards of conduct, reporting mechanisms, accountability frameworks, and training standards governing the use of an Intelligence Community (IC) Collaboration Platform and to reinforce that conduct that is inappropriate or prohibited in the physical workplace is also inappropriate or prohibited in the virtual environment.

C. (U) APPLICABILITY: This Standard applies to the IC, as defined by the National Security Act of 1947, as amended, and to such other elements of any other department or agency as may be designated by the President, or designated jointly by the Director of National Intelligence and the head of the department or agency concerned, as an element of the IC.

1. (U) **Scope:** This Standard applies to all IC Collaboration Platforms, as defined in Appendix A, *Terms and Definitions*.

D. (U) IMPLEMENTATION:

1. (U) **Terms of Use**

a. (U) IC elements administering an IC Collaboration Platform, to include platform service providers, must require user signature or electronic acknowledgment of a Terms of Use, as defined in Appendix A, *Terms and Definitions*, applicable to that platform prior to granting a user access to the platform.

b. (U) IC elements administering an IC Collaboration Platform will determine the frequency with which users are required to sign or electronically acknowledge Terms of Use for that platform, but the frequency set by that element will be no less than annually.

c. (U) Terms of Use for an IC Collaboration Platform will include, at a minimum, the following provisions, with additional provisions

as required by the IC element administering the platform:

- (1) (U) A requirement that use of the platform is for official purposes only.
- (2) (U) A notice that communications on the platform are not private and may be monitored and disclosed for any U.S. Government-authorized purpose.
- (3) (U) A notice that unauthorized use may subject the user to administrative action as well as civil or criminal penalties.
- (4) (U) A requirement that the user, before posting content, ensures content does not exceed the platform's highest permissible classification level and that other users have a "need to know" the content.
- (5) (U) A Code of Conduct for the platform that defines inappropriate use and prohibited conduct on the platform as:
 - (a) (U) Tier 1 Prohibited Conduct (considered to be the most egregious):
 - i. (U) Harassment of others, to include, but not limited to, discriminatory harassment or sexual harassment;
 - ii. (U) Abusive or threatening statements;
 - iii. (U) Discriminatory or retaliatory comments and statements;
 - iv. (U) Partisan political activity that violates the Hatch Act;
 - v. (U) Obscenity and pornography;
 - vi. (U) Conduct in violation of criminal law;
 - vii. (U) Advocating illegal activity or discussing intent to commit an illegal act;
 - viii. (U) Posting personally identifiable information or personal medical information in violation of the Privacy Act of 1974 or the Rehabilitation Act of 1973;
 - ix. (U) Posting of proprietary information without authorization in violation of Title 18 of the United States Code;
 - (b) (U) Tier 2 Prohibited Conduct:
 - i. (U) Endorsements, denunciations, advertisements, or ratings related to any non-Federal entity's event, product, service, or enterprise when made in a way that is, or appears to be, official in nature, except in cases where such activity is otherwise authorized (to include Joint Ethics Regulation, DoD 5500.7-R for Department of Defense elements);
 - ii. (U) Unauthorized use of copyrighted material, trademarks, or service marks;

- iii. (U) Re-posting content, whether on the same or a different platform, that the user knows has been removed by an IC element based on a determination that it violates the Terms of Use or that the user should reasonably believe to be in violation of the Terms of Use;
- iv. (U) Re-posting content generated by someone else in a private channel, such as an e-mail, to an IC Collaboration Platform, without written permission from the content originator to post on a specific IC Collaboration Platform;
- v. (U) Sales or solicitations of items (whether for profit, at cost, or otherwise), except where such activity is specifically authorized, consistent with limitations in the Joint Ethics Regulation or other IC element ethics rules as applicable;
- vi. (U) Profanity;
- vii. (U) Personal insults, defined as negative remarks directed at a person's character, personality, abilities, or other individual traits, or defamatory comments; constructive criticism of or disagreement with a person's ideas or work product is not prohibited when made in a professional, respectful manner;
- viii. (U) Spreading inaccurate information or encouraging others to act on inaccurate information;
- ix. (U) Posting of information that exceeds the highest permissible classification level of the platform;
- x. (U) Using unauthorized automated methods, such as Application Programming Interfaces, to pull content from IC Collaboration Platform sites without obtaining prior permission from the platform owner;
- xi. (U) Information, whether speculative or fact-based, about whether colleagues have been the subject of grievances, received counseling, or received performance-based, disciplinary, or adverse action;
- xii. (U) Posting anonymously or under a pseudonym—other than for authorized cover purposes—with the purpose of avoiding personal attribution; impersonating others; or using another individual's account;
- xiii. (U) Anything that violates regulations, policies, or other applicable authorities;
- xiv. (U) Posting anything that is not for official purposes or that exceeds nominal personal use;
- xv. (U) Other uses and/or conduct that the IC element administering the platform has determined to be inappropriate or prohibited.

(6) (U) A provision that inappropriate use or prohibited conduct includes posting of text, pictures, or other media consistent with the behaviors outlined in Section D.1.c.5.

(7) (U) A provision for reporting inappropriate use and prohibited conduct, including an articulation of the user's ability to report inappropriate use, prohibited conduct, and other Terms of Use violations, and a description of the channels and process for reporting.

(8) (U) Consequences for a user's failure to comply with the Terms of Use, which may include loss of access to the platform or network on which the platform operates; further administrative action consistent with applicable laws, rules, policies; and civil or criminal penalties.

2. (U) Reporting

a. (U) IC elements administering an IC Collaboration Platform will implement a clear and easy to use mechanism for users to report inappropriate use, prohibited conduct, and other Terms of Use violations as appropriate, consistent with the Terms of Use provision implemented in accordance with Section D.1.c.7.

(1) (U) IC elements administering an IC Collaboration Platform should ensure the reporting mechanism minimizes the burden on users attempting to report, to the extent possible, by providing a single-step process for reporting inappropriate or prohibited conduct or Terms of Use violations. This reporting mechanism should include a caveat that reporting will be referred to the Equal Employment Opportunity (EEO) element for content that constitutes harassment or discrimination, to the Inspector General (IG) element for content that constitutes waste, fraud, or abuse, or to any other element as required by applicable authorities.

(2) (U) IC elements administering an IC Collaboration Platform will provide information regarding the availability of existing EEO channels to report harassment or discrimination, existing IG channels for reporting waste, fraud, or abuse, and channels to address other reporting as may be required by applicable authorities.

3. (U) Accountability

a. (U) IC elements administering an IC Collaboration Platform will remove inappropriate or prohibited content from public view of the platform as soon as practicable following the reporting of such content or the detection of such content as it is discovered. Where necessary, IC elements will retain a record of the content, not viewable on the platform, for administrative or investigative purposes as appropriate.

b. (U) IC elements will institute consequences for instances of inappropriate use or prohibited conduct on IC Collaboration Platforms.

(1) (U) IC elements administering an IC Collaboration Platform will implement a framework for suspending a user's access to the platform, with length of suspension determined based on the specific facts of the violation, whether the violation triggers other reporting obligations (including EEO or IG reporting), the severity of the violation (including whether it includes multiple categories of prohibited conduct), and any prior instances of inappropriate use or prohibited conduct by the user on the same or other platforms. See Appendix B, *Accountability Framework* for an example of a consequences framework.

(2) (U) In cases of a user's violation of a platform's Terms of Use, the IC element administering the IC Collaboration Platform will notify the user's employing IC element, through the IC element Human Resources office or other office designated by the IC element, of the fact of the violation, any suspension of access, and steps required to restore access following the suspension period.

(3) (U) The employing IC element for a user identified as having engaged in inappropriate use or prohibited conduct on an IC Collaboration Platform will determine the need for any administrative action, consistent with the element's applicable personnel policy. The employing IC element will submit any justification documentation, as required by the IC element administering the platform, to the IC element administering the platform to restore a user's access, following the suspension period determined in accordance with Section D.3.b.1, if warranted by mission need.

c. (U) ODNI will convene an accountability advisory board, consisting of a point of contact from each IC element that can address their respective organizations' technical, security, and human resources equities, to review IC elements' implementation of this Standard, share best practices, and promote consistent application of Terms of Use across IC Collaboration Platforms. This board will convene on a periodic basis, beginning quarterly for the first year following the signature of this ICS. This board will be advisory in nature from a policy standpoint, and will not review decisions within an IC element regarding administrative action or platform access.

4. (U) **Training**

a. (U) IC elements will provide and update recurring training for all employees and contractor personnel as needed that specifies that inappropriate or prohibited conduct in the physical workplace, to include the use of discriminatory, abusive, disrespectful, threatening, or violent language, is also prohibited in the virtual workspace, to include via email, messaging services, and on IC Collaboration Platforms.

b. (U) IC elements administering an IC Collaboration Platform will implement mandatory specialized training for those who have a role in moderation of those platforms that enables identification of Terms of Use violations, to include instruction on specific terminology that violates the Terms of Use. Personnel with a role in moderation of the platforms shall complete, at a minimum, four hours of training each year for this purpose.

E. (U) **ROLES AND RESPONSIBILITIES:**

1. (U) IC elements shall:

a. (U) Comply with Terms of Use, reporting, accountability, and training requirements in Sections D.1 through D.4;

b. (U) Be committed to providing a workplace free from harassment, consistent with ICPG 110.2;

c. (U) Ensure the requirements set forth in this standard extend to all contractor personnel and personnel from other federal and non-federal entities using IC Collaboration Platforms.

d. (U) Establish processes to receive notifications of Terms of Use violations by the IC element's employees or contractor personnel, and appropriately adjudicate such violations in accordance with this Standard and other applicable law and policy.

e. (U) Identify a point of contact within their element to attend a quarterly accountability advisory board to review instances of prohibited conduct and actions taken. Identified points of contact should be able to address their respective organizations' technical, security, and human resources equities.

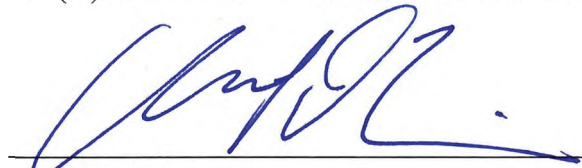
2. (U) The IC Chief Information Officer shall:

a. (U) Facilitate sharing of IC element best practices governing appropriate use of IC Collaboration Platforms.

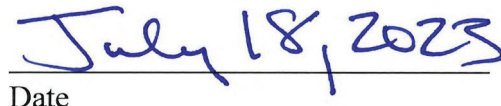
b. (U) Support IC element recommendations for process improvement.

c. (U) Evaluate, assess, and monitor compliance with this Standard, in coordination with the Office of IC Diversity, Equity, Inclusion, and Accessibility.

F. (U) EFFECTIVE DATE: This Standard becomes effective on the date of signature.



Avril D. Haines
Director of National Intelligence



Date

(U) Appendix A: Terms and Definitions

(U) **IC Collaboration Platform**: A system hosted and administered by an IC element that uses software and technology to enable users to communicate and share documents in a digital space; software that adds broad social networking capabilities to work processes such that it allows IC users to share information and communicate, and supports team collaboration and messaging, even if this is not the intended primary purpose of the system. This could include both interagency/IC-wide platforms and intra-agency platforms.

(U) **Terms of Use**: A set of rules governing the use of an identified IC Collaboration Platform(s) and to which users must consent before they can access or post information on that IC Collaboration Platform(s).

(U) **Consent to Monitoring**: An agreement stating that communications using, or data stored on, an information system are not private, are subject to routine monitoring, interception, and search, and may be disclosed or used for any U.S. government authorized purpose.

(U) **Official purpose**: Official purposes include content that directly contributes to an IC element's ability to carry out its duties; content that directly contributes to an IC element's ability to assist with another element's duties; content that provides administrative, functional, or logistical information of relevance to IC elements and their employees; content that furthers the strategic goals and objectives of the United States, the IC, or individual IC elements, such as the promotion of diversity, equity, and inclusion strategic goals and objectives among the IC workforce; personal greetings or other limited personal comments in a post or thread that is otherwise for official purposes, provided such posts comply with the Terms of Use for the IC Collaboration Platform and other IC element policies as applicable; or any other content an IC element has determined is a necessary or appropriate use of the platform.