

From: [Goodwin, Nicholas R](#)
To: [Mckey, Hillary R](#); [Turner, Matthew T](#); [Bitsui, Marian K](#); [Nagle, Drew G](#); [Krause, Amy L](#); [Mentasti, Chris](#); [Robinson, Blossom](#); [Berumen, Krista L](#); [Cossel, Benjamin M](#); [D'agostino, Michael J](#); [Joshua, Tanya H](#); [Fontenot, Monique S](#); [O'Brien, Cheryl R](#); [Sharpe, Alyse N](#); [Jones, Leslie W](#); [Lendrum, Eric C](#); [Estes, Michael D](#); [Huggler, Matthew](#); [Armstrong, Karen R](#); [Boutwell, Stephen D](#); [Day, Sandy E](#); [Giaccardo, Genevieve J](#); [Gillette, Connie S](#); [Hamilton, Hannah M](#); [Holmes, Christopher](#); [Johnson, Treci C](#); [Krauss, Jeff](#); [Moriarty, Tracey B](#); [Osborne, Karen L](#); [Marshall, Laury](#); [Shire, Gavin G](#); [Tollefson, Christopher J](#); [Wainman, Barbara W](#); [Winston, Beverly S](#); [Roulett, Stephanie A](#); [Friar, Linda C](#); [Soeth, Peter D](#); [Nagle, Drew G](#); [Mentasti, Chris](#); [Conrad, David F](#); [Kupper, Kathy](#); [Manning, Robert](#); [Armstrong, Karen](#); [Anzelmo-Sarles, Jenny](#); [Marshall, Karla K](#)
Cc: [OS OCO](#); [Gottry, Heather C](#); [de la Vega, Scott A](#)
Subject: Ethics and General Law Reminder re. the Department's Communications and Social Media Policy
Date: Friday, October 9, 2020 2:00:45 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

All—

Thank you for your continued professionalism and work ethic. We truly have an incredibly talented team at Interior. Given the proximity to the upcoming election, there have been a couple of questions regarding communication practices and social media policy, specifically regarding what is permissible and ethical for distribution in reference to President Trump. As you know and Heather Gottry, Director of the Departmental Ethics Office, and Scott de la Vega, Associate Solicitor for General Law, (CC'd) would both be the first to attest, the Office of Communications works very closely with the Departmental Ethics Office, General Law and the rest of the Solicitor's Office on all media engagements, press inquiries, social media posts and other means of communication as appropriate. We do this to ensure the Department and Bureau's operations are in complete compliance with our statutory and regulatory obligations. Secretarial and Departmental communications are regularly reviewed by these offices and are **always** able to be amplified by the Bureaus via social media, press releases, etc. when germane to your Bureau's operations and functions.

We are all working in service to the American people as a part of President Trump's Administration. In reiterating guidance that the Departmental Ethics Office, General Law and our Solicitor's Office have already provided on multiple occasions, it is absolutely permissible for the Department and Bureaus to highlight official Presidential actions that impact our Department and Bureaus in our communications. You all have done a good job of highlighting Executive Orders, enacted legislation, Presidential Memorandums and Proclamations and other such actions in press releases when we act on these directives. This will continue. The same is to be said of our posts on social media, which include the ability to reference President Trump by name and to use President Trump's Twitter handle "@realDonaldTrump" in tweets. Here is guidance from the Departmental Ethics Office that is consistent with the Office of the Special Counsel specific to the use of President Trump's official Twitter account:

"President Trump has been using the Twitter handle '@realDonaldTrump' for official purposes since the beginning of his Administration, and the Office of the Special Counsel recognizes that it can be used and retweeted from official government accounts if the content is **official, has a nexus to the mission of the agency, and most importantly, does not contain partisan political activity."**

As we work together in highlighting pertinent, government actions, we will only make requests to have the Bureaus amplify Department-level content when the aforementioned criteria is met and ethics approval is received, negating the need to conduct a separate, Bureau-level review following

our request. If you have questions regarding this guidance in drafting Bureau-level information that mentions the President, you can always reach out to the Departmental Ethics Office and General Law.

Additionally, the Departmental Ethics Office has distributed this social media quick guide in the past that I think is a helpful resource and can be found online:

<https://osc.gov/Documents/Hatch%20Act/Social%20Media%20Quick%20Guide.pdf>.

Any questions about this or our communication policies in general, please let me know.

Thank you and enjoy the holiday weekend,

Nicholas Goodwin
Communications Director
Office of the Secretary
Department of the Interior
(202) 412-2249



From: [Goodwin, Nicholas R](#)
To: [Murphy, Timothy E](#)
Cc: [de la Vega, Scott A](#); [Zerzan, Gregory P](#); [Gottry, Heather C](#)
Subject: FW: Hatch Act 1-Pager
Date: Thursday, June 18, 2020 1:56:51 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

Tim,

Per your other email, see the note I sent out to the comms directors yesterday. If you want to reply to this message (to everyone) concurring with my note, I'm supportive of that. This list includes all of OCO and each bureau comms director. For BIE/BIA, FWS, and BLM, those contacts are:

Beverly Winston <bwinston@blm.gov>; Jeff Krauss <JKrauss@blm.gov>; Christopher Tollefson <ctollefson@blm.gov>; Gavin Shire <gavin_shire@fws.gov>; Barbara Wainman <barbara_wainman@fws.gov>; Conrad, David F david.conrad@bia.gov

BLM has already been retweeting.

FYA – This is not a new conversation. This has been discussed a lot with reference provided. Happy to chat about this in greater detail.

Nicholas Goodwin
Office of the Secretary
Department of the Interior
(202) 412-2249



From: Goodwin, Nicholas R

Sent: Wednesday, June 17, 2020 2:32 PM

To: Adams, Nathan S <nathan_adams@ios.doi.gov>; Angelico, Eileen P <eileen.angelico@bsee.gov>; Armstrong, Karen R <karmstrong@usgs.gov>; Benemelis, Isabel M <isabel_benemelis@ios.doi.gov>; Boutwell, Stephen D <stephen.boutwell@boem.gov>; Brigida, Danielle E <danielle_brigida@ios.doi.gov>; Brown, Melissa L <melissa_brown@ios.doi.gov>; Conrad, David F <david.conrad@bia.gov>; Day, Sandy Day E <sandy.day@bsee.gov>; Eisenman, Theresa M <theresa_eisenman@ios.doi.gov>; Estes, Michael D <michael_estes@ios.doi.gov>; Friar, Linda C <lfriar@usbr.gov>; Giaccardo, Genevieve I <Genevieve.Giaccardo@bia.gov>; Gillette, Connie S <connie.gillette@boem.gov>; Goldey, Benjamin H <benjamin_goldey@ios.doi.gov>; Hamilton, Hannah M <hhamilton@usgs.gov>; Hernandez, Jaime B <jaime_hernandez@ios.doi.gov>; Holmes, Christopher <cholmes@osmre.gov>; Johnson, Deron M <deron_m_johnson@ios.doi.gov>; Johnson, Treci C <treci_johnson@ost.doi.gov>; Jones, Leslie W <ljones@usgs.gov>; Joshua, Tanya H <Tanya_Joshua@ios.doi.gov>; Krause, Amy L <amy_krause@ios.doi.gov>; Krauss, Jeff <jkrauss@blm.gov>; Levin, Rachel F <rachel_levin@ios.doi.gov>; Mentasti, Chris <chris.mentasti@onrr.gov>; Moriarty, Tracey B <tracey.moriarty@boem.gov>; Nagle, Drew G <dnagle@usbr.gov>; Nikitas, Maximos N <maximos_nikitas@ios.doi.gov>; Osborne, Karen L

<karen.osborne@onrr.gov>; Parramore, Laury <Laury_Parramore@fws.gov>; Picavet, Alexandra M <Alexandra_Picavet@nps.gov>; Popham, Timothy J <timothy_popham@ios.doi.gov>; Robinson, Blossom <blossom.robinson@boem.gov>; Roulett, Stephanie A <Stephanie_Roulett@nps.gov>; Russo, Jennifer R <jennifer_russo@ios.doi.gov>; Schroeder, Darin C <darin_schroeder@ios.doi.gov>; Shire, Gavin G <gavin_shire@fws.gov>; Simpson, Moshay J <msimpson@osmre.gov>; Soeth, Peter D <PSoeth@usbr.gov>; Swanson, Conner D <conner_swanson@ios.doi.gov>; Swanson, Sarah B <sarah_swanson@ios.doi.gov>; Tollefson, Christopher J <ctollefson@blm.gov>; Wainman, Barbara W <barbara_wainman@fws.gov>; Winston, Beverly S <bwinston@blm.gov>

Subject: Hatch Act 1-Pager

All—

I truly appreciate Danielle's comments in our meeting as it's a good reminder of what we've discussed in the past. Following all ethics rules and guidance is paramount, and an issue the Secretary has spoken about numerous times and takes very seriously.

Per our meeting, here's the document I referenced that is a good, quick summary to review before posting anything on social media:

<https://osc.gov/Documents/Hatch%20Act/Social%20Media%20Quick%20Guide.pdf>.

We'll be back in touch for a future meeting in having Heather do a quick overview with everyone as Scott did in the past. She's working to update the guidance, which will be helpful.

A common question we get is surrounding the use of the @realDonaldTrump handle. SOL/Ethics have cleared our use of that handle, and it should be used in referencing the President. Any retweet of that account, however should be reviewed by SOL/ethics.

FYA – All of our posts through the Secretary's account are reviewed by SOL/Ethics, so there is never an issue retweeting when the issue pertains to your bureaus.

Any questions, please do not hesitate to let me and the team know.

Thanks,

Nicholas Goodwin
Office of the Secretary
Department of the Interior
(202) 412-2249



From: [Goodwin, Nicholas R](#)
To: [Adams, Nathan S](#); [Angelico, Eileen P](#); [Armstrong, Karen R](#); [Benemelis, Isabel M](#); [Boutwell, Stephen D](#); [Brigida, Danielle E](#); [Brown, Melissa L](#); [Conrad, David F](#); [Day, Sandy E](#); [Eisenman, Theresa M](#); [Estes, Michael D](#); [Friar, Linda C](#); [Giaccardo, Genevieve I](#); [Gillette, Connie S](#); [Goldey, Benjamin H](#); [Hamilton, Hannah M](#); [Hernandez, Jaime B](#); [Holmes, Christopher](#); [Johnson, Deron M](#); [Johnson, Treci C](#); [Jones, Leslie W](#); [Joshua, Tanya H](#); [Krause, Amy L](#); [Krauss, Jeff](#); [Levin, Rachel E](#); [Mentasti, Chris](#); [Moriarty, Tracey B](#); [Nagle, Drew G](#); [Nikitas, Maximos N](#); [Osborne, Karen L](#); [Marshall, Laury](#); [Picavet, Alexandra M](#); [Popham, Timothy J](#); [Robinson, Blossom](#); [Roulett, Stephanie A](#); [Russo, Jennifer R](#); [Schroeder, Darin C](#); [Shire, Gavin G](#); [Simpson, Moshay J](#); [Soeth, Peter D](#); [Swanson, Conner D](#); [Swanson, Sarah B](#); [Tollefson, Christopher J](#); [Wainman, Barbara W](#); [Winston, Beverly S](#)
Subject: Hatch Act 1-Pager
Date: Wednesday, June 17, 2020 2:32:18 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

All—

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FYA – All of our posts through the Secretary's account are reviewed by SOL/Ethics, so there is never an issue retweeting when the issue pertains to your bureaus.

Any questions, please do not hesitate to let me and the team know.

Thanks,

Nicholas Goodwin
Office of the Secretary
Department of the Interior
(202) 412-2249



From: [Murphy, Timothy E](#)
To: [Goodwin, Nicholas R](#)
Subject: Re: Hatch Act 1-Pager
Date: Thursday, June 18, 2020 4:36:26 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

Perfect, thanks!

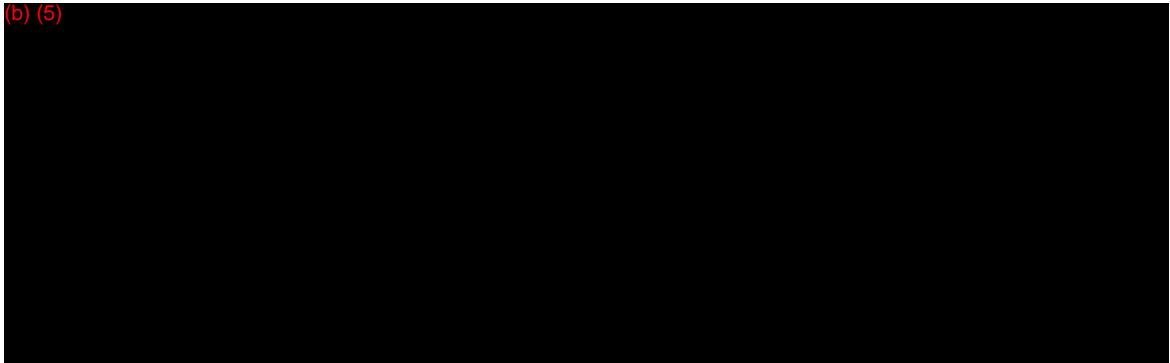
From: Goodwin, Nicholas R <nicholas_goodwin@ios.doi.gov>
Sent: Thursday, June 18, 2020 4:12 PM
To: Angelico, Eileen P <Eileen.Angelico@bsee.gov>; Armstrong, Karen R <karmstrong@usgs.gov>; Benemelis, Isabel M <isabel_benemelis@ios.doi.gov>; Boutwell, Stephen D <Stephen.Boutwell@boem.gov>; Brigida, Danielle E <danielle_brigida@ios.doi.gov>; Brown, Melissa L <melissa_brown@ios.doi.gov>; Conrad, David F <david.conrad@bia.gov>; Day, Sandy Day E <sandy.day@bsee.gov>; Eisenman, Theresa M <theresa_eisenman@ios.doi.gov>; Estes, Michael D <michael_estes@ios.doi.gov>; Friar, Linda C <lfriar@usbr.gov>; Giaccardo, Genevieve I <Genevieve.Giaccardo@bia.gov>; Gillette, Connie S <Connie.Gillette@boem.gov>; Goldey, Benjamin H <benjamin_goldey@ios.doi.gov>; Hamilton, Hannah M <hhamilton@usgs.gov>; Hernandez, Jaime B <jaime_hernandez@ios.doi.gov>; Holmes, Christopher <cholmes@osmre.gov>; Johnson, Deron M <deron_m_johnson@ios.doi.gov>; Johnson, Treci C <treci_johnson@ost.doi.gov>; Jones, Leslie W <ljones@usgs.gov>; Joshua, Tanya H <Tanya_Joshua@ios.doi.gov>; Krause, Amy L <amy_krause@ios.doi.gov>; Krauss, Jeff <JKrauss@blm.gov>; Levin, Rachel F <rachel_levin@ios.doi.gov>; Mentasti, Chris <Chris.Mentasti@onrr.gov>; Moriarty, Tracey B <Tracey.Moriarty@boem.gov>; Nagle, Drew G <dnagle@usbr.gov>; Nikitas, Maximos N <maximos_nikitas@ios.doi.gov>; Osborne, Karen L <Karen.Osborne@onrr.gov>; Parramore, Laury <laury_parramore@fws.gov>; Picavet, Alexandra M <Alexandra_Picavet@nps.gov>; Popham, Timothy J <timothy_popham@ios.doi.gov>; Robinson, Blossom <Blossom.Robinson@boem.gov>; Roulett, Stephanie A <Stephanie_Roulett@nps.gov>; Russo, Jennifer R <jennifer_russo@ios.doi.gov>; Schroeder, Darin C <darin_schroeder@ios.doi.gov>; Shire, Gavin G <gavin_shire@fws.gov>; Simpson, Moshay J <msimpson@osmre.gov>; Soeth, Peter D <PSoeth@usbr.gov>; Swanson, Conner D <conner_swanson@ios.doi.gov>; Swanson, Sarah B <sarah_swanson@ios.doi.gov>; Tollefson, Christopher J <ctollefson@blm.gov>; Wainman, Barbara W <barbara_wainman@fws.gov>; Winston, Beverly S <BWinston@blm.gov>; Adams, Nathan S <nathan_adams@ios.doi.gov>
Cc: Murphy, Timothy E <Timothy.Murphy@sol.doi.gov>
Subject: RE: Hatch Act 1-Pager

Hey all –

I received a couple of questions about the most recent tweet from the Secretary that has his video highlighting the Great American Outdoors Act. In contacting SOL/General Law/Ethics, Tim asked that I convey this message in support of the initial email I sent you all.

From Tim Murphy:

Thanks for sharing the email below that appropriately notes the need to comply with the Hatch Act and other ethics-related concerns. I just wanted to add that the comms folks should also keep in mind the appropriations law issues relating to anti-lobbying. These include a government-wide prohibition on *explicit* grass-roots lobbying (clear appeals to the public to contact Congress about a matter), as well as an Interior-specific provision that restricts *implicit* appeals to the public (where the circumstances indicate that we intend to prompt the public to contact Congress on a matter).



The last part that Tim mentions is important as I initially wrote in my email. There needs to be a nexus to your bureau's mission, and we will not make requests of you to retweet/post any content when that isn't applicable.

Any questions, please don't hesitate to reach out.

Thank you for your work to support DOI Delivers, GAOA and other priorities.

Nicholas Goodwin
Office of the Secretary
Department of the Interior
(202) 412-2249



From: Goodwin, Nicholas R

Sent: Wednesday, June 17, 2020 2:32 PM

To: Adams, Nathan S <nathan_adams@ios.doi.gov>; Angelico, Eileen P <eileen.angelico@bsee.gov>; Armstrong, Karen R <karmstrong@usgs.gov>; Benemelis, Isabel M <isabel_benemelis@ios.doi.gov>; Boutwell, Stephen D <stephen.boutwell@boem.gov>; Brigida, Danielle E <danielle_brigida@ios.doi.gov>; Brown, Melissa L <melissa_brown@ios.doi.gov>; Conrad, David F <david.conrad@bia.gov>; Day, Sandy Day E <sandy.day@bsee.gov>; Eisenman, Theresa M <theresa_eisenman@ios.doi.gov>; Estes, Michael D <michael_estes@ios.doi.gov>; Friar, Linda C <lfriar@usbr.gov>; Giaccardo, Genevieve I <Genevieve.Giaccardo@bia.gov>; Gillette, Connie S <connie.gillette@boem.gov>; Goldey, Benjamin H <benjamin_goldey@ios.doi.gov>; Hamilton, Hannah M <hhamilton@usgs.gov>; Hernandez, Jaime B <jaime_hernandez@ios.doi.gov>; Holmes,

Christopher <cholmes@osmre.gov>; Johnson, Deron M <deron_m_johnson@ios.doi.gov>; Johnson, Treci C <treci_johnson@ost.doi.gov>; Jones, Leslie W <ljones@usgs.gov>; Joshua, Tanya H <Tanya_Joshua@ios.doi.gov>; Krause, Amy L <amy_krause@ios.doi.gov>; Krauss, Jeff <jkrauss@blm.gov>; Levin, Rachel F <rachel_levin@ios.doi.gov>; Mentasti, Chris <chris.mentasti@onrr.gov>; Moriarty, Tracey B <tracey.moriarty@boem.gov>; Nagle, Drew G <dnagle@usbr.gov>; Nikitas, Maximos N <maximos_nikitas@ios.doi.gov>; Osborne, Karen L <karen.osborne@onrr.gov>; Parramore, Laury <Laury_Parramore@fws.gov>; Picavet, Alexandra M <Alexandra_Picavet@nps.gov>; Popham, Timothy J <timothy_popham@ios.doi.gov>; Robinson, Blossom <blossom.robinson@boem.gov>; Roulett, Stephanie A <Stephanie_Roulett@nps.gov>; Russo, Jennifer R <jennifer_russo@ios.doi.gov>; Schroeder, Darin C <darin_schroeder@ios.doi.gov>; Shire, Gavin G <gavin_shire@fws.gov>; Simpson, Moshay J <msimpson@osmre.gov>; Soeth, Peter D <PSoeth@usbr.gov>; Swanson, Conner D <conner_swanson@ios.doi.gov>; Swanson, Sarah B <sarah_swanson@ios.doi.gov>; Tollefson, Christopher J <ctollefson@blm.gov>; Wainman, Barbara W <barbara_wainman@fws.gov>; Winston, Beverly S <bwinston@blm.gov>

Subject: Hatch Act 1-Pager

All—

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Per our meeting, here's the document I referenced that is a good, quick summary to review before posting anything on social media:

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We'll be back in touch for a future meeting in having Heather do a quick overview with everyone as Scott did in the past. She's working to update the guidance, which will be helpful.

A common question we get is surrounding the use of the @realDonaldTrump handle. SOL/Ethics have cleared our use of that handle, and it should be used in referencing the President. Any retweet of that account, however should be reviewed by SOL/ethics.

FYA – All of our posts through the Secretary's account are reviewed by SOL/Ethics, so there is never an issue retweeting when the issue pertains to your bureaus.

Any questions, please do not hesitate to let me and the team know.

Thanks,

Nicholas Goodwin
Office of the Secretary
Department of the Interior
(202) 412-2249



From: [Schasberger, Paula I](#)
To: [Eisenman, Theresa M](#)
Subject: FW: GAOA Social Media Posts - for review
Date: Wednesday, July 22, 2020 4:41:31 PM

fysa

Paula I. Schasberger
Supervisory Attorney, Ethics Advice and Counsel
Departmental Ethics Office
U.S. Department of the Interior
(o) (202) 208 -6514
(c) (202) 923-0253
Email: paula.schasberger@sol.doi.gov

Integrity is our mission.

From: Schasberger, Paula I
Sent: Wednesday, July 22, 2020 12:20 PM
To: Wainman, Barbara W <barbara_wainman@fws.gov>
Cc: Monroe, Nancy S <nancy_monroe@fws.gov>; Zerzan, Gregory P <gregory.zerzan@sol.doi.gov>; Gottry, Heather C <heather.gottry@sol.doi.gov>; Garcia, Monica L <monica.garcia@sol.doi.gov>
Subject: RE: GAOA Social Media Posts - for review

Barbara,

Thanks for sending to review – please note that if the wording on a Tweet is changed then our prior review is no longer valid.

The USFWS message #1 and USFWSDirector message #1 do not violate the prohibitions of the Hatch Act. In context, the references to @realdonaldtrump are linked in the first instance to his call for Congress to pass the bill (<https://twitter.com/realDonaldTrump/status/1234949358644289541>), and in the second instance an action -implementation- which is specific enough.

However, based on our review we believe that as drafted the other tweets - USFWS message# 2 (thread) and @USFWSDirector messages #2 and #3 - raise concerns under the Hatch Act. Specifically, adding the twitter handle @realDonaldTrump at the end of these messages appears - without further context -to be advocating for a candidate in a partisan political election; the use of the @realDonaldTrump twitter handle is unlinked to a specific action taken by the President and has no context as used in the tweets. Additional concerns under the Hatch Act, are the frequency of the mention of a candidate and proximity to an election. So even if one reference in context – such as in the Director post #1 – is ok, multiple mentions may cross the line and implicate the prohibitions of the Hatch Act. It will depend on the context of the reference and will require case-by-case review. Once the reference to @realDonaldTrump is removed USFWS message# 2 (thread) and @USFWSDirector messages #2 and #3 otherwise comply with the Hatch Act. In the alternative, the reference to the President would not violate the prohibitions of the Hatch Act, even though he is a

candidate in a partisan political election, if the tweets are revised to include text that ties the reference to the President publicly calling on Congress "to send me a Bill that fully and permanently funds the LWCF and restores our National Parks" on March 3, 2020.

<https://twitter.com/realDonaldTrump/status/1234949358644289541>.

Please let us know if it would be helpful to discuss further or if we can be of additional assistance.

v/r,
Paula

Paula I. Schasberger
Supervisory Attorney, Ethics Advice and Counsel
Departmental Ethics Office
U.S. Department of the Interior
(o) (202) 208 -6514
(c) (202) 923-0253
Email: paula.schasberger@sol.doi.gov

Integrity is our mission.

From: Wainman, Barbara W <barbara_wainman@fws.gov>
Sent: Wednesday, July 22, 2020 10:07 AM
To: Schasberger, Paula I <paula.schasberger@sol.doi.gov>
Cc: Monroe, Nancy S <nancy_monroe@fws.gov>
Subject: Fw: GAOA Social Media Posts - for review

Paula these additional posts are planning on going from our Service accounts not the Director's are they ok?

Barbara Wainman
Assistant Director
External Affairs
US Fish and Wildlife Service
(202) 208-5256 (O)
(571) 471-4159 (C)

From: Monroe, Nancy S <nancy_monroe@fws.gov>
Sent: Wednesday, July 22, 2020 9:42 AM
To: Wainman, Barbara W <barbara_wainman@fws.gov>
Cc: Huggler, Matthew <Matthew_Huggler@fws.gov>
Subject: Re: GAOA Social Media Posts - for review

@USFWS Messages -

Post #1 *:

Celebrating a great day for conservation with @realDonaldTrump, @SecBernhardt and the US Congress! The Great American Outdoors Act will invest funding in @Interior public lands, including @USFWSRefuges. Healthy habitats, local economies, & outdoor recreation will benefit people & #wildlife for generations to come. #DOIDelivers

Post #2 (thread)*:

The Great American Outdoors Act combines \$1.9 billion annually for 5 years on deferred maintenance at USFWS, @NatlParkService, @BLMNational, @BureauIndianEdu, & @forestsservice. The Act provides permanent funding for the Land & Water Conservation Fund at \$900 million per year. @realDonaldTrump #DOIDelivers

@USFWSDirector Messages - (approved by Solicitor's Office yesterday; sent to Aurelia yesterday for her approval)

Post #1: Congress recently passed the Great American Outdoors Act! I look forward to working with @realDonaldTrump and @SecBernhardt to implement this great investment in our shared future for hunters, anglers, birders, & outdoor enthusiasts. #DOIDelivers

Post #2: It's a wonderful day for America's wildlife public lands. We can all celebrate this momentous achievement! Thanks to bipartisan support for #conservation, #wildlife, & public lands, funds from this Act will invest billions of dollars in public lands across the U.S., including @USFWSRefuges. @realDonaldTrump #DOIDelivers

Post #3: I proudly support improving public lands for current & future generations. The Great American Outdoors Act will ensure Americans can access & enjoy nature for years to come by supporting much-needed maintenance backlogs at refuges, parks, forests, & other iconic American [sites](#).@realDonaldTrump #DOIDelivers

Nancy S. Monroe
Chief, Division of Marketing Communications
U.S. Fish and Wildlife Service

U.S. Department of the Interior
703-358-2613 - office
202-430-7759 - mobile
nancy_monroe@fws.gov
www.fws.gov
Subscribe to [Fish & Wildlife News](#)

FWS Employees - Visit our [FWS Intranet](#) today!

From: Wainman, Barbara W <barbara_wainman@fws.gov>
Sent: Wednesday, July 22, 2020 9:20 AM
To: Monroe, Nancy S <nancy_monroe@fws.gov>
Cc: Huggler, Matthew <Matthew_Huggler@fws.gov>
Subject: Re: GAOA Social Media Posts - for review

Nancy add real DT to the Service messages let me run them by Paula and I need to share with Aurelia asap

Barbara Wainman
Assistant Director
External Affairs
US Fish and Wildlife Service
(202) 208-5256 (O)
(571) 471-4159 (C)

From: Monroe, Nancy S <nancy_monroe@fws.gov>
Sent: Tuesday, July 21, 2020 4:24 PM
To: Wainman, Barbara W <barbara_wainman@fws.gov>
Cc: Huggler, Matthew <Matthew_Huggler@fws.gov>
Subject: Re: GAOA Social Media Posts - for review

Absolutely. Here you go:

Twitter (USFWS Director)

Post #1: Congress recently passed the Great American Outdoors Act! I look forward to working with @SecBernhardt and @realDonaldTrump to implement this great investment in our shared future for hunters, anglers, birders, & outdoor enthusiasts. #DOIDelivers

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Nancy S. Monroe
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U.S. Fish and Wildlife Service
U.S. Department of the Interior
703-358-2613 - office
202-430-7759 - mobile
nancy_monroe@fws.gov
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From: Wainman, Barbara W <barbara_wainman@fws.gov>
Sent: Tuesday, July 21, 2020 4:12 PM
To: Monroe, Nancy S <nancy_monroe@fws.gov>
Cc: Huggler, Matthew <Matthew_Huggler@fws.gov>
Subject: Re: GAOA Social Media Posts - for review

I need to send the post for review by the lawyers with the #Therealdonaldtrump for approval so they can see how we are going to use it. Aurelia is not going to approve anything for her account that does not have that in it and she won't want the Secretary and the President in the third part of the feed so I think we need to rework these for her account to highlight the President and the Secretary. I think the President could be worked into the Post #3 but it needs to be her first tweet in the thread. Even if they are part of the same tweet just broken down for characters she will want to start with the President and the Secretary.

Barbara Wainman

Assistant Director
External Affairs
US Fish and Wildlife Service
(202) 208-5256 (O)
(571) 471-4159 (C)

From: Monroe, Nancy S <nancy_monroe@fws.gov>
Sent: Tuesday, July 21, 2020 3:46 PM
To: Wainman, Barbara W <barbara_wainman@fws.gov>
Cc: Huggler, Matthew <Matthew_Huggler@fws.gov>
Subject: GAOA Social Media Posts - for review

Barbara,

See the attached document with posts for our HQ and Director's accounts. As indicated, we can add @realDonaldTrump to any of those posts if we're legally able to.

I think would make the most sense for the @USFWSDirector account to just retweet posts from the Secretary and/or DOI accounts (to use the @realDonaldTrump tag) and to avoid looking like we're violating the Hatch Act. I say this because the President uses the @realDonaldTrump to campaign. I fear that it may look suspicious for our other (regional/program) accounts to tag him -- except for the Director's account and perhaps the @USFWS and @USFWSNews accounts. The Director's account, as you know, has the most wiggle room in that area.

Nancy

PS: Michael did the prep for this document and found the photos. Yay!

Nancy S. Monroe
Chief, Division of Marketing Communications
U.S. Fish and Wildlife Service
U.S. Department of the Interior
703-358-2613 - office
202-430-7759 - mobile
nancy_monroe@fws.gov
www.fws.gov
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From: [Wainman, Barbara W](#)
To: [Eisenman, Theresa M](#)
Subject: Fwd: Social Media
Date: Tuesday, July 21, 2020 11:07:36 AM

Sent from my iPhone

Begin forwarded message:

From: "Schasberger, Paula I" <paula.schasberger@sol.doi.gov>
Date: July 21, 2020 at 11:01:18 AM EDT
To: "Wainman, Barbara W" <barbara_wainman@fws.gov>
Cc: "Huggler, Matthew" <Matthew_Huggler@fws.gov>, "Monroe, Nancy S" <nancy_monroe@fws.gov>
Subject: RE: Social Media

– any other account where you are sending out the same or similar message. If the message differs than it needs a review. Also our analysis might change if you tell me it will go out from scores of accounts vice several. What might not amount to a Hatch Act violation in isolation can amount to one if you aggregate.

Paula

Paula I. Schasberger
Supervisory Attorney, Ethics Advice and Counsel
Departmental Ethics Office
U.S. Department of the Interior
(o) (202) 208 -6514
(c) (202) 923-0253
Email: paula.schasberger@sol.doi.gov

Integrity is our mission.

From: Wainman, Barbara W <barbara_wainman@fws.gov>
Sent: Tuesday, July 21, 2020 10:55 AM
To: Schasberger, Paula I <paula.schasberger@sol.doi.gov>; de la Vega, Scott A <scott.delavega@sol.doi.gov>
Cc: Huggler, Matthew <Matthew_Huggler@fws.gov>; Monroe, Nancy S <nancy_monroe@fws.gov>
Subject: Re: Social Media

so any tweet that we want to include @Therealdonaldtrump we need to send for approval but if we get approval we can use it with any Service twitter account?

Adding our Social Media lead so she can hear your guidance.

Barbara Wainman
Assistant Director
External Affairs
US Fish and Wildlife Service
(202) 208-5256 (O)
(571) 471-4159 (C)

From: Schasberger, Paula I <paula.schasberger@sol.doi.gov>
Sent: Tuesday, July 21, 2020 10:50 AM
To: Wainman, Barbara W <barbara_wainman@fws.gov>; de la Vega, Scott A <scott.delavega@sol.doi.gov>
Cc: Huggler, Matthew <Matthew_Huggler@fws.gov>
Subject: RE: Social Media

Barbara,

I admit to being a Twitter neophyte, so I don't understand the mechanics of having someone else's Twitter address in our Tweets. What I do know is that @therealdonaldtrump serves three functions. The first is when the President uses the address for official action – those Tweets can be retweeted or used. The other two functions: personal tweets and campaign tweets can not be linked or used. Since it would not be clear what is being linked I can not give a blanket approval to use @therealdonaldTrump in our official releases – whether by Tweet, or other format.

If I am missing what putting the link in does please let me know and I can revisit.

Paula

Paula I. Schasberger
Supervisory Attorney, Ethics Advice and Counsel
Departmental Ethics Office
U.S. Department of the Interior
(o) (202) 208 -6514
(c) (202) 923-0253
Email: paula.schasberger@sol.doi.gov

Integrity is our mission.

From: Wainman, Barbara W <barbara_wainman@fws.gov>
Sent: Tuesday, July 21, 2020 9:27 AM
To: Schasberger, Paula I <paula.schasberger@sol.doi.gov>; de la Vega, Scott A <scott.delavega@sol.doi.gov>

Cc: Huggler, Matthew <Matthew_Huggler@fws.gov>

Subject: Social Media

Hi I am hoping you can help me with this. Aurelia told me this morning that Todd had directed that we start using @Therealdonaldtrump in all of her tweets and more broadly across the Service social media accounts when we are tweeting about #doidelivers accomplishments. Could you provide me something in writing that I can share with all of our social media staff across the Service to show this is appropriate and not violating any laws or policies. Thank you for your help with this.

Barbara Wainman
Assistant Director
External Affairs
US Fish and Wildlife Service
(202) 208-5256 (O)
(571) 471-4159 (C)

From: [Goodwin, Nicholas R](#)
To: [Shire, Gavin \(Detail\)](#); [Gottry, Heather C](#); [Garcia, Monica L](#); [Schasberger, Paula I](#); [de la Vega, Scott A](#)
Cc: [Baumgartner, Nancy H](#); [Jones, Leslie W](#); [Eisenman, Theresa M](#)
Subject: RE: USGS Tweets and the Hatch Act
Date: Monday, October 19, 2020 1:37:54 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

Gavin,

Thank you for your message. As you know – and I have stressed numerous times to all bureau communicators – ethical compliance is priority number one in our communication. You rightly point out that our ethics legal experts approved the post, which highlighted a factual statement made by USGS Director Reilly in a published editorial.

I'm happy to schedule a call with you if need be to discuss this further.

Nicholas Goodwin
Office of the Secretary
Department of the Interior
(202) 412-2249



From: Shire, Gavin (Detail) <gshire.detail@usgs.gov>
Sent: Monday, October 19, 2020 1:02 PM
To: Gottry, Heather C <heather.gottry@sol.doi.gov>; Garcia, Monica L <monica.garcia@sol.doi.gov>; Schasberger, Paula I <paula.schasberger@sol.doi.gov>; de la Vega, Scott A <scott.delavega@sol.doi.gov>; Goodwin, Nicholas R <nicholas_goodwin@ios.doi.gov>
Cc: Baumgartner, Nancy H <nancy.baumgartner@sol.doi.gov>; Jones, Leslie W <ljones@usgs.gov>
Subject: USGS Tweets and the Hatch Act

You may remember, a few weeks ago, USGS was asked to tweet about the publication of an op-ed authored by Director Reilly and to include the @realDonaldTrump Twitter handle. At the time I queried the legitimacy of doing so under the Hatch Act and in response, I was given a clear and unambiguous ruling by Ethics that this was not a violation. Bureau leads have subsequently been told in clear terms that we should use this handle when requested.

Consequently, last week, when we were asked to tweet about another op-ed, also authored by our Director, and again asked to include the @realDonaldTrump handle, I duly did so (though with significant reservations).

The backlash from this tweet has been significant from both public and staff. At issue here is not whether the use of the handle violates the Hatch Act. It is whether people *perceive* it is a violation. The USGS bills itself as neutral in its science and the optics created by use of this handle has cast doubt on that neutrality.

You have all been very helpful in the past in dealing with these sorts of issues and I would like to talk this through. (Nick, we should be ready for media inquiries on this issue and this conversation can help frame our response.)

Could you please provide me with your availability over the next two days. After hours is fine by me if you are willing.

Kind regards,

G

Gavin G. Shire
Acting Associate Director
Office of Communications and Publishing
U.S. Geological Survey
Cell: 703-346-9123
gshire.detail@usgs.gov