

UNITED STATES DEPARTMENT OF AGRICULTURE  
FOOD SAFETY AND INSPECTION SERVICE  
WASHINGTON, DC

## CHANGE TRANSMITTAL SHEET

DIRECTIVE  
 REVISION  
 AMENDMENT  
 OTHER

FSIS DIRECTIVE  
COMMUNICATING WITH EXTERNAL ENTITIES

1240.1  
Revision 4  
Amendment 1

9/27/01

### I. PRINCIPAL CHANGE

This amendment transmits revisions in Part Three that reflect changes in FSIS Directive 1050.1, Requesting Participation at Meetings and Events. FSIS Directive 1050.1 has expanded coverage to include all FSIS personnel.

### II. CANCELLATION

This transmittal is cancelled when contents have been incorporated into FSIS Directive 1240.1.



Deputy Administrator  
Office of Management

### FILING INSTRUCTIONS

#### Remove Old Pages

i  
7 - 12

#### Insert New Pages

i  
7 - 10

#### DISTRIBUTION:

All Offices

#### OPI:

OA - Congressional and  
Public Affairs Office  
OA - Executive Management Staff

**COMMUNICATING WITH EXTERNAL ENTITIES**

**TABLE OF CONTENTS**

**PART ONE – BASIC PROVISIONS**

	<b>Title</b>	<b>Page No.</b>
I.	PURPOSE. . . . .	1
II.	CANCELLATION . . . . .	1
III.	REASON FOR REISSUANCE . . . . .	1
IV.	REFERENCES . . . . .	1
V.	ABBREVIATIONS AND FORMS. . . . .	2
VI.	DEFINITIONS . . . . .	2
VII.	GENERAL . . . . .	2

**PART TWO – COMMUNICATING WITH ELECTED OFFICIALS,  
THEIR STAFFS, AND THE MEDIA**

**Section One – Responding to Elected Officials**

I.	CORRESPONDENCE . . . . .	3
	A. EMS . . . . .	3
	B. CPAO . . . . .	3
II.	TELEPHONE CALLS. . . . .	3
III.	CONGRESSIONAL MEETINGS AND BRIEFINGS . . . . .	4
IV.	(RESERVED) . . . . .	4

**Section Two – Responding to the Media**

V.	CORRESPONDENCE . . . . .	4
	A. FOIA Requests . . . . .	4
	B. Other Requests . . . . .	4
VI.	TELEPHONE CALLS. . . . .	4
VII.	BRIEFINGS OR INTERVIEWS . . . . .	5
VIII.	ADDITIONAL INFORMATION . . . . .	5

**PART THREE – COMMUNICATING WITH OUTSIDE ENTITIES  
OTHER THAN THE MEDIA AND CONGRESSIONAL OFFICES**

I.	APPLICABILITY . . . . .	7
II.	AUTHORIZING OFFICIALS . . . . .	7
III.	SITUATIONS THAT REQUIRE AUTHORIZATION . . . . .	7
IV.	SITUATIONS EXEMPT FROM AUTHORIZATION . . . . .	8
V.	GUIDANCE . . . . .	8
	ATTACHMENT 3-1, Questions and Answers. . . . .	9

UNITED STATES DEPARTMENT OF AGRICULTURE  
FOOD SAFETY AND INSPECTION SERVICE  
WASHINGTON, DC

---

---

# FSIS DIRECTIVE

---

---

1240.1  
REVISION 4

2/14/01

## COMMUNICATING WITH EXTERNAL ENTITIES

### PART ONE – BASIC PROVISIONS

#### I. PURPOSE

This directive describes provisions for employees to communicate with:

A. Elected officials, their staffs, and the media. **NOTE:** Only EMS and CPAO staffs are authorized to communicate with elected officials, their staffs, and the media. (See Part Two.)

B. Outside entities, other than the media and Congressional offices. (See Part Three.)

#### II. CANCELLATION

Cancels FSIS Directive 1240.1 Revision 3, dated 6/9/98.

#### III. REASON FOR REISSUANCE

This directive is completely revised to expand coverage to include communicating with entities outside of Congressional offices and to update organizational references.

#### IV. REFERENCES

FSIS Directive 1050.1, Requesting Participation at Meetings and Events Outside of Washington, DC

FSIS Directive 4735.3, Employee Responsibilities and Conduct

FSIS Directive 4735.6, Safeguarding Confidential Industry Information

Whistleblower Protection Act of 1989

---

**DISTRIBUTION:**

All Offices

**OPI:**

OA – Executive Management Staff

OA – Congressional and Public Affairs  
Office

## V. **ABBREVIATIONS AND FORMS**

The following will be used in their shortened form in this directive:

CCO	Correspondence Control Officer, EMS
CPAO	Congressional and Public Affairs Office
EMS	Executive Management Staff
FAX	Facsimile
FOIA	Freedom of Information Act

## VI. **DEFINITIONS**

**Official Representation.** An Agency employee presents the official FSIS position on any topic to persons not employed by the Agency. This can occur during speeches, presentations, interviews, conversations, or in writing.

## VII. **GENERAL**

A. FSIS has a vital food safety mission based on consumer and industry confidence in a regulatory system that is open and objective. To maintain that confidence and trust, FSIS is seeking to:

1. Assure that information released to outside entities meets guidelines for release, accurately reflects official Agency policy, and is furnished in an appropriate manner.

2. Minimize any potential misunderstandings and unwarranted Agency and employee liabilities resulting from inappropriate release of information related to FSIS activities or goals.

B. As a private citizen, an employee may express views about Agency policy and programs, provided that the employee informs the audience that he or she is not speaking on behalf of FSIS or USDA, but as a private citizen on personal time.

## **PART TWO – COMMUNICATING WITH ELECTED OFFICIALS, THEIR STAFFS, AND THE MEDIA**

### **Section One – Responding to Elected Officials**

#### **I. CORRESPONDENCE**

Members of Congress, State Governors, State Legislature Members and their staff members send written inquiries about FSIS activities. Many of these inquiries are of a sensitive nature and require a timely response. Centralized preparation of replies ensures consistent information that conforms to developing Agency and USDA policies.

A. **EMS.** Responds to all Congressional letters, other than those relating to hearings.

1. Refer written inquiries for information or meetings to EMS. Transmit all incoming correspondence by FAX to the FSIS CCO. Mail the original of the incoming correspondence to the CCO with a notation of the date of the FAX transmission. The address, telephone and FAX numbers for the CCO are:

USDA FSIS EMS  
ROOM 1166 SOUTH BUILDING  
WASHINGTON DC 20250  
Telephone Number: (202) 720-9101  
FAX Number: (202) 205-0158

2. EMS works with Agency personnel to include the appropriate information in the Agency's response to the correspondence. EMS prepares correspondence for the signature of the appropriate FSIS or USDA official and clears the response through CPAO.

B. **CPAO.**

1. Responds to all Congressional letters that relate to Congressional hearings.

2. Clears replies to all Congressional correspondence.

#### **II. TELEPHONE CALLS**

A. CPAO handles **all** telephone inquiries from elected officials and their staffs. CPAO has a Congressional staff that coordinates the Agency's official response to all questions from elected officials and their staffs.

B. Refer **all** telephone inquiries from elected officials and their staff members to CPAO **or** take the caller's name and telephone number for CPAO to return the call. The address, telephone, and FAX numbers are:

USDA FSIS CPAO  
ROOM 1175 SOUTH BUILDING  
WASHINGTON, DC 20250  
Telephone Number: (202) 720-3897  
FAX Number: (202) 720-5704

### III. **CONGRESSIONAL MEETINGS AND BRIEFINGS**

CPAO coordinates all briefings and meetings with Members of Congress and their staff members. CPAO is aware of Congressional concerns and determines the appropriate Agency official(s) to conduct meetings or briefings.

### IV. **(RESERVED)**

#### **Section Two – Responding to the Media**

### V. **CORRESPONDENCE**

FSIS receives many inquiries from media officials on food safety issues. Many of these inquiries are of a sensitive nature and require a timely response. To ensure accurate and consistent release of information, forward request as follows:

A. **FOIA Requests.** Send written requests for documents or records to EMS, FOIA staff. The address, telephone and FAX numbers are:

USDA FSIS EMS  
ROOM 1140 SOUTH BUILDING  
WASHINGTON DC 20250  
Telephone Number: (202) 720-2109  
FAX Number: (202) 690-3023

B. **Other Requests.** Refer other written inquiries for information or requests for interviews to CPAO. Transmit all incoming correspondence by FAX to the CPAO. Mail the original of the incoming correspondence to the CPAO with a notation of the date of the FAX transmission.

### VI. **TELEPHONE CALLS**

A. CPAO's media staff coordinates the Agency's official responses to questions from reporters. CPAO:

1. Coordinates all interviews with reporters.

2. Determines the focus of the news story and, as appropriate, relays information or grants an interview to the reporter.

3. Determines the Agency representative to whom the reporter should speak. Coordinates with the Agency representative on information available for public release.

B. EMS handles telephone inquiries relating to FOIA requests.

## VII. **BRIEFINGS OR INTERVIEWS**

CPAO coordinates briefings or interviews with reporters. CPAO:

A. Determines the focus of the news story and, if appropriate, grants the briefing or interview to the reporter.

B. Determines the Agency representative to speak to the reporter.

C. Coordinates with the Agency representative on applicable information for public release.

## VIII. **ADDITIONAL INFORMATION**

For further information, contact:

A. CPAO at (202) 720-3897.

B. EMS at (202) 690-3882.

## PART THREE – COMMUNICATING WITH OUTSIDE ENTITIES OTHER THAN THE MEDIA AND CONGRESSIONAL OFFICES

### I. APPLICABILITY

A. **Applicability.** Part Three provides guidelines and procedures for authorizing FSIS employees to officially communicate on behalf of the Agency to outside entities, other than the media and Congressional offices via:

1. Telephone.
2. Written and electronic correspondence.
3. Interviews.

B. **Nonapplicability.** This Part does **not** apply to personnel requesting participation at meetings and events. Personnel requesting participation at meetings and events (**EXAMPLES:** Conventions, workshops, and fairs) sponsored by outside entities, other than the media and Congressional offices, are to refer to **FSIS Directive 1050.1** for procedures.

### II. AUTHORIZING OFFICIALS

The Deputy Administrators or Associate Deputy Administrators authorize employees in their program area to communicate on behalf of the Agency to outside entities, other than the media and Congressional offices. This authority to approve requests may be redelegated to the division director, staff director, or district manager levels. \* \* \*

### III. SITUATIONS THAT REQUIRE AUTHORIZATION

Employees are to obtain authorization to:

A. Officially communicate on behalf of the Agency, when this action is not an assigned duty stated in the employee's position description.

B. Provide or discuss official Agency documents, internal documents, or industry documents. (**EXAMPLES:** Commercial or financial information on plants, pre-decisional documents, investigative reports, and records protected under the Privacy Act, such as personnel and medical files.)



IV. **SITUATIONS EXEMPT FROM AUTHORIZATION**

Employees are not required to obtain authorization to:

A. Communicate as Agency representatives if their official position descriptions include authorizations. (EXAMPLE: Official representation to outside entities is a required duty and responsibility assigned to an employee.) ■

B. Discuss information from publicly available Agency materials. (EXAMPLES: Brochures, backgrounders, key facts, materials published on the FSIS website, materials already published in the *Federal Register*, Agency directives, and materials already made available at public meetings.)

V. **GUIDANCE**

Attachment 3-1 provides questions and answers to help employees recognize when and how they may represent FSIS in an official capacity. ■



Deputy Administrator  
Office of Management

Attachment

\* \* \*

3-1 Questions and Answers

## QUESTIONS AND ANSWERS

This attachment provides questions and answers to help employees recognize when and how they may represent FSIS in an official capacity.

1. Q. As part of an official assignment I have researched a matter of interest to the Agency and have provided recommendations for decisions to senior managers. May I give information on the probable decision making to my professional colleague in the collegiate community?

A. No, information should not be provided before decisions or rulemaking.
2. Q. May I speak to my son's boy scout troop about my role with the FSIS?

A. Yes, but advise your supervisor of your plans and make certain you are giving up-to-date information. The Food Safety Education Staff can provide information for handouts.
3. Q. In the effort to be helpful, can I discuss a similar problem encountered by Plant A with Plant B?

A. No, the details of one plant's activities should not be shared with another plant. Information about a plant's activities is considered confidential.
4. Q. I have been authorized by the Agency to make a presentation to an industry group. In the question and answer session that follows, a question is asked about a topic of great interest to the Agency, but one that does not pertain to my presentation. How do I handle this?

A. Confine your answers to questions pertaining to the topic of your presentation. Give your questioner the name of an Agency person who could respond to the question, or promise to get them the name of someone who can respond. Be sure to follow through.
5. Q. I receive a telephone call from a Congressional office requesting information regarding a certain matter. What should I do?

A. Advise the Congressional office that someone will get back to them, and relay information to CPAO for further contact.
6. Q. I have been contacted by a television station asking me to appear on a local talk show. May I accept the invitation?

A. Advise them that someone will get back to them. Discuss it with your supervisor and refer the matter to CPAO.

7. Q. Are there other ways that I can express my concern about possible illegal practices that have come to my attention?
- A. Yes, employees are encouraged to inform their supervisor of such concerns. In addition, under the Whistleblower Protection Act of 1989, a Federal employee may also file a Whistleblower complaint at any time the employee believes he/she has evidence of illegal or wasteful practices, or violations of the conduct regulations.
8. Q. A reporter pulls me aside to discuss my presentation at a public meeting. What should I do?
- A. Discuss only publicly available information. If you are not sure if the information is public, or unsure of the answer, do not speculate. Advise the reporter you will look into the request, and contact CPAO. Inform the press officer of the communication and request assistance on any area about which you are unsure.
9. Q. A reporter stops by my office to discuss a project on which I am working. What should I do?
- A. Tell the reporter to contact CPAO.