

An Investigation of the United State of American Policy Implementation on Social Media

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INTRODUCTION

Social media refers to a set of online tools that are designed for and centered around social interaction. In practice, social media serves as a catchall phrase for a conglomeration of web-based technologies and services such as blogs, microblogs (i.e., Twitter), social sharing services (e.g., YouTube, Flickr, StumbleUpon, Last.fm), text messaging, discussion forums, collaborative editing tools (e.g., wikis), virtual worlds (e.g., Second Life), and social networking services (e.g. Facebook, MySpace)

Government agencies are increasingly using social media to connect with those they serve. These connections have the potential to extend government services, solicit new ideas, and improve decision-making and problem-solving. However, interacting via social media introduces new challenges related to privacy, security, data management, accessibility, social inclusion, governance, and other information policy issues. The rapid adoption of social media by the population and government agencies has outpaced the regulatory framework related to information, although the guiding principles behind many regulations are still relevant.

Unlike traditional media, social media relies on user-generated content, which refers to any content that has been created by end users or the general public as opposed to professionals. Traditional media such as radio, books, and network television is primarily designed to be a broadcast platform (one-to-many), whereas social media is designed to be a dialogue many interaction) (Porter, 2008). This many-to-many interaction allows large groups of geographically dispersed users to produce valuable information resources (Benkler, 2002), solve challenging problems by tapping into unique and rare expertise (Brabham, 2008), and gain diverse insights and perspectives through discussion.

The General Services Administration has even created a standard agreement for social media providers to allow for government usage of social media services. The Obama administration has made a priority of the use of social media technologies, and the new Federal Chief Information Officer is strongly encouraging the expansion of these activities (Lipowicz, 2009, Thibodeau, 2009).

Not only is the Obama administration strongly encouraging agencies to use social media to provide information, communicate with members of the public, and distribute services, it has also made a priority of public usage of social media to participate in government (Jaeger and Bertot, 2010, Jaeger, Paquette and Simmons). And many members of the public already expect that government services will be available electronically and that government agencies will be accessible via social media technologies (Jaeger and Bertot, 2010). The widespread adoption of these social media tools has been emphasized in a number of different White House reports, such as the 2009 report entitled *Open Government: A Progress Report to the America People*, which discuss how social media is being used by agencies to promote transparency.

Many social media and related sites offer Application Programming Interfaces (APIs) that allow other programs and sites to call upon their content and services.

The content of OMB (Office of Management and Budget) builds on a number of existing policies. There is a strong emphasis on privacy policies, Privacy Impact Assessments (PIAs), and the role of the Senior Agency Official for Privacy (SAOP). For example, agencies with a presence on third party sites must provide a Privacy

Notice, which is a “brief description of how the agency's Privacy Policy will apply in a specific situation” such as the use of a third party site that has its own privacy policies.

The Memorandum (“Social Media, Web-Based Interactive Technologies, and the Paperwork Reduction Act”) written by Cass Sunstein on April 7, 2010 clarifies “when and how the Paperwork Reduction Act of 1995 (the PRA) applies to Federal agency use of social media. Other Acts related to social media as stipulated in US are as follow: Children's Online Privacy Protection Act (COPPA), Federal Information Security Management Act (FISMA), Information Quality Act

Social media and government

Social media tools vary dramatically in their purposes and approaches, but they share an emphasis on enabling users to communicate, interact, edit, and share content in a social environment (Porter, 2008, Tepper, 2003). Social media relies on user-generated content, which refers to any content that has been created by end users or the general public as opposed to professionals. Social media is designed to be a dialogue (many-to-many interaction) (Porter, 2008). This many-to-many interaction allows large groups of geographically dispersed users to produce valuable information resources (Benkler, 2002), solve challenging problems by tapping into unique and rare expertise (Brabham, 2008), and gain diverse insights and perspectives through discussion.

While the term social media is relatively new, the idea of using online tools to facilitate social interaction across time and space has been with us for decades in the form of email lists, Usenet, and Bulletin Boards. These early forms of social media showed that surprisingly rich social worlds with their own unique cultures can emerge through something as simple as text-based conversations with strangers (Burnett and Bonnici, 2003, Burnett and Buerkle, 2004, Smith and Kollock, 1999), particularly if those conversations can be overheard by others (Hansen, 2009). Over time a range of new social media services have emerged, each with its own unique architecture that shapes the types of interactions that can occur (Lessig, 2006), as well as the way user-contributed data is managed. Services differ in their scope, the pace of interaction, the type of content being shared (e.g., videos, images, text), who can control the data, the types of connections between users and items, and data retention policies (Hansen et al. 2011). Indeed, small changes in the design of social media tools and policies around them can be vital to their success and failure (Maloney-Krichmar and Preece, 2005, Preece, 2000).

Social media technologies are now regularly employed by a majority of internet users. Among younger users, the use of these tools is nearing universal, such as 86% of 18–29 year olds using social media everyday (Madden, 2010). Similarly, 72% of adults and 87% of teens use text messages everyday (Lenhart, 2010). In July 2010, Facebook announced that it had over 500 million users. As the number of users has increased there has been a growing interest in applying social media toward addressing national priorities (Pirolli, Preece and Shneiderman, 2010), not just using them for entertainment or corporate purposes.

President Obama became a strong advocate for the use of social media when he was presidential candidate. A great deal of fundraising and organizing success of the Obama presidential campaign was tied directly to the extensive use of social media by the campaign (Jaeger, Paquette, and Simmons, 2010). Both at the behest of the Obama administration and as a natural outgrowth of the frequent use of social media by individuals, federal government agencies have enthusiastically embraced the use of social media for government purposes.

Government employment of social media offers several key opportunities for the technology (Bertot, Jaeger, Munson, and Glaisyer, 2010):

Though not mutually exclusive, these opportunities offer great promise and pose new challenges in redefining government-community connections and interactions. As government social media initiatives are launched and evaluated, design lessons can be extracted and shared to achieve these and related goals (e.g., Johnston & Hansen, in Press).

Much U.S. government activity is now focused on social media, with social media becoming a central component of e-government in a very short period of time (Bertot, Jaeger and Grimes 2010a, Bertot, Jaeger and Grimes 2010b, Bertot, Jaeger, Munson and Glaisyer, 2010, Chang and Kannan, 2008, Drapeau and Wells, 2009, Noveck, 2008, 2008, Osimo, Snyder, 2009). U.S. federal agencies have been using blogs, microblogs, wikis, and social

networking sites (Godwin, 2008, Laris, 2009), and even virtual worlds (Miller, 2009), among other social media, to create records, disseminate information, communicate with the public and between agencies for several years (Barr,2008, Hanson,2008, Snyder,2009,Wyld,2008). The General Services Administration has even created a standard agreement for social media providers to allow for government usage of social media services. The Obama administration has made a priority of the use of social media technologies, and the new Federal Chief Information Officer is strongly encouraging the expansion of these activities (Lipowicz,2009, Thibodeau,2009).

Not only is the Obama administration strongly encouraging agencies to use social media to provide information, communicate with members of the public, and distribute services, it has also made a priority of public usage of social media to participate in government (Jaeger, and Bertot, 2010, Jaeger and Bertot, 2010, Jaeger, Paquette and Simmons, 2010). And many members of the public already expect that government services will be available electronically and that government agencies will be accessible via social media technologies (Jaeger & Bertot, 2010). The widespread adoption of these social media tools has been emphasized in a number of different White House reports, such as the 2009 report entitled *Open Government: A Progress Report to the America People*, which discuss how social media is being used by agencies to promote transparency.

Though agencies are increasing their use of social media technologies as a way to extend government services, further reach individuals, offer government information, and engage members of the public in government efforts, agencies are in large part doing so through an antiquated policy structure that establishes the parameters for information flows, access, and dissemination.

Government Social Media Usage and The Law

Federal information policies can come from a large number of sources, including legislation, regulations as contained in the Code of Federal Regulations, directives (such as the Open Government Directive issued by the Office of Management and Budget, which mandated that agencies create an open government plan), Circulars, and Executive Orders. Though there is a range of reasons why these policies exist, information policies primarily govern issues of safety, trust, security, ownership rights, social inclusion, participation, and record keeping.

Table 1 presents selected policies and their requirements as they impact federal agency use of social media in terms of three key policy objectives. While these policy instruments predominantly predate the existence of social media, their reach extends to agency interaction with and use of social media technologies. And yet, agencies largely do not consider these policy instruments when using social media. In many cases, the social media technologies have been implemented without regard even to the policy goals in Table 1 . In April 2010, the Office of Management and Budget (OMB) issued a memorandum on social media, Web-based interactive technologies, and paperwork reduction. The memo focused on agency use of social media in relation to the requirements of the Paperwork Reduction Act (PRA), trying to ensure that agencies complied with the requirements of the PRA, which are detailed below. However, major policy goals of access, inclusion, privacy, security, accuracy, archiving, and copyright have yet to be addressed. The relationships of these policies to social media are explored below in light of each of the policy goals.

Table 1. Selected information policies by objective.

Policy objectives related to social media	Selected relevant policy instruments
Access and social inclusion	• Americans with Disabilities Act
	• Executive Order 13166—Improving Access to Services for Persons with Limited English Proficiency
	• Individuals with Disabilities Education Act
	• Section 504 of the Rehabilitation Act
	• Section 508 of the Rehabilitation Act
	• Telecommunications Act of 1996

Policy objectives related to social media	Selected relevant policy instruments
Privacy, security, accuracy, and archiving	• Children's Online Privacy Protection Act (COPPA)
	• Federal Information Security Management Act (FISMA)
	• Information Quality Act
	• OMB Memo M-03-22 (Guidance for Implementing the Provisions of the E-government Act of 2002)
	• OMB Memo M-04-04 (E-Authentication Guidance for Federal Agencies)
	• OMB Memo M-05-04 (Policies for Federal Agency Websites)
	• Federal Depository Library Program (Title 44 USC)
Governing and governance	• E-government Act of 2002
	• OMB Circular A-130 (Management of Federal Information Resources)
	• Paperwork Reduction Act
	• Various Copyright (Title 17 USC) and Patent & Trademark (Title 35 USC) legislation

Access and social inclusion

Several policy instruments are directly related to access and inclusion in social media (Bertot, Jaeger, Munson & Glaisyer, 2010):

- 1) Access to the technologies (which at a minimum necessitates a device and internet access at a speed sufficient to support social media content);
- 2) The development of technology, programs, and internet-enabled services that offer equal access to all users; and,
- 3) Information and civics literacy necessary to understand government services, resources, and operations.

For example, Executive Order 13166—Improving Access to Services for Persons with Limited English Proficiency requires that agencies provide appropriate access to persons with limited English proficiency, encompassing all “federally conducted programs and activities,” including using social media technologies to communicate and collaborate with members of the public. This policy objective is meant to address the fact that there are highly pronounced gaps in e-government usage among people who predominantly speak a language other than English, as little e-government content is available in non-English formats; for example, 32% of Latinos who do not speak English use the internet, but 78% of Latinos who speak English use the internet (Fox & Livingston, 2007).

Many of these policies focus on access for people with disabilities, as they are the most disadvantaged population in the United States in relation to computer and internet access (Jaeger, 2011). Several of the instruments that would seem to guarantee access to government use of social media for persons with disabilities result from the broad protections of disabilities rights laws. The Individuals with Disabilities Education Act requires equal access to all electronic materials used in public education. The Americans with Disabilities Act provides broad prohibitions on the exclusion of persons with disabilities from government services and benefits, including communication with the government. Section 504 of the Rehabilitation Act creates broad standards of equal access to government activities and information for individuals with disabilities, which includes content distributed via social media, and establishes general rights to accessible information and communication technologies, which includes social media tools.

Other laws focus more directly on information and communication technology usage by the government. The Telecommunications Act of 1996 promotes the development and implementation of accessible information and communication technologies used online. Most directly, Section 508 requires that electronic and information technologies purchased, maintained, or used by the federal government meet certain accessibility standards designed to make online information and services fully available to people with disabilities. Agencies, as well as entities receiving federal funding, implementing social media technology-based services must pay particular attention to complying with the requirements of Section 508. Agencies employing non-Federal services to provide social media technology capabilities are also required to ensure that persons with disabilities have equivalent access to the information on these third party sites as required in Section 508.

Privacy, security, accuracy, and archiving

Social media technologies raise a large number of information management issues, primarily in the areas of privacy, security, accuracy, and archiving, spanning major issues such as personally identifiable information, security of government data and information, and the accuracy of publicly available data. By adopting the use of specific social media tools, government agencies appear to be tacitly endorsing the privacy, security, and other policies employed by those social media providers as adequate.

Some of the related policies are very specific and tailored to the online environment. For example, the Children's Online Privacy Protection Act (COPPA) prohibits the collection of individually identifiable information from children under the age of 13.

Governing and governance

Policy instruments also establish the parameters of governing and governance. These instruments provide broad principles and guidance for agencies, but fail to address the use of social media, as nearly all pre-date the development and use of social media technologies. Much of such guidance is encapsulated in OMB Circular A-130 and the PRA establish principles that:

Agencies are required to disseminate information to the public in a timely, equitable, efficient, and appropriate manner.

Agencies are required to establish and maintain Information Dissemination Product Inventories.

Agencies must consider disparities of access.

Agencies should develop alternative strategies to distribute information.

When considering these principles in light of social media technologies, a range of issues surface, such as: the need for alternative dissemination strategies for access to and dissemination of government information and services; the need for ubiquitous access to internet-embedded information content; and the need to consider records management, archiving, and preservation. While social media technologies have the potential to reach a large percentage of the public, social media technologies can also exclude users without internet access, including economically disadvantaged persons, from receiving such information.

The E-government Act of 2002 also established several related standards for e-government that inform the use of social media by government agencies, such as: developing priorities and schedules for making government information available and accessible to the public; posting inventories on agency websites; publishing annual reports on inventories, priorities, and schedules; complying with requirements of Section 508 of the Rehabilitation Act in all online activities; and implementing and maintaining an Information Dissemination Management System

Gaps in Existing Policy and Attempts to Address Them

The unique nature of social media technologies—and the basis of their mass appeal and strength as a government tool—lies in their ability to create an immediate and interactive dialogue. But this nature also creates important

policy challenges as these technologies continue to be used more extensively both by governments and the public. Though the current policy environment addresses many issues of privacy, security, accuracy, and archiving in some detail, much of the policy related to the use of social media predates the creation of social media technologies. As a result, many of the existing policies do not adequately address the technological capacities, operations, or functions of social media. Finally, it is important to consider that social media services are private ventures with their own acceptable use, data use, accessibility, and privacy policies that often do not conform to federal requirements.

Consider the following issues related to social media that are partially addressed or not addressed at all by current policy:

Ensuring information disseminated through social media is consistently available;

Making information available through social media available in other formats for those who lack equal access due to infrastructure, ability, language, or literacy;

Maintaining consistency of access for government agencies and for members of the public;

Archiving information disseminated through social media for permanent access and retrieval;

Preventing release of sensitive or secret information;

Fostering transparency and accountability, through which government is open and transparent regarding its operations to build trust and foster accountability;

Ensuring the security of personally identifiable information;

Ensuring that third-party social media technology providers (e.g., Twitter, Facebook, YouTube, Second Life) adhere to government privacy, security, and accuracy policies and requirements;

Ensuring that individual-government transactions that transpire through social media technologies are confidential, private, and/or secure as required by federal laws and policies;

(http://www.readwriteweb.com/archives/rip_delicious_you_were_so_beautiful_to_me.php)

Monitoring the storage of government information when held offsite through cloud computing services. Allowing private companies to maintain potentially sensitive government data raises enormous questions of data retrieval, accuracy, and permanence, as well as opens up significant opportunities for misuse of data by providers or attempts by other governments to access the data based on the geographic location of the server farms where the data are maintained.

The Obama Administration is aware of and trying to address at least some of these policy shortcomings. Since April 2010, OMB has issued three significant memos regarding Federal agency use of and interaction with social media technologies: 1) M-10-22 (Guidance for Online Use of Web Measurement and Customization Technologies); 2) M-10-23 (Guidance for Agency Use of Third-Party Websites and Applications); and an unnumbered memo issued on April 7, 2010 by Cass Sunstein entitled “Social Media, Web-Based Interactive Technologies, and the Paperwork Reduction Act.”

Memo M-10-22 (Guidance for Online Use of Web Measurement and Customization Technologies) broadens the definition of tracking technologies to now include all “web measurement and customization technologies.

This is consistent with the other memos by the Obama administration that emphasize the benefits or perceived benefits of enabling the use of social media technologies. There are still prohibitions such as tracking individual-level activity outside of the website, sharing the data with other departments or agencies, and cross-referencing the data with personally identifiable information. However, despite the prohibitions and safeguards, the message of allowing these technologies that are becoming increasingly important to social media tools comes through clearly.

OMB Memo M-10-23 accounts for the increasing amount of internet activity that occurs on third-party sites such as Facebook, Twitter, YouTube, and other social media. Like OMB Memo M-10-22, the focus is on protecting participants' privacy, but in the context of third parties. While some earlier memos touched on websites hosted by contractors or data held by third parties (e.g., M-03-22), the default assumption was that government agencies were in complete control of the content and data management activities on the sites.

Government agencies interact via the internet in several ways with third parties. Agencies have also begun including third party widgets, modules, snippets, and plug-ins on their own websites. Finally, many social media and related sites offer Application Programming Interfaces (APIs) that allow other programs and sites to call upon their content and services.

The content of OMB Memo M-10-23 builds on a number of existing policies. There is a strong emphasis on privacy policies, Privacy Impact Assessments (PIAs), and the role of the Senior Agency Official for Privacy (SAOP), all of which were discussed in prior memos (e.g., M-03-22). For example, agencies with a presence on third party sites must provide a Privacy Notice, which is a “brief description of how the agency's Privacy Policy will apply in a specific situation” such as the use of a third-party site that has its own privacy policies.

The Memorandum (“Social Media, Web-Based Interactive Technologies, and the Paperwork Reduction Act”) written by Cass Sunstein on April 7, 2010 clarifies “when and how the Paperwork Reduction Act of 1995 (the PRA) applies to Federal agency use of social media and web-based interactive technologies.

The memo discusses each of these three exclusions, explaining how certain social media activities fall within them. For example:

The memo explains that the PRA does not apply if social media tools are used to solicit general comments from the public rather than answers to specific closed-ended survey questions under the general solicitations exclusion.

The memo indicates that, through the public meetings exclusion, most regular social media activity is exempt from the PRA since “OMB considers interactive meeting tools—including but not limited to public conference calls, webinars, blogs, discussion boards, forums, message boards, chat sessions, social networks, and online communities.

The memo identifies “‘like items’ that are not ‘information’” and thus not covered by the PRA. These include: 1) email addresses, usernames, passwords, and geographic locations gathered for account registration; 2) items collected to help navigate or customize a website; 3) ratings and rankings; and 4) items necessary to complete a voluntary commercial transaction, and contests.

Even with the guidance provided by OMB, however, there remain a number of policy gaps in a range of areas. The area of access and inclusion provides a good example of how these different unanswered questions in the policy environment can fail to address the ways in which entire populations can be cut out of the use of social media to interact with government.

As discussed above, disabilities and language can be barriers to access and usage of government social media services. As lower levels of technological literacy are generally linked to lower levels of formal education and lower levels of ability to adapt to new technologies, users with lower technological literacy may be intimidated or driven from participation by social media (Jaeger and Thompson, 2003, Jaeger and Thompson, 2004, Powell et al., 2010).

Access and social inclusion	• What tools and approaches best promote universal access to social media technologies?
	• How do we ensure that social media technologies are inclusive, rather than exclusive?
	• Are there social media technologies that can facilitate access to persons with disabilities?
	• What mechanisms (e.g., partnerships, collaborations) can promote access to and participation in social media technologies to all members of society?

	<ul style="list-style-type: none"> • How can agencies leverage partnerships to extend social media applications and use within communities across the country? • What types of partnerships best promote use of and interaction with government through social media technologies? • How can agencies and organizations develop mutually beneficial partnerships? • What organizational, management, and operational structures are necessary to create successful partnerships?
<p>Privacy, security, accuracy, and archiving</p>	<ul style="list-style-type: none"> • How will agencies ensure the privacy of individuals, particularly when data may not be owned by government agencies? • What data and information search tools are necessary to facilitate access to and location of government data? • What review processes are required prior to government data dissemination through open government initiatives such as data.gov to ensure privacy, security, and accuracy? • What data validity, reliability, and quality check processes could be adopted in order to ensure appropriate uses, combinations, and extrapolations of combined government (and other) datasets? • What cybersecurity measures, tools, and approaches are necessary to ensure national, agency, and individual security? • What tools and applications do agencies need to archive and preserve their social media-based activities? • What policies and procedures are necessary to govern the scheduling and archiving of government social media activities?
<p>Governing and governance</p>	<ul style="list-style-type: none"> • How do we build social and political trust? • Who/what makes decisions on what authority? • What collaborative governance processes and structures do social media technologies enable? • What policy structures and frameworks are necessary to govern government use of and interaction with social media technologies? • In what ways can the federal government harmonize across a range of policy instruments to comprehensively account for the evolving policy context of social media technologies? • How will social media technology change how policy is developed? • Will social media technology privilege certain types of policy substance over others? • Will social media technology result in new policies that rely on the existence of social media to be viable? • What policy barriers to using social media technologies exist, and how do we resolve those policy impediments? • How do we create policies that encourage the use of social media technologies? • How can agencies and governments incorporate the results of social media technology use into agency strategies, goals, objectives, services, and resources? • What review and analysis processes should agencies develop to assess social media-based participatory feedback and solicitations into agency workflows?

New Democratic Models	• What do we mean by the term transforming democracy?
	• What possible scenarios both positive and negative can be envisaged?
	• What are the opportunities and limits on transformations that are compatible with the U.S. constitution, the precedents in the field of administrative law, political norms and traditions?
	• What are the limits or parts of our system that should be prioritized?
	• What transformations could solve problems with our existing structures, and where are the biggest benefits to be had?

Social media technologies are not the first new technological development that government agencies have adopted before consideration of existing policy requirements and goals. The implementation of new technologies “tends to depoliticize change by technologizing it, thereby muting questions of power, inequality, or exclusion” (Mackenzie, 2010, p. 183). Often, the quick adoption of new technologies has overridden other concerns, such as the rapid, yet uncoordinated, implementation of government agency websites that has resulted in the United States government being the largest provider of content online, yet lacking a uniform look or function to its sites the way that other governments do. Similarly, the decade-plus struggles in the adoption and deployment of broadband nationally despite a series of interventions provide another cautionary example for the implementation of social media without adequate consideration of the overall policy context (Paquette, Jaeger, & Wilson, 2010).

Bringing social media usage by government agencies in line with existing policies is a first essential step in the ongoing usage of social media with other government goals. And these policies must be understood within the broader policy and information contexts, as the government “is more than an allocator of services and values; it is an apparatus for assembling and managing the political information associated with expressions of public will and with public policy” (Bimber, 2003, p. 17). The aforementioned recent memos issued by OMB are a first attempt to move the federal government's policies towards encompassing social media technologies. But these memos are incremental and do not address the larger policy modification needs. To navigate the discrepancies between traditional information policies that govern government information flows, access, and interaction, one suggested solution is a process of harmonization (Bertot et al., 2009, Jaeger, Bertot and Shuler, 2010, Shuler et al., 2010). Though the concept of harmonization has been proposed as an approach for e-government information generally. Such harmonization should be based on using the long-established core democratic principles such as

Fostering an engaged and informed public. Embedded deeply within the founding of the United States is access to government information, beginning with the Declaration of Independence itself and continuing through to e-government programs today (Jaeger & Bertot, 2011). This has existed more than 150 years through the Federal Depository Library Program (FDLP), through which the federal government and over 1200 libraries collaborate to provide access to and disseminate a wide range of government information to the public.

Extending services and resources to where the public is. A key aspect of the FDLP, the establishment of agency regional offices, courts, and other government outposts are mechanisms to embed and make available federal government services at more local levels.

Participatory democracy. Our government includes a number of means through which the public can participate in democratic activities—testimony at hearings, responses to regulation solicitations, contacting and interacting with elected officials.

Transparency and openness. The requirement that government make its information, data, and processes public and readily accessible provides accountability.

Equity of access. A prevalent thread that weaves the nation's information policies is ensuring that the public, regardless of socio-economic status, geographic location, disability, availability of telecommunications technologies, or other factors that can contribute to gaps in access to information.

Ensuring permanent access for an informed public. The archiving of government information is designed to ensure permanent access to the government record—regardless of how that information is created, stored, or retrieved.

These principles stretch back to the foundation of the Republic, as James Madison, Alexander Hamilton, and John Jay argued for these concepts in the *Federalist Papers* (1789) with the vision of a constitutional government would be the center of information in the new nation. In fact, information and communication appear as important concepts in 31 of the 85 essays in the *Federalist Papers*, with authors believing that information would both help link people to the process of governance and simultaneously prevent the formation of tyrannical majorities. These same principles also serve as a starting point for the harmonization process across the policies identified in this article.

In addition to utilizing a harmonization perspective to frame the government use of social media, the existing policies outlined above and detailed in Appendix A must receive greater attention in the decisions by agencies to use social media technologies. An important first step would be the creation of a guide that would provide clear guidance to all agencies about the policies that must be considered in the adoption and use of social media. GSA (2010) has created a social media handbook, but there is need for a cross-agency social media guide specifically devoted to the relevant policies and their implications. Prior to proposing new policies to specifically address government use of social media, an explicit set of social media guidelines that encompasses all existing policies would help to clarify whether new policies are needed and what issues new policies would need to address.

A further important step would be building on social media usage as the impetus for examining the responsiveness of policy to technological change. For example, as agencies began adopting cloud computing services several years ago, this adoption raised many issues that policy was—and remains—unable to successfully address (Jaeger et al., 2008, Jaeger et al., 2009, Paquette et al., 2010). When the adoption of new technologies by government agencies challenges relevance of current information policy, it is a clear indicator that the policy development and refinement process is not fleet enough for the current environment of rapid technological change that seems likely to continue into the foreseeable future. As new technologies that are currently unimagined will continue to emerge and be adopted by government agencies, the development of more responsive information policies that are based on principles that are not tied to specific technologies will be a vital step in ensuring that policies can remain relevant and useful to government agencies and members of the public,

FUTURE DIRECTIONS

None of these policy gaps or questions that need further investigation is presented as reasons for government to reduce or avoid the use of social media. Indeed social media offers opportunities to provide new government functions and to invigorate established government functions, such as transparency (Bertot, Jaeger and Grimes, 2010a, Bertot, Jaeger and Grimes, 2010b, Bertot et al., in press). Instead, they are raised as issues to consider and address as social media becomes an increasing central aspect of presenting government information, connecting to government services, and engaging members of the public in governance and civic discourse.

Table 2 below presents a set of policy and research questions related to the three key policy objectives discussed above, as well as two other essential areas for future consideration in research and policy: Social Media Use and New Democratic Models. These questions are not meant to be comprehensive, but instead to point to the range of important issues that require further examination in relation to the government use of social media.

Table 2. Key policy and research questions related to social media and policy objectives.

Policy objectives related to social media	Key policy and research questions
Social Media Use	• What tools and approaches best promote exchange between governments and users?
	• What mix of technologies, data, and information promote, support, and foster user engagement?
	• What technologies provide the best ways to display content to users for informed participation?

Policy objectives related to social media	Key policy and research questions
	<ul style="list-style-type: none"> • How can designers promote exposure to diverse viewpoints? What are individual preferences for opinion diversity in information access? • How can agencies best incorporate social media-produced feedback into policy and decision-making? • How can governments create sustainable social media technology strategies and efforts?
Access and social inclusion	<ul style="list-style-type: none"> • What tools and approaches best promote universal access to social media technologies? • How do we ensure that social media technologies are inclusive, rather than exclusive? • Are there social media technologies that can facilitate access to persons with disabilities? • What mechanisms (e.g., partnerships, collaborations) can promote access to and participation in social media technologies to all members of society? • How can agencies leverage partnerships to extend social media applications and use within communities across the country? • What types of partnerships best promote use of and interaction with government through social media technologies? • How can agencies and organizations develop mutually beneficial partnerships? • What organizational, management, and operational structures are necessary to create successful partnerships?
Privacy, security, accuracy, and archiving	<ul style="list-style-type: none"> • How will agencies ensure the privacy of individuals, particularly when data may not be owned by government agencies? • What data and information search tools are necessary to facilitate access to and location of government data? • What review processes are required prior to government data dissemination through open government initiatives such as data.gov to ensure privacy, security, and accuracy? • What data validity, reliability, and quality check processes could be adopted in order to ensure appropriate uses, combinations, and extrapolations of combined government (and other) datasets? • What cybersecurity measures, tools, and approaches are necessary to ensure national, agency, and individual security? • What tools and applications do agencies need to archive and preserve their social media-based activities? • What is the “document” that agencies preserve based on their social media activities? • What policies and procedures are necessary to govern the scheduling and archiving of government social media activities? • What is the role of GPO and the FDLP, if any, in the social media technology environment of the federal government?

Regulation of Social Media Abuse Within U.S.

Since the explosion of Myspace (and later Facebook) in the early 21st century, social media has shaped, informed, and influenced world events and public discourse on a massive scale. Websites and applications centered on communication

between users—platforms like Twitter, Tumblr, and Instagram—have proven unique in the issues that arise from their use. Issues like disinformation campaigns, incitements to violence, and violations of privacy rights have created new challenges for governments seeking to regulate commercial activity in the public interest.

As the consequences of problematic content and user activity increase in severity—many argue, for example, that the January 6th attack on the U.S. Capitol in 2021 developed out of a protest that was heavily encouraged by then-president Donald Trump through Twitter—so too do the calls for social media regulation.

The federal level

In the United States, the Communications Decency Act of 1996 helped to lay the groundwork for federal regulation of obscene, indecent, and illegal content online. Though some parts of the act were struck down by courts in the years following its passage, Section 230, which generally protects website platforms from liability for illegal content posted to their sites, continues to inform the legal discussion regarding social media regulation.

Section 230 says that “no provider or user of an interactive computer service shall be treated as the publisher or speaker of any information provided by another content provider.

There have been many calls for Congress to expand and/or change Section 230 with regards to social media providers in light of major public events over the past decade. For example, allegations of Russian interference in the 2016 U.S. presidential election have sparked a debate over whether companies like Facebook and Twitter should be held more liable than they are for disinformation uploaded to their sites.

Since the Federal Communications Commission lacks the authority to discipline these companies, however, Section 230 doesn’t have much of an effect on the current social media ecosystem. Like the FCC, the FTC has no mandate to punish violators. Instead, it collects complaints and uses them to build a case against a company.

It follows that the U.S. federal government is essentially limited in its ability to regulate social media. Though Congress has presented measures to overhaul policies like Section 230 to hold companies more accountable for problematic content—measures like the Platform Accountability and Consumer Transparency (PACT) Act, introduced by Senators Brian Schatz and John Thune in 2021—there is no mandate currently in place for federal regulators to directly handle social media activity.

The state level

As the U.S. federal government has failed to establish regulations over social media giants, certain states have acted on their own to hold these service providers more accountable. The vision of “accountability,” however, differs across the American political spectrum. For example, Florida Governor Ron DeSantis proposed a bill in 2021 that would fine companies for “knowingly de-platforming” political candidates, likely in response to Twitter’s suspension of former president Trump over the January 6th attacks.

In Maryland, state politicians passed legislation that taxes the revenue on digital advertisements sold by big tech companies like Facebook, Google, and Amazon. The tax is the first of its kind in that it applies solely to the revenue a company receives from digital advertising in the United States. It is expected to generate as much as \$250 million in state revenue.

Virginia’s Consumer Data Protection Act, signed into law by Governor Ralph Northam in March 2021, allows state residents to opt out of having their data collected and sold by social media companies. The law will be enforced by the state’s attorney general, and it does not allow individuals to sue companies on their own for violations.

REGULATIONS OF SOCIAL MEDIA ABUSE OF U.S. BY OTHER NATIONAL

The US Mission said that other nationals seeking for visa applicants must list all social media usernames, handles, email addresses and phone numbers linked to accounts used in the last five years.

"Visa applicants are required to list all social media usernames or handles of every platform they have used from the last five years on the DS-160 visa application form," the mission said.

It added that applicants would be required to certify that the information in their visa application was correct before signing and submitting it.

"Omitting social media information could lead to visa denial and ineligibility for future visas," said the mission

The regulation is part of **broader measures by the Trump administration** that it says are to "ensure national security."

The rule expands an earlier requirement for international students to share their accounts and even lower privacy settings.

Officials said the information would help vet applications more thoroughly.

These requirements are meant to be fulfilled by some countries, especially Nigeria. U.S. government is believed to must have pronounced this just to checkmate future terrorism.

However, Nigerian government has adopted the same law on the U.S. citizen. It is termed law of Reciprocity. Reality, Nigeria does not have any clear social media laws to regulate its social media usage like that of U.S.

POLICY RECOMMENDATIONS

Therefore, the Nigerian Government should review its NDPA 2023 to address emerging unprecedented contemporary challenges, especially on religious preachers, politicians, and their followers on social media, blogs, microblogs, engage Nigerian Youth on national sensitization and awareness enlightenment training programs on social media Regulation Bills and Act through National Orientation Agency and Ministry of Communication and Digital Economic etc. Implementing these social media Regulation Bills and Acts will help to curb misinformation, disinformation, hate speech, and reduce cybersecurity threats both locally and internationally. The National Assembly, Judiciary, and the Executives at all levels should fulfill their own obligation to establish Regulation Bills and Acts on social media to protect Nigeria's international image and safeguard national interests and foreign policy. Prioritizing Nigeria's interests should take precedence immediately and security agencies should reorganize actions on social media platforms. The Nigerian Government should learn from different advanced democratic nations especially United States' Social Media policy Regulation Bills and Act to prevent threats to national security and improve Governance Systems in order to attract both local and foreign investors into the country. **Abuja Leadership Center, University of Abuja Nigeria, should assemble experts among its students to develop a blueprint for social media Regulation Bills and Acts Policy document in collaboration with House Committee on Regulation Bills and Policy document and submit it to the Nigerian National Assembly both Upper Chamber and Lower Chamber for national implementation.**

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