

Department of Homeland Security
DHS Directives System
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PARTICIPATION OF THE DEPARTMENT OF HOMELAND SECURITY WITH FILM AND TELEVISION PRODUCTIONS

I. Purpose

This Directive sets Departmental policy for interaction between the Department and non-government, entertainment-oriented motion picture, television (including documentary productions), advertising, video, published books, on-line web productions and other multimedia productions/enterprises.

II. Scope

- A. This Directive applies throughout DHS.
- B. DHS Management Directive (MD) 2231, "Participation of the Department of Homeland Security with Film and Television Productions," is canceled.

III. Authorities

DHS Delegation 2201, "Delegation to the Assistant Secretary for Public Affairs"

IV. Definitions

- A. DHS Multimedia Agreement: The agreement setting forth the specific terms and conditions of the relationship between the producer, studio, network, publisher or production company and DHS.
- B. DHS Visual Identities: The DHS or DHS Component name, initials, seal, insignia, trademark or certification marks of DHS or any DHS Component or any combination, variation, or colorable imitation of indicia alone or in combination with other words to convey the impression of affiliation or connection with, approval of, or endorsement by, DHS or any DHS Component.

V. Responsibilities

- A. The **Assistant Secretary for Public Affairs** implements this Directive.
- B. The **General Counsel** provides legal review for all DHS Multimedia Agreements, to ensure compliance with applicable laws, rules, and regulations and conducts analysis of intellectual property rights in furtherance of DHS and the Government's interest.
- C. **All DHS personnel** ensure that requests from entertainment-oriented motion picture, television (including documentary productions), advertising, video, publishers, on-line productions and other multimedia productions/enterprises are forwarded promptly to the Director, Office of Multimedia, within the Office of the Assistant Secretary for Public Affairs.

VI. Policy and Requirements

- A. It is Department of Homeland Security (DHS) policy to proactively disseminate the Department's homeland security message.
- B. Consistent with applicable law, DHS provides unique goods and resources to assist entertainment-oriented motion picture, documentary, television (including documentaries), and similar entertainment-oriented video and multimedia productions where such assistance is in the best interest of DHS and the U.S. Government. Such assistance is not to interfere with DHS's core missions. Requests from news media are directed to the press office within the Office of Public Affairs.
- C. Commercial services, products, or merchandise advertisements may not be filmed or photographed on any DHS controlled property or facility. Any photographs, film, video, images, or sound taken or recorded on or at DHS facilities for advertising and/or commercial purposes, including for a motion picture or television production, require the prior written permission of the Assistant Secretary for Public Affairs or designee.
- D. DHS does not warrant or represent that it is granting any exclusive rights to a specific production company, studio, network, or its affiliates, to create a production or project based upon DHS activities.
- E. An agreement by DHS to provide assistance under this Directive does not waive the individual privacy or publicity rights of DHS personnel, other Government employees, military personnel, or contractor employee(s) performing work for the Department.

F. Approval of assistance and permission under this Directive does not relieve the production company from its responsibility for compliance with other applicable laws, regulations and DHS Directives, including those governing the use of the DHS visual identities.

G. Assistance or permission approved under this Directive is not to be construed as official DHS approval, endorsement, or support of the project. Statements concerning the project are coordinated with the Office of the Assistant Secretary for Public Affairs.

H. A DHS Multimedia Agreement is signed by the studio, network or production company prior to receiving the Department's participation or filming on a DHS controlled facility or property. To the extent allowed by law, a production company pays, through a reimbursable agreement, for costs DHS incurs directly related to the production (extra security, overtime pay, etc.) The Office of the Assistant Secretary for Public Affairs coordinates with Components to determine if an agreement for goods and resources (reimbursable agreement) is necessary.

I. When working with television and film productions, DHS does not officially approve the use of any footage, images, or visual identities unless DHS is part of the story line or project and reviews and approves the script, treatment, story or outline.

J. Ordinarily, DHS will not compete with private sector sources in the provision of goods and resources. DHS facilities and resources may be made available under this Directive only when comparable assets are not available from the private sector.

VII. Questions

Address any questions or concerns regarding this Directive to the Assistant Secretary for Public Affairs or the Director, Office of Multimedia, Office of Public Affairs.



Rafael Borrás
Under Secretary for Management

5/23/12
Date