

115 FW Public Information

Chapter 1: General Policy and Procedures

1.1 Objectives. As an integral part of its mission, the U.S. Fish and Wildlife Service has a continuing responsibility to keep the public informed of its various programs and activities. The Service welcomes public examination of these programs and activities, not only as an inherent right of the public, but also because public awareness, understanding, discussion and education are essential to effective planning, execution and accomplishment of Service activities and goals.

1.2 Service Information Policy. It is the policy of the Service to provide the public prompt access to information concerning its activities.

A. Disclosure. Disclosure of information is to be the general rule, not the exception. The burden will be on the Government to justify withholding information. Employees may at times be asked questions by the public regarding problems or policies. All employees must understand that they are responsible for accurate communications and should provide only facts which can be sustained.

B. Restricted Publicity. Personnel should not discuss potential changes to proposed regulations after they have been published in the Federal Register and before they have been finalized (202 FW 6); the Service's or Department's proposed budget before it is submitted to the Congress by the President (250 FW 1); and predecisional matters regarding major or highly controversial matters.

(1) Personnel are also cautioned against disseminating specific information in regard to the acquisition of lands, including the appraised value of lands acquired or to be acquired, prices agreed upon for lands optioned or approved for purchase, and contemplated condemnation.

(2) No publicity regarding the names and addresses of persons apprehended violating Federal or State game laws should be given out except where the offender has been arrested and arraigned before a United States Magistrate or the case against the individual has been finally disposed of in a Federal or State Court. (See 443 FW 1-3, Release of Information.)

(3) Personnel are cautioned against disseminating specific information regarding predecisional expressions in the form of preliminary draft studies, reconnaissance reports, technical reports, official comments on other agency environmental documents, recovery plans, mandatory conditions, etc., prepared in accordance with the Fish and Wildlife Coordination Act, Endangered Species Act, Federal Power Act, and other environmental statutes and pertinent regulations. When controlled by the Department, Service expressions submitted to the Department should not be released to the public prior to the Departmental release of the official Departmental position, pursuant to 516 DM 7.6, 505 FW 3.4F, and other Departmental and Service procedures as appropriate.

C. Nongovernment Media. It is Service policy to support and encourage dissemination of information through suitable nongovernment media.

D. Publications. It is Service policy that all Service publications adhere to the design standards adopted by the Service Publications Committee. It also is Service policy to encourage sale of Service publications to increase the return of revenues to the general treasury.

E. Paid Advertising. Pursuant to the directives in 470 DM 1.1(D), it is Service policy to avoid paid advertising in any media in connection with its programs, except where specific legal authority or requirements exist (e.g. National Environmental Policy Act, Administrative Procedure Act). In the event paid advertising is necessary because of the significant benefits it affords in enhancing public participation, prior approval must be obtained from both the Service Office of Public Affairs and the Department's Office of Communications.

F. Balance of Content. Service publications and audio-visual products will strive to achieve a balanced representation of cultural, racial, ethnic, age and physical diversity. Materials produced will avoid the use of gender specific language or characterizations. Materials should be made available, on request, in languages other than English or in alternative formats, in instances where Service products will be used by non- traditional audiences or to accommodate persons with disabilities. Videos developed or funded by the Service will be available in captioned format for persons with hearing disabilities.

1.3 Responsibility. The overall responsibility for assuring adherence to this policy rests with the Assistant Director for External Affairs.

A. Office of Public Affairs. The Office of Public Affairs reports to the Director through the Assistant Director for External Affairs. The primary function of the Office of Public Affairs is to disseminate information about the programs and policies of the Service. The Office of Public Affairs includes two sub-offices: Broadcasting and Audio Visual Services and Media Services.

B. Broadcasting and Audio Visual Services. The Broadcasting and Audio Visual Services Office produces videos, films, public service announcements, and video news features; plans and implements distribution of audio-visual products, including electronic/satellite transmission; manages the Service collection of slides, photographs, film and video footage; develops and promulgates Service audio-visual policies as needed; responds to Broadcasting and Audio Visual Services, publisher and public requests for audio-visual materials and photographs; and helps other Service offices identify and produce appropriate audiovisuals and Broadcasting and Audio Visual Services coverage. This office also reviews all Service-proposed audiovisuals and certifies them for required approval by the Service Director and the Departmental Office of Communications.

C. Media Services. The Media Services Office works with representatives of the mass media to provide information on Service activities and policies. It produces news releases, newsletters, fact sheets, speeches, brochures, and other written materials to inform the public and other Interior Department offices of Service programs, policies, and decisions. (See Service Manual chapters 115-119.) In addition, the office organizes, or assists with press conferences, media tours and community relations events. This office also reviews and coordinates publications approval requests to ensure conformance to the laws, regulations and policies of the Congressional Joint Committee on Printing, the U.S. Government Printing Office, the Office of Management and Budget and the Department of the Interior. Staff also coordinate production of most national general-interest publications and are responsible for printing procurement for all Service headquarters offices. (See Service Manual chapters 121-122.)

Chapter 2: Requests for Official Expression

2.1 Policy and Procedures. Service policy is to comply with requests from non-government organizations or firms for official expression in the form of written or graphic material, or speeches or talks requiring special presentation, under the following conditions:

A. Promotes Understanding. The expression is directly concerned with and will promote better and wider understanding of Service objectives, policies, programs and activities.

B. No Unreasonable Burden. The preparation or presentation of the expression does not impose an unreasonable burden on Service staff.

C. Compensation to Treasury. If the organization or firm customarily pays compensation or expenses for such services, it will pay the Government for the services rendered at rates ordinarily paid. The payments are accepted and deposited in the Treasury as Miscellaneous Receipts.

D. Prior Review. Prior review by the Chief, Public Affairs, and Assistant Director, External Affairs, may be required of any material designed as official expression for release to or by non-government organizations, firms, or groups.

Chapter 3: Press Releases

3.1 Service Procedures. News releases planned for release at the regional or field level will be subject to Departmental approval if they concern a controversial issue, a major policy announcement is involved, or if widespread news coverage is anticipated. Such releases can include, but are not limited to, Endangered Species Act listings, high-profile recovery plans, species reintroductions, land acquisitions, migratory bird or predator

control actions, public access to outdoor recreation, contaminant issues with human health concerns, major Natural Resource Damage Assessment settlements, major scientific findings on the status of a species or an ecosystem, or actions involving large expenditures of public funds. All releases quoting the Secretary or the Assistant Secretary for Fish and Wildlife and Parks must be cleared by the Departmental Office of Communications. All releases quoting the Director must be cleared by the Director, Deputy Director, or other official to whom this responsibility has been delegated.

3.2 News Release Clearance. To assist in the prompt review and issuance of news releases concerning major decisions or statements by the Service Director, Assistant Secretary, or Secretary, a draft news release will be prepared for comment and review.

A. General News Release Surname Procedure. The Service Office of Public Affairs will circulate a draft news release for review and comment through the Chief of Public Affairs. The draft will be cleared with appropriate subject matter experts and responsible program officials within the Service before being transmitted to the Chief of Public Affairs. Following approval by the Chief, Public Affairs, Media Services will circulate the release for surname through the Assistant Director for External Affairs. The Director, Deputy Director, or other designated official must approve by surname any release quoting the Director. The Director may elect to surname releases dealing with any particular issue or set of topics. In cases when the release quotes the Assistant Secretary for Fish and Wildlife and Parks or the Secretary of the Interior, the release will also be forwarded to the appropriate contact in the office of the Assistant Secretary for Fish and Wildlife and Parks for approval. Media Services will coordinate the final review, surname, and release through the Department's Office of Communications in cases where the release quotes the Secretary of the Interior. When substantive changes are made to a release during the surnaming process, offices significantly affected by the changes will be asked to resurname.

B. News Releases from Regional Offices and Field Stations. When field office or regional news releases concern major decisions, controversial issues, or events involving or quoting the Service Director, Assistant Secretary, or Secretary, the originating Region will provide an advance draft of the release to the Service's Office of Public Affairs for circulation and approval in the national office. For releases concerning all significant policies, policy changes, or decisions affecting public use activities, the originating office will provide a copy of the draft release and outreach plan to the Office of Public Affairs. A draft release and outreach plan will be attached to all major decision packages for review by appropriate Service officials.

C. Attribution to regional director - National issuance. When a regional office reissues a news release originating from the Washington Office, the opening attribution will be the same as that contained in the national release. When local details, attributed to local Service representatives, are added by the regional or field office to the release, they follow the opening attribution to the national official.

D. Timeliness. The likelihood of the media using news releases announcing activities such as open houses, is enhanced if the release is issued several days to one week in advance of the event to which it pertains. Releases involving policy, listing, or other regulatory actions shall be issued concurrently with publication in the Federal Register.

Chapter 4: Electronic Releases

4.1 General Policy. In the interest of providing timely, cost effective information, the Service will use digital communications methods, including faxing, electronic mail, electronic "bulletin boards," list servers, and the Internet to distribute its press releases and bulletins. For the purposes of this chapter, any information intended for electronic distribution to, or otherwise made available to the news media, non-government organizations, or the public, is considered a news release or bulletin and is subject to the review provisions outlined in Chapter 3: News Releases. Guidance from the Service's Office of Information Resources Management concerning information sharing on the Internet and through other digital means also applies.

A. News Releases from Regional Offices and Field Stations. When field office or regional news releases concern major decisions, controversial issues, or events involving the Service Director, Assistant Secretary, or Secretary, the originating Region will provide a digital copy of the news release in ASCII format to the Office of Media Services. The Office of Media Services will be responsible for posting the release on the national news release list server, news bulletin board, and Web page as well as faxing to appropriate national media outlets.

Chapter 4: Electronic Releases

4.1 General Policy. In the interest of providing timely, cost effective information, the Service will use digital communications methods, including faxing, electronic mail, electronic "bulletin boards," list servers, and the Internet to distribute its press releases and bulletins. For the purposes of this chapter, any information intended for electronic distribution to, or otherwise made available to the news media, non-government organizations, or the public, is considered a news release or bulletin and is subject to the review provisions outlined in Chapter 3: News Releases. Guidance from the Service's Office of Information Resources Management concerning information sharing on the Internet and through other digital means also applies.

A. News Releases from Regional Offices and Field Stations. When field office or regional news releases concern major decisions, controversial issues, or events involving the Service Director, Assistant Secretary, or Secretary, the originating Region will provide a digital copy of the news release in ASCII format to the Office of Media Services. The Office of Media Services will be responsible for posting the release on the

national news release list server, news bulletin board, and Web page as well as faxing to appropriate national media outlets.

Chapter 5: Use of Still Photographs (see 120 FW 2)

Chapter 6: Use of Exhibits (see 120 FW 3)

Chapter 7: Public Information Released in Technical Journals

7.1 Scientific and Technical Information. Offices of the U.S. Fish and Wildlife Service may publish scientific and technical material produced as a result of their activities only if the projects or programs to which they related have been approved by the Department of the Interior. Studies, reconnaissance reports, technical reports, official comments on other agency environmental documents, recovery plans, mandatory conditions, etc., prepared in accordance with the Fish and Wildlife Coordination Act, Endangered Species Act, Federal Power Act, and other environmental statutes and pertinent regulations, will continue to be distributed in accordance with 516 DM 7.6, 505 FW 3.4F, and other Departmental and Service procedures, as appropriate.

A. Reporting. Offices of the U.S. Fish and Wildlife Service must annually report to the Office of Media Services - Printing and Publishing all expenditures (including contract writing, printing, postage, layout, and other associated costs) for the production and dissemination of scientific and technical publications. The purpose of this requirement is solely to comply with Office of Management and Budget requests for publishing cost data for all Department of the Interior publications.

B. Approvals. Blanket approvals will be given for scientific and technical publications on forms DI 550 and 550A.

C. Advance Notification. The originating office will provide to the Office of Media Services an advance copy of the material prior to publication in each case where the material to be published might generate attention in the general news media.

D. Professional Journals. Publication of such materials may be authorized by Regional Directors or Assistant Directors through professional or other journals or media in lieu of Government publication. For procedures governing use of non-government publications see 117 FW.

Non-government Publications

Chapter 1: Policy and Approval

1.1 Definitions. This section covers approval of manuscripts for outside publication which constitute official Service expressions. Such expressions may include papers prepared by Service employees or by contractors, grantees, or academics receiving Service support. Such publications may include those that assess page charges. The originating office will budget, incur, and pay any page charges in the same manner as other liabilities for services received. This chapter does not cover publication of non-official expressions prepared on an employee's own time as defined in 118 FW 1.1. or publications issued by the Service as defined in 121 FW. In no case may a Service employee accept or retain payment from outside sources for work on any manuscript, article or other material prepared in accordance with this section.

1.2 Delegations. Authority for approving manuscripts and articles for outside publication is vested in the Director, Deputy Director, or other official to whom this responsibility has been delegated. However, articles or papers which discuss any controversial or newsworthy subject matter, including but not limited to endangered species listing and habitat protection actions; regulations governing hunting, fishing, and other consumptive uses of wildlife resources; law enforcement activities; and determinations affecting public use of lands administered by the Fish and Wildlife Service, must be cleared and approved by the Chief, Public Affairs Office.

A. Approval of Publication. Before submitting a government- produced paper for non-government publication, regional directors or headquarters division chiefs must determine:

- (1) That the paper is descriptive of a policy position fully adopted by the Service; and that it is not merely the expression of an individual's or group's projected or desired program.
- (2) That the paper is constructed well enough to warrant publication as an official expression.
- (3) That the agency has been given express or implicit legislative authority to disseminate information of the nature presented in the paper.
- (4) That funds are available for paying any page charges incurred in publishing the paper.

B. Transmittal. Manuscripts needing approval from the Chief of Public Affairs must be submitted through and surnamed by the appropriate Regional Director or Assistant Director. Manuscripts may be transmitted in hard copy or electronically through the Service's electronic mail system.

C. Timeliness. Manuscripts needing Washington approval must be submitted in ample time for review. This normally varies, but should be completed within two to three weeks.

Chapter 2: Payments, Records and Reprints

2.1 Payment of Page Charges. The originating office will approve invoices for page charges for payment when it received evidence that:

A. Authority. The determinations required in 117 FW 1.2 have been made by the competent authority.

B. Publication Complete. Satisfactory publication of the submitted paper has been accomplished.

C. Computation. The page charges were properly computed in accordance with the rates and formulae the publication customarily and consistently applies to papers it publishes.

D. Reprints. The office has received all reprints of the paper, including those which the publication customarily delivers without charge.

2.2 Reporting. Offices shall maintain records to serve as a basis for reports regarding payment of page charges.

2.3 Purchase of reprints of outside publications. The Fish and Wildlife Service may purchase reprints of articles for official use.

Non-Official Expression

Chapter 1. Policies and Procedures

1.1 Definition. The term "non-official expression" means the preparation, composition and presentation, including travel to the place where such presentation is to be made, of: (a) books, articles, pamphlets, and brochures; (b) speeches, lectures, illustrated talks; or (c) visual presentations or drawings by any Service employee outside the performance of the employees official duties. This term covers expression in traditional and digital mediums.

1.2 Policy. The Service encourages non-official expression by employees on matters within their expertise, though some of the subject matter may be related to the employee's official duties. Such expression achieves better public understanding of the Service's programs and spreads knowledge of the results of Service activities. If, however, the subject material was prepared on Government time or using government equipment, either in preparation or presentation, Service employees may not accept or retain payment from outside sources. This policy is intended to assist serious, constructive effort and

does not suggest or imply Service sanction of trivial or controversial expression by employees.

1.3 Clearance. Personal expressions prepared by an employee on the employee's own time and unrelated to Service activities are not subject to clearance. An expression is subject to clearance when any of the following criteria are met:

A. Relates to Duties or Service. It relates to the employee's official duties or the Service's activities.

B. Knowledge Acquired Through Duties. It is based primarily on knowledge acquired as a result of official duties.

C. Appears to Be Official Expression. It presents material in such a way, or identifies the author or presenter with the Service in such a way as to lead the public to construe the message as an official Service expression.

1.4 Clearance Procedures. For each non-official expression subject to clearance, the employee must prepare a memorandum for the appropriate Regional Director or Assistant Director. If the employee expects to receive payment for the expression, additional clearance is needed as provided below.

A. Notice of Intention. The memorandum should be sent to the appropriate Regional Director or Assistant Director in duplicate. It must include the following:

1. An outline of the subject matter of the proposed expression.
2. The medium of expression.
3. The title under which the work is to be published or presented.
4. The author's name and title to be used in the work, if such title is to appear.
5. The name of the probable publisher, or of the sponsoring organization in the case of lectures, speeches, or visual presentations.

B. Acceptance of Pay for Non-official Expression. Service policy permits employees to retain payment for any nonofficial expression subject to clearance as required above, provided:

1. The preparation and presentation of the expression are performed wholly outside duty hours;
2. The preparation or presentation of the expression does not involve any contribution by the Government of time or services of other Government employees in duty status, or of Government funds, facilities, or materials;
3. The ideas, concepts, data, statistics, intelligence, descriptions of scientific or technical processes or design, formulae, and similar information produced as a result of, or in connection with, the Service's activities, and embraced by the expression, are contained in published documents, or if unpublished, are available to the public at the time of the employee's disclosure; and

4. The employee submits a memorandum in accordance with Section A and includes a signed certification that the expression has been prepared and will be presented in full accordance with these conditions.

C. Determination of Clearance. The relevant branch chief, through the division chief, will recommend that the appropriate Regional Director or Assistant Director grant or withhold clearance. After the appropriate Regional director or Assistant Director signs the original copy of the Notice of Intention and Certificate of Compliance, it is sent to the originating division for permanent reference. The employee is notified of the action taken by return of the duplicate copy. The Office of Public Affairs or appropriate regional External Affairs office is also notified.