

**FISH AND WILDLIFE SERVICE  
PUBLIC USE MANAGEMENT**

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**OVERVIEW**

**1.1 What is the purpose of Part 633, the Friends policy?**

**A.** Part 633, the Friends policy, includes four chapters to assist U.S. Fish and Wildlife Service (Service) employees to achieve our mission more efficiently and effectively through partnerships with nonprofit Friends organizations (Friends).

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**B.** These chapters describe the policy, guidance, and administrative procedures for Service employees to establish partnerships and working relationships with Friends organizations.

**C.** While these chapters are written to implement specific provisions of the National Wildlife Refuge System Volunteer and Community Partnership Enhancement Act of 1998, and the National Fish Hatchery System Volunteer Act of 2006, they also provide direction and administrative procedures for other Service programs seeking to establish and work with Friends organizations.

**D.** The two Acts cited in section 1.1C above encourage the Service to:

**(1)** Enter into partnerships with non-Federal entities such as Friends organizations to promote public awareness of the resources of the National Wildlife Refuge and National Fish Hatchery Systems and facilitate public participation in the conservation of those resources, and

**(2)** Accept donations of funds and other contributions by people and organizations through partnerships with non-Federal entities such as Friends organizations.

**1.2 What is the scope of Part 633?**

**A.** Although this policy is based on the Refuge and Hatchery System Friends partnership programs, it provides direction for all Service employees and program areas seeking to establish and work with Friends organizations.

**B.** Employees should also consult with their Regional Friends Coordinator/Regional Liaison for additional guidance when preparing a Friends Partnership Agreement, its supplemental agreement, and other attachments for questions beyond the scope of this policy.

**1.3 What are the objectives of this chapter?** This chapter:

**A.** Identifies authorities for partnering and working with Friends organizations;

**B.** Describes the roles, responsibilities, and ethical considerations of Service employees working with Friends organizations;

**C.** Defines Friends and the difference between Friends and volunteer activities; and

**D.** Outlines Service expectations of Friends organizations.

**1.4 What are the authorities and policy we use for working with Friends organizations?**

**A.** Following are the authorities for this policy:

**(1)** The Anadromous Fish Conservation Act ([16 U.S.C. 757a-757g](#)), as amended.

**(2)** The Fish and Wildlife Act of 1956 (16 U.S.C. 741a-742j).

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- (3) The Fish and Wildlife Coordination Act of 1934 (16 U.S.C. 661-667e), as amended.
- (4) Lobbying with Appropriated Moneys (18 U.S.C. 1913).
- (5) The National Fish Hatchery System Volunteer Act of 2006 (16 U.S.C. 760aa, 1-4).
- (6) The National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd-ee), as amended.
- (7) The National Wildlife Refuge System Volunteer and Community Partnership Enhancement Act of 1998 (16 U.S.C. 742f), as amended.
- (8) The Refuge Recreation Act of 1962 (16 U.S.C. 460k - k-4), as amended.

**B.** We closely follow these Service policies while implementing the requirements in Part 633:

- (1) Coordination and Cooperative Work with State Fish and Wildlife Agencies ([601 FW 7](#)).
- (2) Appropriate Refuge Uses ([603 FW 1](#)).
- (3) Compatibility ([603 FW 2](#)).

**RESPONSIBILITIES**

**1.5 What are the responsibilities of Service personnel related to this policy? See Table 1-1.**

**Table 1-1: Responsibilities for Friends Program**

These employees...	Are responsible for...
<b>A. The Director</b>	Establishing national policy, guidance, and administrative procedures for Service employees working with Friends organizations.
<b>B. Chief, National Wildlife Refuge System</b>	Providing national oversight of the Friends program.
<b>C. Headquarters Directorate Members and Regional Directors</b>	(1) Ensuring compliance with policies when conducting partnership activities with Friends organizations, and  (2) Encouraging relationships and mutually beneficial partnerships with communities through Friends organizations.
<b>D. The National Friends Program Coordinator</b>	(1) Providing leadership and direction for the overall program;

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These employees...	Are responsible for...
	<p>(2) Providing expertise to other program areas seeking to establish and maintain Friends organizations;</p> <p>(3) Developing, coordinating, and disseminating Service policy and standards of operations for the Friends program;</p> <p>(4) Providing guidance and technical assistance to field, Regional offices, and other programs on the Friends program;</p> <p>(5) Developing, coordinating, managing, delivering, and encouraging the growth of the program Servicewide;</p> <p>(6) Establishing and maintaining national partnerships to support the Friends program;</p> <p>(7) Developing, coordinating, and managing training programs and other support programs for the Friends program;</p> <p>(8) Evaluating the progress of the Service's Friends partnerships;</p> <p>(9) Conducting annual program reviews for select stations; and</p> <p>(10) Maintaining an accurate and up to date list of all Friends groups and verifying the list at least annually.</p>
<b>E. Regional Directors</b>	<p>(1) Providing leadership for Friends partnerships in their Regions and designating a Regional Friends Coordinator to guide this function; and</p> <p>(2) Reviewing, approving, and signing Friends Partnership Agreements and supplemental agreements with Friends organizations or designating an employee to perform these functions.</p>
<b>F. Regional Friends Coordinators (or designated Regional Liaisons)</b>	<p>(1) Evaluating the progress of the Service's Friends partnerships in their Regions;</p> <p>(2) Providing expertise to other program areas seeking to establish and maintain Friends organizations;</p> <p>(3) Assisting in implementing the national Friends program;</p>

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These employees...	Are responsible for...
	<p><b>(4)</b> Disseminating information to Friends, Project Leaders, and Service Liaisons;</p> <p><b>(5)</b> Providing guidance and technical assistance to field offices;</p> <p><b>(6)</b> Suggesting training for Service employees and Friends in their Regions;</p> <p><b>(7)</b> Providing support to the Project Leaders and Friends organizations in developing new and modifying existing Friends Partnership Agreements;</p> <p><b>(8)</b> Providing support to ensure that partnership activities comply with applicable ethics laws and regulations and consulting with servicing Ethics Officials as needed;</p> <p><b>(9)</b> Processing Friends Partnership Agreements for the Regional Director’s approval and signature;</p> <p><b>(10)</b> Ensuring agreements within their Regions do not lapse (see 633 FW 3); and</p> <p><b>(11)</b> Maintaining an accurate and up to date list of all Friends groups in their Regions and verifying it for accuracy on at least an annual basis.</p>
<b>G. The Project Leader or Designee</b>	<p><b>(1)</b> Serving as the Service Liaison with the Friends organization or designating an employee to serve in that role (see <a href="#">section 1.5G</a>);</p> <p><b>(2)</b> Assessing the needs of the Service site/program and comparing them with the benefits and costs of partnering with a Friends organization. To make this assessment, the Project Leader must consider:</p> <ul style="list-style-type: none"> <li><b>(a)</b> Compatibility with Service site/program mission and objectives,</li> <li><b>(b)</b> Community involvement,</li> <li><b>(c)</b> Future plans for the site/program,</li> <li><b>(d)</b> Funding, and</li> </ul>

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These employees...	Are responsible for...
	<p style="text-align: center;"><b>(e)</b> Staffing levels required to participate in and sustain a Friends partnership;</p> <p><b>(3)</b> Working with the Friends organization to develop new or modify an existing Friends Partnership Agreement and seeking the assistance of the Regional Friends Coordinator/ Regional Liaison to do so, and sending the completed agreement to the Regional Friends Coordinator/Regional Liaison for review and to get the approval and the signature of the Regional Director (see 633 FW 3);</p> <p><b>(4)</b> Annually orienting the Friends Board of Directors on the Department of the Interior (Department), Service, program, and site’s mission, goals, objectives, scope of operations, and the many programs that play a role at the site/program, such as visitor services, biology, law enforcement, maintenance, etc.;</p> <p><b>(5)</b> Annually meeting with the Friends Board of Directors to review and assess the effectiveness of the partnership as it relates to the purpose, goals, objectives, roles, and responsibilities outlined in the Friends Partnership Agreement to ensure expectations are clear and realistic, and to ensure it describes how Friends activities support the site (or sites) or program. This includes performing annual reviews as described in Exhibit 1;</p> <p><b>(6)</b> Disseminating information to Friends and Service Liaisons;</p> <p><b>(7)</b> Advising Friends on ways in which they can assist the Service and maintaining regular communications with Friends about the site/program operations;</p> <p><b>(8)</b> Working with the Friends on the ongoing development of programs, activities, and projects that support the site’s annual work plans, Comprehensive Conservation Plans, and other management plans;</p> <p><b>(9)</b> Ensuring that the time Service staff members invest in the partnership is efficient, effective, and sufficient;</p> <p><b>(10)</b> Helping identify and provide opportunities for the Friends to develop skills that will increase their effectiveness and help the organization assist the Service;</p>

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These employees...	Are responsible for...
	<p><b>(11)</b> Helping identify and provide opportunities for training and skill development for themselves as well as for the designated Service Liaison that will improve the Service’s effectiveness in working with Friends partnerships;</p> <p><b>(12)</b> Helping identify opportunities for recognition of Friends accomplishments and ensuring Friends are included in recognition functions;</p> <p><b>(13)</b> Ensuring that Friends sales items, publications, and other services or programs are consistent with the Friends Partnership Agreement, and the mission, goals, and objectives of the Service;</p> <p><b>(14)</b> Ensuring that the Friends have a current and valid Friends Partnership Agreement and, as applicable, Fundraising Agreement in place, which clearly identifies and describes fundraising activities the Friends will conduct to carry out their mission to support the Service site or program prior to any fundraising taking place. Some fundraising activities may require a separate Fundraising Agreement when certain dollar thresholds are anticipated;</p> <p><b>(15)</b> Ensuring that all net funds collected on Service-managed property through direct solicitation activities by Friends are deposited in the appropriate Service Contributed Funds Account (CFA) for which the funds were generated (e.g., Gifts account, Community Partnership Enhancement Donation Receipt account). This requirement does not apply to donations collected by Friends through indirect solicitations (e.g., donation box), nature store revenue, memberships, or any fundraising activities conducted off Service property (see <a href="#">633 FW 4</a> and <a href="#">212 FW 8 Donations, Fundraising and Solicitation</a>). In addition, Project Leaders are responsible for reporting back to the Friends group on an annual basis regarding funds deposited into the CFA to ensure accountability for all parties;</p> <p><b>(16)</b> Annually verifying that the Friends maintain an active tax-exempt status under Section 501(c)(3) of the Internal Revenue Code;</p> <p><b>(17)</b> Requesting and reviewing the Friends’ annual report, which must include, at a minimum, annual total expenditures</p>

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These employees...	Are responsible for...
	<p>and revenues and the current number of members (if applicable);</p> <p><b>(18)</b> As part of annual reporting, providing requested data about the Friends organization to the Regional or National Friends Coordinator, or both;</p> <p><b>(19)</b> Ensuring compliance with applicable ethics laws and regulations in all Friends-related activities and consulting with their servicing Ethics Official when potential ethics issues arise. Note that Friends organizations are considered a prohibited source under applicable ethics gift regulations and Service employees are subject to limitations on the acceptance of food, entertainment, and other gifts from prohibited sources;</p> <p><b>(20)</b> Ensuring that Friends obtain and hold insurance for certain specialized activities (e.g., water-related activities, use of live wildlife at an event, selling food);</p> <p><b>(21)</b> Attending Friends meetings, as a Service employee, when the Friends require information or support to carry out the joint activities described in the Friends Partnership Agreement; and</p> <p><b>(22)</b> Conducting quarterly reviews, which include confirming accuracy of board and staff contact lists as well as observing discussions of budgeted versus actual expenses.</p>
<p><b>H. Service Liaisons</b> (may be the Project Leader or a staff person they designate to serve as liaison to the Friends)</p>	<p><b>(1)</b> Working closely with the Friends to provide regular communication and coordination of mutually developed programs and projects;</p> <p><b>(2)</b> Disseminating information to the Friends that could help them achieve mutual goals and objectives of the partnership;</p> <p><b>(3)</b> Working with other staff members to provide the Friends with updates and presentations on activities associated with the site/program;</p> <p><b>(4)</b> Attending Friends meetings, as a Service employee, when the Friends require information or support to carry out the joint activities described in the Friends Partnership Agreement;</p> <p><b>(5)</b> Ensuring that Friends board members complete and sign</p>



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These employees...	Are responsible for...
	<p>a Volunteer Service Agreement (<a href="#">Optional Form (OF) 301A</a>), where applicable and ensuring that the scope of the volunteer services (duties) to be performed are accurately described in the “description of service to be performed” section of the agreement;</p> <p><b>(6)</b> Assessing fulfillment of the Friends Partnership Agreement;</p> <p><b>(7)</b> Assessing routine operation of any nature store to ensure consistency with Service policies (see 633 FW 4);</p> <p><b>(8)</b> Providing the Friends organization with information about training and grant opportunities to facilitate the accomplishment of the goals of the partnership;</p> <p><b>(9)</b> Working closely with their supervisor or Project Leader to identify and attend training that will build skills and improve their effectiveness in working with the Friends organization;</p> <p><b>(10)</b> Ensuring compliance with applicable ethics laws and regulations in all Friends-related activities and consulting with their servicing Ethics Official when potential ethics issues arise. Note that Friends organizations are considered a prohibited source under applicable ethics gift regulations and Service employees are subject to limitations on the acceptance of food, entertainment, and other gifts from prohibited sources;</p> <p><b>(11)</b> Briefing Project Leaders and other staff regularly on Friends activities and projects; and</p> <p><b>(12)</b> Planning and coordinating opportunities to recognize Friends for their accomplishments and achievements for the Service, while ensuring the proper use of Service-appropriated funds.</p>
<b>I. Servicing Ethics Officials</b>	<p><b>(1)</b> Working closely with Regional Friends Coordinators and Project Leaders to assist with partnership training activities that involve ethics topics;</p> <p><b>(2)</b> Conducting an ethics review of significantly modified Friends Partnership Agreements;</p> <p><b>(3)</b> Providing ethics training to Service employees who work closely with Friends organizations to provide</p>

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These employees...	Are responsible for...
	information on the ethics laws applicable to working with partner organizations; and  <b>(4)</b> Providing guidance and support to ensure that partnership activities comply with applicable ethics laws and regulations. Ethics reviews also include guidance on complying with all ethics laws and regulations, including gift rules applicable to accepting food, entertainment, and other gifts from Friends organizations.

**FRIENDS DEFINED**

**1.6 What are Friends organizations and what is their purpose?**

**A.** The Service partners with many types of nonprofit organizations, but Friends organizations are unique. The primary purpose of Friends organizations is to bring non-governmental assistance to the Service through volunteer efforts, private contributions, community outreach, and other activities. We further define them by the following qualifications:

- (1)** Friends are independent organizations that have tax-exempt status under Section 501(c)(3) of the Internal Revenue Code.
- (2)** Friends are established with an organizational mission of supporting the purposes and objectives of a Service site (or sites) or program with which they are affiliated.
- (3)** Friends cooperate with the Service under an approved and current Friends Partnership Agreement (and often a supplemental agreement) that defines and describes the scope of the partnership.
- (4)** Friends most commonly support a single Service site, but may support multiple Service sites, offices, or programs.
- (5)** Friends organizations may participate in programs, training, grant opportunities, and other activities that are specific to Service Friends groups (i.e., Regional and national workshops, Friends Academy, etc.).

**B.** Friends organizations are most commonly formed and managed primarily by community volunteers and provide many vital volunteer services to the Service, including community outreach; coordinating special events; developing and delivering educational, interpretive, and other visitor services programs; coordinating volunteers; and conducting habitat restoration and biological and maintenance program support. While performing these functions on behalf of the Service, Friends are considered Service volunteers and must work under an approved Volunteer Service Agreement (OF 301A).

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**C.** Members of Friends organizations may engage in lobbying, in general following section 501(c)(3) of the Internal Revenue Code for tax-exempt organizations, but they are prohibited from lobbying when they are actively working as a Service volunteer as well as while they are representing the Friends organization on Service property. Friends are also prohibited from using direct or indirect appropriated Federal funds, resources, or other Federal support to conduct any lobbying activities. When volunteering for the Service, Friends members must comply with Service and Departmental policies (see [sections 1.11](#), [1.12B](#), and [1.17](#)). See the example below.

Jake Smith works once a week maintaining trails as a Service volunteer. He is also a Friends member and restocks books in the bookstore for the site's Friends organization. He wants to call his Congresswoman to lobby for funds to build a larger visitor center. He can do this as a Friends member, but he cannot do it while volunteering for the Service or on Service-managed property. He also cannot report the time he spends contacting the Congresswoman as Service volunteer hours.

**1.7 What if an existing group does not meet the qualifications of a Friends organization as defined by this policy?**

**A.** This policy clearly defines the Service's unique relationship with Friends organizations and establishes policy for staff working with Friends through Friends Partnership Agreements. We value opportunities to work cooperatively with other types of partners in wildlife conservation. Other partners may be nonprofit organizations, volunteer groups, cooperating associations, or coalitions of organizations that may have broader landscape or single-species missions. Some may even support multiple partners whose missions or management objectives are not the same as the Service's. Our partnerships with Friends are unique and different from other wildlife conservation partnerships because Friends are established with an organizational mission of supporting the purposes and objectives of a Service site (or sites) or program with which they are affiliated.

**B.** Those partners that do not meet the definition of a Friends organization in this chapter will need special consideration from Project Leaders to define the partnership through other instruments, such as a Memorandum of Understanding, Cooperative Agreement, Volunteer Service Agreement, etc.

**1.8 Does the Service consider cooperating/interpretive associations to be Friends organizations?** Although cooperating associations were formed in the early years of the Friends program and some still exist today, new cooperating associations are rarely, if ever, formed today as Friends organizations. The Service's relationship with existing cooperating associations is not affected by this policy unless those groups meet the definition of Friends as described in [section 1.6A](#) and the relationship is described through a Friends Partnership Agreement. If an existing cooperating association's activities are beyond the scope of Friends activities described in this policy, we may need to redefine the relationship as something other than a Friends partnership.

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**1.9 How do Friends organizations compare to concessionaires?** Friends organizations and concessionaires are very different from each other and must be treated as such.

**A.** A concessionaire is any person, corporation, or organization operating a commercial visitor services business for monetary gain or profit under a concession contract (awarded after competition) for the recreational, educational, or interpretive enjoyment of the visiting public. We award concessions contracts only where public visitation is sufficient for a sustainable venture and additional recreational opportunities are necessary for the full enjoyment of the public.

**B.** While a nonprofit organization could apply for and be awarded a concession contract, the mission work of Service Friends organizations is on behalf of the Service. A Friends organization is not a concessionaire, which is a private entity that undertakes activities for monetary gain or profit.

**1.10 How do Friends organization members compare to Service volunteers?**

**A.** Friends members often perform the same functions as our volunteers. For example, they may lead environmental education programs and site tours, help with biological programs, conduct community outreach, and staff special events. Individual Friends are considered Service volunteers when engaged in these activities, on or off-site, under the supervision of the Service and with an approved Volunteer Service Agreement that clearly describes the duties and location of the volunteer activity (also see [section 1.11](#) and [150 FW 1](#), Policies, Procedures, and Responsibilities for Volunteers).

**B.** Friends organization members may participate in some activities that cannot be done by Service volunteers. Friends organizations may perform work associated with lobbying, soliciting donations, administering games of chance, and the operation or administration of the organization. When performing these activities, Friends cannot represent themselves as Service employees (see [section 1.12B](#)). Additionally, Friends organizations are prohibited by law from using appropriated Federal funds, resources, or support to conduct lobbying activities. The Friends organization has the discretion to count those hours in some other way (e.g., as its own community service hours).

**C.** Our work with Friends organizations must comply with the following gambling, lobbying, and fundraising policies and laws:

- (1) [50 CFR 27.85](#), Gambling;
- (2) 5 CFR Part 735, Employee Responsibilities and Conduct;
- (3) 41 CFR 101-20.306, Management of Buildings and Grounds;
- (4) [18 U.S.C. 1913](#), Lobbying with Appropriated Moneys; and

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(5) [374 DM 6](#), Donations Guidelines.

## **FRIENDS ACTIVITIES**

**1.11 Do Friends members need to sign Volunteer Service Agreements?** Individual Friends members who work in an official Service volunteer capacity (see [section 1.12](#)) must complete a Volunteer Service Agreement (OF 301A). The Volunteer Service Agreement covers the individual volunteer for tort claims under the Federal Tort Claims Act provisions (28 U.S.C. 2671) and for injuries under the Federal Employees Compensation Act (5 U.S.C. 81). There are several elements to a Volunteer Service Agreement that require careful attention (also see [150 FW 1-3](#), Volunteer Services Program):

**A.** Each individual Friend must fill out a Volunteer Service Agreement before beginning volunteer work in an official Service volunteer capacity. The Agreement is not intended as a blanket volunteer agreement for Friends organizations. For tort claims and injuries, the Volunteer Service Agreement only covers volunteers as individuals, not the entity of the Friends organization.

**B.** It is the responsibility of Service employees to ensure that the scope of the volunteer services (duties) the volunteer will perform are accurately described in the “description of service to be performed” section of the agreement. Failure to complete this section of the agreement with the appropriate amount of detail could result in legal complications if there is a tort claim or injury.

**C.** Volunteer Service Agreements are effective for up to 1 year, and must be reviewed and modified annually and any time a change is made to the volunteer’s scope of work, including (but not limited to) the use of equipment, assignment locations, and physical activity requirements. Keeping the agreement up to date is important to ensure fair protection for tort claims and injuries, especially as the complexity of the volunteer assignment increases.

### **1.12 Should Project Leaders include work contributions by Friends members in their annual site volunteer totals?**

**A.** Yes, Project Leaders should include Friends members’ and Friends employees’ work contributions in their annual volunteer totals only when they are performing official Service volunteer activities, on or off Service-managed property, under an approved Volunteer Service Agreement. Official Service volunteer activities may include, but are not limited to:

(1) Leading Service environmental education programs and site tours;

(2) Helping with Service biological and maintenance programs;

(3) Planning, conducting, or staffing community outreach activities and special events on behalf of the Service;

(4) Staffing Service visitor centers and special events;

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(5) Implementing grant projects in support of joint goals of the Friends organization and the Service;

(6) Attending training and conferences that will be beneficial to the Service and are approved by the Project Leader; and

(7) General board meetings when the agenda is focused on the direct support of the Service or joint goals and not the operation or administration of the Friends organization (see [section 1.12C](#)).

**B.** Project Leaders must not include as official Service volunteer hours the time Friends spend on any activities that neither Service employees nor Service volunteers are permitted to do and are not in direct support of the Service mission (see [section 1.15C](#)). These prohibited activities include:

(1) *Lobbying*: Influencing or attempting to influence Members of Congress or any government official on legislation. Legislation includes action by Congress, any State legislature, any local council, or similar governing body, with respect to acts, bills, resolutions, or similar items, or by public referendum, ballot initiative, constitutional amendment, or similar procedure (see [section 1.10B](#)).

(2) *Soliciting donations*: Commonly referred to as “fundraising,” soliciting for donations includes seeking donated funds or other non-monetary or in-kind gifts such as services, items, and real property from a non-Federal entity, group, or individual without consideration or an exchange of value (see [section 1.10B](#)).

(3) *Administering games of chance or gambling*: Examples include, but are not limited to, raffles for a fee, door prizes for a fee, lotteries, BINGO, etc. (see [section 1.10B](#) and 633 FW 4).

**C.** As stated in [section 1.12A\(7\)](#), we cannot include activities for operation and administration of a nonprofit organization as volunteer services. Examples of operation and administration include, but are not limited to: serving on a Friends Board of Directors; the administration of a Board of Directors and its employees; completing State and Federal nonprofit requirements, such as writing bylaws and applying for tax-exempt status under Section 501(c)(3) of the Internal Revenue Code; board meetings that are focused on the business and management of the board and organization, the operation and administration of a nature store; developing organizational documents, executing business transactions, and completing grant applications on behalf of Friends; maintaining the Friends website or social media sites; and creating newsletters.

**1.13 What activities must Project Leaders ensure that Friends do not participate in on Service-managed property? Project Leaders must not:**

**A.** Involve Friends in law enforcement activities;

**B.** Involve Friends in any Service administrative functions that are sensitive in nature, such as employee hiring, discipline, or other activities that would require access to personnel files or

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materials protected by the Privacy Act;

C. Involve Friends in hazardous activities without proper certifications;

D. Permit Friends to participate in lobbying and games of chance on Service property;

E. Allow Friends to participate in and promote activities that are inconsistent with the National Wildlife Refuge System Improvement Act, Departmental and Service policies, and the objectives or purposes of the Service site or program with which they are affiliated; or

F. Allow Friends to influence decision-making processes related to fish and wildlife management that may be inconsistent with the Service's compliance with State laws and regulations or affect our timely coordination and consultation with the States on the acquisition and management of national wildlife refuges (see [601 FW 7](#), Coordination and Cooperative Work with State Fish and Wildlife Agencies).

## **SERVICE INTERACTION WITH FRIENDS**

### **1.14 What is the Service's role in establishing new and maintaining Friends organizations?**

Although we may actively encourage the formation of Friends organizations to assist us in attaining our mission, the Service and its employees are prohibited from actually forming Friends organizations (e.g., formally recruiting citizens to fill board positions, completing Internal Revenue Service (IRS) applications, developing organizational documents). Members of the public must form Friends organizations, and their formation must comply with the requirements of applicable State and Federal laws regarding incorporation, charitable status, etc. However, Service employees may provide certain resources to help in establishing and maintaining Friends organizations. For example, Service employees may:

A. Provide office space and help with organizing and hosting Friends meetings, including consulting with interested citizens about the Service's interest in establishing a Friends organization or providing information about vacant board positions;

B. Provide information, technical assistance, training, and mentoring to the board to increase the effectiveness of the Friends organization or the Service-Friends partnership, or both;

C. Engage the Friends organization in strategic planning opportunities for the partnership to help identify joint projects between the Service and Friends (e.g., general board meetings or special retreats, Service annual work planning meetings, Service staff meetings). Employees can find guidance for possible projects by reviewing appropriate management and planning documents (e.g., Comprehensive Conservation Plans, Visitor Services Plans);

D. Provide a variety of support services to Friends at local, State, regional, and national levels;

E. Provide opportunities for recognition of Friends organizations; and

F. Participate in Friends activities, programs, services, projects, and meetings that help meet the

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joint goals of the partnership, whether on or off-site, except when they contain the prohibited activities we describe in [section 1.12B](#). Service employees remain subject to applicable ethics laws and regulations, including, but not limited to, the Standards of Conduct for Employees of the Executive Branch and the Department's supplemental regulations when performing these duties.

**1.15 May Service employees and volunteers be Friends members and serve on a Friends Board of Directors?**

**A. Service employees may:**

(1) Be members of Friends organizations, pay membership dues, and participate in membership votes in their personal capacity (as a private citizen on their own time). Service employees, even in their personal capacity, must avoid participating in any Friends activities that could be a conflict of interest with the employee's official duties and are required to obtain ethics approval prior to engaging in certain outside work or activities (including certain volunteer roles) with Friends organizations. Examples of Friends organization participation that may raise ethics concerns may include serving on a Friends Board, making financial or administrative decisions for Friends groups, or negotiating/executing contracts on behalf of the Friends group. For more information, contact your servicing Ethics Official and see [212 FW 4](#).

(2) Serve on Friends committees in an official capacity, subject to managerial approval and ethics review, as long as those committees are not involved in lobbying, games of chance, solicitation of donations, or the operation and administration of the organization (see [section 1.12B](#)). Committees are a way for employees to assist in the mutual goals of the partnership. Certain official capacity participation may be limited by ethics or other restrictions and Service employees should obtain additional approval before serving on Friends committees in an official capacity.

**B. Service volunteers may:**

(1) Be members of Friends organizations, serve on a Friends Board of Directors, pay membership dues, and participate in membership votes in their personal capacity (as a private citizen on their own time). Service volunteers who are Federal employees should consult their ethics officials for additional guidance on their volunteer activities.

(2) Perform volunteer work for the Friends organization as a Service volunteer as long as the work supports mutual goals of the partnership under an approved Volunteer Service Agreement and meets the guidance on volunteer work contributions in [section 1.12](#).

**C.** When participating in Friends organizations, Service employees must comply with applicable Federal ethics laws and regulations and the Department's supplemental regulations.

**1.16 What responsibilities should the Service require of Friends organizations?** The Service should require that Friends organizations:

**A.** Work with the Service to achieve the purposes defined in the Friends Partnership Agreement and any supplemental agreements and ensure that the time Service site staff invest in the



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partnership is efficient, effective, and sufficient.

**B.** Work with the Service to ensure the Friends Partnership Agreement is current and approved and maintain current tax-exempt status under Section 501(c)(3) of the Internal Revenue Code and State laws.

**C.** Work with the Service to regularly assess compliance with Friends program policies and procedures, effectiveness of internal controls, and accountability for revenues, donations, and expenditures.

**D.** Independently manage the legal, financial, personnel, and administrative activities and responsibilities of the organization (see 633 FW 2).

**E.** Identify a Friends Liaison, typically the president or other board member, to facilitate communication with the Project Leader or Service Liaison about Friends activities and projects.

**F.** Coordinate with the Project Leader or Service Liaison on all activities, programs, services, and projects related to meeting the joint goals of the partnership.

**G.** Notify and invite the Project Leader or Service Liaison to Board of Directors and committee meetings that require Service information and support to carry out joint activities.

**H.** Ensure that Friends members and their employees do not act in any way that leads to the public perception that they are Service employees. This does not keep Friends from conducting routine volunteer services (as a Service volunteer), such as working in a visitor center or performing interpretive activities.

**I.** Ensure appropriate identification (e.g., logo shirt, name badge) of Friends members and Friends employees while acting on behalf of the Friends organization on Service-managed property.

**J.** Avoid any implication in all of its activities that the Service endorses a particular commercial product, political position, or fundraising activity (see 633 FW 4).

**K.** Transfer all net funds collected through activities that directly solicit donations (e.g., silent auction, plant sale, benefit event) on Service-managed property directly to the Project Leader to be deposited in the appropriate Service Contributed Funds Account (e.g., Gifts account, Community Partnership Enhancement Donation Receipt account) (see 633 FW 4).

**L.** Display a sign that identifies nature stores as nonprofit activities of the Friends organization in support of or on behalf of the Service site/program (see 633 FW 4).

**M.** Cooperate in Service efforts to comply with Departmental and Service policies, procedures, and standards regarding ethics laws and regulations, and provide information to Service employees regarding Friends meetings, events, and activities to assist them in complying with ethics laws and regulations, including the Standards of Ethical Conduct for Employees of the Executive Branch.

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**1.17 May the Project Leader extend the use of Service facilities, equipment, and vehicles to a Friends organization?** Yes, Friends may use Service facilities, equipment, and vehicles consistent with Service and Departmental policies and guidelines and as mutually agreed upon within an approved Friends Partnership Agreement.

**A.** Departmental policies and guidelines prohibit Friends organizations from using appropriated Federal funds and Federal facilities and equipment, including, but not limited to, Government-provided office space, vehicles, telephones, computers, printers, faxes, or copy machines to conduct lobbying activities. For example, Friends meetings that are held to discuss influencing a Member of Congress or specific legislation must not be held in Government-provided meeting space, and emails must not be composed on Government-provided or Friends-owned computers on Service-managed property. The same applies for administering games of chance (see section [1.10B](#), [1.12B](#), and 633 FW 4).

**B.** Friends use of Government facilities and equipment (access to non-public areas, federally-controlled information systems, etc.) must comply with Homeland Security Presidential Directives (HSPD) that mandate common identification standards for Federal employees, volunteers, Friends, and contractors before they can use the facilities, equipment, or information. Friends representatives may need to obtain Federal security clearances to conduct the business of the Friends organization on Service-managed property and equipment.

**C.** When working as an official Service volunteer, Friends may operate Government-owned vehicles to assist the Service in carrying out Service programs under an approved Volunteer Service Agreement ([OF 301A](#)). Friends, when serving as volunteers in Government-owned vehicles, either driving or as passengers, may represent their Friends organization as it relates to the mutual goals of the Service and the organization, but they must not engage in any prohibited activities while operating Government-owned vehicles (see [section 1.12B](#), 633 FW 4, and [320 FW 3, Motor Vehicle Use](#)).

**D.** The Project Leader must ensure that the Friends organization is providing reasonable care, maintenance, and housekeeping of the Service property/facilities/equipment they are using.

**E.** The Project Leader may allow the Friends organization to alter Service facilities through redesign, renovation, or construction, with prior approval, to carry out new sales, storage, or routine work. If the redesign, renovation, or construction is extensive, the terms of such renovation and use should be described and approved in the Friends Partnership Agreement. All permanent improvements a Friends organization makes to Service facilities become the property of the Service. Nonpermanent or portable improvements belonging to the Friends organization remain the organization's property. The Project Leader may require Friends to repair any damages made to Service facilities as a result of the installation of nonpermanent improvements.

**F.** The Project Leader retains the right to have emergency access to all Service facilities that Friends organizations use.

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**G.** The Project Leader may withdraw the use of land or withdraw, modify, or relocate facilities, equipment, or vehicles from Friends at any time for management or emergency reasons. Whenever possible, the Project Leader should give the Friends organization a 60-day written notice and meet with the Friends President or Executive Director beforehand to discuss relocation options or the decision to withdraw, and to give the organization the opportunity to address the reasons leading to that action. Project Leaders should give strong consideration to the loss of business income the organization may incur as a result of the withdrawal and make every possible attempt to remedy the situation.

**1.18 What can the Service provide in addition to the use of facilities?** In addition to providing Friends with the use of facilities, equipment, and vehicles, the Service may provide:

**A.** Utilities, such as water, electricity, heat, air conditioning, internet, and phone to the extent that these utilities are available and previously required for the operation of the building and other Government purposes. The Project Leader may require that the Friends organization provide for their own utilities if expenses are above and beyond what is required for Government purposes.

**(1)** Friends must comply with Homeland Security Presidential Directives (HSPD) that mandate common identification standards for Federal employees, volunteers, Friends, and contractors before they can use Government computers or networks. This means that Friends representatives would need to obtain Federal security clearances, paid for by the requesting office, prior to conducting the work of mutually agreed-upon programs and projects on Service-managed computers or networks.

**(2)** For conducting the operation and administration of the Friends organization, Friends may use or install, if approved by the Project Leader, an unsecured internet connection. Friends may purchase a separate unsecured line or wireless connection to use as long as they do not connect to the Service's network, and the Friends are using their own computers. Friends must ensure they do not conduct activities in association with lobbying or games of chance on Service-managed property, even if using their own computers (see [section 1.12B](#)).

**B.** Contracted housekeeping and general upkeep (e.g., light bulb replacement, trash removal) to the extent that the Government is already providing these services for the overall operation of the building. Any specialized upkeep needed by the Friends organization that is beyond the general operational expenses of the building is the responsibility of the Friends organization (e.g., specialized light bulbs for a nature store display).

**C.** General maintenance of Government facilities used by Friends, not including maintenance of Friends-owned property such as, but not limited to, nature store shelving, cash registers, and computers.

**1.19 May a Project Leader use Federal funds to support a Friends organization?** Yes, subject to availability and using procurement procedures and requirements found in [301 FW 1 through 7](#), Acquisition Policies and Procedures, the Service may use Federal funds to support the Friends organization only for expenses directly related to the projects and programs that support the Service mission. The Service may not use Federal funds to support a Friends organization's

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activities or projects related to lobbying, games of chance, fundraising activities, or the operation and administration of a Friends organization, including the purchase of a Friends organization's personal property (see [section 1.12B](#) and [633 FW 2](#) and [4](#)).

**1.20 May the Service co-sponsor or participate in Friends off-site events?** Yes, the Service may co-sponsor and participate in Friends-sponsored events that are not on Service-managed property if:

**A.** The event is in direct support of the Service site (or sites) or Service program(s) that are the subject of the underlying Friends agreement;

**B.** The event does not include lobbying activities;

**C.** The Service and the Friends organization ensure that there is not any express or implied involvement or endorsement of the Service in any solicitation of donations and games of chance activities at the event, and that the event activities do not expressly state or otherwise imply the Service's endorsement of a particular commercial business, brand, product, service, or enterprise; and

**D.** The Service has ensured that the Friends hold appropriate liability insurance, as determined by a qualified professional, and the Service is held harmless for any liability associated with the off-site event.

/sgd/ Stephen Guertin  
Deputy Director

Date: July 2, 2021