

# Friends Policy Fact Sheet

## *Frequently Asked Questions*

### Purpose

This is the first U.S. Fish and Wildlife Service (Service) policy to guide our work with Friends organizations (Friends). The policy has been incorporated into the Fish and Wildlife Service Manual as Part 633, Chapters 1-4 and has replaced Director’s Order 183, *Working with Friends Organizations and Cooperating/Interpretive Association Sales Outlets and Book Stores*.

These chapters describe the policy, guidance, and administrative procedures to assist Service employees in establishing partnerships and maintaining working relationships with Friends. This policy is written for Service employees and applies to all program areas within the Service.

### Implementation

Field stations will have a period of 6 months from the Director’s approval signature on the policy to come into compliance with this policy. Each Region will provide additional communication efforts to assist field stations with implementation. Field station staff should work with their respective Friends Coordinator to implement policy. Any additional inquiries can be sent to [FriendsPolicy@fws.gov](mailto:FriendsPolicy@fws.gov). The Friends policy and the Friends Partnership Agreement template is available at [www.fws.gov/refuges/friends](http://www.fws.gov/refuges/friends) or at the [Service Manual Chapters](#) website.

### Highlights

- *Provides a distinction between Friends organizations and other community partners*
- *Differentiates certain Friends and Service volunteer activities*
- *Clearly defines Service employee roles and participation in Friends activities*
- *Establishes certain requirements that employees must meet related to Friends nature stores on Service-managed property*
- *Clarifies existing policies on use of Service logos*
- *Clarifies existing policies on lobbying and gambling restrictions on Service-managed property*
- *Clarifies existing authorities restricting Friends from charging and collecting recreation program fees*
- *Establishes policy for Friends fundraising and solicitation of donations activities on Service-managed property*
- *Establishes the policy for Friends insurance for certain activities*
- *Provides a new Friends Partnership Agreement template*

### Friends Coordinators

Pacific Region (R1):	Mike Marxen, 503/872 2700
Southwest Region (R2):	Nancy Brown, 512/339 9432
Midwest Region (R3):	Ann Marie Chapman, 612/713 5463
Southeast Region (R4):	Sallie Gentry, 404/679 7293
Northeast Region (R5):	Kate Toniolo, 413/253 8498
Mountain-Prairie Region (R6):	Melvie Uhland, 303/236 4395
Alaska Region (R7):	Kristen Gilbert, 904/786 3391
Pacific Southwest Region (R8):	Derek “DC” Carr, 916/414 6681
NWRS Headquarters:	Joanna Webb, 703/358 2392
Fisheries:	Richard Christian, 703/358 1704
Ecological Services:	Lewis Gorman, 703/358 1911

## Frequently Asked Questions

### *General Questions:*

**1. Does the Friends policy apply to the Fisheries program?** Yes, the Friends policy is Service policy and applies to all programs that currently have or want to establish a Friends program.

**2. May a Friends organization operate under another organization's 501(c)3 status and still be considered the official Friends organization?** No. Official Friends organizations must have their own 501(c)3 status before we will formalize the partnership through a Friends Partnership Agreement.

**3. How does the Friends policy affect existing Cooperative Associations?** A review and update of all Cooperative Association agreements should be conducted within three years of the policy effective date to determine if those relationships are still operating as Cooperative Associations or if they have evolved into the current Friends organization model. For those Cooperative Associations that are operating like and want to become a Friends organization as described in the Friends policy, the relationship needs to be redefined in a new Friends Partnership Agreement. Existing Cooperative Associations, under cooperative agreements, will still need to comply with Friends Policy within six months from the policy effective date as it relates to their operations and activities on Service property, including staffing their own sales outlets and complying with prohibition on establishing and charging recreation fees.

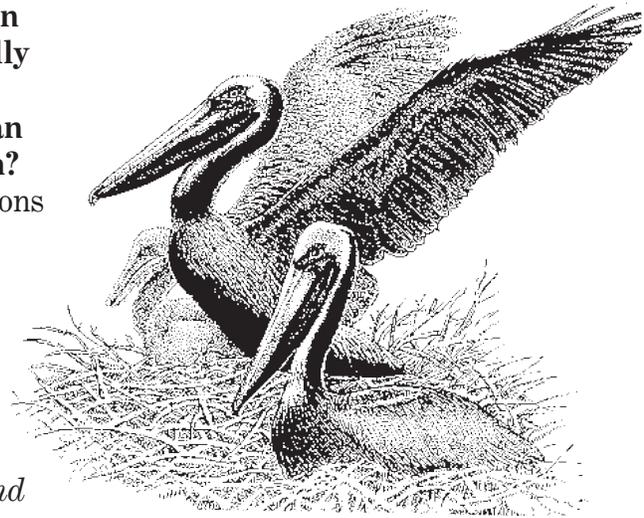
**4. Will a Friends organization with the mission that formally supports multiple external partners still be considered an official Friends organization?** No. Official Friends organizations must have a mission that primarily supports a Service site (or complex) or program and is formalized with a Service Friends Partnership Agreement.

### *Roles of Service Employees and Volunteers:*

**5. May Service employees serve as an ex-officio or non-voting member on a Friends Board of Directors?** No. Service staff may not serve on a Friends Board of Directors in any capacity due to conflict of interest issues.

**6. May Service volunteers serve on a Friends Board of Directors?** Yes, but Service volunteers may only perform formal Board of Directors duties as a Friends member, and not in their official capacity as a Service volunteer. Those Friends board members who are also active Service volunteers will need to be mindful and keep separate their formal board activities and their official Service volunteer activities.

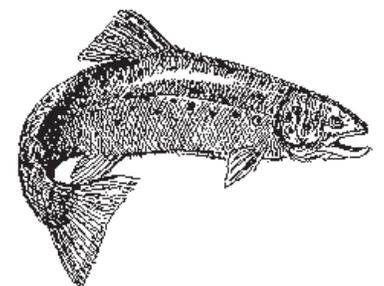
**7. May Service employees work on Friends committees?** Yes. Service employees may work on Friends committees if the committee(s) is focused on the mutual goals and objectives of the partnership. Service employees may not work on Friends committees that are focused on certain projects, including those that involve fundraising, legislative affairs, bylaw development, and gambling for example.



**8. May Service employees recruit board members?** No. Service employees may only identify (but not recruit) potential board members. The actual recruitment must be done by the Friends Board of Directors.

**9. May Service volunteers staff a Friend's organization's outreach table at an off-site event?** No. Service volunteers must not represent a Friends organization. A Friends outreach table at an event must be staffed by Friends members, their own staff or volunteers. Service volunteers would appropriately staff a Service outreach table.

**10. May Service employees complete a 501(c)3 application or grant application for a Friends organization?** No. Completing a 501(c)3 application and grant applications are the responsibility of a Friends organization. Service staff may meet with the Friends and provide information needed as it relates to developing written content about the Service and the partnership with the Friends.



*Illustrations: Top right, pelicans.  
Bottom right, Atlantic salmon.*

**11. May Service employees or volunteers manage a Friends Facebook page or newsletter?**

No. Service employees and volunteers may only contribute Service content to Facebook posts and newsletter submissions. Any materials that represent the Friends organization are the responsibility of the organization and cannot be administered by Service staff or volunteers. It is the expectation of the Service that Friends partnerships always positively promote the Service and its activities.

**12. May Service employees or volunteers operate a Friends nature store, e.g. order inventory, conduct an annual inventory, etc.?**

No. Operating a nature store is the Friends responsibility and is not considered official Service business.

**13. May Service employees make decisions on specific merchandise that the Friends can carry in the nature store?**

Yes. The Service has a responsibility to the public to ensure items sold on Service property are appropriate. The Friends and Service staff should collaborate to establish a general set of guidelines or criteria for the content and quality of sales items at the site. While the Friends develop their own merchandising plan, the Service may reject or request removal of items if deemed by the Service to be inappropriate, inaccurate, or of poor educational value. These guidelines or criteria must be outlined in the Friends Partnership Agreement.

**14. May a Friends organization be covered for tort liability and injury protection by completing and signing a Volunteer Services Agreement?**

No. The volunteer services agreement does not serve as a blanket volunteer agreement

for the Friends organizations and does not offer the Friends organization liability protection for their activities on Service property. The agreement only covers individual volunteers performing official volunteer work for the Service.

**15. May the Service count, as volunteer hours, the time Friends board members spend in board meetings?**

Sometimes. Hours spent in board meetings may only be counted as volunteer hours when the topic of the meeting is focused on joint Friends-Service goals and if the board member is working under a volunteer services agreement. Hours cannot be considered Service volunteer hours when the member is performing work directly for the operation and administration of the organization, or on lobbying, solicitation of donations and gambling activities. Friends board members who are also active Service volunteers will need to be mindful of and keep formal board activities separate from official Service volunteer activities.

*Use of Service Property and Appropriated Funds:*

**16. May the Service host a Friends meeting on Service-managed property?** Yes. However, meetings that include agenda items focused on lobbying and games of chance may not be hosted on Service property and should not be attended by Service employees.

**17. May the Service allow the display of Friends organizations' membership applications on Service property?**

Yes. However, Service employees must refrain from recruiting memberships and asking for donations to the Friends organizations.

**18. May the Service use appropriated funds to purchase a computer or cash register for the Friends organization?**

No. Equipment needed by the Friends for the operation and administration of the organization must be purchased by the Friends.

**19. May the Friends use on-site Government equipment (e.g. copier, office supplies)?**

Yes. Friends may use Government equipment and supplies on a very limited basis and only to support the mutual goals of the partnership. Friends must purchase their own office supplies and equipment to support the operation and administration of their organization (e.g. for the production of Friends brochures, newsletters, membership forms).

**20. May a Friends organization use a Government vehicle to transport nature store inventory or run errands?**

No. Only Service employees and volunteers conducting official Service business may operate Government vehicles.

*Fundraising:*

**21. May Friends hold a silent auction on Service property?**

Yes, the Friends organization may hold a silent auction if this activity has been previously included in the Friends Partnership Agreement and if it is held only for the purpose of raising funds directly for a Service project. All net funds raised through this type of event on Service property must be raised on behalf of the Service and be deposited into a Service contributed funds account.

**22. Does a Project Leader need to issue the Friends a Special Use Permit to hold a silent auction on behalf of the Service on Service property?** Not if holding silent auctions are already identified as an on-site fundraising activity in the Friends Partnership Agreement. If a silent auction is being proposed and the Project Leader approves it, but it was not included in the agreement, then the Project Leader should issue a Special Use Permit for the activity. The Friends should add it as a fundraising activity in the next annual modification of their Friends Partnership Agreement.

**23. May Friends conduct a major fundraising effort on behalf of the Service if it's not identified in the approved partnership agreement?** No. When the partnership agreement is drafted and modified annually, the Friends and the Service must agree on and include all types of major fundraising activities the Friends intend to conduct on behalf of the Service, both on and off Service property, and specific details of any known or upcoming fundraisers should be included as well. The agreement can be modified annually to include additional details.

**24. May the Service allow the display of a Friends brochure on Service property that solicits for donations towards their fundraising campaign for a new visitor center?** Yes, but only if the funds collected are being deposited into a Service contributed funds account.

**25. May a Friends organization offer a door prize at an event or program on Service property?** Yes, as long as there are no fees or conditions charged for a chance to win the door prize.

**26. If the Friends conduct a raffle in association with a joint, off-site Friends-Service festival, is there a problem with the raffle being listed as an activity on the festival flyers?** Yes. If the event is cosponsored by the Service, the raffle would need to be promoted by the Friends only on a separate publicity piece.

**27. When must funds raised by Friends be deposited into a contributed funds account?** When Friends conduct direct solicitation activities on Service property, those solicitations can only be for a Service project and all net funds must be deposited into a Service contributed funds account. Funds collected through indirect solicitation such as through a donation box or off Service property, do not need to go into a contributed funds account and may be retained by the Friends.

*Sales and Fees:*

**28. May a Friends organization enter into third party sale and consignment of goods arrangement on Service property?** Ongoing, long-term third party sales and consignment are not permitted on Service property. However, if determined a benefit to the Friends and the visiting public, a Project Leader may approve the Friends entering into a sales agreement with a third party as part of a one-time special event activity through a Special Use Permit, which requires that a percentage of the profits go to the Friends.

**29. May a Friends organization sell a pin with the Refuge System logo on it?** The Service logo policy (041 FW 2) addresses this. Friends may use only the blue goose graphic and not the entire Refuge System logo.

**30. May a Friends organization sell snack foods in their nature store on Service property if the food item or packaging carries an educational message?** No. Even with an educational message it is still considered a food item and is subject to policy regarding food sales.

**31. May Friends organizations charge and collect fees for recreation programs on Service property?** No, recreation fees are regulated by the Federal Lands Recreation Enhancement Act and a refuge or hatchery must be approved in the Recreation Fee Program to charge recreation fees. Even if a particular Service site is approved in the Recreation Fee Program, Friends may not charge and collect the fees at that site. If identified as benefiting the visiting public, a Project Leader may allow Friends to collect fees for a short-term (once or twice a year) recreational activity as part of a special event under a Special Use Permit.

**32. May a Friends organization request a "suggested donation" for a recreation program on Service property but not require it?** No. The term "suggested donation" implies a condition where the person or entity must make a donation, which means the money is not voluntarily given. This makes it a fee and not a donation.

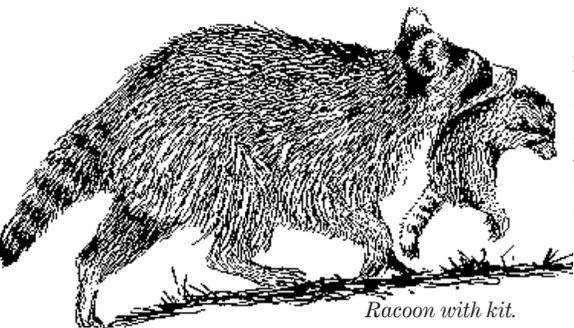
## Lobbying:

You are encouraged to contact the Division of Congressional and Legislative Affairs or your Regional Congressional Liaison if you have any questions, need additional information, or want guidance regarding whether a specific proposed activity is consistent with the Anti-Lobbying statutes.

**33. May Friends lobby on Service property?** No, Friends may not lobby on Service property in their capacity as a Friends member or in association with any Service-related tours or events.

**34. Can Service staff, volunteers and Friends members ask a Congresswoman for an increase in next year's Refuge System budget during a tour on Service property?** No. The Refuge System's appropriations budget is a piece of legislation. Expressing support or opposition to any piece of legislation is "lobbying". Service staff, volunteers and Friends members acting in those respective roles are prohibited from lobbying on Service property.

**35. Can a Service Project Leader and a Friends member jointly give a tour to a Senator on Service property and inform them of the challenges they are faced with in completing and operating a new Visitor Center?** Yes, educating decision makers is permissible as long as you aren't expressing support or opposition to any piece of legislation, including



Raccoon with kit.



asking for increased appropriations to complete the Visitor Center. There may be certain situations where a Service employee chooses not to participate in a tour with a legislator because of concerns regarding real or perceived violations of the Anti-Lobbying Act.

**36. Can Friends members urge the public to contact members or employees of a legislative body while on Service property?** No. This is considered lobbying and Friends, while serving in their role as a Friends member, cannot lobby on Service property.

**37. Can a Friends organization staff a booth at an off-site community outreach event and express their support or opposition to legislation or advocate for the adoption or rejection of legislation?** Yes, as long as the Service is not a co-sponsor of the event and the booth is not staffed by Service staff or volunteers. Expressing support

or opposition to legislation is considered lobbying, which Friends members are not prohibited from doing off-Service property.

**38. If a Friends member has a personal relationship with a Congressman and they have decided to go on a fishing excursion together on their local refuge, are there any restrictions regarding the Friends member's conversation with the Congressman while they are together?** No, as long as the Friends member is acting as a private citizen, and not in his/her role as a Friends member; and there is no Service involvement or benefits of special access or use of special Service resources in the planning of and during the excursion.

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