



**Statement of Jan Scruggs  
President and Founder of the Vietnam Veterans Memorial Fund**

**for the Public Hearing of the House Natural Resources Subcommittee on Publics Lands  
and Environmental Regulation**

**on H.R. 588, Vietnam Veterans Donor Acknowledgement Act of 2013**

**March 14, 2013**

**I. Introduction**

I am Jan Scruggs, President and Founder of the Vietnam Veterans Memorial Fund. I am pleased and grateful to have the opportunity to speak today about the Vietnam Veterans Memorial Fund's Education Center at the Wall ("the Education Center") and the critical need for H.R. 588, the Vietnam Veterans Donor Acknowledgement Act of 2013 ("H.R. 588"). Thank you for the opportunity to explain why this legislation is so important to the effort to build the Education Center.

**II. The Education Center at the Wall**

The Education Center at The Wall will be a place on the National Mall where America's military heroes' service and sacrifice will never be forgotten. It will be an inspirational place, where visitors leave yearning to learn more. The Education Center will be an ideal complement to The Wall in honoring those who have selflessly served the nation and sacrificed their lives. It will provide a more complete picture of these patriots – the lives they lived and the lives they touched. It will bring into clearer focus and personalize their level of sacrifice and the price that is inevitable whenever our nation goes to war.

Construction of the Education Center could not be more timely. The nation is in the midst of recognizing the 50<sup>th</sup> anniversary of the Vietnam War. More than 400 Vietnam veterans die each day

- American heroes who will not see the Education Center come to fruition. In fact, if we were to begin construction TODAY, almost 300,000 Vietnam-era veterans would pass before completion. So, it is imperative that this important project remain on track.

In addition, The Education Center will be built by veterans. VVMF has entered into agreements with construction contractors to ensure that they will make a special effort to employ Afghanistan and Iraq veterans in building the Education Center. This will create 800 or more jobs for 18 to 24 months.

### **III. H.R. 588 – The Donor Recognition Legislation – Why It is Needed**

The enabling legislation for the Education Center mandates that it be privately funded. The level of private donations received or pledged already has been impressive – over \$40 million. This includes a \$3.3 million contribution from the government of Australia that was presented in 2011 to VVMF by the Australian Prime Minister and more than \$16 million in in-kind contributions.

That, however, will not be enough to complete the job.

The contributions thus far total about twenty-five percent of the amount needed to complete the project. While vigorous fund-raising continues on a daily basis, the enabling legislation includes a restriction on donor recognition that inhibits a more successful effort among some of the potentially most generous donors. Some potential donors over the years have given donations elsewhere because of this issue. H.R. 588 is intended to remove that restriction while respecting the inviolability of the National Mall.

The Education Center was authorized in 2003 as “The Vietnam Veterans Memorial Visitor Center” by the 108<sup>th</sup> Congress in Title I of Public Law 108-126 (“the Act”)<sup>1</sup>. Section 204 of Title II (“Commemorative Works”) of the Act (40 U.S.C. Section 8905(b)(7)), however, included the following restriction:

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<sup>1</sup> See ATTACHMENT (“Att”) 1 - Vietnam Veterans Memorial Visitor Center Authorization, Public Law 108-126 –NOV.17, 2003

DONOR CONTRIBUTIONS.—Donor contributions to commemorative works<sup>2</sup> shall not be acknowledged in any manner as part of the commemorative work or its site.

H.R. 588 lifts this restriction, but does so in a manner entirely consistent with National Park Service Director’s Order 21: Donations and Fund-Raising, dated June 11, 2008<sup>3</sup>.

#### **IV. The Donor Recognition Permitted by H.R. 588 Underscores National Park Service’s Understanding and Appreciation of the Importance of Donor Recognition**

We understand that the National Park Service may be updating their guidelines on donor recognition. The fact remains that the National Park Service has made it clear that donor recognition is important. In the section of the National Park Service website on “Partnerships” and “Donor/Partner”<sup>4</sup>, that conclusion is explicit:

##### **Why recognize donors?**

Recognizing donors is key to successful fundraising. Donor recognition is actually mutual appreciation. The donors first express their respect, passion and appreciation for a NPS park or program in the form of their contribution. We, in turn, express our appreciation to the donors for their contributions. People have many causes they can support and they have made our parks and programs their giving priority. They deserve our full recognition and appreciation.

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<sup>2</sup> Title 40, Section 8902(a)(1) defines “commemorative work” as “...any statue, sculpture, memorial, plaque, inscription, or other structure or landscape feature, including a garden or memorial grove, designed to perpetuate in a permanent manner the memory of an individual, group, event or significant element of American history, except that the term does not include any such item which is located within the interior of the structure or which is primarily used for other purposes.”

<sup>3</sup> See Att 2 - U.S. Department of the Interior, National Park Service, Director’s Order #21: Donations and Fundraising (July 11, 2008). This Order provides in relevant part:

10.2 In-Park Recognition. In some cases a gift may warrant in-park recognition. This section describes the in-park recognition options available to park managers. The form of donor recognition will likely occur in the park’s visitor center or other similar facility or developed area.

In-park recognition is typically provided in the form of a credit line or statement of appreciation by a park. A credit line is a short, discrete [sic], unobtrusive statement expressing appreciation typically found at the end of the material or item, or on a donor recognition plaque.

To maintain NPS policy that parks be free of commercialism, advertising and marketing slogans and taglines may not appear under any circumstances.

....

<sup>4</sup> See <http://www.nps.gov/partnerships/donor-partner.htm> (Att 4)

NPS managers need to recognize donors for their generosity and support and report on the good work made possible by their donations....

The National Park Service also understands that donor recognition can lead to even more successful fund-raising<sup>5</sup>:

**Cultivating relationships through the personal touch**

In addition to simple good manners and courtesy, recognizing donors in meaningful ways is an effective means of cultivating stronger relationships that may lead to additional, larger gifts, and stronger personal engagement. Appropriate donor recognition can strengthen a sense of connection, ownership and commitment between your park or program and your donors because it makes the act of giving more personal and rewarding....

The donor recognition envisioned for the Education Center also is consistent with the concept of partnering with private sector donors to share in the support of our nation's parks and memorials. In times of limited and decreasing budgets, this partnering approach is even more important.

**V. The Donor Recognition Permitted By H.R. 588 Follows the Model Already Present on the National Mall**

The donor recognition permitted by H.R. 588 would not be unique on the National Mall. The donor recognition would be similar to the recognition on the Franklin D. Roosevelt Memorial. As with that memorial, the recognition permitted by H.R. 588 would be discreet, unobtrusive and free from advertising or company logos. More important, the donor recognition envisioned for the Education Center will be inside this underground facility and will not be visible from the National Mall.

Donor recognition in this form is entirely consistent with the essential nature of the Education Center which will truly be a place of learning and reflection about the values exemplified by the lives of those who have served and died for our country. Any donor recognition would have to be in harmony with this serious and thoughtful environment.

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<sup>5</sup> See <http://www.nps.gov/partnerships/donor-partner.htm> (Att 4)

## **VI. H.R. 588 is Supported by Key Veterans and Veterans Support Groups**

I am gratified that H.R. 588 has the full support of the Veterans of Foreign Wars, the American Gold Star Mothers, the Iraq and Afghanistan Veterans of America, the Military Order of the Purple Heart, and Sons and Daughters in Touch.

## **VII. Conclusion**

The Vietnam Veterans Memorial Fund has undertaken this unique project with total dedication and commitment. When the Education Center is completed, it will provide an opportunity for visitors from around the world to more fully understand and appreciate the extraordinary sacrifice of those who have given their lives in the nation's defense. Visitors will not simply read their names. They will see these patriots and get to know them in ways not envisioned in any other facility on the National Mall.

Over the past quarter century, VVMF has spent millions of its own privately-raised dollars for the upkeep and maintenance in the five acres around the Vietnam Veterans Memorial. We will continue to take on these expenses to ensure that this portion of the National Mall remains a beautiful, inspiring place for all Americans. We have a proven track record of partnering with the National Park Service in a positive and cost effective manner. We will do no less when it comes to the Education Center and donor recognition.

Notwithstanding the fundraising success achieved already for the Education Center, more must be done. H.R. 588 will allow us to maximize our fund-raising effort with major donors in a way we know will make an enormous difference. We need the leverage this legislation can provide now. As more time passes, the costs of the project will only go up, not down. Without doubt, H.R. 588 will move us much closer to making this extraordinary and worthwhile project a reality.

On behalf of the Vietnam Veterans Memorial Fund, I thank you for your time and consideration, and I respectfully request your strong support for H.R. 588.


## **ATTACHMENTS**

ATTACHMENT 1 – Vietnam Veterans Memorial Visitor Center Authorization, Public Law 108-126 –NOV.17, 2003

ATTACHMENT 2 – U.S. Department of the Interior, National Park Service, Director’s Order #21: Donations and Fundraising (July 11, 2008)

ATTACHMENT 3 – Extract of U.S. Department of the Interior, National Park Service Website on Partnerships

ATTACHMENT 4 – Work the Vietnam Veterans Memorial Fund has done on the National Mall

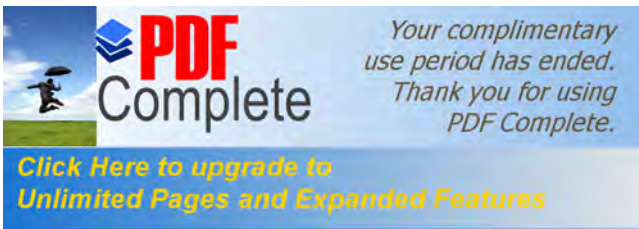


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—126—NOV. 17, 2003

VIETNAM VETERANS MEMORIAL VISITOR  
CENTER AUTHORIZATION



LIC LAW 108-126—NOV. 17, 2003

Public Law 108-126  
108th Congress

An Act

Nov. 17, 2003  
[H.R. 1442]

To authorize the design and construction of a visitor center for the Vietnam Veterans Memorial.

District of  
Columbia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

**TITLE I—VIETNAM VETERANS  
MEMORIAL VISITOR CENTER**

SEC. 101. VISITOR CENTER.

Public Law 96-297 (16 U.S.C. 431 note) is amended by adding at the end the following:

“SEC. 6. VISITOR CENTER.

“(a) AUTHORIZATION.—

“(1) IN GENERAL.—The Vietnam Veterans Memorial Fund, Inc., is authorized to construct a visitor center at or near the Vietnam Veterans Memorial on Federal land in the District of Columbia, or its environs, subject to the provisions of this section, in order to better inform and educate the public about the Vietnam Veterans Memorial and the Vietnam War.

“(2) LOCATION.—The visitor center shall be located underground.

“(3) CONSULTATION ON DESIGN PHASE.—The Vietnam Veterans Memorial Fund, Inc., shall consult with educators, veterans groups, and the National Park Service in developing the proposed design of the visitor center.

“(b) COMPLIANCE WITH STANDARDS APPLICABLE TO COMMEMORATIVE WORKS.—Chapter 89 of title 40, United States Code, shall apply, including provisions related to the siting, design, construction, and maintenance of the visitor center, and the visitor center shall be considered a commemorative work for the purposes of that Act, except that—

“(1) final approval of the visitor center shall not be withheld;

“(2) the provisions of subsections (b) and (c) of section 8908 of title 40, United States Code, requiring further approval by law for the location of a commemorative work within Area I and prohibiting the siting of a visitor center within the Reserve shall not apply;

“(3) the size of the visitor center shall be limited to the minimum necessary—



“(A) to provide for appropriate educational and interpretive functions; and

“(B) to prevent interference or encroachment on the Vietnam Veterans Memorial and to protect open space and visual sightlines on the Mall; and

“(4) the visitor center shall be constructed and landscaped in a manner harmonious with the site of the Vietnam Veterans Memorial, consistent with the special nature and sanctity of the Mall.

“(c) OPERATION AND MAINTENANCE.—

“(1) IN GENERAL.—The Secretary of the Interior shall—

“(A) operate and maintain the visitor center, except that the Secretary shall enter into a written agreement with the Vietnam Veterans Memorial Fund, Inc., for specified maintenance needs of the visitor center, as determined by the Secretary; and

“(B) as soon as practicable, in consultation with educators and veterans groups, develop a written interpretive plan for the visitor center in accordance with National Park Service policy.

“(2) DONATION FOR PERPETUAL MAINTENANCE AND PRESERVATION.—Paragraph (1)(A) does not waive the requirements of section 8906(b) of title 40, United States Code, with respect to the visitor center.

“(d) FUNDING.—The Vietnam Veterans Memorial Fund, Inc., shall be solely responsible for acceptance of contributions for, and payment of expenses of, the establishment of the visitor center. No Federal funds shall be used to pay any expense of the establishment of the visitor center.”.

## TITLE II—COMMEMORATIVE WORKS

### SEC. 201. SHORT TITLE.

This title may be cited as the “Commemorative Works Clarification and Revision Act of 2003”.

### SEC. 202. ESTABLISHMENT OF RESERVE.

(a) FINDINGS.—Congress finds that—

(1) the great cross-axis of the Mall in the District of Columbia, which generally extends from the United States Capitol to the Lincoln Memorial, and from the White House to the Jefferson Memorial, is a substantially completed work of civic art; and

(2) to preserve the integrity of the Mall, a reserve area should be designated within the core of the great cross-axis of the Mall where the siting of new commemorative works is prohibited.

(b) RESERVE.—Section 8908 of title 40, United States Code, is amended by adding at the end the following:

“(c) RESERVE.—After the date of enactment of the Commemorative Works Clarification and Revision Act of 2003, no commemorative work or visitor center shall be located within the Reserve.”.

### SEC. 203. CLARIFYING AND CONFORMING AMENDMENTS.

(a) PURPOSES.—Section 8901(2) of title 40, United States Code, is amended by striking “Columbia;” and inserting “Columbia and

Commemorative  
Works  
Clarification and  
Revision Act of  
2003.

40 USC 101 note.

40 USC 8901  
note.

its environs, and to encourage the location of commemorative works within the urban fabric of the District of Columbia;”

(b) DEFINITIONS.—Section 8902 of title 40, United States Code, is amended by striking subsection (a) and inserting the following:

“(a) DEFINITIONS.—In this chapter:

“(1) COMMEMORATIVE WORK.—The term ‘commemorative work’ means any statue, monument, sculpture, memorial, plaque, inscription, or other structure or landscape feature, including a garden or memorial grove, designed to perpetuate in a permanent manner the memory of an individual, group, event or other significant element of American history, except that the term does not include any such item which is located within the interior of a structure or a structure which is primarily used for other purposes.

“(2) THE DISTRICT OF COLUMBIA AND ITS ENVIRONS.—The term ‘the District of Columbia and its environs’ means those lands and properties administered by the National Park Service and the General Services Administration located in the Reserve, Area I, and Area II as depicted on the map entitled ‘Commemorative Areas Washington, DC and Environs’, numbered 869/86501 B, and dated June 24, 2003.

“(3) RESERVE.—The term ‘Reserve’ means the great cross-axis of the Mall, which generally extends from the United States Capitol to the Lincoln Memorial, and from the White House to the Jefferson Memorial, as depicted on the map referenced in paragraph (2).

“(4) SPONSOR.—The term ‘sponsor’ means a public agency, or an individual, group or organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code, and which is authorized by Congress to establish a commemorative work in the District of Columbia and its environs.”.

(c) AUTHORIZATION.—Section 8903 of title 40, United States Code, is amended—

(1) in subsection (b)—

(A) by striking “work commemorating a lesser conflict” and inserting “work solely commemorating a limited military engagement”; and

(B) by striking “the event” and inserting “such war or conflict”;

(2) in subsection (d)—

(A) by striking “CONSULTATION WITH NATIONAL CAPITAL MEMORIAL COMMISSION.—” and inserting “CONSULTATION WITH NATIONAL CAPITAL MEMORIAL ADVISORY COMMISSION.—”;

(B) by striking “House Administration” and inserting “Resources”; and

(C) by inserting “Advisory” before “Commission”; and

(3) by striking subsection (e) and inserting the following:

“(e) EXPIRATION OF LEGISLATIVE AUTHORITY.—Any legislative authority for a commemorative work shall expire at the end of the seven-year period beginning on the date of the enactment of such authority, or at the end of the seven-year period beginning on the date of the enactment of legislative authority to locate the commemorative work within Area I, if such additional authority has been granted, unless—

“(1) the Secretary of the Interior or the Administrator of General Services (as appropriate) has issued a construction permit for the commemorative work during that period; or

“(2) the Secretary or the Administrator (as appropriate), in consultation with the National Capital Memorial Advisory Commission, has made a determination that—

“(A) final design approvals have been obtained from the National Capital Planning Commission and the Commission of Fine Arts; and

“(B) 75 percent of the amount estimated to be required to complete the commemorative work has been raised.

If these two conditions have been met, the Secretary or the Administrator (as appropriate) may extend the seven-year legislative authority for a period not to exceed three additional years. Upon expiration of the legislative authority, any previous site and design approvals shall also expire.”.

(d) NATIONAL CAPITAL MEMORIAL ADVISORY COMMISSION.—Section 8904 of title 40, United States Code, is amended—

Government  
organization.

(1) in the heading, by inserting “Advisory” before “Commission”;

(2) in subsection (a), by striking “There is a National” and all that follows through “consists of” and inserting the following: “There is established the National Capital Memorial Advisory Commission, which shall be composed of”;

(3) in subsection (c)—

(A) by inserting “Advisory” before “Commission shall”; and

(B) by striking “Services” and inserting “Services (as appropriate)”;

(4) in subsection (d) by inserting “Advisory” before “Commission”.

(e) SITE AND DESIGN APPROVAL.—Section 8905 of title 40, United States Code, is amended—

(1) in subsection (a)—

(A) by striking “person” each place it appears and inserting “sponsor”; and

(B) in paragraph (1)—

(i) by inserting “Advisory” before “Commission”; and

(ii) by striking “designs” and inserting “design concepts”;

(2) in subsection (b)—

(A) by striking “Secretary, and Administrator” and inserting “and the Secretary or Administrator (as appropriate)”;

(B) in paragraph (2)(B), by striking, “open space and existing public use.” and inserting “open space, existing public use, and cultural and natural resources.”.

(f) CRITERIA FOR ISSUANCE OF CONSTRUCTION PERMIT.—Section 8906 of title 40, United States Code, is amended—

(1) in subsection (a)(3) and (a)(4) by striking “person” and inserting “sponsor”; and

(2) by striking subsection (b) and inserting the following:

“(b) DONATION FOR PERPETUAL MAINTENANCE AND PRESERVATION.—

“(1) In addition to the criteria described above in subsection (a), no construction permit shall be issued unless the sponsor

authorized to construct the commemorative work has donated an amount equal to 10 percent of the total estimated cost of construction to offset the costs of perpetual maintenance and preservation of the commemorative work. All such amounts shall be available for those purposes pursuant to the provisions of this subsection. The provisions of this subsection shall not apply in instances when the commemorative work is constructed by a Department or agency of the Federal Government and less than 50 percent of the funding for such work is provided by private sources.

“(2) Notwithstanding any other provision of law, money on deposit in the Treasury on the date of enactment of the Commemorative Works Clarification and Revision Act of 2003 provided by a sponsor for maintenance pursuant to this subsection shall be credited to a separate account in the Treasury.

“(3) Money provided by a sponsor pursuant to the provisions of this subsection after the date of enactment of the Commemorative Works Clarification and Revision Act of 2003 shall be credited to a separate account with the National Park Foundation.

“(4) Upon request of the Secretary or Administrator (as appropriate), the Secretary of the Treasury or the National Park Foundation shall make all or a portion of such moneys available to the Secretary or the Administrator (as appropriate) for the maintenance of a commemorative work. Under no circumstances may the Secretary or Administrator request funds from a separate account exceeding the total money in the account established under paragraph (2) or (3). The Secretary and the Administrator shall maintain an inventory of funds available for such purposes. Funds provided under this paragraph shall be available without further appropriation and shall remain available until expended.”.

(g) AREAS I AND II.—Section 8908(a) of title 40, United States Code, is amended—

(1) by striking “Secretary of the Interior and Administrator of General Services” and inserting “Secretary of the Interior or the Administrator of General Services (as appropriate)”; and


(2) by striking “numbered 869/86581, and dated May 1, 1986” and inserting “entitled ‘Commemorative Areas Washington, DC and Environs’, numbered 869/86501 B, and dated June 24, 2003”.

#### SEC. 204. SITE AND DESIGN CRITERIA.

Section 8905(b) of title 40, United States Code (as amended by section 203(e)), is amended by adding at the end the following:

“(5) MUSEUMS.—No commemorative work primarily designed as a museum may be located on lands under the jurisdiction of the Secretary in Area I or in East Potomac Park as depicted on the map referenced in section 8902(2).

“(6) SITE-SPECIFIC GUIDELINES.—The National Capital Planning Commission and the Commission of Fine Arts may develop such criteria or guidelines specific to each site that are mutually agreed upon to ensure that the design of the commemorative work carries out the purposes of this chapter.

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“(7) DONOR CONTRIBUTIONS.—Donor contributions to commemorative works shall not be acknowledged in any manner as part of the commemorative work or its site.”

SEC. 205. NO EFFECT ON PREVIOUSLY APPROVED SITES.

40 USC 8901  
note.

Except for the provision in the amendment made by section 202(b) prohibiting a visitor center from being located in the Reserve (as defined in section 8902 of title 40, United States Code), nothing in this title shall apply to a commemorative work for which a site was approved in accordance with chapter 89 of title 40, United States Code, prior to the date of enactment of this title.

SEC. 206. NATIONAL PARK SERVICE REPORTS.

Deadline.

Within 6 months after the date of enactment of this title, the Secretary of the Interior, in consultation with the National Capital Planning Commission and the Commission of Fine Arts, shall submit to the Committee on Energy and Natural Resources of the United States Senate, and to the Committee on Resources of the United States House of Representatives reports setting forth plans for the following:

- (1) To relocate, as soon as practicable after the date of enactment of this Act, the National Park Service’s stable and maintenance facilities that are within the Reserve (as defined in section 8902 of title 40, United States Code).
- (2) To relocate, redesign or otherwise alter the concession facilities that are within the Reserve to the extent necessary to make them compatible with the Reserve’s character.
- (3) To limit the sale or distribution of permitted merchandise to those areas where such activities are less intrusive upon the Reserve, and to relocate any existing sale or distribution structures that would otherwise be inconsistent with the plan.
- (4) To make other appropriate changes, if any, to protect the character of the Reserve.

Approved November 17, 2003.

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LEGISLATIVE HISTORY—H.R. 1442:

HOUSE REPORTS: No. 108–295 (Comm. on Resources).  
CONGRESSIONAL RECORD, Vol. 149 (2003):  
Oct. 15, considered and passed House.  
Nov. 5, considered and passed Senate, amended.  
Nov. 6, House concurred in Senate amendment.



# United States Department of the Interior

NATIONAL PARK SERVICE

1849 C Street, N.W.  
Washington, D.C. 20240

IN REPLY REFER TO:

## Director's Order #21: Donations and Fundraising

**Approved:** /s/ Mary A. Bomar  
Director

**Effective Date:** July 11, 2008

**Duration:** Until revised or rescinded

This is a reissue of the May 1, 2006, edition of Director's Order #21, updated to conform with the revised Department of the Interior Manual section 374 DM 6.

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## 1.0 Background and Purpose

**1.1 Background.** The National Park Service (NPS) recognizes private philanthropy as both a noble tradition for national parks and a vital element of the success of today’s National Park System. Some national parks exist only because motivated citizens contributed time, talent and funds to create them. Gifts of land or easements have enlarged many parks. Donated artifacts are found in visitor centers and museums across the nation. The NPS actively engages the help of park-oriented philanthropies and supporters and enthusiastically welcomes them as partners in the stewardship of the properties entrusted to our care.

Donations come to the NPS from individuals, families, organizations, foundations, corporations, businesses, and other entities purely as expressions of support, as a result of a donor’s awareness of needs, or in response to an organized fundraising campaign by others. Donations are used to enhance NPS programs and to help achieve excellence. Donations are not to be used as offsets to appropriated funds or to meet recurring operational requirements. The NPS appreciates the generosity of those who donate directly, and those who work through authorized non-profit organizations that raise funds for the benefit of the park units and programs. For the purposes of this Director’s Order, these organizations, individuals and entities are collectively referred to as “NPS partners.”

The policies and procedures in this Director’s Order are intended to serve as the framework for NPS employees’ conduct in relation to donation activities and fundraising campaigns that benefit the NPS. Through their application, the NPS seeks to ensure the integrity and appropriateness of donations and fundraising activities. While the NPS does not regulate fundraising or the donation activities of third parties, fundraising conducted in its name is appropriate only when consistent with the mission of the NPS and the standards included in this Director’s Order.

**1.2 Purpose.** The purpose of this Director’s Order is to:

- Set forth the Director’s delegation of authority regarding donations and fundraising;
- Establish roles and responsibilities for NPS employees who work with donors, fundraising partners, and potential donors;

- Identify plans and agreements relating to philanthropic activities and explain when they are required to be used;
- Establish criteria for consideration in accepting of donations; and
- Provide general guidance on appropriate forms of donor recognition.

This Director's Order is to be used by NPS employees in tandem with the *Reference Guide to Donations and Fundraising (Reference Guide)*.

The NPS recognizes that each park and partner is unique and that a "one size fits all" approach does not work. This Director's Order is intended to provide the needed flexibility in working with our partners from the start up organizations to those with years of demonstrated success. Any questions about the interpretation of the provisions of this Director's Order may be addressed through the Regional Partnership Coordinators and Office of Partnerships and Philanthropic Stewardship (Partnership Office) as appropriate.

This Director's Order is intended only to improve the internal management of the NPS. It is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or equity by a party against the United States, its departments, agencies, instrumentalities or entities, its officers or employees, or any other person.

**1.3 Related Sources of Guidance.** Related sources of guidance are identified in the *Reference Guide*

**1.4 Activities not Subject to this Director's Order.** The following activities are not subject to this Director's Order:

- (a) Services of individual volunteers or groups of volunteers, e.g., a Girl Scout troop, under the NPS Volunteer-In-Parks program, authorized by the Volunteers in the Parks Act of 1969 (16 USC 18g – 18j);
- (b) A person's or an entity's share of costs where there is independent authority for such cost sharing, e.g., challenge cost-share programs where the partner neither donates its share to NPS nor engages in public fundraising;
- (c) Moneys received as fees for services;
- (d) Reports or analyses prepared or paid by outside parties, or funds received by the NPS for such purposes, pursuant to appropriate authorities, e.g., a NEPA analysis funded by an applicant, that are not donated as part of a park construction project;
- (e) Donations of official travel covered by 31 U.S.C. § 1353 for attendance at a meeting or similar function;
- (f) Donations associated with the exercise of NPS regulatory authorities, such as where mitigation measures involve the donation of interests in land to be used by the NPS for conservation purposes;
- (g) Gifts to individual employees that are separately governed by the Government-wide Standards of Ethical Conduct at 5 CFR Part 2635;
- (h) Commercial services including sales of items inside a park; and
- (i) Acceptance of funds received through an independent statutory authority, other than a donation acceptance authority e.g., the Economy Act, the Intergovernmental Cooperation Act, and the Intergovernmental Personnel Act.



## 2.0 Authorities and Constraints

**2.1 NPS Authority to Accept Donations.** For purposes of this Director’s Order, the term “donation” includes “gifts” and refers to something of value (cash or in-kind goods or services) received from an outside source without consideration or an exchange of value. Funds or other items received as a result of a competitively awarded grant from a foundation are also covered by the term “donation.”

The authority for issuing this Director’s Order is contained in the NPS Organic Act (16 U.S.C. §§1-4) and the Delegation of Authority in Part 245 of the Departmental Manual. General authority to accept donations is found in 16 U.S.C. § 6, which expressly authorizes NPS to accept donations for purposes of the National Park System. The authority to accept donations of property and money for museum purposes is in 16 U.S.C. § 18f, f2-3. Various additional authorities to accept donations exist and may, for example be contained in a Park’s authorizing legislation. The *Partnership Legal Primer* ([www.doi.gov/partnerships/partnership\\_legal\\_framework.html](http://www.doi.gov/partnerships/partnership_legal_framework.html)) identifies many of the additional NPS authorities to accept donations.

The NPS may accept donations from individuals, families, organizations, foundations, corporations, businesses, associations and other entities. Generally, NPS may accept donations of funds, securities (common stocks, preferred stocks, bonds), real property (land and improvements), or interests in real property (easements), facilities, and in-kind goods or services. For information on whether a particular donation should be accepted or for further information on authorities and constraints see Section 6.1 of this Director’s Order and Section 1.3 of the *Reference Guide*.

**2.2 No Solicitation of Donations.** It is NPS policy that its employees not solicit donations. The term “solicit” means any request by an NPS employee to a non-federal entity, group or individual for donations to be made directly or indirectly to the NPS in support of its programs. There are, however, a broad range of appropriate activities that NPS employees may undertake in relation to authorized fundraising by park partners as well as, for example, in responding to inquiries from park visitors, see Section 5.1.

**2.3 Employee Representations.** Employees are not to portray Congress, the Department, or NPS as having failed to meet their respective responsibilities. Furthermore, consistent with anti-lobbying provisions such as 18 U.S.C. § 1913 and applicable appropriations acts, employees shall not engage in lobbying activities.

**2.4 Congressionally Authorized Fundraising Organization.** Congress occasionally charters non-profit partners or recognizes the role of an existing non-profit partner through legislation. In 1967, Congress, in the National Park Foundation Act, chartered the National Park Foundation as the official national, non-profit fundraising partner of the NPS to encourage private gifts for the benefit of the NPS and thereby to further the conservation of natural, scenic, historic, scientific, educational, inspirational or recreational resources for future generations. In addition to the National Park Foundation, Congress has authorized several other entities as fundraising organizations for specific units or programs of the National Park System. Unless otherwise specified herein, the provisions of this Director’s Order apply equally to NPS’ dealings with all of its partners regardless of how they were created.

### **3.0 Policies and Considerations**

**3.1 Ethical Considerations.** NPS employees are also subject to ethics regulations which generally prohibit federal employees from using their official title, position, or any authority associated with their public office to endorse products, services or enterprises. However, this does not prohibit an NPS employee from expressing support for the authorized fundraising efforts of non-profit support groups, including friends groups and cooperating associations. See the *Reference Guide* for additional information and examples.

Unless specifically authorized by law, an NPS employee may not serve on the board of an organization, either as a voting member or non-voting member, including as an ex-officio member, or as an officer of a cooperating association, friends group, or other NPS partner organization that is authorized to raise funds for the benefit of the NPS. However, NPS employees may serve as liaisons to partner organizations as part of their official duties, see Section 5.1(r). Liaisons should consult with bureau ethics officials in order to ensure compliance with ethics requirements.

The NPS will not accept funds donated from organizations in which an NPS employee is an officer, director (including ex-officio positions), or is otherwise engaged in a leadership role with the organization, unless the arrangement has been reviewed and approved by the Office of the Solicitor, including the Departmental Ethics Office.

**3.2 Matching Funds/Challenges.** The NPS may be able to use donated or appropriated funds, subject to conditions imposed on the use of the funds by the donor or Congress, as a match for donations from outside sources. Under written agreements approved by the Solicitor's Office, NPS may approve the use of such funds as the basis for a "challenge" issued by a non-profit fundraising partner to its donors. All literature associated with this match must also be approved, as appropriate by the NPS Regional Director, superintendent or program manager.

The NPS will not accept donations that impose a fundraising "challenge" to the NPS to match the donation, or that would obligate donated or appropriated funds in advance of their receipt.

**3.3 Accountability for Donations.** All monetary donations received directly by the NPS must be deposited in a donation account and accounted for and disbursed using the same standards and procedures for appropriated funds. The individual park's administrative officer, the regional office or NPS comptroller can provide additional guidance.

All non-monetary donations accepted by the park, unit, or program must also be accounted for under the same standards and procedures used to account for other similar government property (see, e.g., Director's Order #44 on Personal Property Management, Director's Order #25 on Land Acquisition, and Director's Order #24 on NPS Museum Collections Management). The donor is responsible for establishing the value of the item for tax purposes. The NPS does not give tax advice.

### **3.4 Documentation Requirements.**

The National Park Service Office of the Comptroller will develop standard procedures to

document its donation activities in accordance with applicable statutes including the Federal Records Act, the Paperwork Reduction Act, and the Privacy Act, where applicable. Such documentation will allow for audit or investigation by the Office of Inspector General or the Government Accountability Office. These procedures will provide for:

- (a) Documentation of receipt and disposition of all real or personal property, regardless of the method or source of acquisition, in accordance with the Interior Property Management Regulations, 410 DM Addition to the IPMD 114-60.5, and for museum property, 411 DM;
- (b) Establishment of distinct accounting elements to comply with donor requirements for conditional donations;
- (c) Accounting of all monetary donations in the NPS' financial system at a level that will allow accountability for individual donations; and
- (d) Internal controls as required in Office of Management and Budget Circular A123.

#### **4.0 Delegations of Authority**

**4.1 Functional Management and Day-to-Day Implementation.** The authority for the implementation and oversight of this Director's Order is delegated to the Associate Director for Partnerships and Visitor Experience, who is designated as the Senior Manager for matters related to donations and fundraising in the NPS. This authority includes:

- (a) Establishing and implementing necessary policies, procedures and standards as specified in this Director's Order;
- (b) Providing such guidance, advice, and consultation as necessary to ensure effective and appropriate use of the NPS donation acceptance authorities.
- (c) Monitoring compliance with this Director's Order.
- (d) Serving as the authorized employee to make the final determination for all donations of \$250,000 or more; or for donations of any dollar amount that contain conditions that may have significant implications for the budget or programs of the NPS.
- (e) Coordinating with other bureaus to obtain their review of proposed donations of \$1,000,000 or more.
- (f) Serving as bureau contact for review of other bureaus' proposed donations of \$1,000,000 or more.
- (g) Managing, on a day-to-day basis, the NPS relationship with the National Park Foundation.

Unless specifically addressed elsewhere in this Director's Order, the day-to-day responsibility for implementation of the policies and standards set forth in this Director's Order is further delegated to the Chief, Partnership Office.

**4.2 Reservations and Delegations of Authority to Accept Donations.** The following reservations and delegations relate to the acceptance of donations (See Section 6.1 and Section 4.3). For purposes of this section, these limits relate to either single donations or a series of related donations from a single entity, i.e. a pledge paid in installments. All such donations of \$25,000 or more must be reviewed in accordance with Section 6.1.2 of this Director's Order.

- (a) The Director reserves the authority to accept, or authorize the acceptance of, donations of \$1,000,000 or more offered to a park either directly, or through a park partner when the donation is to be subsequently granted to a park by the NPS partner.
- (b) The Deputy Directors, Associate Directors, and Comptroller are delegated the authority to accept or authorize the acceptance of donations offered directly to the NPS, or offered to an authorized partner for the benefit of the NPS, that are under \$1,000,000 and are offered to NPS through its directorates (such as Cultural or Natural Resources), to program areas or offices within their organizations (such as the National Center for Cultural Resources). The above officials may re-delegate this authority to approve and accept the donation to senior program or office managers within their organization.
- (c) Regional Directors are delegated the authority to accept or authorize the acceptance of donations under \$1,000,000 offered directly to the NPS, or offered to an authorized NPS partner for the benefit of NPS. The Regional Director may re-delegate this or more limited authority to accept such donations to park superintendents or regional program managers.

Subsequent references to “authorized employees” in this Director’s Order refer to those employees who have been delegated the authority to accept donations as described above. Authorized employees have the following responsibilities:

- (a) Ensure compliance with the guidelines in this policy whenever a donation is offered.
- (b) Gather sufficient information about a prospective donor and the proffered donation to facilitate evaluation of the donation.
- (c) Evaluate the totality of the circumstances, including the value and purposes of the donation and the nature and interests of the donor, to determine whether to accept the donation. See Section 6.1 for additional information.
- (d) Must seek guidance from the Associate Director for Partnerships and Visitor Experience and the Chief of the Partnership Office who will coordinate with NPS or DOI ethics personnel, the Assistant Secretary for Policy, Management and Budget, or the Office of the Solicitor, as appropriate, whenever the circumstances are unclear or questionable, to resolve issues associated with particular donations.
- (e) Consider additional concerns raised by donations:
  - i. Made to an outside non-profit entity or partner when the non-federal entity subsequently makes a related donation to NPS;
  - ii. That may reasonably be expected to result in involvement with marketing or advertising;
  - iii. With conditions;
  - iv. In which the donor is involved in litigation with the NPS or the Department; or
  - v. In which the donor is regulated by the NPS or the Department.

**4.3 Reservations and Delegations of Authority to Authorize Fundraising and Corporate Campaign Activities.** The following reservations and delegations relate to the authorization of fundraising and corporate campaign activities (see Section 6.1 and Section 7).

- (a) The Director reserves the authority to authorize agreements relating to fundraising activities by NPS partners that will benefit the NPS if the activities either:
  - i. Have a goal of \$1,000,000 or more;
  - ii. Involve national or international solicitations;
  - iii. Involve construction projects where costs are estimated to exceed \$1,000,000; or

- iv. Involve corporate campaigns of national or international significance.

The Director may delegate the authority described in i. and iii. to the Regional Directors where the fundraising goal is less than \$5 million and there is no federal contribution of funds to the project or program. See *Reference Guide* for additional information.

Fundraising agreements which meet the threshold for Director's approval must be submitted with a donor recognition plan, a feasibility study, a fundraising plan as described in Section 8 and a written description of the partner's donation review process as described in Section 8.5.

- (b) Deputy Directors, Associate Directors and Regional Directors are delegated the authority to *authorize agreements relating to fundraising activities* that are expected to fall below \$1,000,000 to benefit the NPS and corporate campaigns with a partner as described in Section 7 that are below this level and not of national or international significance. If the fundraising or corporate campaign is likely to generate controversy, the delegated official shall consult with the Director prior to approving the campaign. The Regional Director may delegate the authority to authorize fundraising activities to superintendents for campaigns planned to raise \$100,000 or less.

## **5.0 Roles and Responsibilities**

Fundraising to support parks is typically undertaken by long-standing, park support groups such as friends groups. Friends groups are non-profit organizations that are generally formed under state law and must comply with state and federal requirements for charitable fundraising as well as standards of professional conduct (see Section 5.2 of the *Reference Guide* for additional information). Individuals, businesses, or groups such as local service organizations, clubs, and schools may also, from time to time, be authorized to undertake fundraising activities for the benefit of the NPS.

The NPS values the commitment of its non-profit partners and their many contributions to the NPS and the National Park System. NPS employees are expected to develop and maintain professional relationships with these partners based on mutual understanding of the goals and functions of both parties and, when required, appropriate written agreements. Written agreements are required prior to fundraising that explicitly states or implies that the fundraising is authorized by or for the benefit of the NPS as detailed in Section 8. Absent such an agreement, NPS will not accept any resulting donations without the approval of the Associate Director for Partnerships and Visitor Experience.

**5.1 National Park Service.** In general, NPS employees who have been appropriately authorized:

- (a) May identify projects, programs, or objectives that are appropriate for private sector support and may describe NPS needs or how donations will be used to potential donors and the public;
- (b) May allow the non-intrusive display and distribution of materials in parks to educate visitors about an authorized fundraising partnership or activity;
- (c) May provide information, where appropriate, regarding their ability to accept donations in support of their projects and programs;

- (d) May develop lists of projects, programs or activities that the NPS could undertake with donated support, and discuss these in interactions with others;
- (e) May enter into written agreements with specific NPS partners regarding fundraising for the benefit of a park or project consistent with Section 4.3;
- (f) May work or participate with authorized nonprofit support groups who are fundraising to benefit the NPS (e.g. attend events and accompany a partner on visits to prospective donors) subject to any specific limitations contained in this Director's Order;
- (g) May work with organizations and local businesses in co-sponsoring events;
- (h) May accept offers to support park activities through co-sponsorship of events by concessioners and others;
- (i) Must recognize donors consistent with Section 10;
- (j) Must respond in a timely manner to all offers of donations, either accepting or declining the donation consistent with Section 6.1;
- (k) Must review and approve all informational materials relating to the partnership with the NPS prior to their distribution;
- (l) Must ensure accountability for donations received by the NPS;
- (m) Must ensure that fundraising proposed for construction projects is in compliance with the Partnership Construction Process (see Section 9 of the Director's Order as well as the *Reference Guide* and [www.nps.gov/partnerships/capital\\_campaigns.htm](http://www.nps.gov/partnerships/capital_campaigns.htm) for additional information), as well as all applicable laws and regulations, such as the National Environmental Policy Act, Section 7 of the Endangered Species Act, and Section 106 of the National Historic Preservation Act;
- (n) Must consider, in advance of entering into a fundraising agreement for a project or accepting a donation for a project for a particular use, the costs and any other operational implications of that project that would result;
- (o) May, subject to Section 6.1.1 apply for competitively awarded grants from foundations and for grants or similar assistance from non-federal governmental entities, in response to a grant application solicitation, in the regularly scheduled grant cycle, or to an organization that accepts unsolicited grant applications or proposals;
- (p) May support or encourage the efforts of third parties to create park support groups such as friends groups whose purposes include raising funds for the benefit of the NPS (see *Reference Guide* for additional discussion);
- (q) May work with non-profit organizations and others to receive donations of in-holdings as well as or other property (e.g. artifacts);
- (r) May serve as a liaison to cooperating associations, friends groups, or other partner organizations authorized to raise funds for the benefit of the NPS; and
- (s) Must ensure that fundraising agreements comply with NPS goals, policies and plans.

**5.2 Fundraising Partners** In general, an NPS fundraising partner:

- (a) May work with a park or other organizational unit to engage the public in philanthropy to benefit NPS programs;
- (b) Must ensure that fundraising for the benefit of the NPS is conducted in accordance with appropriate written fundraising agreements (see Section 8.1);
- (c) May describe NPS identified needs to potential donors and the public;
- (d) May hold and manage an endowment or investment account for the benefit of park programs when authorized consistent with Section 8.7 of this Director's Order. See the *Reference Guide* for additional information;

- (e) Must send all fundraising and other informational materials referring to the NPS and or the approved fundraising project to the NPS for advance review and approval;
- (f) Must work with NPS to ensure that fundraising proposed for construction projects is consistent with Section 9 of the Director's Order. See the *Reference Guide* for additional information;
- (g) Should work with the park or program to develop and implement an appropriate donor recognition program consistent with Section 10 of this Director's Order.
- (h) Must work with NPS to implement the requirements of Section 8.5.

## 6.0 Donations

**6.1 Considering Donations.** A donation may be offered either directly to a park, unit, or program or indirectly to the partner for the benefit of a park, unit or program. This section provides guidance on the consideration of donations offered directly to the NPS. Section 8 provides guidance for partner review of donations they receive.

All donations must be accepted in a legally and ethically appropriate manner. Authorized employees must consider all relevant factors when determining whether to accept a donation, including the value and purposes of the donation, and the nature and interests of the donor. The authorized employee should weigh the totality of the circumstances from the perspective of a reasonable person with knowledge of the relevant facts. Examples of relevant factors to be considered are identified in Section 6.1.1 below. This list is neither intended to be exclusive nor to imply that any one of these factors absolutely requires acceptance or declination of a donation, but rather to illustrate what should be considered when evaluating the totality of circumstances and making donation-related decisions.

NPS retains the discretion to decline any particular donation. Furthermore, it is NPS policy to decline direct donations from a company which holds or is seeking a concessions contract or which would identify the NPS with alcohol or tobacco products.

**6.1.1 Maintaining the Integrity and Impartiality of, and Public Confidence, in NPS and the Department of the Interior.** Before accepting, utilizing or recognizing direct donations an authorized employee must determine that the totality of the circumstances surrounding the potential donation:

- (a) Maintains the integrity of NPS and the Department of the Interior's programs and operations:
  - i. The donation is not, or does not appear (such as by its size or circumstances) to be, an attempt to influence the exercise of any regulatory or other authority of NPS or the Department.
  - ii. The donation meets a legitimate need of the NPS and would not require the commitment of funding that is not planned or available.
  - iii. The donation and any conditions or restrictions on it are consistent with, and do not otherwise circumvent, law, regulation, NPS policy, authorized park purposes or applicable park plans.
  - iv. The NPS is able to properly and effectively utilize or manage any donated real or personal property consistent with policy, programmatic, and management goals.

- v. Any conditions on the donation are consistent with authorized purposes and any relevant policy or planning documents.
  - vi. The donation will not be used by the donor to state or imply NPS endorsement of the donor or the donor's product or services.
  - vii. The donation, if it involves temporary or term personnel or provides funding to hire temporary or term personnel, is structured such that such donated or funded personnel do not inappropriately influence any regulatory actions or other significant decisions.
- (b) Maintains the impartiality, and appearance of impartiality, of the NPS, the Department of the Interior, and their employees:
- i. The proposed donation is made to a program or made in an amount that would not influence or appear to influence any significant pending NPS or Departmental decision or action involving the donor's interests.
  - ii. There is neither an actual nor an implied commitment to take an action favorable to the donor in exchange for the donation.
  - iii. The donor will not obtain or appear to obtain special treatment in dealing with the NPS, the Department, or any of its other bureaus.
- (c) Maintains public confidence in the NPS, the Department and their programs and employees.
- i. Acceptance would not likely result in public controversy.
  - ii. The donation comes only with conditions that are consistent with the NPS' program and policy goals.
  - iii. The donation consists of only goods or services needed by the NPS.

### **6.1.2 Reviewing Direct Donations.**

To ensure donation-related decisions are supported by sufficient information, documenting the acceptance considerations in Section 6, the following apply:

- (a) Donors are evaluated by the NPS only once a year, unless their donation total for the year triggers a higher evaluation requirement.
- (b) The authorized employee is required to determine what information is necessary to evaluate the circumstances of a donation. Information that may be required for such an evaluation includes, but is not limited to:
  - i. Whether the donor is involved in litigation or other controversy with the Department;
  - ii. Whether the donor is seeking or is otherwise engaged in any type of financial or business relationship with the Department, for example, a contract, permit, lease, grant, or cooperative agreement;
  - iii. Whether the donor has been debarred, suspended, proposed for debarment, excluded or disqualified under the non-procurement common rule, or otherwise declared ineligible from doing business with any Federal government agency as specified in the CFR.
  - iv. Whether the donation is expected to be involved with marketing or advertising;
  - v. The value and any applicable conditions of the donation; and
  - vi. Whether the donation is a singular event or part of a series of donations.
- (c) If the authorized employee has any reason to believe that the donor was the subject of a DOI or Office of Inspector General (OIG) investigation, the proposed donation should be referred to the Partnership Office for coordination with the OIG or appropriate investigating office to obtain information.



(d) Required Information. Following are the minimum information gathering processes that employees must use to ensure donations are properly evaluated. All requirements listed for lower donation levels apply to all higher donation levels.

i. Evaluating Donations of Land or Interests in Land.

1. For any donation valued at \$25,000 or more, the donor will be requested to provide specific information in a format provided by the Assistant Secretary for Policy, Management and Budget (A/S-PMB).
2. The donations will be reviewed by the field or regional lands/realty offices and approved at the appropriate organizational level as specified in Director's Order #25.
3. If concerns exist, the lands/realty offices will request an evaluation by the Office of the Solicitor, and include specific information in a format provided by the A/S-PMB in the title package submitted.

ii. Evaluating Donations that are Not Land or Interests in Land.

1. For any donation valued at \$25,000 or more, the donor will be requested to provide specific information in a format provided by the A/S-PMB.
2. Any donation valued at \$250,000 or more will also be referred to AD-PVE through the Partnership Office. The Partnership Office will coordinate with the Solicitor's Office and appropriate NPS program areas, for a search of their systems and the donation may also be referred to the OIG to obtain information from its systems.
3. Any donation valued at \$1,000,000 or more will also be simultaneously referred to the senior managers responsible for donations in other bureaus for identification of any concerns regarding the proposed donation.

(e) Exceptions. The following donations are not subject to the requirements of this subsection; however, they will be evaluated using the acceptance considerations listed in Section 6.1.1 of this policy:

- i. Donations (or grants) from Federal, state and local governments.
- ii. Donations from accredited educational institutions.
- iii. Donations offered during and related to (declared) natural and other emergencies.

**6.1.3 Director's Approval.** Additionally, the following potential donations must be reviewed by the Chief of the Partnership Office before subsequent referral to the Director for approval:

- (a) Single donations or a series of planned donations, i.e. a pledge paid in installments by the same donor, valued at over \$1,000,000;
- (b) Donations that raise significant concerns based on the criteria identified in Section 6.1.1;
- (c) Corporate donations that are tied to national or international marketing promotions.

The Partnership Office will coordinate with the Office of Solicitor, and NPS or Departmental ethics officials, as appropriate.

**6.1.4 Acceptance of Donations from Donors Involved in Litigation.** The NPS generally will not accept a gift from a donor involved in litigation with the Department or its bureaus in order to avoid any appearance that the donation is intended to influence the handling or outcome of the litigation. There may be circumstances, however, in which the litigation is sufficiently removed from the context of the proposed donation as to not create the appearance of an attempt to influence the litigation. These circumstances, for example, may exist when a donor proposes a donation to the NPS that is clearly unrelated to the litigation with another bureau, or the donation

is in an amount that does not suggest it is intended to influence the handling of the litigation. Accordingly, all donations offered by a donor involved in litigation must also be approved by the Associate Director for Partnerships and Visitor Experience.

**6.2 Use of Donations.** Donations may be used to fund or otherwise support any NPS activity for which appropriated funds could normally be used, subject to the following:

- (a) Donations for employee salaries may be made only directly to the NPS (not to the employee) and may only fund salaries of:
  - i. Term or temporary NPS employees;
  - ii. Permanent NPS employees who are directly engaged in a capital improvement project that is funded with donations. This applies only to employees who normally charge their time to project accounts, such as planners, architects, landscape architects, exhibit specialists, and construction supervisors; and
  - iii. Other permanent NPS employees when through an NPS approved project endowment from which the payment of such salaries is a stated purpose.
- (b) Donations will not be used to begin construction, or a phase of construction or other projects or programs, unless there are sufficient appropriated and donated funds in hand to insure completion of the work to a degree that has independent utility. Donated funds may, however, be used to advance project design work.
- (c) Donated funds and/or services may pay (or offset) the cost of NPS-conducted or authorized plans or studies provided that standard planning/study procedures, the requirements of the Partnership Construction Process (Section 9), and other applicable policies are followed. Research projects, books, mapping, exhibits, films and all other projects funded with donations must receive the same reviews and approvals do projects that use only appropriated funds.

**6.3 In-Park Friend-raising.** This section provides information on how the NPS may assist park visitors who seek information at a park site on how to get involved or to make a donation to the park, a park partner, or the NPS. Friend-raising is the act of engaging the public in supporting the park. Visitors who have expressed no interest in such information must not be asked for donations by anyone. Direct personal solicitation of in-park visitors is not permitted. Unless visitors have specifically provided authorization (e.g. through an opt-in check box), visitor names from sources such as permit applications, backcountry or campground registrations may not be given to park partners nor may they be disclosed to any third party except as provided under the Freedom of Information Act and the Privacy Act.

Visitors may also specifically request the NPS to provide them with additional information about the NPS, the park, and/or its needs.

**6.3.1 Donation Boxes.** Donation boxes may be installed on park property by either the NPS or by an authorized NPS fundraising partner provided that 100% of the donations or collections go to the NPS.

Donation boxes must clearly advise the public how the park will use the money. Without this information, moneys collected in a donation box must be considered miscellaneous receipts to the U.S. Treasury.

NPS donation boxes may be placed only on NPS property or on property jointly administered by, or for the benefit of, the NPS. Funds received from NPS donation boxes on jointly administered property (for example, joint visitor centers, heritage areas, or leased facilities outside of parks) must be accounted for in the same manner as those located on NPS-controlled property, see Section 3.4 for additional information. The proceeds from such joint donation boxes will be allocated based on a formula agreed to by those entities in written agreements.

NPS may authorize the placement of an authorized fundraising partner's (i.e. a friends group or other non-profit park support group) donation box within the park through a written agreement. See the *Reference Guide* for an example agreement. Such donation boxes may recognize the role of an NPS partner in maintaining the box under its agreement with the park.

**6.3.2 Displays and Fundraising Activity Information.** Park managers may allow the non-intrusive display or distribution of materials in parks to educate visitors about an authorized fundraising partnership or activity. The material must identify the NPS fundraising partner and inform visitors how they may receive additional information. Materials may include donation envelopes, architectural drawings, models, graphics, newsletters or other similar information.

It is permissible to authorize links from park websites to partner websites that provide opportunities to make electronic donations provided that such linkages conform to Departmental information technology management and security policies, including those pertaining to websites, and are authorized by written agreement between the park and partner.

**6.3.3 In-Park Events.** Requests from NPS partners to use park facilities for authorized fundraising activities or donor cultivation events are subject to the same review and approval procedures applicable to any other non-NPS user as well as applicable provisions of this Director's Order. (See also 36 CFR, 2.50-2.51, Section 10.7 of this Director's Order, and DO #53).

**6.3.4 Guest Donation Program.** The Guest Donation Program initially authorized national park lodging concessioners to offer guests the opportunity to make donations through the National Park Foundation of \$1 or more per day to support the national park they were visiting. The Guest Donation Program has since been expanded to non-lodging activities. Guidance on the program can be found in the *Reference Guide*.

**6.4 Donations from Land Trusts.** The NPS often receives offers of donations of interests in lands and buildings. Fundraising agreements are required where a non-profit entity, including a land trust, engages in public fundraising campaigns for the express purpose of acquiring specific properties to be donated to the NPS. Fundraising agreements are not required for fundraising that is intended to benefit the Land Trust, and will not be passed through to NPS. See Section 6.1.2.B(d)(i)(1-3) for review requirements.

## **7.0 Corporate Campaigns**

Corporations and businesses generally offer two primary forms of donations: philanthropic donations or donations tied to advertising—the latter are referred to in this Director's Order as corporate campaigns. The primary difference between the two forms of support is the use of advertising and marketing in corporate campaigns to promote a donation and a relationship

between the business and the NPS or an NPS partner. The NPS may accept and recognize philanthropic donations from corporations and businesses under the guidelines set forth in Sections 6 and 10. The NPS may only enter into corporate campaigns under the guidelines set forth in this section.

All corporate campaigns authorized by NPS are subject to the following:

- (a) The corporate campaign must generate a clear benefit for the NPS and be consistent with the purpose, mission and goals of the NPS as well as applicable laws, regulations and policies;
- (b) Marketing or advertising activities associated with a corporate campaign may not state or imply an endorsement by NPS of any business, product, service or enterprise;
- (c) A written agreement between the NPS, a park support organization (when applicable) and a corporate partner must be executed prior to initiation of corporate campaign activities (see the *Reference Guide* for additional information);
- (d) All corporate campaign agreements must be reviewed by the Office of the Solicitor before execution;
- (e) The authority to approve corporate campaign agreements is delegated as described in Section 4.3;
- (f) Advertising or solicitation for corporate campaigns involving the promotion of specific brands, products, services or enterprises of a corporate partner or associated entity may not be conducted within national park units in order to maintain the long-standing policy of the NPS that parks not be commercialized.
- (g) The NPS will not allow the Arrowhead symbol or an NPS employee or any part of the uniform to be featured in any advertisement that promotes a corporate brand, service, product, or enterprise; and
- (h) NPS must review and approve all campaign related informational materials prior to their distribution (regional/national campaign material requires Partnership Office approval; local requires Regional Office review).

Corporate campaigns must be conducted with high standards that maintain the integrity of the NPS and its partners. Corporate campaigns which identify the NPS with alcohol or tobacco products will not be authorized.

**7.1 Corporate Campaign Agreements Undertaken in Association with the National Park Foundation.** The Director and the National Park Foundation (Foundation) have entered into the Corporate Campaign Agreement which authorizes the Foundation to enter into corporate campaigns generally, and provides the terms and conditions that now govern the “Proud Partners of America’s National Parks” program. This agreement is included in the *Reference Guide*.

Proud Partners are a special category of corporate partners who have joined with the Foundation and the NPS to connect national parks to all Americans. Proud Partners have the opportunity to inform the public through national marketing activities that they are assisting the Foundation and the NPS in meeting the needs of the National Park System and to invite the public to add their support. The Foundation and NPS have developed a Proud Partner branding logo for use by Proud Partner corporations in their marketing materials.

**7.1.2 Proud Partner Marketing Exclusivity.** A Proud Partner agreement affords a corporate Proud Partner industry “exclusivity” at the national marketing level for a product or service

category. This means that once a Proud Partner agreement is executed, no other nationwide corporate campaign agreements may be executed in the specified Proud Partner's product or service category. NPS only offers exclusivity through a Proud Partner relationship.

Upon execution of a Proud Partner Agreement, the Director will notify park managers of the new Proud Partner, the purposes set forth in the Proud Partner agreement, the category for which marketing exclusivity is being granted and the effective dates of the agreement. In the event a new Proud Partner is engaged in a business, product or service category occupied by another partner under a regional or national corporate campaign agreement entered prior to the effective date of the new Proud Partner agreement, that the pre-existing corporate campaign may continue only until the end of the existing term of that agreement or as agreed to by the NPS and the President of the National Park Foundation. Local campaigns may continue unaffected.

If a corporate partner's business involves a product or service for which exclusivity has been afforded to a Proud Partner, NPS will not execute a corporate campaign agreement authorizing national, state, or regional press events or promotions, including web-based promotions.

**7.2 Park-Based Corporate Campaigns.** When individual park units are approached with a corporate campaign proposal, the Partnership Office must be contacted to determine if the proposed campaign is permissible. The *Reference Guide* contains a list of questions to help determine whether an offer of corporate support is philanthropy or a corporate campaign. The following guidance is used by the Partnership Office to assess whether proposed corporate campaigns activities may be authorized:

- (a) **Single area marketing and advertising:** Individual parks, NPS partners, and a corporate partner may enter into corporate campaigns either within or outside of the Proud Partner marketing exclusivity categories as long as all resulting marketing or advertising remains within the single local market area. Thus, web-based promotions are not allowed. A single local market is the metropolitan area immediately surrounding or adjacent to the park unit. If there is no such metropolitan area (e.g. the area surrounding the park unit is sparsely populated), the superintendent must consult further with the Partnership Office to identify the applicable marketing area.
- (b) **State, Regional, or National Area Marketing and Advertising Outside Proud Partner Categories:** After consultation with the President of the National Park Foundation, the Director may authorize a corporate partner to engage in the use of paid media activities directed at a state, regional, or national market to inform the public of their support of a park or program. Requests should be submitted through the Partnership Office and contain the information identified in the *Reference Guide*.

Approved corporate campaign activities must be consistent with the specific requirements of Section 7.0(a-h) and other applicable provisions of this Director's Order, such as those relating to fundraising agreements and donor recognition.

## **8.0 Fundraising by Outside Entities**

While the NPS does not regulate the conduct of fundraising partners, fundraising activities that may result in donations to the NPS are only appropriate when consistent with law and the mission, goals and policies of NPS and the Department of the Interior. To ensure such consistency, in most cases NPS only accepts donations from fundraising campaigns for its benefit that have been conducted pursuant to written agreements with its fundraising partners.

Where a written agreement is required but has not been executed, the NPS will not accept the donations without the approval of the Associate Director for Partnerships, Interpretation, Education and Outdoor Recreation. There are two types of agreements that are used to address partner fundraising, Friends Group Agreements and Fundraising Agreements.

Friends Group Agreements establish long-term relationships between NPS and its partners. Friends Group Agreements may, in part, be used to authorize fundraising to support ongoing NPS needs. Friends Group Agreements may also address many aspects of the relationship between NPS and its partner. A Friends Group Agreement may address, for example, partner fundraising for educational materials, fundraising to support interpretive services provided by the partner and the partner's use of NPS facilities.

When fundraising efforts are designed to support specific projects, e.g., the planning and implementation of a new park program, the construction of park facilities, the fabrication of park exhibits, the restoration of historic sites, etc., fundraising must be addressed in a Fundraising Agreement. Where a Friends Group Agreement between NPS and a partner already exists, fundraising agreements may "tier off" the Friends Group Agreement as frequently as is needed.

Fundraising activities are not to be authorized in other forms of NPS agreements, e.g., cooperating association agreements, cooperative agreements, or grant agreements.

NPS and its friends groups may want to use each other's logos, taglines, tradenames, etc. to promote the relationship. Intellectual Property (IP) licensing agreements are needed to facilitate the use of government or partner IP. See the *Reference Guide* for additional information regarding IP licensing.

**8.1 Thresholds and Agreements.** The goal and complexity of a fundraising effort will determine how it would be authorized:

- (a) Small-scale fundraising efforts or events that raise funds for the NPS do not require written fundraising agreements. These include efforts or events that are local or community based, locally publicized and are not expected to exceed \$25,000 in donations. However, an authorized employee must consider the totality of circumstances in accepting donations from a small-scale event.
- (b) Fundraising efforts or activities that are intended to raise over \$25,000 are to be authorized in a written agreement. The *Reference Guide* contains two model fundraising agreements: the Basic Fundraising Agreement (BFA) and Comprehensive Fundraising Agreement (CFA). The BFA may be used to authorize relatively low dollar value fundraising activities that are not authorized by an existing Friends Group Agreement between the partner and NPS. The CFA should be used to authorize all other project specific fundraising efforts.

**8.2 Contents of Fundraising Agreements.** Fundraising Agreements contain appropriate provisions that identify or establish at a minimum:

- (a) Goals and objectives associated with a fundraising effort;
- (b) The priority for funding project(s) or program(s);

- (c) The requirement that all printed and other informational and fundraising materials be approved by the authorized employee in advance of distribution or communication to the public;
- (d) Allow the NPS to terminate the agreement at its discretion and without cost. Alternatively, NPS may permit termination of a fundraising agreement for cause, i.e., breach of the agreement by either party. The terms of the termination clause must be decided on a case-by-case basis in light of prevailing facts. See the *Reference Guide* for additional information;
- (e) The terms and conditions of any endowment when applicable;
- (f) Accountability requirements for all funds raised and, when appropriate, for the security of funds invested by the partner related to a fundraising campaign;
- (g) Prohibit actions that are not consistent with this policy and the NPS' implementing procedures;
- (h) The applicable review process for prospective donations;
- (i) The role, if any, that NPS employees may have in the fundraising campaign; and
- (j) The requirement that fundraising partners may not lobby Congress to fund elements of a project that, pursuant to the Fundraising Agreement, are to be funded through donations.

The model Basic and Comprehensive Fundraising Agreements (see Section 8.1 of the *Reference Guide*) contain additional clauses and provisions to include in the Fundraising Agreement. The Partnership Office and the Solicitor's Office can provide additional advice and guidance on Fundraising Agreements.

**8.3 Determination of Feasibility for Fundraising Success.** Feasibility studies are a standard tool used by fundraising professionals for assessing the likelihood that a fundraising effort or campaign will be successful. Feasibility studies are required for projects that require the Director's approval. The park and region may request this requirement not be applied in appropriate circumstances. The request should be submitted to the Director through the Partnership Office. Assessment of the request will be based on the experience of the partner in fundraising efforts of the magnitude proposed and the experience of the superintendent and park staff in executing the type of project contemplated. The *Reference Guide* contains additional information on feasibility studies.

**8.4 Fundraising Plans.** All fundraising which requires a written agreement also requires a fundraising plan. While the complexity of the plan will vary according to the magnitude of the endeavor, in general the plan should detail techniques, timing, staff needs (including use of paid consultants), strategy, costs, and other components identified in the *Reference Guide*. Fundraising plans are reviewed by the NPS during the review of the fundraising agreement.

**8.5 Review of Contributions.** In many cases, donors contribute directly to a non-profit partner of the NPS, with the partner subsequently making the donation to NPS. The DOI has established departmental policy governing the review of donations both directly and indirectly to the NPS. Most non-profit partners also have their own professional standards under which donations are screened. Donor review is required of partners engaged in fundraising for the benefit of the NPS and the process and thresholds for donor review are to be set out in the fundraising agreement between the NPS and the partner. The model CFA, included in Section 8.1 of the *Reference Guide* provides details on the donor review requirements to be included in a CFA.

**8.6 Fundraising Costs.** All costs associated with a fundraising effort, including required plans and studies, are the responsibility of the fundraising partner. To maintain the integrity of fundraising efforts associated with the NPS and the interests of donors, the NPS will not authorize fundraising that anticipates fundraising costs in excess of 20%. See *Reference Guide* for additional information. Fundraising costs associated with a specific fundraising effort must be accounted for separately from other activities, expenses and donations. Any fundraising consultants and staff, if compensated, are to be paid a salary or flat fee. The NPS will not approve fundraising plans/agreements where payments are made as commissions or as a percentage of the funds raised.

**8.7 Endowments and Investment Accounts.** The establishment of an endowment should be considered for inclusion in any major fundraising campaign to provide for future operations, maintenance and repair costs associated with capital improvements. Endowments may also be used to establish or expand park programs. The NPS and its fundraising partner should agree in advance on general categories for which funds will be expended and ensure that NPS has sufficient discretion for the use of the funds to meet its day to day needs, consistent with the purposes for which the endowment was created.

Factors that should be considered in authorizing the creation of an endowment are:

- (a) How and by whom the endowment will be administered;
- (b) How endowment funds are to be used;
- (c) Process of authorizing expenditures;
- (d) Investment policy for the endowment funds;
- (e) Funds accountability;
- (f) Circumstances, if any, under which the corpus may be used; and
- (g) Contingencies for the disposition of the endowment in the event of the dissolution of the partner or the endowment.

The Model Friends Group Agreement and Model CFA in the *Reference Guide* include model endowment language.

Investment accounts are accounts that generate returns from investments in stocks, bonds, etc. The model Friends Group Agreement and Model CFA include language on investment accounts. As with an endowment, a Friends Group must have a professionally developed Investment Policy to help it invest and manage its investments. An Investment Policy is not required where there is virtually no risk to funds held by the partner, e.g., an interest bearing bank account, U.S. Treasury bills, or an interest bearing certificate of deposit. In all cases any earnings on funds donated for the benefit of NPS from any source must go to the benefit of NPS.

## **9. Construction – Partnership Construction Projects**

Construction of facilities in the National Park System is primarily accomplished with appropriated funds. However, various construction projects throughout the system have been built at least in part utilizing donated funds. Construction projects undertaken with donations are considered “Partnership Construction Projects” and are further described in Section 9 of the *Reference Guide* and on the NPS Partnership web site: ([www.nps.gov/partnerships/capital\\_campaigns.htm](http://www.nps.gov/partnerships/capital_campaigns.htm)) which reflect the generally applicable requirements for all construction within parks.



Partnership construction projects are evaluated using the same criteria as those used for appropriated funds. They must:

- (a) Be for a previously identified priority, consistent with park planning documents;
- (b) Be included in the NPS five-year capital plan if any appropriated funds are to be used for the project;
- (c) Be sustainable over time in terms of maintenance and operations.

The Partnership Construction Process set forth in Section 9 of the Reference Guide provides valuable guidance for all partnership construction projects irrespective of their dollar value. The process is mandatory for all such projects with an estimated cost of \$500,000 or more.

The Partnership Construction Process is intended to create common expectations between the NPS and its partner and ensure that projects are properly scoped, meet critical mission needs, and can be operationally sustained. Regional Directors are responsible for ensuring that partnership construction projects in their respective regions follow the phases of the Partnership Construction Process. See also Section 9 of the *Reference Guide*.

## **10.0 Donor Recognition**

Recognizing the support of donors is important. The NPS is appreciative of private sector contributions that aid in the accomplishment of its mission and will thank all donors in an appropriate fashion. Consistent with the policies expressed in this section, specific forms of donor recognition may include letters of acceptance and appreciation, press releases, public events, mementos, certificates, and other items that commemorate the gift. All types of recognition should be agreed to in writing with fundraising partners in advance of the acceptance of the donation. Decisions about recognition must include consideration of the appearances associated with the particular donation and whether the cost of the recognition is a proper expenditure of appropriations. No recognition may be made in a form that implies endorsement by the NPS or Department of the donor's products, services, or activities.

The NPS will, at minimum, acknowledge all direct donations in writing through a letter of acceptance that will note the amount of the cash donation and will serve as a record the donor may use to verify their charitable contribution.

Most donors view a donation to a group fundraising for the benefit of the NPS as a donation to the NPS. It therefore is appropriate that both the partner and the NPS express their appreciation in a manner that is consistent with NPS policy.

**10.1 Off-Site Donor Recognition.** Most donor recognition should occur outside parks, through letters of appreciation, press releases, mementos, certificates, and other items that commemorate a donation.

- (a) Thank you letters – All donors should promptly receive a letter of appreciation. The thank you letter can be used as the required NPS letter of acceptance of the gift and to acknowledge or articulate any condition that might apply to, as well as to express appreciation for the donation. It should acknowledge the gift, the donor, date of acceptance and, if cash, the dollar amount. It should also fairly describe in-kind gifts. Except in certain cases for donations of land, the letter should not attempt to value non-

cash gifts. The Reference Guide contains a model letter referred to as the Donation Acceptance Letter.

- (b) Awards – Nomination for an award may be appropriate for some donations. Parks and regions may establish and use their own appropriate awards. National award nomination calls may be publicized through InsideNPS as well as other sources. When appropriate, NPS units and programs may also consider nominating a donor for non-NPS awards.
- (c) Publicity (unpaid media) – Press releases to newspapers, magazines, web, radio, and television media, articles in park and NPS newsletters, and articles in the donor’s media (e.g., corporate employee newsletter, annual report) are a few of the ways that NPS may publicly recognize donors through unpaid media.
- (d) Park Newspaper – An article in the park newspaper or newsletter is another way to recognize donors as well as to highlight the contributions of a park friends group or other partners.
- (e) Events – Media events, press announcements, photo opportunities, ground breakings, ribbon cuttings, meal functions or other recognition events, and other activities or forums in which the donor is involved (e.g., annual meeting/convention of non-profit organizations) can be used to provide high-profile donor recognition. Some of these events may be held on-site in accordance with NPS guidelines.
- (f) Mementos – A book, park lapel pin, or other park- or project-related memento might be appropriate as an expression of appreciation. These may also be presented in conjunction with other forms of recognition depending on the nature and significance of the donation. These kinds of items might be sent to the donor, presented in a simple ceremony, or tied into media events or other activities.
- (g) Park Websites – Parks may set up a page on their websites to function as a donor recognition board. See the Section 10.2.3 for additional guidance.

**10.2 In-Park Recognition.** In some cases a gift may warrant in-park recognition. This section describes the in-park donor recognition options available to park managers. This form of donor recognition will likely occur in the park’s visitor center or other similar facility or developed area.

In-park recognition is typically provided in the form of a credit line or statement of appreciation by a park. A credit line is a short, discrete, unobtrusive statement expressing appreciation typically found at the end of the material or item, or on a donor recognition plaque.

To maintain NPS policy that parks be free of commercialism, advertising and marketing slogans and taglines may not appear under any circumstances.

Donor recognition is not allowed on motor vehicles or on bricks, benches or other park furnishings.

Donor recognition should not be proposed in park areas if it would compete for attention with, or attract attention away from, the purpose for which the park was created.

Other opportunities for donor recognition include donor books which may be kept on display, computer terminals with searchable donor lists, articles or displays of donor names in park newsletters.

Recognition for donations to the development of websites is generally permitted. The Partnership Office and the Office of the Chief Information Officer (OCIO) will work on additional guidance as new web standards are developed. In the interim, any request for recognition on a park or program website should be submitted to the Partnership Office to be coordinated with the OCIO for review.

Recognition on signs is described below and illustrated in the *Reference Guide*. Recognition would generally not be included on park regulatory or safety signs.

**10.2.1 Credit line including logos or name script.** Sometimes a corporate or business donor will request that its name script or logo be included as a part of its recognition. This may be appropriate when the recognition will appear as part of a credit line on printed or electronic material, audio/video/film products and temporary construction/restoration signs. The *Reference Guide* will include examples of each kind of recognition.

Brochure or other printed material: The credit line on a park brochure may state: “This brochure was made possible through the contribution of \_<logo, name script, or name>\_\_\_\_\_”.

Electronic material (video/film/etc): The donor recognition may appear either at the beginning of the presentation or at the end. However, the use of digital on-screen graphics or “bugs” are not permissible forms of donor recognition. In the case of computerized information kiosks or other electronic displays to be placed in visitor service areas, the credit line containing the donor name script or logo may appear either at the beginning of the presentation or at the end. The recognition may not appear on the kiosk casing itself.

Temporary construction/restoration signs: A temporary restoration or construction sign may recognize donors’ contributions to the project. The sign should be informational, of appropriate design and scale, and express clearly that the NPS is recognizing the donation. It should inform visitors about the nature of the project and the support of the donor. The sign may remain in place for the duration of the work and should be removed shortly after the work has been completed. The *Reference Guide* will include examples.

**10.2.2 Credit line.** Recognition for all other donated or donor funded items, including interpretive waysides, recreation equipment and other items that remain in the park, may include a short, discrete, unobtrusive credit line using the donor’s name (but *not* name script or logo).

Additional information about the use of corporate logos and name script can be found in Section 10.4.

**10.2.3 Donor Boards and Walls.** Donor recognition boards or walls may be permitted in visitor centers and other appropriate visitor facilities. These boards or walls should utilize a format that allows recognition of donors by the placement of name plates or other markers that can be added and removed with relative ease. Electronic donor recognition boards are a new trend in this area.

A park’s Donor Recognition Plan should establish criteria for any donor boards or walls, including minimum thresholds for recognition and duration. The period of recognition should be commensurate with the level of the gift and life cycle of the facility. Short-term displays may be appropriate during the life of a fundraising effort, while longer-term displays may be appropriate for significant donations. The names of corporate or business donors will appear in the same

fashion as any other names, but corporate name scripts and logos will not be used on donor boards and walls.

Donor Boards and Walls, either electronic or traditional, should be integrated into the design of facilities.

**10.2.4 Recognition of Corporate Donations.** Corporate donors may receive recognition on the same basis as other donors. However, government ethics regulations prevent NPS employees from using their Government positions, titles, or any associated authorities to endorse, expressly or impliedly, any products, services or enterprises except in furtherance of specific statutory authority authorizing such endorsement.

**10.2.5 Recognition within Interpretive Programs.** Where a donation is integrally related to the park, to the existence of the park, or to what is being interpreted, interpretive programs may identify the donor and how the donation was used.

**10.2.6 In-Park Displays, Name Plaques and Plates.** When in-park displays are deemed appropriate, tasteful and unobtrusive signs, plaques or other treatments may be used. The duration of this form of recognition may vary depending on the project, donation and location. See section 10.3 for additional discussion.

Plaques are not to be affixed to the “historic fabric” of structures nor should they, or any other donor recognition treatment, be placed in natural zones or cultural zones where they would intrude on the character of the area.

Plaques acknowledging the contribution of a donor to the restoration or rehabilitation of a room or facility are allowed. Such a plaque may state, for example:

“The renovation of this room (or facility) was made possible through the generous donation of (fill in the name).

The naming of rooms, features, or park facilities will not be used to recognize monetary or in-kind donations to a park or the NPS.

**10.3 Donor Recognition Plan.** A Donor Recognition Plan sets out the basic philosophy to guide donor recognition activities. It provides a framework for donor recognition in a park or by a program, ensuring that recognition is commensurate with the level of the gift, while allowing a measure of flexibility to meet the needs of individual donors. The plan also helps fundraising partners understand the means and levels of recognition that the NPS can provide.

A Donor Recognition Plan is required for all parks and programs that receive or are likely to receive donations. While these plans will vary from park to park and program to program, there are several fundamental policies that control all such plans.

Donor Recognition Plans should include, at a minimum, the following elements:

- (a) A statement of the basic philosophy of donor recognition opportunities consistent with park mission, purposes, and plans;
- (b) Procedures for acknowledging/thanking donors;
- (c) Hierarchy of donor levels and associated recognition;

- (d) The range of allowable forms of in-park recognition, as well as the appropriate locations, consistent with this section;
- (e) Criteria for donor boards or walls, if any, including the location, minimum thresholds for recognition and length of time the recognition is in place;
- (f) Conditions under which donors/donations to partners will be recognized by NPS consistent with Section 6.1.1.

Donor Recognition Plans for parks that receive minimal donations (less than \$50,000 annually) may simply be a memo stating that the park will send a thank you note in response to any donation over \$100.

Donor Recognition Plans are developed and approved at the park and program level with the concurrence of the appropriate Regional or Associate Director. Consistent with this section:

- Regional Directors may establish common recognition standards that apply to multiple parks within a region;
- Associate Directors may establish common recognition standards that apply to multiple programs within a directorate.

Park partner donor recognition plans should complement a park or program plan with respect to the donor recognition provided by NPS. Park partner donor recognition plans should be reviewed and approved by the superintendent if they include in-park recognition and to generally ensure consistency with the park's plan. This will ensure that a fundraising partner will not inadvertently lead a prospective donor to expect a level of recognition that the NPS cannot, or will not, fulfill.

The *Reference Guide* will include additional information as examples become available.

**10.4 Special Events.** The primary guidance for holding special events (or “special park uses”) is found in Section 8.6 of NPS *Management Policies*, Director’s Order #53 on Special Park Uses, and 36 CFR 2.50. Director’s Order #21 applies to NPS donor or partner recognition at such events.

Special events fall into two categories: non-NPS events allowed under special park use permit, and events wholly or partially sponsored by the NPS. In either case, they may recognize corporate sponsors by limited use of corporate logos and name script on event facilities, signs and literature at all such special events provided that the size, scale, scope and location of corporate logos and name script does not dominate the event facilities or area. This is intended to ensure that there is not commercialization of parks.

**10.4.1. NPS Sponsored and Co-sponsored Events.** For officially-sponsored NPS events, the NPS may provide appropriate recognition provided that corporate names are not used in a way that would imply or suggest NPS endorsement of a product, service, or company, or be construed as commercial solicitation or advertising. The purpose of such recognition is simply to acknowledge the sponsor. To ensure against the appearance of endorsement, the pre-event written agreements must spell out the responsibilities of the parties and any conditions on the offering or acceptance of the gift and should include provisions specifying the amount, type, and size of sponsor recognition signs. These provisions may be included in a special park use permit, an exchange of letters or other written documentation.

On-site notices (e.g. banners) must be appropriate to the character and scale of the event. The park manager may display such notices for a period of time in advance of the event to encourage public attendance. Sponsors may be permitted to establish a temporary hospitality area for sponsored special events.

Distribution of free or sample products is permitted at events co-sponsored by NPS only if the item directly relates to the purpose of the event (e.g. plastic bags for a clean-up day) or is consumable at the event. The items may be imprinted with the name of the event and recognize sponsors by name (using name script if desired), logo and website address.

Additional requirements may exist at specific areas of the National Park System.

**10.4.2 Non-NPS Events.** Guidance on this topic is found in Director's Order #53 on Special Park Uses. Notices on temporary displays directly associated with the event containing sponsors' names or logos or name script may be placed in close proximity to the event in both time and location.

Distribution of free products or sample products to park visitors is not permitted at non-NPS events.

Additional requirements may exist at specific areas of the National Park System.

-----*End of Director's Order*-----

# National Park Service

National Park Service  
U.S. Department of the Interior



## Partnerships



### RECOGNITION

Proper and timely recognition of our partnership achievements, our partners and our staff is both a responsibility and important ingredient for success. Visibility, ceremony and celebration ensure a sense that the partners are involved in a significant and worthwhile endeavor. If done well, recognition motivates higher levels of commitment between the partners and in taking on the additional challenges.

Recognition is NPS is guided partly by our requirements to officially acknowledge gifts and donations. Equally important, we all know how much appreciation and celebration enriches our everyday relationships. So to the extent NPS can be creative and constructive in recognizing major milestones and events in our partnerships, we will strengthen our partnerships.

There are policy constraints and guidelines especially regarding any appearance of conflict of interest, corporate advertising and crowding parks environments with donor plaques. The bottom line is that there is a lot of opportunity for creativity in recognition of our partners.

This page presents those guidelines along with ideas and examples of donor recognition including displays, exhibits and signage.

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# PRESERVING AN AMERICAN ICON



## VVMF STEWARDSHIP ON THE MALL

Since its dedication in 1982, the Vietnam Veterans Memorial has been viewed by nearly one hundred million people, making it one of the most visited memorials on the National Mall. VVMF has made stewardship of the memorial and its grounds a critical part of its mission. From the beginning, VVMF has taken an active role with the National Park Service (NPS) to care for its physical needs. Thanks to generous private donations, the Memorial remains a loving tribute of hope and remembrance, which will continue for years to come.

As an organization, we have already committed ourselves to renovating our memorial site. We believe it is our duty to make sure it remains a fitting tribute to the men and women who served in the Vietnam War. In 2011, renovations to the lawns, flagpole and base, and directory stands were completed or well under way.

On an annual basis:

- VVMF adds names to The Wall and changes the symbols denoting status on The Wall of those listed as Missing in Action as remains are recovered from Vietnam.

- VVMF manages the updates and production of new editions of the name directories and provides copies to the National Park Service (NPS) for use at The Wall.
- VVMF also provides other assistance as needed, ranging from Wall cleaning and light bulbs to supplies and recognition for the volunteer guides.
- VVMF also provides insurance to repair any catastrophic damage to the memorial, working with highly qualified engineers and architects to monitor the short and long-term needs of the memorial.
- VVMF coordinates and co-sponsors Memorial Day and Veterans Day ceremonies at The Wall with NPS.

In 2011, VVMF partnered with the National Park Service on the restoration and improvement of the *In Memory* plaque located in the *Three Servicemen* statue plaza.

All of the work that has been done on The Wall, the *Three Servicemen* statue, the lawn and the other components of the site over the last two years has been paid for with private donations secured by VVMF. We thank all of our donors for their generosity.



Holly Rotondi



Dan Arant