DIRECTOR’S ORDER #21: PHILANTHROPIC PARTNERSHIPS

Approved: ______________________

Director

Effective Date: ________________

Duration: This Order will remain in effect until amended or rescinded

This Director’s Order, together with the Reference Manual to Philanthropic Partnerships, supersedes and replaces Director’s Order #21: Donations and Fundraising, dated July 11, 2008, and any other previous guidance on this topic. The change in title from #21: Donations and Fundraising to #21: Philanthropic Partnerships reflects the evolving nature of this topic and updated terms and practices used by today’s growing field of philanthropy and fundraising professionals.

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1. 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. A number of national parks exist because motivated citizens contributed time, talent, and funds to create them. Gifts of land or easements have helped establish or enlarge many parks. Donated artifacts enrich park stories in visitor centers and museums across the nation. Philanthropy offers people opportunities to participate actively in the creation and care of their national parks in the 21st century. The NPS continues to embrace philanthropic support in the stewardship of the parks and programs entrusted to our care.¹

NPS philanthropic opportunities and partnership practices have continued to evolve over the last decade. As a result, engaging philanthropic organizations and participating in partnerships has become more regulated, complex, and competitive. Therefore, NPS policies and practices for philanthropy must also evolve. To be successful, NPS employees should (1) understand philanthropy today; (2) engage with potential philanthropic partners; (3) practice an impartial and inclusive approach to philanthropy at all giving levels from diverse sources; and (4) recognize all donations, regardless of size.

The NPS cannot directly regulate the fundraising activities of private parties with whom it has no formal relationship. However, the NPS may enter into written agreements that authorize others to conduct fundraising on its behalf and, through such agreements, exercise some control over private parties’ fundraising activities. All fundraising agreements the NPS enters into must be consistent with the standards in this Director’s Order and the Department of the Interior donations policy (374 DM 6).

1.2 Purpose

The purpose of this Director’s Order is to:

- Set forth the Director’s delegation of authority for philanthropic partnerships, including donations, fundraising, and sponsorships;
- Establish roles and responsibilities for NPS employees who work with donors, philanthropic partners, and potential donors;
- Establish NPS requirements and standards for expressing support of authorized philanthropic partners under 5 CFR 2635.702(c);
- Establish criteria for reviewing, accepting, and recognizing donations;
- Identify plans and agreements for philanthropic partnership activities and explain when their use is required;
- Identify agreements for sponsorship activities and when their use is required;
- Communicate NPS policies to philanthropic partners and potential donors; and

¹Philanthropic partnerships are vital to our ability to fulfill our mission: “The National Park Service preserves unimpaired the natural and cultural resources and values of the national park system for the enjoyment, education, and inspiration of this and future generations. The Park Service cooperates with partners to extend the benefits of natural and cultural resource conservation and outdoor recreation throughout this country and the world.” [NPS Management Policies (2006), inside front cover]
• Maintain the integrity and impartiality of, and public confidence in, the NPS and the Department of the Interior.

This Director’s Order is intended to give the needed framework and flexibility to work with our diverse range of philanthropic partners, including individuals, start-up organizations, and long-established organizations with years of demonstrated success. NPS employees should use this Director’s Order in tandem with the Reference Manual to Philanthropic Partnerships (RM-21).

1.3 Related Sources of Guidance

The NPS forms several types of partnerships, beyond philanthropic, to accomplish its mission. Policy guidance for formalizing and managing these relationships are found in:

• Director’s Order #20: Agreements—establishes NPS policies and procedures for using and administering Cooperative, Interagency, and General Agreements. Friends groups and other partners that are not engaged in philanthropy for the NPS are covered by this Order.

• Director’s Order #25: Land Protection—provides guidance for donations of land and interests in land.

• Director’s Order #32: Cooperating Associations—provides guidance to NPS managers and staff who work with cooperating associations, the partners that support NPS educational, scientific, historical, and interpretive activities through retail sales.

1.4 Activities not Subject to this Director’s Order

The provisions of this Director’s Order do not apply to:

a) Services of individual volunteers or groups of volunteers, such as a Girl Scout troop, under the NPS Volunteers-In-Parks program, authorized by the Volunteers in the Parks Act of 1969 (54 USC 102301)\(^2\);

b) A person’s or an entity’s share of costs where there is independent cost sharing authority, such as challenge cost-share programs where there is no public fundraising for the partner’s cost share;

c) Moneys the NPS receives as fees for services;

d) Reports or analyses prepared or paid by outside parties, or funds received by the NPS for such purposes, under appropriate authorities, such as a NEPA analysis funded by an applicant, that are not donated as part of a park construction project;

e) Donations of official travel expenses covered by 31 USC 1353 for attendance at a meeting or similar function;

f) Donations associated with the exercise of NPS regulatory authorities, such as mitigation measures involving the donation of interests in land to be used by the NPS for conservation purposes;

g) Gifts to individual employees that are governed by the Government-wide Standards of Ethical Conduct at 5 CFR Part 2635;

h) Commercial services, including sales of items inside a park, except proceeds from sales items that are part of a cause-related marketing or corporate campaign; and

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\(^2\) Corporate volunteer projects are managed under Director’s Order #7: Volunteers-in-Parks. Donations of supplies and other project materials are treated as in-kind donations, which are discussed in section 5.6 of this Order.
2. Authorities

2.1 Authority for this Director’s Order

Authority to issue this Director’s Order is contained in the National Park Service Organic Act (54 USC 100101(a) et seq.), and the delegations of authority contained in Part 245 of the Department of the Interior Manual.

This Director’s Order is intended only to improve the internal management of the NPS, and 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.

2.2 Authorities for Philanthropy and Partnerships in the NPS

The primary authority to accept donations is found in 54 USC 101101, which expressly authorizes the NPS to accept donations for National Park System purposes. The authority to accept donations of property and money for museum purposes is found in 54 USC 102503. Other authorities may be contained in a park’s enabling legislation.

Under 43 USC 1473a, the NPS may also accept donations from public and private sources and enter into partnership arrangements with Federal, State, or private agencies.

Section 3054 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (PL 113-291; 128 Stat. 3806) establishes guidelines for the NPS to recognize donations to the NPS or the National Park System.

The Department of the Interior donations policy, 374 DM 6, provides the authority and guidelines for determining the acceptability of donations. The Department of the Interior Partnership Legal Primer identifies other authorities that permit the NPS to accept donations and recognize donors.

2.3 Congressionally Authorized Fundraising Organizations

Congress chartered the National Park Foundation (NPF) in 1967 as the official nonprofit partner of the NPS. The NPF raises private support for the conservation of natural, scenic, historic, scientific, educational, inspirational, or recreational resources for future generations of Americans.

Congress occasionally authorizes nonprofit partners or recognizes the role of an existing nonprofit partner through legislation.

Unless specified otherwise, this Order applies to all the Service's dealings with its philanthropic partners, regardless of how they were created.
3. Roles and Responsibilities

The Director sets forth Service-wide policy governing philanthropic partnerships between the NPS and its partners. Park and program managers are responsible for managing and fostering philanthropic partnerships and carrying out the specific requirements for administering these relationships and activities.

Other NPS employees may undertake a broad range of appropriate activities related to authorized fundraising by philanthropic partners.

3.1 National Park Service

3.1.1 Ethical Conduct Requirements

All NPS employees are subject to ethics regulations (5 CFR 2635), 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, NPS employees may express support for the authorized fundraising efforts of philanthropic partners that have been identified in a formal agreement with the NPS. See RM-21 for more information on, and examples of, permissible and impermissible uses of title position, and authority.

In communications with donors or prospective donors, employees must not portray Congress, the Department, or the NPS as having failed to meet their respective responsibilities. Employees must also comply with 18 USC 1913, “Lobbying with Appropriated Moneys,” and other restrictions on lobbying activities.

As a matter of policy, NPS employees may not serve as officers—either voting or nonvoting, or as ex-officio board members—of any authorized NPS philanthropic partner or cooperating association that raises funds to benefit the NPS. NPS employees may:

- Serve as liaisons to authorized philanthropic partners as part of their official duties. Liaisons should consult with an NPS Ethics Officer to ensure compliance with all applicable ethics requirements; and
- Join or donate to authorized philanthropic partners—consistent with the applicable ethics standards of conduct required of all Federal employees.

NPS employees will not accept donations from organizations in which an NPS employee is an officer, director (including ex-officio positions), or has another leadership role, unless the Office of the Solicitor and NPS and Departmental Ethics Officers have reviewed and approved the arrangement in writing in advance.

3.1.2 General Prohibition on Solicitation by Employees

As a matter of policy, NPS employees generally may not solicit donations. This general prohibition does not apply to the Director and Deputy Directors, who may solicit donations, directly or indirectly from private individuals or organizations for the NPS and its programs.

The general prohibition on solicitation of donations does not restrict NPS employees from:

- Responding to public inquiries about donations;
- Identifying the authorized fundraising efforts of philanthropic partners;
• Undertaking certain activities related to fundraising by authorized philanthropic partners (see section 3.1.3); and
• Applying for grant programs for which their park or program qualifies.

3.1.3 Authorized Employees

NPS employees who have been delegated the authority to accept donations on behalf of the NPS are designated as “authorized employees.” They must be qualified through training, certification, experience, and organizational responsibility. In general, authorized NPS employees may assist philanthropic partners to achieve fundraising goals.

Authorized employees must:

a) Complete training and certification and maintain competency requirements (see section 3.1.4);
b) Comply with the guidelines in this Order and RM-21 whenever a donation is offered or a philanthropic agreement is developed (refer to threshold table below);
c) Gather enough information about a prospective donor or a proposed donation to evaluate the donation;
d) Evaluate the totality of the circumstances, including the donation’s value and purposes and the donor’s nature and interests, to determine whether to accept the donation;
e) Seek guidance from the Assistant Director for Partnerships and Civic Engagement; Division Chief, Office of Partnerships and Philanthropy; or a regional partnerships coordinator, to resolve any issues associated with accepting a particular donation;
f) Consider additional concerns raised by donations:
   • made to a nonprofit entity or philanthropic partner with the intent that the donation will benefit the NPS;
   • that may reasonably be expected to result in involvement with marketing or advertising;
   • with conditions;
   • in which the donor is involved in litigation with the NPS or the Department; or
   • in which the NPS or another Department bureau regulates the donor.
g) Respond in a timely manner to all offers of donations, either accepting or declining the donation consistent with section 5;
h) Identify, before entering into a fundraising agreement or before accepting an in-kind or conditional donation, any resulting costs and other NPS operational considerations in consultation with affected NPS programs;
i) Develop philanthropic partnership agreements for parks or projects that comply with NPS goals, policies, and plans;
j) Review and approve all informational materials about a proposed donation, proposed solicitation, or fundraising campaign before their distribution;
k) Ensure accountability for donations received by the NPS;
l) Ensure that fundraising proposed for construction projects also complies with the Partnership Construction Process outlined in section 7 and RM-21; and
m) Recognize donors consistent with guidance in section 8 and RM-21.

In addition, authorized employees may:

a) Identify NPS projects, programs, activities, or objectives suitable for philanthropic support;
b) Describe NPS needs or how donations will be used to potential donors and the public;
45-day review draft. Submit comments at http://parkplanning.nps.gov/DO-21 project #60882.

c) Allow the non-intrusive display and distribution of materials in parks to educate visitors about an authorized fundraising campaign or philanthropic activity;

d) Provide information, where proper, about their ability to accept donations that would support their projects and programs;

e) Serve as a liaison to organizations authorized to fundraise for the benefit of the NPS;

f) Work with and support an NPS-authorized philanthropic partner to achieve goals (including event attendance and accompanying a partner on a donor cultivation visit as a subject-matter expert), subject to any specific limitations in this Order;

g) Work with a philanthropic partner or other non-Federal entities to co-sponsor events;

h) Accept offers to support park activities through co-sponsorship of events by concessioners and others;

i) Apply, subject to the factors in section 5.2, for competitively awarded grants from foundations and for grants or similar assistance from non-Federal government entities;

j) Encourage the efforts of third parties who wish to create philanthropic support groups whose purposes include fundraising for the benefit of the NPS; and

k) Work with nonprofit organizations and others to receive donations of non-real property, including cash and in-kind goods and services.

The table below shows who may accept donations and sign philanthropic agreements at specific value thresholds.

<table>
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<tr>
<th>Delegations of Authority and Thresholds for Donation Acceptance and Agreements Approval for Fundraising, Capital Campaigns, and Partnership Construction*</th>
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<tbody>
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<td>Authorized Employee</td>
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*The NPS Development Advisory Board (DAB) must approve all partnership construction projects over $500,000; these thresholds apply to all fundraising for partnership construction projects.

**The Base Thresholds levels are derived from the levels set in Director’s Order #21 (2008).

***Authorized employees must meet the training and certification requirements to obtain the delegated authority for these threshold levels. Delegation is tied to the specific individual in a position and does not automatically transfer to the next person assigned to a superintendency or when a superintendent moves to another region.

3.1.4 Philanthropic Competencies and Skills

NPS and partner professionals with responsibilities in philanthropic partnership initiatives must have core competencies and skills to undertake and manage successful philanthropic partnerships. Authorized NPS employees will be required to complete a training certification program to develop the knowledge base and skills for success in philanthropy and partnerships.
The training and certification program will also be available to key partner staff. A training program that involves NPS employees and our partners will create a community of practice and shared understanding, bringing the NPS and its partners closer together. This deeper understanding of each other’s organizational and ethical “cultures” will enable all parties to work in closer alignment to achieve shared goals in a single community of practice.

3.1.5 Director and Deputy Directors

The Director or a Deputy Director must approve philanthropic agreements for philanthropic activities that will benefit the NPS if the activities:

- Have a goal valued at over $5 million;
- Involve high profile national or international donations or solicitations;
- Involve construction projects where the total costs are estimated to exceed $5 million; or
- Involve corporate campaigns of national or international significance.

The Director or Deputy Directors will ensure that authorized employees under their direct supervision complete the required philanthropic competencies training and certification described in section 3.1.4.

See RM-21 for the requirements for philanthropic agreements that must be submitted to the Director for approval.

3.1.6 Assistant Director, Partnerships and Civic Engagement

The Departmental Manual requires each bureau to designate a Senior Manager to be responsible for donation-related activities (374 DM 6.7C). The Assistant Director, Partnerships and Civic Engagement (Assistant Director) is designated as the NPS Senior Manager and is delegated the authority to implement and oversee this Director’s Order and will:

- Establish and implement the policies, procedures, and standards specified in this Order;
- Issue, review, and revise as appropriate, a reference manual (RM-21) with detailed procedures for managing NPS philanthropic partnerships and donation acceptance activities;
- Encourage park philanthropy and provide the necessary guidance, advice, and consultation to ensure the proper and effective use of NPS donation acceptance authorities;
- Coordinate with NPS or Departmental ethics personnel, the Assistant Secretary for Policy, Management and Budget, or the Office of the Solicitor, to resolve issues associated with a donation if the circumstances are unclear or questionable;
- Make the final determination for all donations of $250,000 or more;
- Make the final determination for donations of any dollar amount with conditions that may have significant implications for the NPS budget or programs;
- Coordinate with other bureaus to obtain their review of proposed donations of $1 million or more;
- Serve as the NPS contact for review of other bureaus’ proposed donations of $1 million or more;
- Approve any donation offered to the NPS by a donor involved in litigation with the Department or any of its bureaus; and
- Manage the Service’s day-to-day relationship with the National Park Foundation.
3.1.7 WASO Division Chief, Office of Partnerships and Philanthropy

Unless specified elsewhere in this Director’s Order, the Division Chief, Office of Partnerships and Philanthropy is delegated by the Assistant Director the day-to-day responsibility for implementation of the policies and guidance, and maintaining the standards in this Director’s Order. The Division Chief will:

- Coordinate partnerships that are national in scope, or involve parks or programs in more than one region;
- Direct and support a national philanthropic partnerships training and development program to certify authorized employees to solicit and accept donations and approve agreements at designated threshold levels;
- Develop and maintain a roster of NPS authorized employees and their training certifications;
- Develop and maintain a database on park and program partnerships and philanthropy;
- Review and refer to the Director for acceptance the following potential donations:
  - single donations or phased donations (pledges paid in installments by the same donor) with a value over $5 million;
  - donations that raise significant concerns based on the criteria identified in section 5; and
  - corporate donations that are tied to national or international marketing promotions.
- Provide donor-review(vetting) services to NPS authorized employees for all donations over $250,000; and
- Coordinate with the Office of Solicitor, and NPS or other Departmental officials, as necessary.

3.1.8 Associate and Assistant Directors

Associate and assistant directors are delegated the authority to accept donations and approve fundraising agreements for programs under their oversight according to the values in the Delegations of Authority and Thresholds table in section 3.1.3.

Associate and assistant directors will:

- Coordinate with the WASO Office of Partnerships and Philanthropy about prospective donations or philanthropic partnerships for their program areas; and
- Identify program office staff to serve on the NPS Partnership Council.

3.1.9 NPS Chief Financial Officer

The Chief Financial Officer will issue documentation, accounting, and internal control procedures for donation activities under applicable statutes, regulations, and policies, including the Federal Records Act, the Paperwork Reduction Act, the Privacy Act, Office of Management and Budget (OMB) Circular A-123, and Director’s Order #11D: Records and Electronic Information Management. Documentation will allow for NPS reviews or audits, and audits or investigations by the Office of Inspector General or the Government Accountability Office. These procedures will:

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3 Previously named the “Office of Partnerships and Philanthropic Stewardship,” the name “Office of Partnerships and Philanthropy” reflects the program’s present direction and responsibilities.
• Document the receipt and disposition of all personal property, regardless of the method or source of acquisition, following Director’s Order and Handbook #44: Personal Property Management, and Departmental policies and directives for property management (DM, IPMD 114-60.5), and for museum property (411 DM);
• Establish distinct accounting elements to comply with donor requirements for conditional donations;
• Account for all monetary donations in the NPS financial system at a level that will allow accountability for individual donations; and
• Establish internal controls that meet OMB, Departmental, and NPS requirements.

3.1.10 Regional Directors
Regional directors are responsible for policy oversight, direction, and technical support for park and program partnerships and philanthropic activities within their regions.

Regional directors will:
• Encourage park and program partnerships and philanthropy at a regional level;
• Coordinate partnerships that involve multiple parks or programs in one region;
• Ensure that authorized employees under their supervision complete the required philanthropic competencies training and certification described in section 3.1.4;
• Vet proposed donations over $50,000 and up to $250,000;
• Submit proposed donations over $250,000 to the WASO Partnerships and Philanthropy Office for vetting and to the Assistant Director, Partnerships and Civic Engagement for determination before acceptance;
• Identify regional office and park staff to serve on the NPS Partnership Council; and
• Designate a regional partnerships coordinator to service the parks and programs within the region.

Regional directors are delegated the authority to:
• Accept donations and approve fundraising agreements according to the values in the Delegations of Authority and Thresholds table in section 3.1.3; and
• Delegate authority to a superintendent, based upon his or her grade level, experience with philanthropy, and size of park budget, to accept donations and approve fundraising agreements where the threshold value is $5 million or less. Superintendents must complete the philanthropy and partnerships training and certification course.

3.1.11 Superintendents
Superintendents will:
• As delegated by the regional director, serve as the authorized employees for their respective areas to accept donations and approve agreements at threshold levels based on completion of required training, grade level, size of park budget, and philanthropic experience;
• Develop an annual work plan with the philanthropic partner based on the identified needs of the park and program areas. The work plan will guide the philanthropic goals and objectives.
• Submit proposed donations over $50,000 to the regional director for vetting before acceptance;
• Submit proposed donations over $250,000 to the WASO Partnerships and Philanthropy
  Office for vetting and to the Assistant Director, Partnerships and Civic Engagement for
determination before acceptance; and
• Coordinate philanthropic partnerships for their respective areas. A superintendent who
  manages multiple parks will coordinate any partnership that involves one or more of
those sites.

Although NPS employees may not solicit donations, superintendents are encouraged to
participate with philanthropic partners in “donor cultivation” meetings with prospective donors.
In these situations, superintendents serve as the NPS subject-matter experts and may provide
helpful context and content as the partner solicits donations.

3.1.12 NPS Partnership Council
The NPS has established the NPS Partnership Council (Council) to provide leadership to the
NPS and its partners. The Council’s purpose is to:
• Advise and make recommendations about partnerships issues to the Assistant Director, Partnerships and Civic Engagement;
• Expand NPS capacity to foster, manage, and sustain partnerships;
• Enhance the quality of existing partnerships; and
• Support partnership programs and activities to serve as models for Federal-sector partnerships.

Council membership consists of 12 voting members, representing the NPS associate and
assistant directors, regional directors, regional partnership coordinators, park superintendents,
and the Chief, Office of Philanthropy and Partnerships. The Council will also include a non-
voting liaison from the National Park Foundation. The Council may invite subject-matter experts from outside the NPS to educate members on specific issues.

3.1.13 Office of the Solicitor
The Department of the Interior Office of the Solicitor is to review any agreements with
provisions that alter approved agreement templates to ensure that the agreements are legally
sufficient.

3.2 Philanthropic Partners
Philanthropic partners refers to any entity—including non-public entities (such as nonprofit
organizations and friends groups), for-profit corporations, fundraising networks, crowdfunding
organizations, and individuals—that has an agreement to fundraise or otherwise generate
donations, on behalf of the NPS.

NPS philanthropic partners must:
• Ensure that fundraising and other philanthropic activities follow approved agreements
  and work plans (see section 6.2); and
• Work with the park or NPS program to develop and implement a donor recognition plan
  consistent with section 8 of this Order and the corresponding section in RM-21.
Philanthropic partners should:

- Develop an annual work plan with the park superintendent based on the identified needs of the park and program areas. The work plan will guide the philanthropic goals and objectives.
- Work with a national park or NPS program to engage the public in philanthropy;
- Obtain accredited philanthropic competency training and certification program;
- Describe NPS-identified needs to potential donors and the public;
- Raise, hold, and manage an endowment or investment account for the benefit of park projects and NPS programs, consistent with terms in philanthropic partnership agreements; and
- Work with the NPS in the review of proposed donations, consistent with the donation review process outlined section 5 of this Order.

Congressionally authorized partners may have specific responsibilities that are defined in the legislation. Park and program managers must be knowledgeable about these specific responsibilities.

### 3.3 Cooperating Associations

Cooperating associations (under Director’s Order #32), may accept donations on behalf of the NPS when appropriate and when conducted through authorized fundraising efforts. The Strategic Fundraising Agreement, described in section 6, is the tool used to authorize this activity. See RM-21 for more information.

### 4. Philanthropic Support

The NPS may accept, use, and recognize donations (gifts) of various kinds to support and promote our mission, consistent with applicable laws and the Department of the Interior donations policy (374 DM 6).

Donations may come to the NPS as single expressions of support, or in response to an organized fundraising campaign. A donation may be offered directly to a park or program, or indirectly to a partner for the benefit of a park or program. Donations, be they cash or in-kind goods and services, are used to enhance NPS programs and to help achieve excellence.

This section highlights options for philanthropic support and tools available to the NPS and our partners. The NPS will evaluate new philanthropic options and tools and adopt those that help us to meet philanthropic goals and objectives. All donations are subject to the donor evaluation and review (vetting) guidelines in section 5.

RM-21 contains more guidance; sections will be updated as needed, to ensure that we and our partners understand evolving trends in fundraising and use best practices to achieve philanthropic goals, maintain transparency, and ensure accountability.
4.1 Types of Support Accepted by the NPS

The NPS accepts gifts and philanthropic support from many sources—from individuals, for-profit corporations, nonprofit organizations, and public agencies with tax-exempt status. Acceptable gifts and forms of support include:

- Cash for either restricted or unrestricted purposes
- Tangible personal property
- Securities (such as, common stocks, preferred stocks, and bonds)
- Real estate (land and improvements), or interests in real property (easements)
- Museum collections
- Intellectual property (for example, works of art)
- Planned and phased giving (estate planning, bequests, charitable gift annuities, charitable trusts, and retirement plan or life insurance beneficiary designations)
- In-kind (such as, goods, services, volunteer time, and expertise)

Parks, NPS programs, and 501(c)3 philanthropic partners can offer donors a tax deduction to the full extent of the law (see IRS Publication 1717: Charitable Giving). Regardless of the type or amount of the donation, the NPS or the authorized NPS philanthropic partner must substantiate the contribution with a bank record or a written communication that shows the name of the charitable party, the date of the contribution, and the amount.

4.2 Use of Donations

Donations may be used to fund or otherwise support any NPS activity for which appropriated funds could be used, subject to the following:

a) Donations for employee salaries are to be made only to the NPS directly (not to the employee) and only to fund the salaries of:

- Term or temporary NPS employees;
- Permanent NPS employees who are directly engaged in a capital improvement project that is funded with donations; and
- Other permanent NPS employees funded through an NPS-approved endowment from which the payment of salaries is a stated purpose.

b) Donations made directly to the NPS or an authorized philanthropic partner will not be used to begin construction, or a phase of construction, or other projects or programs, unless there are enough funds in hand to ensure completion of the work to a degree that has independent utility. Donated funds may also be used to advance project design work.

c) Donated funds or services, or both, may pay for (or offset) NPS-conducted or authorized plans or studies if standard planning or study procedures, partnership construction process requirements (see section 7), and other applicable policies are followed. Research projects, books, mapping, exhibits, films, and other projects funded with donations must receive the same reviews and approvals as projects that use appropriated funds.

4.3 Fundraising Campaigns

All NPS-authorized fundraising campaigns must:

a) Generate a clear benefit for the NPS and be consistent with NPS purpose, mission, and goals, and applicable laws, regulations and policies;

b) Be conducted with high standards that maintain the integrity of the NPS and its partners:
• fundraising campaigns that identify the NPS with tobacco and any type of illegal product will not be authorized;
• associated marketing or advertising activities may not state or imply NPS endorsement of any business, product, service or enterprise;
• marketing, donor recognition, or brand/product promotion activities must take special care to ensure that national parks and NPS programs are not commercialized; and
• the NPS will not allow any advertisement that promotes a corporate brand, service, product, or enterprise to use the NPS arrowhead symbol, an NPS employee, any part of the NPS uniform, or other elements of NPS intellectual property.

c) Have a written agreement executed between the NPS, and a philanthropic partner before fundraising campaign activities begin:
• for agreements authorizing fundraising campaigns for $1 million or above, the regional partnership coordinator will provide the Division Chief, Office of Partnerships and Philanthropy a briefing statement and copy of the draft agreement before approval of the campaign; and
• the Director or a Deputy Director must approve all campaigns having a goal over $5 million.

d) Have NPS review and approval of campaign-related informational materials before distribution.

See section 3 of this Order for guidance on approval thresholds.

4.4 Corporate Partnerships

Public-private partnerships, with for-profit and nonprofit corporations, play a key role in supporting the NPS mission. They may include monetary, non-monetary, marketing, and other forms of support for NPS activities. Official partnerships can also help the NPS build constituencies, promote stewardship, and increase awareness through public engagement. The value and potential of all corporate partnerships must be consistent with the mission and purpose of the NPS, and be officially recognized through a philanthropic or strategic partnership agreement.

4.4.1 Cause-Related Marketing

The NPS engages in cause-related marketing in partnership with philanthropic partners or directly with for-profit and nonprofit corporations to generate awareness and funds. One goal of a cause-related marketing campaign is to co-brand with a corporation. A cause-related marketing campaign should be undertaken only when the relationship strengthens the assets and brands of both the NPS and the corporation involved. The co-branding opportunity can lead to public and employee engagement that achieves a purpose, inspires passion, and generates profits.

Cause-related marketing campaigns that involve parks or programs within one region will be designed and reviewed through that regional office. The Office of Partnerships and Philanthropy will review any cause-related marketing campaign with a goal over $250,000. Campaigns that involve parks or programs in more than one region will be designed and vetted through the Office of Partnerships and Philanthropy. Authorized fundraising partners may engage in cause-related marketing campaigns through the same approval process. The Office of Partnerships and Philanthropy must approve the use of any NPS mark or logo.
4.4.2 Corporate Social Responsibility

A growing number of companies have made corporate social responsibility (CSR) a core business practice, promoting social, environmental, and economic sustainability (people, planet, and profit, the “three pillars of sustainability”). The NPS is a potential partner for companies with a commitment to CSR who are willing to provide financial and in-kind support for NPS projects, programs, and other activities. By engaging with corporations through their CSR programs, the NPS can educate corporate leaders and employees about the National Park System and NPS programs, and establish long-term, sustainable partnerships. Corporate engagement could lead to employee volunteer service days, donations to NPS initiatives through financial contributions, employee donation matching programs, and pro bono expertise.

A formal relationship with a corporation must be formed through an agreement to define the roles and responsibilities of both parties. Once a CSR program has been activated with a park, program, or an authorized philanthropic partner, the corporation will typically make it part of their annual budget and work plan. Superintendents or program managers should follow their donor recognition plan to recognize corporate CSR contributions.

4.5 Volunteers and In-Kind Donations

Volunteers are vital to the mission of the NPS and are invaluable to building strong partnerships. Every year more than 250,000 volunteers donate over 6 million hours of service to help the NPS preserve and protect America’s natural and cultural heritage.

Volunteer activities also help the NPS and our partners build and strengthen existing and new constituencies. Engaging potential donors as volunteers in park activities or through our programs increases their appreciation for, and support of, national parks, programs, and activities.

The in-kind donation of professional time and expertise is a form of volunteerism. The national parks and NPS programs have benefited from the professional expertise of educators, scientists, engineers, lawyers, architects, mechanics, information technology specialists, historians, and researchers. See Director’s Order and RM #7: Volunteers-in-Parks for guidance and agreement forms for volunteer activities.

4.6 In-Park Fundraising

As people become engaged in the work of the NPS and its philanthropic partners, they often express an interest in supporting projects, programs, and activities. The NPS can offer opportunities for people to make donations through park websites, in-park donation boxes, and through the Checkout Counter Donation Program (see section 4.6.2). Without personally soliciting donations, NPS employees may, when asked, offer information about NPS and park needs, as well as, discuss the opportunity to support the park through donating to the authorized fundraising partner.

Unless visitors have given specific permission (such as through an opt-in check box), the NPS may not give park partners or another third party any visitor names from permit applications, backcountry or campground registrations, or other sources, except as allowed under the Freedom of Information Act and the Privacy Act.
4.6.1 In-Park Fundraising by Partners

In-park fundraising efforts by an authorized philanthropic partner serve the NPS and the partner by:

- Demonstrating the relationship between the NPS and the partner;
- Enhancing the public’s perception of the role of the partner; and
- Communicating to the public that authorized fundraising activities directly benefit a park.

An authorized philanthropic partner may conduct fundraising activities or donor cultivation events, and solicit or accept donations on park property when:

- The activity or event is identified in an agreement or annual work plan approved by both the superintendent and the partner;
- The superintendent has issued a special park use permit following the applicable regulations and policy guidance in 36 CFR 2.50, 36 CFR 2.51, 36 CFR 2.52, 36 CFR 7.96, and Director’s Order and RM #53: Special Park Uses;
- Donations collected directly support a park initiative, asset, or program; and
- The NPS and the partner have decided how their respective costs and fees for managing and monitoring each event will be covered.

Park superintendents may permit cooperating associations to collect donations in park bookstores following the same rules and policies as authorized philanthropic partners.

See RM-21 for more information.

4.6.2 Donation Boxes

Donation boxes may be installed on park property either by the NPS or by an authorized philanthropic partner if 100% of the donations or collections will benefit the park. Special attention must be paid to the internal control procedures in RM-21 for handling and depositing the funds.

NPS donation boxes may be placed only on NPS property, or on property jointly administered by or for the benefit of the NPS. The accounting procedures for funds received from NPS donation boxes on jointly administered property (joint visitor centers, heritage areas, or leased facilities outside of parks) are the same as those on NPS-controlled property. The proceeds from joint donation boxes will be allocated based on a formula agreed to by the entities in a written agreement.

Through a written agreement, the NPS may permit the placement of an authorized philanthropic partner’s donation box in a park. The agreement will include all necessary internal control measures. Such donation boxes may recognize the partner's role in maintaining the box under its agreement.

Donation boxes must clearly inform the public how the NPS or its partners will use the money. Without this information, moneys collected in a donation box must be considered miscellaneous receipts and deposited to the U.S. Treasury.
4.6.3 Checkout Counter Donation Program

The original Checkout Counter Donation Program (formerly the Guest Donation Program) authorized lodging concessioners to offer guests the opportunity to donate one dollar, or more, per day through the National Park Foundation (NPF) to support the national park they were visiting. Since it began, the program has expanded to include non-lodging activities. Donation checkout campaigns at a lodge, gift shop, or bookstore register give visitors a convenient way to support park programs or projects.

Through agreements with the NPF, concessioners and cooperating associations may offer checkout opportunities for visitors to make donations to support park projects or programs. Such authorization requires the funds be sent to the NPF for disbursement to an authorized philanthropic partner, cooperating association, or directly to the park. This process is the only way to authorize a checkout program. Older practices will not be grandfathered.

Superintendents must use their best judgment to determine the amount and distribution of checkout counter donation opportunities across the parks.

The Secretary of the Interior has authorized the NPF to manage checkout counter donation funds under its policies for restricted funds. The NPF may recover administrative costs for this activity. See the Secretary of the Interior’s memo of October 1, 2003 and the Director’s memo of October 6, 2003 in RM-21.

4.7 Electronic Donations and Emerging Practices

Recent philanthropic trends in electronic, online, and mobile giving offer expanded opportunities to support the NPS. Many of these new methods mimic traditional donation boxes, but are online. Park superintendents should encourage online giving to their philanthropic partner and may accept direct donations via their parks’ websites. Parks with direct online donation capabilities can place notices to inform the public about these donation opportunities.

Procedures for setting up and operating online direct donation collections are in RM-21.

Authorized philanthropic partners may fundraise through direct mobile giving or through a third-party vendor. This type of fundraising may involve administrative overhead for associated expenses. Partners may use some of the funds collected from mobile giving to cover administrative costs. Partners must include the details of how electronic giving methods will be used in their approved annual work plans.

NPS.gov websites may also link to the websites of authorized fundraising partners that are able to accept electronic donations. Such links must conform to NPS and Departmental policies for digital governance, management, and security. See Director’s Order #70: Digital Governance and Management.

4.7.1 Crowdfunding

Crowdfunding has become a popular way to seek donations for a project, often via the Internet. Following the guidelines in this Order, authorized philanthropic partners may consider the use of crowdfunding in a fundraising effort. Partners may use an approved portion of the funds collected from crowdfunding to cover any administrative costs, under the terms of an approved Philanthropic Partnership, Strategic Fundraising, or Sponsorship agreement (see section 6.2).
4.8 Accountability and Recordkeeping Requirements for Donations

All monetary donations received directly by the NPS must be deposited in a donation account, be accounted for, and be disbursed using the same standards and procedures used for appropriated funds. All non-monetary donations accepted by a park or program must be accounted for under the same standards and procedures used to account for other similar government property (see Director’s Order #44: Personal Property Management, Director’s Order #25: Land Acquisition, and Director’s Order #24: NPS Museum Collections Management). The donor is responsible for establishing the value of the item for purposes of Federal and state tax laws; the NPS does not give tax advice. Accountability and recordkeeping procedures and forms are found in RM-21.

5. Donor Review

The NPS will review (vet) all proposed donations or gifts, and their circumstances, before acceptance. The information discovered is used to make informed decisions about whether to accept them or not. All donations are vetted to:

- Ensure that any conditions or restrictions on the donations are consistent with the NPS mission and values;
- Avoid conflicts of interest;
- Maintain NPS and Department impartiality;
- Maintain public confidence in the NPS and the Department;
- Protect brand integrity, including the use of NPS marks;
- Consider the cumulative effects of any donations that occur across multiple regions or parks; and
- Prevent financial liability.

5.1 Acceptance Considerations

The NPS generally will not accept a donation that imposes, or purports to impose, any long-term conditions or obligations on the NPS.

5.1.1 Prohibited Sources

NPS policy is to decline direct donations from:

- Concessioners and holders of commercial use authorizations (CUA) or those seeking a concessions contract or CUA (this does not prohibit an authorized philanthropic partner from accepting donations from these sources for NPS projects);
- Sources that would identify the NPS with tobacco or any type of illegal products;
- Sources that would generate controversy or associate the NPS with products that are inconsistent with our mission, or require activities that circumvent Federal regulations or ethics rules; or
- Donors involved in litigation with the Department or its bureaus, except under circumstances described in section 5.5.

After the effective date of this Order and under its provisions and standards, the NPS will permit—after thorough review—philanthropic partnerships with, and accept donations from, corporations that produce or distribute alcohol.

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4 The Consolidated Appropriations Act, 2016 (PL 114-113) authorizes the NPS to deposit monetary donations (classified as “trust funds” under 31 USC 1321(a)(17)-(18) in interest-bearing U.S. Treasury investments.
5.2 Evaluation Factors

NPS authorized employees must consider all relevant or prescribed factors when determining whether to accept or decline 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.

The following list illustrates what authorized employees should consider when evaluating the circumstances and making donation-related decisions. It is neither exclusive, nor does it imply that any one of these factors absolutely requires the NPS to accept or decline a donation. See also, 374 DM 6.6 and 6.10C.

5.2.1 Integrity
Maintains the integrity of the NPS and the Department’s programs and operations:

a) The donation does not, or does not appear to be (such as by its size or circumstances), an attempt to influence the exercise of any NPS or Departmental regulatory or other authority.

b) The donation meets a legitimate NPS need and does not require the commitment of funding that is not planned or available.

c) The donation is consistent with and does not otherwise circumvent law, regulation, or policy.

d) Any conditions or restrictions on the donation are consistent with policy, authorized purposes, or applicable plans.

e) The NPS is able to properly and effectively use and manage any donated real or personal property consistent with policy, programmatic, and management goals.

f) The donor will not use the donation to state or imply NPS endorsement of the donor or the donor’s product or services.

g) The donation, if it involves temporary or term personnel or provides funding to hire temporary or term personnel, is structured in such a manner that these personnel do not inappropriately influence any regulatory actions or other significant decisions.

5.2.2 Impartiality and the Appearance of Impartiality
Maintains the impartiality, and the appearance of impartiality, of the NPS, the Department, and their employees:

a) The proposed donation is made to a park or 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.

b) There is neither an actual nor an implied commitment to take an action favorable to the donor in exchange for the donation.

c) The donor will not obtain or appear to obtain special treatment in dealing with the NPS, the Department, or any of its other bureaus.

5.2.3 Public Confidence
Maintains public confidence in the NPS, the Department, and their programs and employees:

a) Acceptance would not likely result in public controversy.
b) The donation comes only with conditions that are consistent with NPS program and policy goals.

c) The donation consists of only goods or services needed by the NPS.

5.3 Process for Vetting Direct Donations

The purpose of the vetting process is to provide information and a recommendation to an NPS authorized employee to (1) accept a donation, (2) decline a donation, or (3) defer acceptance until certain conditions are met. The final decision to accept or decline a donation rests with the NPS authorized employee.

The NPS will evaluate a prospective donor every fiscal year that the donor offers a donation (unless the donor’s total fiscal year donation triggers a higher evaluation requirement; see 374 DM 6.10 and section 3.1.6 of this Order). This applies to both one-time and phased donations made over one or more fiscal years. The authorized employee should evaluate the circumstances surrounding a multi-year project or donation and accept or deny it following the procedures in this section. The authorized employee will identify what information is necessary to evaluate the circumstances of a donation and should re-evaluate any prospective donor whose information has significantly changed. If an authorized employee has any reason to believe that a donor was, or will be, the subject of a Departmental or Office of Inspector General (OIG) investigation, he or she should refer the proposed donation to the Office of Partnerships and Philanthropy. This office will coordinate with the OIG or the appropriate investigating office to obtain information.

5.3.1 Donations that are Not Land or Interests in Land

a) For donations valued at $25,000 or more, the donor will be asked to provide information, per the Departmental Manual (374 DM 6.10), using DI 3680, Donor Certification Form.

b) Donations over $250,000 will be referred to the Office of Partnerships and Philanthropy to be vetted. The Office of Partnerships and Philanthropy will coordinate with the proper NPS program areas and the Solicitor’s Office for a search of their record systems. The donation may also be referred to the OIG to obtain information from its systems or public databases for prior dealings and adjudications.

c) The NPS senior manager will refer any proposed donation valued at $1 million or more to the senior managers responsible for donations in other bureaus to identify any concerns about the donation.

5.3.2 Donations of Land or Interests in Land

NPS field or regional lands/realty offices will review donations of land or interests in land following the processes and requirements specified in Director’s Order #25: Land Protection.

5.3.3 Exceptions

The following types of donations are not subject to the donor vetting process; however, they will be evaluated using the acceptance considerations and factors listed in sections 5.1 and 5.2:

a) Donations (or grants) from Federal, state, and local governments;

b) Donations from accredited educational institutions; and

c) Donations offered during and related to (declared) natural and other emergencies.
5.4 Review of Contributions to Partners

Philanthropic partners engaged in fundraising to benefit the NPS are required to review donors. Most nonprofit partners have their own professional standards for vetting and accepting donations. The philanthropic partner’s donor review process and specific thresholds must be set out in the philanthropic agreement between the NPS and the partner.

Donors often contribute directly to a nonprofit partner of the NPS with the partner subsequently making the donation to the NPS—an indirect donation. Partners must be aware that Departmental and NPS policies govern the vetting of donations made directly and indirectly to the NPS.

Donations made to a philanthropic partner to support their administrative and operational costs are not subject to NPS donor review policies.

5.5 Acceptance of Donations from Donors Involved in Litigation

To avoid any appearance that a donation is intended to influence the handling or outcome of legal disputes or litigation, the NPS will normally decline a gift from a donor involved in litigation with the Department or its bureaus. In some cases, however, the context of the proposed donation may be sufficiently removed from the litigation that it will not appear to be an attempt to influence the litigation. For example, a donor may propose a donation to the NPS that is unrelated to litigation with another bureau, or the amount of the donation does not suggest any intent to influence the handling of the litigation. The procedures for the review and approval of such donations are in RM-21.

6. Public-Private Partnerships

To enhance its management of the National Park System and NPS programs, the NPS increasingly relies on vibrant philanthropic relationships with the private sector. Some of those relationships are long-term, built over many years; others are short-term arrangements that focus on a specific project or program need.

6.1 Philanthropic Partners

Philanthropic partners refers to any entity—including non-public entities (such as nonprofit organizations and friends groups), for-profit corporations, fundraising networks, crowdfunding organizations, and individuals—that has an agreement to fundraise or otherwise generate donations, on behalf of the NPS. There are three types of authorized philanthropic partners:

- Congressionally Authorized Partners—includes the National Park Foundation and any other entity that Congress has or may authorize to offer philanthropic support to the NPS.
- Philanthropic Partners—an authorized fundraising partner that has cultivated a long-term, ongoing relationship with a national park or NPS program, and whose primary mission is to raise funds to support that park or program. The NPS has identified three levels of philanthropic partnerships based upon length of service and support to a park or program (see section 6.2). This category includes the organizations known as “Friends Groups.”
- Strategic Philanthropic Partners—these are organizations (national, regional, and local) or individuals whose primary relationship to the NPS is not philanthropic, but who may wish to assist the NPS with short-term philanthropic projects or needs. These partners
support the NPS mission by operating park facilities, visitor centers, and park retail stores; executing programs and events; advocating for park or program resources within IRS published limits; recruiting and managing volunteers; and creating pathways to additional sources of funding. These partnerships are authorized through a general, cooperative, or cooperating association agreement governed by Director’s Order #20: Agreements or Director’s Order #32: Cooperating Associations. A separate strategic fundraising agreement will be used to authorize philanthropic activities by these organizations. See section 6.2.3 of this Order and RM-21 for more guidance.

6.2 Philanthropic Agreements

The NPS will consider philanthropic partnership agreements with any interested entity, including nonprofit organizations, public sector agencies with tax-exempt status, for-profit corporations, and individuals.

Philanthropic partners are required to have written agreements with the NPS. These agreements establish formal relationships that allow the NPS and our partners to accomplish our shared mission in an efficient, economical, and transparent manner. Applicable laws and regulations prescribe the manner or conditions under which agreements may be entered.

Agreements clearly outline the goals and objectives of the relationship, and the expectations and responsibilities of all parties for communications, risk mitigation, sharing intellectual property, co-branding efforts, accountability, and recordkeeping.

Philanthropic agreements may authorize non-project, NPS-related fundraising activities such as annual or membership campaigns, donor cultivation events, planned giving events, crowdfunding, and grants.

Philanthropic agreement templates, with required and recommended contents, and instructions are included in RM-21. The Office of Partnerships and Philanthropy and the Solicitor’s Office can provide additional advice and guidance on philanthropic agreements.

The term of a philanthropic agreement and partnership status will be graduated according to a partner’s level of experience, expertise, and financial investment, and will take into consideration the longevity and extent of the partnership.

- Supporting Partners—have given less than 10 years of service and support to the NPS. New partners are in this category. The maximum term of an agreement is five years.
- Premier Partners—have given 10 to 20 years of service and support to the NPS. For Premier Partners (1) the maximum term of a philanthropic agreement is increased to 10 years, (2) a regional director may approve a fundraising feasibility study waiver, and (3) partners may refer to themselves as a “Premier Partner” of the NPS in correspondence and media materials.
- Legacy Partners—long-standing partners, with 20 or more years of service and support to the NPS that have made a substantial capital investment in a park/program and the

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NatureBridge, the Student Conservation Association, Boy Scouts, Girl Scouts, Boys and Girls Clubs, Eastern National, Rocky Mountain Conservancy, and the Schoodic Institute at Acadia National Park are examples of NPS partners that would be considered “Strategic Philanthropic Partners.”
partnership. For Legacy Partners (1) the maximum term of a philanthropic agreement is increased to 20 years, (2) the authorized employee for the appropriate threshold level (refer to Delegations of Authority and Thresholds table in section 3.1.3) may approve a fundraising feasibility study waiver, and (3) partners may refer to themselves as a “Legacy Partner” of the NPS in correspondence and media materials.

- Congressionally Authorized Philanthropic Partners—organizations designated by Congress, such as the National Park Foundation, or created through enabling legislation. The maximum term of an agreement with these partners is 20 years.

For other benefits associated with each philanthropic partner tier, refer to the table and supplemental information in RM-21.

Small-scale fundraising events that raise funds for the NPS do not require written fundraising agreements. These include local or community-based activities or events that are locally publicized and are not expected to exceed $25,000 in donations. An authorized employee must still consider the totality of circumstances in accepting donations from a small-scale event.

### 6.2.1 Philanthropic Partnership Agreement
This agreement is used to establish long-term relationships between the NPS and its philanthropic partners and authorize them to fundraise.

### 6.2.2 Partner Design & Construction Agreement
This agreement template is used exclusively for partnership design and construction projects based on the NPS Development Advisory Board (DAB) processes. See section 7 of this Order for more information.

### 6.2.3 Strategic Fundraising Agreement
This is a philanthropic agreement used to authorize a strategic philanthropic partner—one governed by a general, cooperative, cooperating association, or interpretation and education services agreement—to conduct a short-term, fundraising activity for a specific NPS project or program. The term of a Strategic Fundraising Agreement is one year, but could be renewed for up to three years.

### 6.2.4 Sponsorship Agreement
This agreement between the NPS and a partner focuses on a short-term transaction, such as a special event or program, intended to achieve joint messaging goals. See section 6.5 Sponsorships.

To prevent the appearance of endorsement or commercialization, sponsorship agreements must:

- Spell out the responsibilities of each party;
- Identify any conditions on the gift offer or acceptance; and
- Contain provisions specifying the number, type, size, and location of sponsor recognition signs, including the limited use of corporate logos and name script. These provisions must be included in a special park use permit, an exchange of letters, or other written documentation.
6.2.5 Insurance and Risk

Understanding exposure to risk and taking steps to manage that exposure is essential for the NPS’s nonprofit and for-profit partners. Nonprofit organizations, in particular, face exposure to a wide array of legal risks. Some risks are unique to nonprofits—they may arise from an organization’s tax-exempt status, fundraising and fiduciary activities of the staff and board, or even the use of volunteers. As a best practice, nonprofit organizations should develop a risk management plan that protects board members, the organization, and its clients from potential liability.

Maintaining proper levels of insurance helps an organization protect itself and maintain its reputation when a financial or human capital loss occurs. This is a best practice in organizational management. Partner organizations should contact an insurance professional to discuss their insurance needs. Many state nonprofit associations sponsor insurance programs for their members or referrals to experienced agents and brokers.

The NPS will generally require a philanthropic partner to carry commercial general liability insurance to hold activities and events in a park under a special park use permit. Depending on the permitted activity, additional insurance or other kinds of financial security may be required. See Director’s Order and RM #53: Special Park Uses, section 8 (Permit Provisions).

6.2.6 Feasibility Studies

Feasibility studies are a standard tool used by fundraising professionals to assess the likelihood that a fundraising effort or campaign will be successful. The NPS requires feasibility studies for philanthropic agreements at or above the $1 million threshold and for projects that require the Director’s approval. RM-21 contains more information on feasibility studies.

A park, region, or program may request a waiver of this requirement in some circumstances. Authorized philanthropic partners at the Premier and Legacy Partner levels may request a waiver for a feasibility study. Requests should be submitted to the appropriate authorized employee (refer to Delegations of Authority and Thresholds table in section 3.1.3) for approval. The assessment of each request will be based on:

- The partner's experience in fundraising efforts of the proposed size; and
- The superintendent’s or program manager's, and staff's, experience in executing the type of project contemplated.

6.3 Intellectual Property

Intellectual property is an “umbrella term” that encompasses several distinct categories, each of which has specific rules and regulations. When the NPS and another organization enter into a partnership, the products created from that relationship are known as “developed intellectual property.” Each party may enter the relationship with its own intellectual property, commonly referred to as “background intellectual property.” Through mutual agreement, the NPS and a partner can negotiate joint ownership of developed intellectual property for the duration of the relationship. Upon termination of an agreement, all developed intellectual property will be conveyed to the NPS.
6.4 NPS Brand Management and Logo Licensing

The NPS brand is highly recognizable in the commercial marketplace. NPS marks and logos have value and their use must be controlled for strategic co-branding, quality, and mission alignment.

NPS marks and logos include, but are not limited to:

- The arrowhead mark
- The secondary marks (negative space arrowhead/arrowhead outline)
- Park-specific logos
- Program-specific logos (for example, Volunteers-in-Parks, Junior Ranger Program, Rivers, Trails, and Conservation Assistance, National Historic Landmarks, and BioBlitz)
- Specialty logos (for example, Centennial, Find Your Park)
- Interagency shared logos (for example, National Trails System, Federal Interagency Council on Outdoor Recreation, Land and Water Conservation Fund)

The NPS arrowhead mark will not be licensed for use.

The NPS must approve all uses and licensing of its marks and logos by philanthropic partners through agreements. The joint use of NPS and partner marks and logos can raise awareness of both organizations and create momentum when launching a philanthropic campaign. Joint use can also increase goodwill between the NPS and partner organizations, as well as promote brand awareness. Care must be taken not to overuse NPS marks and logos, or to use them in ways that would compromise the reputation and integrity of the NPS or devalue the NPS brand.

The NPS must approve requests to use NPS marks and logos for marketing, branding, sponsorship, and commercial/retail purposes. The NPS will license its marks and logos through logo-licensing agreements. Logo-licensing agreements will typically grant a partner a revocable and non-exclusive right to use specified NPS marks and logos for non-commercial purposes and described commercial purposes. Licensing agreements must clearly specify the logos and marks subject to the license and the scope and limitations on use. If necessary to achieve partnership objectives, the license may also grant a right to sub-license the use of the logos. A sub-license must clearly specify the scope and limitations of use, be non-exclusive, revocable, and not allow further sub-licensing.

Partners authorized to use the NPS marks and logos must:

- Use, and permit the use by others of, NPS marks and logos only in accordance with a written agreement;
- Use any revenue generated from the use of NPS marks and logos only to support NPS parks or programs, with emphasis on partner programs, promotions, events, campaigns, or grants that directly benefit NPS parks and programs;
- Provide the NPS with regular status reports of existing and planned uses of any NPS marks or logos;
- Provide the NPS with written accounting of revenues and expenses associated with the use of NPS marks and logos; and
• Mutually determine with the NPS any continued uses or discontinuation of uses of NPS logos, marks, and associated intellectual property upon the expiration or early termination of an agreement.

See RM-21 for brand management and logo-licensing procedures.

### 6.5 Sponsorships

A successful sponsorship program can benefit the NPS, our partners, and the sponsor. A sponsor can be a for-profit or a nonprofit corporation, an individual, or another government entity.

Sponsorship can take a number of forms, including:

- **Financial Support**—a financial sponsor pays a set amount of money in exchange for benefits outlined in a sponsorship agreement. Examples of benefits include an advertisement or mention in event programs, NPS or philanthropic partner newsletters or press releases; signage; or logos on promotional materials.

- **Media Support**—a media sponsor finances or secures media coverage for an organization, program, or event. This type of sponsorship gives a sponsor visibility by tagging ads with their official logo or the wording, "brought to you by" or "sponsored by," followed by the sponsor’s name. Examples of media support for the NPS are the “Find Your Park” campaign, donor thank-you ads in newspapers, and Public Service Announcements (PSAs).

- **In-Kind Support**—in-kind sponsors donate goods or services, rather than cash, as their sponsorship offering. For example, a local supermarket could donate food and water for a special event, equipment for a volunteer day, or paint to renovate a park structure.

Sponsorship opportunities with the NPS or an NPS partner offer public recognition of the sponsor’s connection with a charitable cause, which may help it attract new customers or clients or bolster its reputation through the “halo effect” (impressions of the organization’s goodwill). The NPS and our partners receive financial support, in-kind services, or product donations, and may experience increased media and public attention.

Before starting a sponsorship program, parks, programs, and authorized philanthropic partners must have an approved sponsorship agreement with a sponsor that defines each entity’s roles and responsibilities. Superintendents or program managers should recognize sponsors in accordance with their donor recognition plan.

A regional office will design and vet sponsorships that involve multiple parks or programs only in that region. The Office of Partnerships and Philanthropy will design and vet sponsorships that involve parks or programs in multiple regions. This approval process also applies to authorized philanthropic partners that want to seek sponsors for their activities. All requests to use NPS marks and logos must be approved by the Office of Partnerships and Philanthropy. See RM-21 for more information about sponsorships.

### 7. Partnership Design and Construction Projects

The NPS traditionally uses appropriated funds to design and build facilities, structures, exhibits, and trails in the national parks; awards the design and construction contracts; and provides project management oversight. Increasingly, construction projects in the national parks are being funded, in whole or in part, with private money. Many of these funding partners would like to
take part in the design and construction process and, in some cases, in long-term operation of the resulting asset. Design and construction projects involving partners require the use of the Partner Design and Construction Agreement.

The NPS welcomes the interest and involvement of philanthropic partners and donors in all phases of partnership construction projects. The NPS will work with partners to identify opportunities for involvement in the planning, design, and construction and in associated project events, tours, or community forums.

There are three ways in which a partner may participate in constructing facilities in national parks:

1. A partner raises 100% of the needed project funding, donates the funds to the NPS, and the NPS carries out the design and construction.

2. A partner raises 100% of the needed project funding, manages the design and construction contracts, and donates the resulting asset to the NPS.

3. The NPS and partner both provide funds to the project. Either the partner donates funds to the NPS and the NPS manages the design and construction, or each party manages independent portions of the project with its own funds. A partner may not manage a project or a portion of a project funded by the NPS.  

Regardless of how a partnership construction project is funded, the resulting asset is owned by the United States.

In all three scenarios, the NPS defines these as “Partnership Construction Projects” and follows the Partnership Construction Process. The intent of this process is 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 sustainable.

The NPS Development Advisory Board (DAB) evaluates proposed Partnership Construction Projects using the same criteria as those that use appropriated funds. Projects must be:

- Identified previously as a priority, consistent with park planning documents;
- Included in the NPS five-year capital plan if any appropriated funds are to be used for the project; and
- Sustainable over time in terms of maintenance and operations.

The Partnership Construction Process, described in RM-21, offers valuable guidance for all Partnership Construction Projects irrespective of their dollar value. The process is mandatory for all projects with an estimated net cost of $500,000 or more. This dollar threshold aligns with DAB’s policy for all NPS construction projects. See RM-21 for guidance on partnership projects below $500,000.

### 7.1 Design Competitions

Design competitions are held periodically to generate creative ideas and community and donor interest in proposed park improvements. Competitions are typically funded by park partners and

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6 Cost-Share Funding Programs (such as the Centennial Challenge Fund Program) may require the transfer of partner funds to the NPS.
may be managed by either the NPS or the partner. In either case, the NPS needs to be fully engaged in design competitions and is responsible for reviewing and approving decisions and media associated with the competitions. The Commemorative Works Act (40 USC 8901-8909) governs design competitions for memorials and facilities at national parks in the District of Columbia and its environs.

Since design competitions often lead to the construction of new or expanded NPS facilities (or structures, exhibits, trails, landscapes), proposed competitions must be presented to the DAB in advance of any competition activities. DAB review is intended to ensure that:

• The competition will be for a project that addresses a critical park need;
• The roles and responsibilities of the NPS and partner are clear during and after the competition;
• There are clear design competition guidelines and criteria in place;
• Intellectual property rights are addressed; and
• Participating designers know what their role, if any, will be in carrying out post-competition design-development.

Refer to RM-21 for the DAB’s 2014 policy memorandum, a Memorandum of Intent template for design competitions, and the design competition process. That process flows into and coordinates with the Partnership Construction Process, as described earlier in this section. The Associate Director for Park Planning, Facilities, and Lands will develop design guidelines, which will include specific provisions on NPS and Federal design and construction standards, and requirements for matters such as climate change, sustainability, and accessibility. In the interim, the NPS will use the General Services Administration’s Design Guidelines and modify as needed.

8. Donor Recognition

It is important for the NPS and our authorized philanthropic partners to acknowledge and recognize donor contributions. Per section 3054(b) of PL 113-291 (National Park System Donor Acknowledgment), a donor acknowledgment will not be used to state or imply:

• Recognition of the donor or any product or service of the donor as an official sponsor, or any similar form of recognition, of the National Park Service or the National Park System;
• A National Park Service endorsement of the donor or any product or service of the donor; or
• Naming rights to any unit of the National Park System or a National Park System facility, including a visitor center.

Decisions about donor recognition should consider:

• The needs of donors, including privacy and confidentiality of donor information;
• The unique purposes, resources, or requirements of individual parks and programs;
• Whether the cost of recognition is a proper expenditure of appropriated funds;
• Public perception of a particular donation; and
• The integrity of the NPS brand.

The Commemorative Works Act (40 USC 8901-8909) contains special requirements for donor recognition at national parks in the District of Columbia and its environs.
Before the NPS accepts a donation, the NPS and the donor(s) should agree, in writing, to the form of recognition and any associated expenses. All decisions about donor recognition must follow Department of the Interior legal authorities and ethical guidelines.

Public donor recognition is one way to thank donors, but it is not the only way. Some donors wish to avoid public attention. The NPS, to the extent the law allows, will respect the wishes of those donors who do not want public acknowledgement or attention.

8.1 Restrictions

Donor recognition will not state or imply NPS:
- Endorsement of a business, brand, product, service, or enterprise;
- Recognition of the donor as an official sponsor of the NPS or the National Park System; or
- Naming rights to any unit of the National Park System or any NPS facility, historic structure, or feature.

The NPS will not permit donor recognition that uses:
- An advertising or marketing slogan;
- A tagline; or
- A statement or credit promoting or opposing a political candidate or issue.

8.2 NPS Donor Recognition Plan

All parks and programs that receive, or expect to receive, donations must have a donor recognition plan. A donor recognition plan will also help philanthropic partners understand the methods and levels of recognition the NPS can give. Donor recognition plan templates and examples are found in RM-21.

8.2.1 Development and Approval

Park superintendents and program managers will:
- Develop and approve donor recognition plans for their respective areas; and
- Obtain the approval of their regional, associate, or assistant director.

Regional, associate, and assistant directors will approve donor recognition plans. The Office of Partnerships and Philanthropy will review any donor recognition plans that deviate from the template. Regional, associate, and assistant directors may establish common recognition standards for multiple parks in a region, or for multiple programs in a directorate.

8.2.2 Plan Requirements and Contents

Donor recognition plans must:
- Follow applicable laws, regulations, and policies, including those found in PL 113-291, section 3054 (National Park System Donor Acknowledgment); Departmental guidance in 374 DM 6; NPS Management Policies (2006); and this Order;
- Follow best practices for accountability and transparency, including the requirement that all donations be used for the purposes for which they were given; and
- Undergo annual review and be updated, as necessary, to reflect any changes in park or program needs, law, regulation, or NPS policy.
A donor recognition plan defines the criteria and procedures for thanking donors, and describes the form and duration of recognition for different types of donations. The donor recognition plan templates, with required and recommended contents, are in RM-21.

### 8.3 Partner Donor Recognition Plan

Authorized philanthropic partners must have a written donor recognition plan as part of their partner agreement with the NPS. The partner’s donor recognition plan should be consistent with a park’s or program’s approved donor recognition plan. Superintendents or program managers should review and approve partner donor recognition plans. This will ensure that a fundraising partner does not inadvertently lead a prospective donor to expect a level of recognition that the NPS cannot, or will not, fulfill.

### 8.4 Off-Site Donor Recognition

Donors may be recognized through a variety of methods, such as:

- **Thank you letters**—all donors should promptly receive a letter of appreciation. This letter can serve as the required NPS letter of gift acceptance, and acknowledge or explain any conditions that might apply. It should also describe any in-kind gifts. Except in certain land donation cases, the letter should not attempt to value non-cash gifts. RM-21 contains a model, referred to as the "Donation Acceptance Letter."

- **Awards**—nomination for an award may be fitting recognition for some donations. Parks, regions, and programs may create and use their own awards. National award nomination calls may be publicized through InsideNPS and other sources. Park and program managers may also consider nominating a donor for non-NPS awards.

- **Publicity**—news releases to traditional and digital media outlets (newspapers, magazines, radio, television, websites, and social media) and articles in a donor’s media (corporate employee newsletter or annual report).

- **Park and program newspaper/newsletter articles**—articles to recognize donors or highlight contributions of a friends group or other partners.

- **Events**—media events, press announcements, photo opportunities, and other events that involve the donor (annual meetings or conferences).

- **Mementos**—presentation of a park or program memento (a book or park/program lapel pin).

- **Digital media** (web media, social media, and mobile apps)—parks and programs may set up virtual donor walls on websites and other digital media products.

The Division Chief, Office of Partnerships and Philanthropy, and the Chief of Digital Strategy, Office of Communications, will develop standards for the design, development, and management of digital forms of donor recognition. This guidance will be available in RM-21 and on the NPS Digital Community website.

### 8.5 In-Park Donor Recognition

Park superintendents have a variety of in-park donor recognition options. Superintendents should determine the most suitable form, location, and duration of in-park recognition. In-park recognition should normally occur at a visitor center or in another developed area.
8.5.1 Considerations
The manner of recognition should not compete for attention with, or draw attention away from, the park's purpose.

Donor recognition for historic structures should be freestanding. It must not be affixed to any "historic fabric," either interior or exterior. Donor recognition should not be placed in natural or cultural zones where it would intrude on the character of the area or obstruct a view.

Superintendents should carefully consider the cost of maintenance and replacement of fixed recognition. Superintendents and their partners must set up an endowment or maintenance fund for this purpose.

8.5.2 Suggestions for In-Park Recognition

- **Events**—media events, press announcements, photo opportunities, groundbreaking ceremonies, ribbon cuttings, or other recognition activities that acknowledge or involve a donor.

- **Printed materials, temporary signage, and other temporary items**—donor recognition may be placed on NPS printed materials, such as brochures, newsletters, posters, cards, and banners, and on temporary signage or portable exhibits at park construction, restoration, or other project sites. A short, discrete credit line, with the donor’s name script or logo, may be included (see section 8.7). Donor recognition will not be placed on park and facility identity signs, regulatory, or safety signs.

- **Recognition in interpretive programs**—where a donation is integrally tied to a park, to a park's existence, or to what is being interpreted, interpretive programs may identify the donor and the donation's use.

- **Interpretive and digital media (exhibits, waysides, and audiovisual productions)**—donations for interpretive and digital media may be recognized with a short, discrete credit line with the donor’s logo or name script (see section 8.7). Donor recognition should be integrated into the planning and design for interpretive and digital media.

- **Donor recognition boards and walls**—static or electronic donor recognition boards or walls may be installed in visitor centers and administrative facilities. The names of corporate or business donors will appear in the same style as all other names; corporate name scripts and logos will not be used. Donor boards and walls should be integrated into the planning and design of any new facility or renovation of an existing facility.

- **Other opportunities**—donor books kept on display and computer terminals with searchable donor lists.

- **Vehicles**—donor recognition, with or without an associated wrap, may be placed on an NPS vehicle, if the donation relates to the vehicle. Text may include a short, unobtrusive credit line with the donor’s name script and logo.

- **Paving stones and park furnishings**—donor recognition[^7] is permitted on bricks, paving stones, pathways, landscaped areas, and park furnishings (such as benches, bear-proof food lockers, or theater seats). Philanthropic agreements and donor recognition plans will

[^7]: Name recognition is not the same as commemoration (memorialization): To be permanently commemorated in a national park is a high honor, affording a degree of recognition that implies national importance. Commemorative works will not be established unless authorized by Congress or approved by the Director. See 36 CFR 2.62 and NPS Management Policies, section 9.6 (Commemorative Works and Plaques).
include provisions for donation levels, duration, and an endowment to maintain, renovate, or remove the fixture or furnishings. The location and design of fixtures and furnishings must be part of an NPS-approved visitor facility and sited to avoid disturbance of natural and cultural resources and values. The placement of benches or paving stones must be confined to a visitor center area or similar high traffic area in a park. Donor recognition on benches or paving stones should be limited to the top tier of donors identified through a fundraising campaign or donor recognition plan, not to recognize all campaign participants. The threshold donation level must be commensurate with the park budget and philanthropic campaign goals. The names of corporate or business donors will appear in the same fashion as all other names; no corporate name scripts and logos will be used.

- **Positions, programs, and endowments**—programs (educational, interpretive, research, recreational, youth, or other), positions, and endowments may be named to recognize a gift made to support a program or position. The Director must approve specific naming opportunities before an offer can be made to a potential donor. Any naming must comply with all Federal statutory and regulatory requirements. In addition, hiring individuals for endowed, named positions must follow all applicable employment laws and procedures. A written agreement will outline the terms and include provisions for duration, de-naming, and renewal or termination of the position, program, or endowment. It is generally expected that the final gift would cover all position or program costs, including salaries, benefits, stipends, travel, materials, housing, program funds, and administrative overhead.

- **Naming of interior spaces in facilities**—the temporary naming of rooms and interior spaces in NPS facilities is permitted to recognize donations for the renovation of an existing facility or construction of a new facility. The Director must approve naming opportunities before an offer can be made to a potential donor. The naming opportunity value should be at a level commensurate with the park budget and fundraising campaign. Naming is limited to a period of five years. A philanthropic agreement will define the naming terms and contain provisions for the duration, de-naming, and demolition or renovation of named spaces. The final gift must be sufficient to cover operation, maintenance, and lifecycle costs of the named space. No structures or historic or natural features may be named, nor may structures or features with existing names be renamed.

### 8.6 Donor Recognition for NPS Programs

Donations for NPS programs may be recognized with a credit line or statement of appreciation on program materials distributed at an event to which a donation was made. Examples include a “Thank you” on t-shirts, key chains, water bottles, hats, or first aid kits.

### 8.7 Use of Logos, Name Script, and Credit Lines

The use of corporate name scripts or logos may be a proper form of donor recognition in some circumstances. Short, discrete, and unobtrusive credit lines may incorporate logos or name script, as appropriate. Careful attention should be paid to the manner in which they are used.

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8 Any naming must comply with laws, regulations, and policies, including but not limited to the Commemorative Works Act (40 USC 8901-8909), Section 106 of the National Historic Preservation Act (54 USC 306108), and NPS Management Policies section 9.6 (Commemorative Works and Plaques).

9 Refer to preceding footnote about naming.
The use of name scripts or logos may be permitted on printed materials, temporary signage, other temporary items, interpretive and digital media, and vehicles. The use of name scripts and logos is not permitted on donor recognition boards or walls, paving stones, or park furnishings.

### 8.8 Recognition of Corporate Donations

Corporate donors may receive recognition on the same basis as other donors, if the recognition does not suggest official endorsement. Except when permitted by specific statutory authority, Federal ethics regulations prevent Federal employees from using their official positions, titles, or any associated authorities to endorse any products, services, or enterprises.

### 8.9 Special Events

Guidance for holding special events in parks is found at 36 CFR 2.50 (Special events), special regulations for the National Capital Region at 36 CFR 7.96(g), in section 8.6.2 of NPS Management Policies (2006), and in Director’s Order and RM #53: Special Park Uses. Director’s Order #21 applies to NPS or partner recognition of donors at such events. Special events fall into three categories:

1. Events wholly or partially sponsored by the NPS;
2. Events held by NPS-authorized philanthropic partners; and
3. Non-NPS events allowed under a special park use permit.

Some areas of the National Park System may have site-specific requirements for special events.

#### 8.9.1 Sponsored Events

The NPS may recognize event sponsors as long as 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. Corporate sponsors may be recognized at special events by limited use of corporate logos and name script on event facilities, signs, and in literature. The size, scale, scope, and location of corporate logos and name script should not dominate the event facilities or area. The NPS will not permit the appearance of advertising and marketing slogans and taglines. The purpose of recognition is simply to acknowledge the sponsor.

#### 8.9.2 Authorized Philanthropic Partner Events

An authorized philanthropic partner, with a special park use permit to hold a fundraising event in a park, may recognize donors and event sponsors at the event. The forms of recognition should:

- Be described in the partner’s approved work and donor recognition plans; and
- Follow the standards for recognition for Sponsored Events outlined in section 8.9.1.

#### 8.9.3 Non-NPS Events

Guidance on this topic is in Director’s Order and RM #53: Special Park Uses. Temporary displays directly associated with an event may show sponsors’ names, logos, or name scripts. These displays may be placed near the event in both time and location. Distribution of free products or samples to park visitors is not permitted at non-NPS events.

End of Director’s Order