# ATTACHMENT B - DONATION REVIEW PROCESS

The NPS and the Partner share a mutual objective that the Partner’s fundraising and donation activities not give rise to an appearance of a loss of integrity or impartiality or otherwise reduce public confidence in the Partner or the NPS. Therefore, the Partner agrees to exercise due diligence in accepting donations consistent with the following:

(A) Definitions - For the purposes of this Paragraph 1, the following definitions apply:

1. “Donor” shall include individuals; business entities, including parent companies, majority-owned subsidiaries and affiliates and any related corporate partner as to which a majority of the partner’s directors are also employees, officers, or directors of the corporation; and any state, local, or tribal government, or a subdivision thereof. Persons who are both employees and officers or directors of corporations, i.e., excluding independent, outside directors acting on their own behalf, or who hold comparable positions of control in a business entity, or who have interests that are subject to regulation by the NPS, shall be treated as business entities regardless of whether their contribution comes from their personal funds.
2. “Spent on NPS-approved projects” shall include any cash or in-kind donation raised for the purpose of directly supporting physical or programmatic improvements at the Park, including goods or services purchased by the Partner with donated funds, as well as any donation for which the NPS is requested to provide donor recognition.

(B) Donation Review Process

1. For donations or planned series of donations to be spent on NPS-approved projects totaling in excess of **$25,000**, in cash or in-kind, from donors other than individuals, the Partner will take reasonable efforts to determine whether the donor:

(a) Is currently involved in litigation or other controversy involving the NPS or the Department of the Interior or any of its other bureaus;

(b) Is currently engaged in or seeking a business or permit relationship with the NPS. Because the potential exists for an actual conflict of interest, or the appearance of a conflict of interest, donations to be spent on NPS-approved projects from business entities engaged in or seeking concession contracts with the NPS must be approved in writing by the Director of the NPS. Entities that have contracts with the NPS or the DOI can be found here: <https://www.fpds.gov/fpdsng_cms/index.php>

This site includes a search engine that allows one to search by corporation and the NPS and/or the DOI to determine if there are contracts between the two;

(c) Has been debarred from contracting with the Department of the Interior or another federal government agency (entities that have been debarred can be found here: <https://www.epls.gov/>);

(d) Has a recent public history of violations, whether criminal or civil in nature, as disclosed by an Internet search, for which acceptance of the donation could lead to public controversy;

(e) Is seeking to involve the donation with marketing or advertising; or

(f) Is involved in the manufacture or distribution associated with tobacco or illegal products. The Partner will not accept donations for the benefit of the NPS that associates the NPS with these products. The Partner and Park will obtain approval from the Director if alcohol products are involved.

1. The Partner will consult with the NPS before accepting donations, including grants, to be spent on NPS-approved projects from state, local, or tribal governments.
2. In the event that the Partner, after reasonable efforts, concludes that one or more of the above factors is applicable, the Partner will inform the NPS Key Official (or his or her designate) so that the Partner can assist the NPS in determining whether the NPS will accept or decline having such contribution spent on NPS-approved projects. Notwithstanding the foregoing, the Partner retains the exclusive right to determine whether it will accept or decline any donation not intended to be spent on NPS-approved projects/programs.
3. For donations or a planned series of donations valued at **$250,000** or more, whether in cash or in kind, from any source, the Partner will provide the donor’s identity and other pertinent information to the NPS Office of Partnerships and Philanthropic Stewardship through the Regional Partnership Coordinator for review and approval. NPS written approval is required prior to the Partner’s acceptance of the donation and prior to any public announcement or public release about the donation.
4. For donations or a planned series of donations valued at $1,000,000 or more, whether in cash or in-kind, from any source, the Partner will provide the donor’s identity and other pertinent information to the NPS Office of Partnerships and Philanthropic Stewardship through the Regional Partnership Coordinator for review and approval. Donations of $1,000,000 or more must receive review and approval from the Department of the Interior (DOI). The NPS Office of Partnerships and Philanthropic Stewardship will facilitate this DOI review and approval of these donations. DOI and NPS written approval is required prior to the OLVF’s acceptance of the donation and prior to any public announcement or public release about the donation.
5. The NPS will use its best efforts to complete any approval required of it under this Agreement within six (6) weeks. The NPS will promptly notify the Partner as to whether or under what circumstances the NPS may accept the donations intended to be spent on NPS-approved projects or provide donor recognition.

(C) Exceptions - Notwithstanding subsection (B),

1. The Partner may request the NPS to assist in, or assume responsibility for, undertaking any portion of this donation review process. If requested to assist in or assume this responsibility, the Park can request assistance from the Regional Partnership Coordinator and/or the NPS Office of Partnerships and Philanthropic Stewardship.
2. Where the Partner intends donations to be anonymously spent on NPS-approved projects and the Partner will not engage in any public donor recognition or request donor recognition from the NPS for such donations, no vetting or review by the NPS is required.

\*\*\*