



OFFICE OF  
**INSPECTOR GENERAL**  
U.S. DEPARTMENT OF THE INTERIOR

# **THE NATIONAL PARK SERVICE MISUSED PHILANTHROPIC PARTNER DONATIONS**

**This is a revised version of the report prepared for public release.**



OFFICE OF  
**INSPECTOR GENERAL**  
U.S. DEPARTMENT OF THE INTERIOR

Memorandum

**MAR 13 2019**

To: P. Daniel Smith  
Deputy Director, Exercising the Authority of the Director  
National Park Service

From: Mary L. Kendall   
Deputy Inspector General

Subject: Final Evaluation Report – The National Park Service Misused Philanthropic Partner  
Donations  
Report No. 2017-WR-037

This memorandum transmits our final evaluation report on whether the National Park Service (NPS) used philanthropic partner donations in compliance with policies, regulations, and laws. We determined that it did not.

We make eight recommendations that, if implemented, will help prevent future misuse of donated funds and improve NPS oversight, reporting, and policies. Based on the response, we consider Recommendations 1, 7, and 8 resolved and implemented, Recommendations 2 and 3 unresolved and not implemented, and Recommendations 4 – 6 resolved but not implemented. We will refer Recommendations 2 – 6 to the Assistant Secretary for Policy, Management and Budget for resolution and implementation tracking.

If you have any questions regarding this memorandum or the subject report, please contact me at 202-208-5745.

The legislation creating the Office of Inspector General requires that we report to Congress semiannually on all audit, inspection, and evaluation reports issued; actions taken to implement our recommendations; and recommendations that have not been implemented.

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## Results in Brief

We found that the National Park Service (NPS) did not accept and use donations from philanthropic partners in compliance with policies, regulations, and laws. Philanthropic partners are organizations that assist parks by providing services and financial support.

We visited 30 parks and found that 26 of them made, or requested their partners to make, purchases for food and beverages totaling \$282,471, and for personal gifts totaling \$12,552. We questioned all food, beverage, and other purchases as the form and level of detail of supporting documentation was insufficient: it varied by park and partner and did not consistently have written justifications for how the expenses were necessary to accomplish the NPS mission. Food and beverage purchases from superintendent's funds, in particular, did not meet requirements that monetary donated funds be treated like appropriated funds. In addition, food, beverage, and other purchases made with philanthropic partner donated funds did not meet the requirement that such purchases be used only for official agency purposes.

The NPS misused donations because it (1) did not oversee the use of donated funds, (2) did not compile and report total donated funds, (3) did not have an accurate directory of philanthropic partners and amounts donated, and (4) did not have policy for the use of superintendent's funds.

Because the NPS did not ensure donations were appropriate, its parks did not receive the full benefit of partner donations. For example, donations spent on food and beverage for employee functions could have been used to enhance the park and visitor experience. In addition, by not ensuring proper use of donations through oversight, tracking, and policy, the NPS increased its risk of fraud, waste, and abuse. By strengthening controls and oversight, the NPS can help keep the public's trust in its philanthropic partnerships and their critical role in preserving history and enhancing visitor experiences.

We make eight recommendations that, if implemented, will help prevent future misuse of donations and improve oversight, reporting, and policies. The NPS responded to our draft report on February 14, 2019. Based on the response, we consider Recommendations 1, 7, and 8 resolved and implemented, Recommendations 2 and 3 unresolved and not implemented, and Recommendations 4 – 6 resolved but not implemented. We will refer Recommendations 2 – 6 to the Assistant Secretary for Policy, Management and Budget for resolution and to track implementation.

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# Introduction

## Objective

Our objective was to determine whether the National Park Service (NPS) accepted and used donations from philanthropic partners in compliance with policies, regulations, and laws.

See Appendix 1 for the scope and methodology of our evaluation.

## Background

In 1916, the U.S. Congress created the NPS and authorized it to work with philanthropic partners to help further the NPS' mission. Philanthropic partners are nongovernmental organizations that provide financial and volunteer support and advocate for the national parks. The primary types of partners are cooperating associations and friends groups. The NPS currently partners with 69 cooperating associations and 212 friends groups. Some partners are hybrid organizations that have both cooperating association and friends group agreements with the NPS.

Cooperating associations typically focus on visitor services and education and often operate gift shops in the parks. They range in organizational size and annual revenue. The two largest cooperating associations are Eastern National and Western National Parks Association. Eastern National, the largest cooperating association, serves 160 parks<sup>1</sup> in 33 eastern States, and Western National Parks Association serves 71 parks in 12 western States.

Friends groups are established primarily to assist or benefit a specific park. They range in organizational size, annual revenue, and what they provide to the park (for example, volunteer services and assistance with resource management and preservation, fundraising, and outreach). Unlike cooperating associations, friends groups are not authorized to sell goods or services in parks.

Partners provide support to parks in two ways: the partner either donates the funds directly to the park for the park to manage, or maintains the funds in an account and spends them at the park's request. One of the ways that partners donate funds to parks is as "superintendent's funds." These are funds given to park superintendents for miscellaneous expenses. This practice is widespread throughout the NPS, though some parks do not receive these funds. Many smaller parks we visited received superintendent's funds of \$500 to \$1,000 per year, while larger parks like Yellowstone National Park received as much as \$50,000 in a year. At some of the parks we visited, the partners held the superintendent's funds and spent them at the park's request.

Use of philanthropic partner resources must be reviewed under the ethics regulations absent explicit agency gift authority.<sup>2</sup> According to ethics regulations and NPS policy, philanthropic partners are prohibited sources. As applicable to the NPS, prohibited sources are entities and individuals who do or seek to do business with the NPS, seek action from the NPS, are regulated by the NPS, have interests that may be substantially affected by the performance or

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<sup>1</sup>"Parks" refers to national parks, national monuments, national seashores, national historic parks, national battlefield parks, and other areas managed by the NPS.

<sup>2</sup> 54 U.S.C. § 101101

nonperformance of official NPS duties, or is an organization a majority of whose members are described in the prohibited source definitions above. NPS policy states that NPS staff may not accept personal gifts from prohibited sources unless an ethics exception applies and they have considered appearance concerns.

We initiated this evaluation because, in two recent cases, our Office of Investigations identified an absence of controls over, and misuse of, funds donated to the NPS by its partners.

Because the NPS could not provide summary data on partner financial donations to parks during our scope period of fiscal years 2014 – 2016, we surveyed 287 NPS park superintendents (representing 417 parks) to determine the amount that partners donated to parks. We received responses from 182 park superintendents (representing 264 parks) reporting donated amounts of \$341.3 million, which are summarized in Figure 1.

<b>Fiscal Year</b>	<b>Cooperating Associations</b>	<b>Friends Groups</b>	<b>Total</b>
2014	\$16,801,378	\$92,384,903	\$109,186,281
2015	12,448,511	157,284,710	169,733,221
2016	18,225,756	44,123,202	62,348,958
<b>Total</b>	<b>\$47,475,645</b>	<b>\$293,792,815</b>	<b>\$341,268,460</b>

Figure 1. Funds donated by partners during fiscal years 2014 – 2016, as reported by park superintendents.

We issued a Notice of Potential Findings and Recommendations (NPFR) to the NPS national partnership coordinators on the findings contained in this report in January 2018. They concurred with our potential findings and have initiated corrective action. In addition, we issued a report titled *Financial, Ethical, and Exclusive Use Concerns About the NPS’ Agreement With the Wolf Trap Foundation for the Performing Arts* (Report No. 2017-WR-037A) to the U.S. Department of the Interior in September 2018, so the NPS could address our concerns as it renegotiates its agreement with the Foundation.

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# Findings

We found that the NPS did not accept and use donations from philanthropic partners in compliance with policies, regulations, and laws, which require that monetary donations be treated like appropriated funds and that nonmonetary donations, such as food and beverages, be used only for official agency purposes. The NPS misused donations because it (1) did not oversee the use of donations, (2) did not compile and report total donations, (3) did not have an accurate directory of partners and amounts donated, and (4) did not have policy for the use of superintendent's funds. As a result, the NPS increased its risk of fraud, waste, and abuse of the donations that the NPS depends on for preserving history and enhancing visitor experiences.

## Misuse of Donations

Of the 30 parks we visited (see Appendix 2), 26 used donated funds—often from superintendent's funds—to purchase food and beverages for NPS staff social events and to purchase other personal gifts, contrary to governing policies, regulations, and laws. They also received food and beverage donations that were purchased by their philanthropic partners at the request of the NPS. The 26 parks received a total of \$282,471 in food and beverage donations and \$12,552 in gifts for fiscal years 2014 – 2017<sup>3</sup> (see Appendix 3 for the list of the 26 parks that received food and gift donations). We questioned all food, beverage, and gift expenses because the form and level of detail of supporting documentation was insufficient: it varied by park and partner and did not consistently have written justifications for how the expenses were necessary to accomplish the NPS mission.

The following are some examples of questionable use of donations:

The Yellowstone National Park requested that its philanthropic partner spend \$5,409 on its behalf: \$3,140 on food and beverage for two events, which included an after-hours reception; \$370 on alcoholic beverages for the Greater Yellowstone Coordinating Committee reception, a committee entirely comprised of Federal Government employees; and \$2,269 on employee gifts including a custom quilt, framed photos, and sympathy flowers.

The after-hours reception mentioned above took place at the [REDACTED] for a visit by the NPS Deputy Director and Regional Director. Park officials requested their partner to pay the Park's concessionaire to cater the reception. An estimated 35 people attended the reception at a cost of \$57 per person. [REDACTED].

The Grand Teton National Park spent \$6,853 in donated funds: \$4,537 on food and beverage purchases for NPS employee-only events such as parties, a management lunch, staff meetings, and hosting VIP visitors in the park; \$2,316 on employee gifts including prizes, a gift certificate, flowers, and a gift basket with wine for visiting dignitaries.

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<sup>3</sup> We included expenses from Yellowstone National Park for fiscal year 2017 in our 2014 – 2016 scope because the Park provided expense activities to us during our site visits and the expenditures were significant to our review.

The Roosevelt-Vanderbilt National Historic Site spent \$4,214 from its superintendent's fund: \$4,062 on food and beverages for employee staff meetings, appreciation events, and an employee picnic; and \$152 on employee gifts including sympathy flowers, going-away gifts, and prizes for a staff meeting.

The Great Smoky Mountains National Park spent \$4,050 in donated funds for a Christmas party buffet attended by nearly 150 park employees in 2015.

The Boston National Historic Park spent \$2,235 of its \$2,250 superintendent's fund on food and beverages for employee-only meetings and an employee barbecue.

We questioned these donations because NPS policy limits the use of monetary donations to expenditures that would be permissible with appropriated funds and nonmonetary donations to uses that enhance national parks and programs. Specifically, the NPS *Reference Manual 32 (RM 32)* in place at the time of our evaluation, which governs cooperating associations, stated that parks should treat donated funds like appropriated funds. The NPS Director's Order No. 21 (DO No. 21), which governs philanthropic partners, states that "the NPS may accept, use, and recognize donations of various kinds to support and promote its mission, consistent with applicable laws and the Department of the Interior donations policy (374 *DM* 6). . . . Donations, be they cash or in-kind goods and services, are used to enhance national parks and NPS programs."

The United States Code (U.S.C.) and decisions by the Comptroller General of the United States also provide guidance for donated funds. Specifically, the use of donated funds for personal expenses is not authorized by 54 U.S.C. § 101101(2). Comptroller General decisions state that while there is no absolute prohibition against the use of donated funds for entertainment purposes, the entertainment must be for an official agency purpose. The statutory purpose of the national park system is to conserve and provide for the enjoyment of scenery, natural and history objects, and wildlife.

In addition, the U.S. Department of the Interior's ethics office strongly encourages employees to consult with an ethics counselor before embarking on an activity if they have any question about the ethical propriety of that action.

Below we examine each cause for the NPS' misuse of donations and offer targeted recommendations.

### **The NPS Did Not Oversee the Use of Donations**

We did not find evidence that the NPS national and regional coordinators actively oversaw or monitored the use of donations from philanthropic partners. For example, for the 26 parks that made questionable food and beverage purchases, we did not find documentation of the NPS' administrative determinations, required under its agency gift authority, that these purchases were necessary to accomplish the agency's purpose or documentation of ethics opinions on allowable gifts of food, beverage, or other items of monetary value to individuals.

While the NPS has policy that directs the national and regional coordinators to generally report on partner activity, the policy does not specifically outline their roles in overseeing how funds are spent or include criteria for allowable food and beverage donations. *RM 32* contains the cooperating association policy and guidance on the park cooperating association coordinators' role, but does not specify oversight duties and responsibilities for the national and regional association coordinators. DO No. 21, which contains the friends group policy, is silent on oversight duties and responsibilities of the Division Chief, Office of Partnerships and Philanthropic Stewardship.

In the absence of specific policy, the NPS national and regional coordinators did not oversee use of partner donations. Instead, they described their role as being available if the parks request assistance or to help when parks and partners renew their agreements. Without oversight, the NPS cannot ensure that donations are appropriately accepted and used.

## Recommendations

We recommend that the NPS:

1. Revise and implement NPS policy regarding the allowable use of food and beverage donations
2. Require parks to document, in each instance, their administrative determination that food and beverage donations are necessary to further the agency's purpose
3. Revise and implement policies to include specific oversight roles, duties, and responsibilities to ensure that donations further the agency's purpose

### **The NPS Did Not Compile and Report Total Donations**

The NPS was unable to provide summary data on philanthropic partner donations during our scope period of fiscal years 2014 – 2016. The most recent data compiled by the NPS Washington Support Office (WASO) were the totals for fiscal year 2011 friends group donations and fiscal year 2013 cooperating association donations.

NPS policy and partner agreements require partners to submit annual financial reports to WASO. An NPS official told us that partners have continued to submit financial reports, but WASO stopped compiling them due to staffing shortages. In addition, we learned that the reports are based on the Internal Revenue Service (IRS) Form 990,<sup>4</sup> which provides general information about an organization's revenues and expenses, but typically does not provide sufficient detail to determine the amount donated to individual parks. We were only able to determine the amount provided to the parks we visited by requesting partners' detailed ledgers for donations provided to the parks.

We also found that some of the partners work with multiple parks or other Federal agencies,

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<sup>4</sup> The IRS Form 990 is the reporting form that many federally tax-exempt organizations must file with the IRS each year.

operate both as a cooperating association and friends group, or conduct activities unrelated to parks. This makes it even less likely that the Form 990 can capture the level of detail necessary to determine the amount donated to individual parks. For example, Yellowstone Forever is both a cooperating association and a friends group, and the form does not distinguish between donations to the parks related to cooperating association purposes versus friends group purposes.

Without accurate reports of total funds donated, the NPS cannot ensure funds are spent in accordance with policies, regulations, and laws.

## Recommendations

We recommend that the NPS:

4. Revise and implement NPS policy that requires philanthropic partners to report total donations by park annually
5. Compile donation information and publicly report all donations to parks by philanthropic partners each fiscal year

### **The NPS Did Not Have an Accurate Directory of Philanthropic Partners**

The NPS Friends Group Directory is outdated and does not include donation amounts for each philanthropic partner.

NPS policy requires WASO to maintain a database to track and account for partners and donations. The directory was last updated in April 2015 and listed friends groups that were no longer active such as Boston Harbor Island Alliance, Inc., and Brown Foundation for Education Equality, Excellence, and Research. The directory also did not list all active friends groups, such as Eleanor Roosevelt Partnership and Roosevelt-Vanderbilt Conservancy. Further, the directory listed organizations without friends group agreements, such as the National Park Foundation, NatureBridge, White House Historical Association, and Wolf Trap Foundation for the Performing Arts. Finally, the directory did not include information on how much each partner donated to each park.

The NPS is developing a web portal to provide an improved maintenance partner inventory, by allowing partners to self-report their financial information and accomplishments. The web portal interface prompts partners to provide financial information based on their IRS Form 990, which, as discussed previously, does not contain donation amounts for specific parks. When we brought this concern to NPS officials, they agreed but stated they would prefer to familiarize partners with the portal and self-reporting before requiring partners to report more than the general donation totals in IRS Form 990.

Without an accurate and complete directory of partners and donations, the NPS cannot track donations by partners to each park and ensure those donations are used appropriately.

## Recommendation

We recommend that the NPS:

6. Develop and maintain an accurate and complete philanthropic partners directory that includes each partner donation to individual parks

### **The NPS Did Not Have Policy for the Use of Superintendent's Funds**

NPS policies do not address the purpose and use of superintendent's funds or the method for providing these funds. According to NPS policy, a park's request for donated funds from philanthropic partners must be timely and in writing with enough detail to support that the funds will be used for an NPS priority that is appropriate to the park's mission. The policy, however, makes no mention of superintendent's funds. An official from a large cooperating association told us superintendent's funds were established as a means to pay for miscellaneous park expenses more quickly than through the normal requisition process.

Without specific policies for the use of superintendent's funds, it is difficult for the NPS to monitor how parks spend them. Monitoring is made even more difficult because funds were often received through blanket requests without a specific purpose, were provided by partner check in the superintendent's name, and were managed without basic controls such as segregation of duties. We found during site visits that not all NPS officials were even aware of the practice and use of superintendent's funds. Some superintendents reported that they were uncomfortable receiving superintendent's funds via partner checks, and one superintendent sought an ethics review, which recommended not accepting checks made out to the superintendent.

We were told the superintendent's funds were generally managed in the following way: a superintendent received a check in his or her name, cashed the check, and brought the cash back to the park to be managed by the administrative assistant. At some of the parks we visited, the partner held the superintendent's funds and spent them at the park's request. For example, at [REDACTED], the cooperating association gave a check directly to the superintendent's administrative assistant (in this case, the check was made payable to the administrative assistant rather than the superintendent). The administrative assistant was responsible for cashing the check and then managed the cash out of her desk drawer. When we asked the superintendent how he would know if the administrative assistant requested funds from the cooperating association without his consent, the superintendent replied that she "would not do it" and added, "it is a trust factor."

At Chickamauga and Chattanooga National Military Park, the Park's friends group gave the park \$1,500 a year in Visa gift cards for its superintendent's fund. The Park provided receipts to the friends group, but park officials told us the friends group sometimes did not want the receipts.

At Yellowstone National Park, the Park's partner awarded the Park a \$50,000 grant to be used as a superintendent's fund. The agreement stated that the funds were to be used in accordance with

the attached detailed proposal. The partner told us, however, that there was no detailed proposal and the grant was for the amount requested by the Park. Although the partner managed these funds in a donation account and did not disburse them until formally requested by the Park, the partner's staff told us they had never denied any requests for use of the superintendent's fund.

Without policies specific to the use of superintendent's funds, the NPS cannot ensure that parks spend those donated funds appropriately.

In response to our NPFR, the NPS stated that it would require Regional Directors to inform superintendents that the practice of maintaining a superintendent's fund is no longer permissible. On September 25, 2018, the NPS issued a directive requiring all employees to terminate the use of partner-funded discretionary accounts and all superintendents to certify in writing to their Regional Director that any remaining cash being held in a superintendent's fund or discretionary fund had been returned to the partner. The directive further stated that park superintendents and other staff should never accept gift cards, credit cards, or checks made out to them personally, or cash donations that are not deposited into a Federal account.

## Recommendations

We recommend that the NPS:

7. Revise and implement NPS policy to ensure that superintendent's funds are received and used in accordance with existing NPS policies, regulations, and laws
8. Revise and implement NPS policy to prohibit park employees from receiving donations in the form of checks in their name, cash, and gift cards

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# Conclusion and Recommendations

## Conclusion

The NPS has a long history of philanthropic support, dating back to the earliest days of its founding. Philanthropic partners serve an important role in providing donations that parks use to enhance visitor experiences through park improvements, maintenance, and other activities. In order for the NPS to maintain and grow these partnerships, it must ensure all donations are used in compliance with policies, regulations, and laws; maintain an accurate partner directory that includes donation amounts; compile and report total donated funds; and implement policies for how parks receive and use funds. Until the NPS addresses the weaknesses identified in this report, it continues to be at risk of misusing donations and potentially weakening the public's trust in its philanthropic partner agreements.

## Recommendations Summary

The NPS responded to our draft report on February 14, 2019, concurring with all eight recommendations (see Appendix 4 for the NPS' full response). Based on the response, we consider Recommendations 1, 7, and 8 resolved and implemented, Recommendations 2 and 3 unresolved and not implemented, and Recommendations 4 – 6 resolved but not implemented. We will refer Recommendations 2 – 6 to the Assistant Secretary for Policy, Management and Budget (PMB) for resolution and to track implementation (see Appendix 5 for the status of recommendations).

We recommend that the NPS:

1. Revise and implement NPS policy regarding the allowable use of food and beverage donations

**NPS response:** The NPS concurred with our recommendation and updated the accountability and record keeping requirements for donations in *RM 21*, which includes ethical conduct requirements for all employees. The NPS also stated that it updated *RM 21* to clarify under what circumstances individual employees may accept food or beverages from partners in a social or business setting, and that partners may expend funds donated to their organization directly on food, beverage, and meeting expenses on behalf of the NPS if the expenditures meet mission goals, evaluation criteria, and donor intent. The NPS also stated that its policies apply to donations made directly to the NPS and not to purchases made by partners.

**OIG reply:** On February 22, 2019, the NPS updated *RM 21* to clarify when it is appropriate to accept food and beverages from a philanthropic partner. *RM 21* provides examples of the kinds of events that are appropriate and do not require ethics clearance (volunteer recognition lunches), as well as examples of events that are personal gifts and require ethics clearance (employee meetings and parties).

In a subsequent discussion, an NPS official clarified that the statement that NPS policies apply only to direct donations to the NPS refers to the requirement that monetary

donations be treated like appropriated funds. NPS officials further clarified that the guidelines in *RM 21* apply to all donations, regardless of whether they are made directly to the NPS or purchased by a partner and then donated to the NPS. Specifically, *RM 21* requires that all donations be used for an agency purpose and to enhance the parks and park programs. If the activity falls outside of those guidelines, then the donation can only be accepted if it is permissible under the ethics regulations.

Therefore, we consider this recommendation resolved and implemented.

2. Require parks to document, in each instance, their administrative determination that food and beverage donations are necessary to further the agency's purpose

**NPS response:** The NPS concurred with our recommendation and stated that all monetary donations must be deposited in an NPS donation account and cannot be used to purchase food and beverages. It also stated that food and beverages may be provided as part of a partner's support for mission-related projects and programs when documented in an annual work plan (or similar documentation) to clarify how the specific instance furthers the NPS' purpose. The NPS also stated that cooperating associations that fundraise are required to develop annual work plans. In addition, the NPS told us that it has completed training sessions for park officials covering annual work plans and documenting the purchase of food and beverages by partners in support of the agency's mission.

**OIG reply:** Annual work plans are typically completed at the beginning of the year and cannot anticipate all potential NPS events for the year. In addition, annual work plans are not typically reviewed by officials outside the park level such as regional office or WASO officials. While the NPS response stated that work plans are required for cooperating associations, the policy for cooperating associations (*RM 32*) has not been updated to reflect this change.

For this recommendation to be considered resolved and implemented, the NPS should update its policies to clearly state that:

- Annual work plans are required for cooperating associations
- Annual work plans must be sufficiently detailed for officials to determine whether the donation is allowable
- Annual work plans must be reviewed and approved by officials outside the park, such as regional office or WASO officials
- Any donation not listed in the annual work plan must be approved by officials outside the park

The NPS should also develop a methodology to ensure control and oversight over the donations that are not included in an annual work plan. We consider this recommendation

unresolved and not implemented and will refer it to the PMB for resolution and implementation.

3. Revise and implement policies to include specific oversight roles, duties, and responsibilities to ensure that donations further the agency's purpose

**NPS response:** The NPS concurred with our recommendation and stated that it is the responsibility of the superintendent and the partner to ensure a donation supports a jointly identified need. The NPS stated that regional coordinators, a national partnership office, and a national ethics office are available to assist when superintendents need further guidance or clarity. The NPS also stated that it is developing protocols for periodic review of annual work plans to identify best practices and ensure compliance with NPS policies. In addition, the NPS stated that it has initiated training for Regional Directors and superintendents to ensure they understand their oversight roles, duties, and responsibilities.

**OIG reply:** As evidenced by the examples cited in this report, we found that park superintendents did not ensure that requests to their partners were appropriate and, when prudent, vetted through NPS ethics officials. Due to the questionable use of donations for entertainment purposes that benefited NPS employees, the NPS should (1) require that annual work plans be reviewed and approved by officials outside of the park and (2) develop a methodology to ensure control and oversight over the donations that are requested but not included in an annual work plan. Having customer assistance available to superintendents by the regional coordinators, partnership office, and ethics office is not a substitute for establishing effective controls and oversight to ensure donations further the agency's purposes. We consider this recommendation unresolved and not implemented and will refer it to the PMB for resolution and implementation.

4. Revise and implement NPS policy that requires philanthropic partners to report total donations by park annually

**NPS response:** The NPS concurred with our recommendation and is working with the philanthropic partner community to identify the most effective ways to capture the support of all partners and a more detailed and consistent breakdown of support to parks. Parks and partners will be required to enter these data into its partner web portal (Partnership Portal) in the spring of 2019.

**OIG reply:** We consider this recommendation resolved and not implemented and will refer it to the PMB for implementation tracking.

5. Compile donation information and publicly report all donations to parks by philanthropic partners each fiscal year

**NPS response:** The NPS concurred with our recommendation and has taken steps to track philanthropic support in the Financial and Business Management System. The

initial annual report from NPS Partnerships Portal data will be completed by the end of the first quarter of fiscal year 2019.

**OIG reply:** We consider this recommendation resolved and not implemented and will refer it to the PMB for implementation tracking.

6. Develop and maintain an accurate and complete philanthropic partners directory that includes each partner donation to individual parks

**NPS response:** The NPS concurred with our recommendation and has updated the partner directory and provided fiscal year 2016 financial information based on partners' IRS Form 990.

**OIG reply:** As discussed in this report, the financial information on the IRS Form 990 does not contain donation amounts for specific parks. Full implementation of Recommendation 4 will support implementation of this recommendation. We consider this recommendation resolved and not implemented and will refer it to the PMB for implementation tracking.

7. Revise and implement NPS policy to ensure that superintendent's funds are received and used in accordance with existing NPS policies, regulations, and laws

**NPS response:** The NPS concurred with our recommendation and, on September 25, 2018, the NPS sent a directive stating that it is no longer permissible for parks to maintain a superintendent's fund or discretionary fund. The directive also required all park superintendents and Regional Directors to certify that any balances in these funds were returned to the partner. Each superintendent and Regional Director certified that all such accounts were eliminated, and all funds returned to the partners by October 2, 2018.

**OIG reply:** We consider this recommendation resolved and implemented.

8. Revise and implement NPS policy to prohibit park employees from receiving donations in the form of checks in their name, cash, and gift cards

**NPS response:** The NPS concurred with our recommendation and issued a directive on September 25, 2018, prohibiting park superintendents and other staff from accepting donations from partners for the routine purchase of food, gifts, supplies, and other materials at the local level.

**OIG reply:** We consider this recommendation resolved and implemented.

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# Appendix I: Scope and Methodology

## Scope

Our objective was to determine whether the National Park Service (NPS) accepted and used donations from philanthropic partner in compliance with policies, regulations, and laws. Our scope included fiscal years 2014 – 2016. While we met with and requested documents from the NPS’ philanthropic partners, we did not evaluate partner organizations or their financial systems and unrelated expenditures. We included expenses from Yellowstone National Park for fiscal year 2017 because the Park provided them to us during our site visits and they were significant to our review.

## Methodology

We conducted our evaluation in accordance with the Quality Standards for Inspection and Evaluation as put forth by the Council of the Inspectors General on Integrity and Efficiency. We believe that the work performed provides a reasonable basis for our conclusions and recommendations.

To accomplish the evaluation’s objectives, we:

- Gathered background information on NPS philanthropic partners through prior reports
- Identified and reviewed departmental and NPS policies related to partnerships
- Reviewed four cooperating association directories and one friends group directory
- Drafted and distributed a five-question survey to 287 park superintendents to obtain donation data for our scope period
- Visited sites selected from the lists that the NPS provided us; we based selections on size and type of park, as well as proximity to NPS regional offices and partners
  - Visited 30 national parks and interviewed staff from the parks and their partners
  - Visited six NPS regional offices and interviewed regional staff
- Reviewed agreements between the NPS and partners
- Reviewed annual plans, feasibility studies, donation review processes, and donor recognition plans for friends groups where applicable
- Reviewed scope of sales documents for cooperating associations
- Reviewed and analyzed partners’ Internal Revenue Service Forms 990

- Reviewed and analyzed donation records and support for expenditures, including expenses paid on behalf of the NPS, as provided by parks and their partners for each fiscal year under review<sup>5</sup>
- Obtained legal opinions from our Office of General Counsel regarding donations of food, beverages, and personal gifts

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<sup>5</sup> We relied on donation data provided by parks and philanthropic partners. We did not evaluate the reliability of the data, which varied as to content, format, and level of detail at each of the sites visited.

## Appendix 2: Sites Visited

Site	Philanthropic Partner
<b>NPS Pacific West Regional Office</b>	
Golden Gate National Recreation Area	Golden Gate National Parks Conservancy
John Muir National Historic Site and Eugene O'Neill National Historic Site	Western National Parks Association*
Point Reyes National Seashore	Point Reyes National Seashore Association
San Francisco Maritime National Historical Park	Western National Parks Association*
Yosemite National Park	Yosemite Conservancy and NatureBridge
<b>NPS Intermountain Regional Office</b>	
Grand Teton National Park	Grand Teton Association and Grand Teton National Park Foundation
Rocky Mountain National Park	Rocky Mountain Conservancy
Yellowstone National Park	Yellowstone Forever
<b>NPS Northeast Regional Office</b>	
Boston National Historic Park	Eastern National
Cape Cod National Seashore	Eastern National and Friends of the Cape Cod National Seashore
Independence National Historical Park	Eastern National
Longfellow National Historic Site	Eastern National and Friends of Longfellow
Manhattan Sites	Eastern National
New Bedford Whaling National Historical Park	Eastern National and Whaling History Alliance
Roosevelt-Vanderbilt National Historic Site	Roosevelt Vanderbilt Historical Association Elanor Roosevelt Val-Kill Partnership Roosevelt Conservancy
Statue of Liberty and Ellis Island	Eastern National
Valley Forge National Historical Park	The Encampment Store
Weir Farm National Historic Site	Eastern National and Friends of Weir Farm
<b>NPS National Capital Regional Office</b>	
Chesapeake and Ohio National Historical Park	Eastern National, Georgetown Heritage Friends, and C&O Canal Trust
George Washington Memorial Parkway	Eastern National, Arlington House Foundation, and Friends of Fort Hunt Park*

Site	Philanthropic Partner
Manassas National Battlefield Park	Eastern National and Manassas Battlefield Trust
National Mall and Memorial Parks	Eastern National, Trust for the National Mall, Ford's Theatre Society
President's Park	White House Historical Association
Rock Creek Park	Eastern National, Friends of Pierce Mill, Dumbarton Oaks Conservancy, Georgetown Waterfront Park, and Friends of Chevy Chase Circle
Wolf Trap National Park for the Performing Arts	Wolf Trap Foundation for the Performing Arts
<b>NPS Southeast Regional Office</b>	
Chattahoochee River National Recreation Area	Eastern National, Chattahoochee Parks Conservancy
Chickamauga and Chattanooga National Military Park	Eastern National, Friends of the Chickamauga and Chattanooga National Military Park, Friends of Moccasin Bend
Great Smoky Mountains National Park	Great Smoky Mountains Association and Friends of the Smokies
Kennesaw Mountain National Battlefield Park	Eastern National
Ocmulgee National Monument	Ocmulgee National Monument Association
<b>NPS Washington Support Office</b>	

\* Contacted by telephone

## Appendix 3: Monetary Impact

This table presents questioned costs for fiscal years 2014 – 2016 by park visited. Because the form and level of detail of supporting documentation was insufficient (varied by park and partner, and did not consistently include written justifications for food and beverage donations), we included all identified food, beverage, and gift donations for the parks visited. Some donations could have been considered allowable, and conversely additional donations could have been questioned, if sufficient supporting documentation and justifications were provided. While we met and requested documents from NPS philanthropic partners, we did not evaluate partner organizations or their financial systems and unrelated expenditures.

Park*	Questioned Costs <sup>†</sup>	
	Food and Beverages	Personal Gifts
Boston National Historic Park	\$7,261	\$0
Cape Cod National Seashore	5,960	125
Chattahoochee River National Recreation Area	2,791	30
Chesapeake and Ohio National Historic Park	5,385	73
Chickamauga and Chattanooga National Military Park	8,461	60
Golden Gate National Recreation Area	45,882	0
Grand Teton National Park	35,713	4,361
Great Smoky Mountains National Park	23,168	1,294
Independence National Historic Park	4,283	227
John Muir National Historic Site and Eugene O'Neill National Historic Site	927	0
Kennesaw Mountain National Battlefield Park	8,561	0
Longfellow National Historic Site	4,081	0
Manassas National Battlefield Park	1,497	0
Manhattan Sites	620	0
National Mall and Memorial Park	3,984	760
New Bedford Whaling National Historic Site	840	0
Ocmulgee National Monument	1,965	153
Point Reyes National Seashore	12,875	0
Rock Creek Park	697	0
Rocky Mountain National Park	20,770	1,696
Roosevelt-Vanderbilt National Historic Site	4,062	152

Park*	Questioned Costs <sup>†</sup>	
	Food and Beverages	Personal Gifts
Statue of Liberty and Ellis Island	\$1,834	\$0
Valley Forge National Historic Park	10,154	0
Weir Farm National Historic Site	1,757	49
Yellowstone National Park <sup>‡</sup>	53,913	2,487
Yosemite National Park	15,030	1,085
<b>Total</b>	<b>\$282,471</b>	<b>\$12,552</b>

\* The four parks that did not use donated funds for food, beverages, and gifts were (1) the San Francisco Maritime National Historic Park because it did not receive partner funds during fiscal years 2014 –2016, (2) the Wolf Trap National Park for the Performing Arts because its partner is neither a friends group nor cooperating association, (3) Presidents Park, and (4) George Washington Memorial Parkway.

<sup>†</sup> There are minor number variances in the totals due to rounding.

<sup>‡</sup> Includes \$4,772 in expended funds from fiscal year 2017

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## **Appendix 4: Bureau Response**

The National Park Service's response follows on page 21.



# United States Department of the Interior

NATIONAL PARK SERVICE

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

FEB 14 2019

To: Deputy Inspector General  
Office of the Inspector General

From: Deputy Director  
Exercising the Authority of the Director 

Subject: Response to Draft Evaluation Report  
The National Park Service Misspent Funds Donated by Philanthropic Partners  
Report No. 2017-WR-037

Thank you for the opportunity to respond to the referenced report. This letter updates our October 31, 2019 response. We agree with all eight of your recommendations and have already taken actions to implement them, as noted below. In a few cases, some implementation work is still ongoing. We take these matters very seriously and want to ensure that all funds are managed appropriately and in accordance with NPS policy.

Each Superintendent and Regional Director has certified that all Superintendents' fund accounts have been eliminated and all funds in such accounts have been returned to the partner organization.

We appreciated the opportunity to follow up with you on how the report presents certain types of funds and how it characterizes the applicable restrictions or limitations associated with those funds.

## **NPS Responses to Draft Recommendations**

### **1. Revise and implement the NPS policy regarding the allowable use of donated funds for food and beverage purchases.**

NPS agrees. Director's Order (DO) #21 states that all monetary donations received directly by the NPS must be deposited in a donation account, be accounted for, and be dispersed using the same standards and procedures used for other appropriated funds, which prohibits the purchase of food and beverages except in certain circumstances as authorized under Acquisition Policy and Procedures (AP&P) Memorandum 1443.07-03 or Director's Order 50B Occupational Safety and Health Program. This guidance was clarified in February 2019 through several updates to Reference Manual (RM) #21 (Section 3.1.1. Ethical Conduct Requirements for All Employees, Section 4.1 Types of Support Accepted by the NPS, and Section 4.7 Accountability and Recordkeeping Requirements for Donations: Accounting for Monetary Donations).

RM#32 also requires that funding donated directly to the NPS by Cooperating Associations be treated as donated funds, which may not be used for the purchase of food and beverages. In addition, donated funding from Cooperating Associations may only be used to fund or otherwise support any activity for which appropriated funds could be used in support of the educational, scientific, historical and interpretive activities of the NPS.

These policies apply to direct donations to the NPS and are not applied to purchases made directly by partners. RM#21 (Section 3.1.1. Ethical Conduct Requirements for All Employees) was issued on August 16, 2018 and updated in February 2019 to clarify under what circumstances individual employees may accept food or beverages from partners in a social or business setting, and that partners may expend funds donated to their organization directly on food, beverage, and meeting expenses of the NPS if they meet mission goals, evaluation criteria (Section 5.2 Evaluation Factors) and donor intent. Such uses commonly include community events, tribal consultations, and partner activities where the NPS is not the sole participant. The NPS considers such in-kind donations a gift to the agency under the NPS gift acceptance authority and not a gift to an individual employee. Similarly, food and beverages may be provided by Cooperating Associations in support of the educational, scientific, historical and interpretive activities of the NPS. Section 3.1.1 directs employees to consult the Ethics Office if they are unsure.

**2. Require parks to document, in each instance, their determination that food and beverage purchases are necessary to further the agency's purpose.**

NPS agrees. The new guidance makes it clear that parks may not purchase food or beverages with appropriated funds or funds donated directly to the NPS except in certain circumstances as authorized under Acquisition Policy and Procedures (AP&P) Memorandum 1443.07-03) or Director's Order 50B Occupational Safety and Health Program. 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. However, food and beverages may be provided as part of a partner's support for mission-related projects and programs if documented in an annual work plan or similar document. Similarly, food and beverages may be provided by Cooperating Associations in support of the educational, scientific, historical and interpretive activities of the NPS if documented in an annual work plan or similar document. This document must show how this purchase of food and beverages furthers these activities.

When Cooperating Associations are providing "Aid to NPS" (assistance to the NPS through cash, in-kind, or direct expenditure assistance derived from the sale of interpretive sales items), the park and Cooperating Association are required to develop an Annual Work Plan to document the anticipated use of funds. Aid to NPS is treated under DO #32 as any other private donation to the NPS and therefore requires an Annual Work Plan. The NPS has been reinforcing this in communications and training referenced elsewhere in this document.

The regular Annual Planning requirements for parks and their Cooperating Associations can be found in DO #32 and RM#32 (Section 5.2 Annual Planning). When Cooperating Associations are engaged in fundraising efforts, they must enter into philanthropic support agreements (unless

otherwise specified in DO#21) and would follow all associated guidance, including the development of Annual Work Plans.

In support of this, the NPS completed numerous training sessions covering annual work plans, and in particular documenting the purchase of food and beverage by partners in support of the agency's mission. Regional Directors and Superintendents from four of the NPS regions have already completed the training and the remaining three regions will be completed by May 2019. Two in-person trainings were held in 2018 for Cooperating Association and park staff that included sessions on ethics and new policy guidance. In addition, the NPS staff presented these new guidelines at the Friends Alliance fall meeting (October 9-11, 2018) and will be holding similar sessions at the upcoming Public Lands Alliance meeting (February 24-28, 2019) and spring Friends Alliance meeting (March 12-14, 2019). Almost all Cooperating Associations and philanthropic partners will participate in one of these meetings. The NPS staff are also offering training sessions for staff and partners as requested. Cooperating Associations have also actively communicated the new requirements and issued new guidance to their stores.

### **3. Revise and implement policies to include specific oversight roles, duties, and responsibilities to ensure that expended donated funds further the agency's purpose.**

NPS agrees. DO#21 permits a philanthropic partner to accept a gift that will benefit the NPS when that gift supports a jointly identified need of the NPS and its nonprofit partner through a philanthropic agreement or annual work plan (Section 5.4). The policy places this responsibility with both the Superintendent (Section 3.1.11) and the partner (Section 3.2). In any instances where a Superintendent needs further guidance or clarity, the NPS has partnership coordinators and Cooperating Association coordinators in each regional office, a national Partnership Office, and a national Ethics Office to assist. Those national offices will coordinate questions as needed with General Law in the Office of the Solicitor.

RM#21 provides additional detail on the annual work plan (Section 6.4.1 Annual Work Plans). It states that the "annual work plan lays out the projects and programs that a park or program and an authorized philanthropic partner agree to work on and fundraise for in a specific year. The plan is a collaborative work that aligns the identified needs of a park or program area with the authorized philanthropic partner's assessment of philanthropic or sponsorship interest in those needs. This section was released on August 21, 2018. RM#21 (Section 4.7 Accountability and Recordkeeping Requirements for Donations) provides specific guidance regarding accounting for monetary and non-monetary donations, and includes step-by-step examples of records and documentation practices. It was released on September 7, 2018.

The NPS staff are compiling annual work plan examples and best practices and will have an initial posting to the partnerships website by March 31, 2019. The NPS staff are also developing protocols for periodic reviews of the annual work plans to identify best practices and ensure compliance with the NPS policies.

RM#32 (Section 4. Roles and Responsibilities. Park Cooperating Association Coordinators) identifies Park Cooperating Association Coordinators as the Superintendent's representative and

advisor on all Association activities in the park such as the review process required for all Association sales items. The Coordinator monitors Association activities to determine if the park and Association are in compliance with the Standard Cooperating Association Agreement; DO#32: Cooperating Associations; and any supplemental agreements, pertinent laws, and standard operating procedures. The Coordinator identifies, describes, and justifies park program needs related to support of the educational, scientific, historical and interpretive activities of the NPS. They follow the Association's process for the preparation and submittal of park donation and program requests and establish park priorities for submittal to the Association. In addition, the Coordinator justifies and explains park donation requests to appropriate committees of the Association or its Board of Directors. RM#32 (Section 4. Roles and Responsibilities. Superintendents) charges a Superintendent with reviewing and approving (or adjusting) donation requests prepared by the Coordinator and ensuring that park requests are appropriate and in keeping with Association purposes as set forth in articles of incorporation. RM#32 and DO#21 specify that funds donated to a park site or program by Cooperating Associations should be treated, recognized, and accounted for in the same manner as any other donation from a private donor. In any instances where a Superintendent needs further guidance or clarity, the NPS has regional Chiefs of Interpretation, regional Partnership Coordinators, a national Cooperating Association lead, a national Partnerships & Philanthropy lead, and a national Ethics Office to assist. Those national offices will coordinate questions as needed with General Law in the Office of the Solicitor.

In addition, the NPS has initiated extensive DO#21 and RM#21 training for Regional Directors and Superintendents to ensure they understand their oversight roles, duties, and responsibilities. The sessions pay particular attention to partnership ethics matters. Training has been held or is planned in the following regions:

Northeast Region and National Capital Region combined May 1-2, 2018  
Southeast Region - October 31- November 1, 2018  
Midwest Region - November 8, 2018  
Intermountain West Region - April 10, 2019 (scheduled)  
Alaska Region - April 23-24, 2019 (scheduled)  
Pacific West Region - May 23-24, 2019 (scheduled)

#### **4. Revise and implement NPS policy that requires philanthropic partners to report total financial donations by park annually.**

NPS agrees. DO#21 requires philanthropic partners to report their philanthropic support of parks and programs to the NPS. On September 7, 2018, the NPS released RM#21, Section 4.7 (Accountability and Recordkeeping Requirements for Donations) which provides further detail on how partners should account for donations and report to the NPS. DO#32 requires that Parks and Cooperating Associations abide by the accounting and recordkeeping procedures in DO/RM#21.

Section 4.7 requires philanthropic partners to account for donations with a system complimentary to the NPS accounting, allowing for full accountability of a donation from

acceptance through disbursement. Ultimately, reports generated from either the NPS or philanthropic partners should reconcile all financial activities.

The same section in RM#21 also requires Superintendents to ensure philanthropic partner information is reported through the NPS Partnerships Reporting Site (Partnership Portal) on an annual basis. The Partnership Portal currently captures the information a partner reports to the Internal Revenue Service (IRS) on total support. The NPS recognizes that the IRS only requires organizations with revenue of \$50K or more to submit Form 990 or Form 990EZ. Cooperating Associations are required to also submit OMB Form 1040 to the NPS, which provides additional detail specific to their operations and support to parks. By October 1, 2018, the NPS completed entering 2015 and 2016 financial data for all philanthropic partners and Cooperating Associations who filed Form 990 or Form 1040. Table 1 provides an overview of IRS filing requirements for nonprofit organizations.

<b>Table 1. IRS Filing Requirements for Nonprofit Philanthropic Partners</b>	
Gross receipts normally $\leq$ \$50,000	990N
Gross receipts $<$ \$200,000, and Total assets $<$ \$500,000	990EZ or 990
Gross receipts $\geq$ \$200,000, or Total assets $\geq$ \$500,000	990

The Partnership Portal currently contains 191 philanthropic partners who either have a philanthropic agreement with the NPS or are in the process of developing a new agreement. In 2016, 75 filed Form 990, 39 filed Form 990EZ, one filed Form 990PF and data was not available for 76 groups, presumably because their gross receipts were less than \$50,000. The portal also contains 69 Cooperating Association partners, all of which have standard Cooperating Association agreements with the NPS. Table 2 presents the revenue and support to parks from philanthropic partners who filed Form 990 and Cooperating Associations who filed Form 1040 in 2016, which is the most recent and complete data.

The NPS entered Form 990 and Form 1040 data into the Partnership Portal to create an initial baseline of total support to parks, not just direct financial support to the NPS that partners are reporting. The Form 990 information also provides the park and the NPS with an overall view of the partner’s operation and financial standing, including sources of support and functional expenses, and provides the NPS with the ability to analyze the entire system of philanthropic partners.

The NPS is working with the philanthropic partner community, to identify the most effective ways to 1) capture in the Partnership Portal the support of all partners who have a philanthropic agreement or a Cooperating Association agreement, and 2) collect and aggregate additional data to provide a more detailed and consistent breakdown of support to parks. The NPS Assistant Director for Partnership and Civic Engagement is responsible for completing these tasks by June 30, 2019.

**5. Compile donation information and publicly report all funds donated to parks by philanthropic partners each fiscal year.**

NPS agrees. Each fiscal year, the NPS will prepare an annual report on all philanthropic support to parks. The report will contain information from the Partnership Portal as well as direct donations to the NPS with Treasury Symbol 14X8037 as tracked in FBMS. Deposits from nonprofit philanthropic partners are not flagged with a unique FBMS master data element, so querying this subset of records in the accounting system is not possible. Rather, the NPS will extract data from FBMS to report on all funds deposited into Treasury Symbol 14X8037 by park unit during the fiscal year. The initial report of donations by park for FY18 was produced on February 11, 2019 (Attachment 1)

The initial report from the NPS Partnerships Portal data was completed on October 29, 2018 (Attachment 2). It lists each partner that has a philanthropic agreement with the NPS or is in the process of developing or updating an agreement, and the program service expenses, as well as grants and other assistance made to the federal government that they reported to the IRS. The report is for 2016, which is the most recent tax year for which the greatest number of 990s were filed, taking into account extensions. Future annual reports will include a more comprehensive view of philanthropic support as additional data is entered into the Partnership Portal as described in the response to recommendation number 4. By June 30, 2019, the Assistant Director for Partnerships and Civic Engagement will work with the NPS Comptroller to review the FBMS and Partnership Portal data and develop a consolidated format for the FY19 annual report.

**6. Develop and maintain an accurate and complete philanthropic partners' directory that includes the amounts each partner donated to individual parks.**

NPS agrees. The NPS Partnership Portal includes a philanthropic partner directory that is current as of October 1, 2018. Partners who have a philanthropic agreement or are in the process of developing a new agreement, are included in the directory. A copy of the preliminary directory (Attachment 3) and the total amount reported to the IRS as program services and grants and other assistance made to the Federal government in 2016 (Attachment 2) are included. The NPS is currently reviewing the directory for accuracy and will update it annually when new financial data is entered.

The NPS is working with the philanthropic partner community to identify the most effective ways to 1) capture in the Partnership Portal the support of all partners who have a philanthropic agreement or a Cooperating Association agreement, and 2) collect and aggregate additional data to provide a more detailed and consistent breakdown of support to parks. This work includes identifying donations by park for organizations that represent multiple parks. The NPS Assistant Director for Partnership and Civic Engagement is responsible for completing these tasks by June 30, 2019.

**7. Revise and implement the NPS policy to ensure that Superintendent's funds are received and used in accordance with existing NPS policies, regulations, and laws.**

NPS agrees. The NPS determined it was prudent to abolish the practice of Superintendent's Funds or Discretionary Funds. Most parks had already ceased this practice based on informal guidance derived from the OIG preliminary report in January 2018. A September 25, 2018, directive (Attachment 4) from the Deputy Director, Management and Administration, stated that it is no longer permissible for parks to maintain a Superintendents Fund or Discretionary Fund. This directive also required all park Superintendents and Regional Directors to certify that any balances in these funds were returned to the partner. Each Superintendent and Regional Director certified that all such accounts were eliminated and all funds returned to the partner by October 2, 2018.

**8. Revise and implement NPS policy to prohibit park employees from receiving donations in the form of checks in their name, cash, and gift cards.**

NPS agrees. The Deputy Director, Management and Administration, issued a directive on September 25, 2018 (Attachment 4), prohibiting park Superintendents (and other staff) from accepting donations from partners in the form of checks in their name, cash, credit cards, or gift cards from park partners for the routine purchase of food, gifts, supplies, and other materials at the local level. Additionally, as noted above, the NPS issued comprehensive new ethics guidance in RM#21 (Chapter 3.0 Roles and Responsibilities. 3.1.1 Ethical Conduct Requirements for All Employees.) on August 16, 2018 and updated in February 2019, that clarifies under what circumstances individual employees may accept food or beverages from partners in a social or business setting.

**Follow-up Discussions over Report's Characterization of Two Types of Funds and their Applicable Limitations**

Thank you for the follow-up discussions on Appendix III. While we agree that some expenses do not comply with current guidance, we believe that a significant number of questioned costs included in Appendix 3, Monetary Impact, do not represent misused donated funds but rather are funds spent by partners consistent with NPS Policy as discussed in our responses to recommendations 1-3. We also request that the report make it clear that this was not an investigation of NPS partner organizations but a review of how NPS was applying agency policy on philanthropy.

Attachments (4)

Attachment 1: FY18 Report of Donations by Park

Attachment 2: Preliminary Listing of Philanthropic Partners and Cooperating Association Support for Parks as Reported to the IRS

Attachment 3: Preliminary Directory of National Park Service Philanthropic Partners and Cooperating Associations

Attachment 4: September 25, 2018 Directive from the NPS Deputy Director, Management and Administration, Regarding Superintendents Fund or Discretionary Fund

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## Appendix 5: Status of Recommendations

<b>Recommendation</b>	<b>Status</b>	<b>Action Required</b>
Recommendations 1, 7, and 8	Resolved and Implemented	No action is necessary.
Recommendations 2 and 3	Unresolved and not implemented	We will refer recommendation to the Assistant Secretary for Policy, Management and Budget for resolution and implementation tracking.
Recommendations 4 – 6	Resolved but not implemented	We will refer recommendation to the Assistant Secretary for Policy, Management and Budget for implementation tracking.

