

[EXTERNAL] PLA comment regarding OMB Control Number 1018-Friends

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To: Info\_Coll, FWHQ <[info\\_coll@fws.gov](mailto:info_coll@fws.gov)>

 1 attachments (167 KB)

PLA Letter - Friends Information Collection.pdf;

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To Whom It May Concern:

Thank you for the opportunity to comment on the Service's collection of friends group information. As stated in this letter, PLA would be pleased to discuss in greater detail any of the recommendations and suggestions included in this letter.

Warm regards,

Dan

**Dan Puskar**  
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January 8, 2021

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To Whom it May Concern:

This letter constitutes the public comment from the Public Lands Alliance (PLA) regarding OMB Control Number 1018-Friends.

The mission of PLA is to connect, strengthen, and represent the nonprofit partners of America's public lands, including its national wildlife refuges and hatcheries. Our members include friends groups, cooperating associations, and conservation corps that partner with the Service. These organizations not only provide direct benefits to the Service, but are integral to helping the Service engage a variety of critical stakeholders including private sector funders, local community leaders, and diverse and underserved audiences.

#### **Scope of PLA's Public Comment**

PLA recognizes that this request for information is part of a two-step process in responding to the September 2020 Office of Inspector General's report regarding the Service's friends program. Like many friends groups, PLA finds the request for comment difficult to complete given the broad, undefined categories of information that the Service suggests it should collect. For that reason, PLA will highlight opportunities and concerns most apparent despite the haziness of the subject matter and will endeavor to provide more detailed and specific comments during the second public comment period when the Service is able to articulate its desires clearly.

PLA will not comment items clearly articulated or anticipated in the Friends Policy (633 FW 1-4):

- Partnership Agreement, and its renewal
- Supplemental Agreement(s) as appropriate, and its(their) renewal

These items will be addressed by PLA during the upcoming informal public comment period for revisions to the Friends Policy.

### **Review of Suggested Information Categories**

In reviewing the additional categories provided, PLA believes that some categories may be consolidated to streamline reporting, and has therefore grouped them below

1. *Basic program information documentation, to include documents such as Internal Revenue Service (IRS) determination letters recognizing an organization as tax exempt, submission of IRS Form 990-series forms, bylaws, articles of incorporation, etc.;*

PLA agrees that the Service is entitled to access to current copies of IRS letters of determination, Form 990s, bylaws, and articles of incorporation as these are documents that are either publicly recorded or should be accessible to potential donors and supporters. PLA cannot comment on “etc.” and would limit the category to the four listed items.

2. *Internal financial control documentation for the organization; Recordkeeping requirements documenting accountability for donations and expenditures; Assurance documentation that donations, revenues, and expenditures benefit the applicable refuge or hatchery.*

PLA believes that the Service should receive a copy of annual independent financial audit reports. These reports regularly include information related to the broad categories listed. The Service may then follow up with individual Friends Groups for more detailed information on an *ad hoc* basis when there is appropriate justification or benefit to the partnership.

3. *Resumes of potential Friends group staff selected to work in visitor centers;*

PLA asks the Service to abandon this suggestion as it has no right to request this information of nonprofit partner organizations, nor any other partner. Nonprofit organizations, like any other employer, are expected to keep the information of their employees and potential employees confidential.

If a friends group employee will be required to have access to information or property that the Service has a duty to protect (e.g. computer network access, facilities keys), then the Service may institute a mechanism to protect its interests. But there should never be an expectation that the Service generally has a right to the resumes or other personnel information linked to friends group staff.

4. *Annual performance reporting (donations, revenues, and expenditures) and number of memberships (if applicable); and*

As PLA stated in its October 26, 2020 letter to Director Skipwith, the National Park Service has trod this ground for many decades and the Service should consider looking at its systems – especially its NPS Form 1040 – to collect information related to the impact of nonprofit partners. This form leverages the IRS Form 990 and captures many categories that may be of interest to the Service (e.g. Educational contact hours; Visitor contact hours; Number of items sold; Number of volunteer hours managed). PLA would be pleased to connect you with the key program leads at NPS to learn more from them and their experience.

5. *Additional information that may be included as part of quarterly, annual, and in-depth program reviews.*

It is difficult to comment on this information category given its breadth and lack of explanation. However, PLA does ask the Service to rescind its intention to create a quarterly program review requirement. PLA is unaware of such an onerous policy or practice at any other land management agency, including agencies like the National Park Service that have a much larger and more complex nonprofit partner program.

The quarterly review idea was not requested by the Office of the Inspector General and it should be abandoned.

### **Developing a Comprehensive, Non-Invasive Data Collection Standard**

PLA believes strongly that the Service should learn from the experience of other land management agencies that have been engaged in collecting nonprofit partner data for decades. These years of experience have lessons not only for how an agency can develop and manage the resources needed to implement a data collection program, but also a history of nonprofit partner engagement. There is always trial and error when devising reporting schemes for partners, and given the anxiety among FWS friends groups about this new direction, there may be great benefit to the Service in exploring what has worked in similar settings.

For example., the National Park Service annually requires its cooperating associations to forward to the Servicewide Cooperating Association Program Manager three items in addition to the NPS Form 1040:

- **IRS Form 990.** Associations are to send the appropriate IRS tax form (IRS Form 990 or 990EZ and 990T) from the most recently completed year.
- **A copy of the association's most recent audited or reviewed financial statement.**  
*Note: no annual financial evaluation is required for associations grossing less than \$250,000, but the NPS does recommend a periodic evaluation of financial records by an independent accounting firm.*
- **A brief narrative of the association's last fiscal year activities and accomplishments.** The narrative is an opportunity to showcase the work and value of the associations. NPS asks them to describe two or three highlights from the year,

and to include a digital photo (including a caption and photo credit) to illustrate one of these activities.

NPS has in years past used this data, narratives, and photos to create an annual report on the cooperating association community. That document became both a point of pride for cooperating associations to see their work recognized and valued at a national level, and it provided the NPS with a way to talk to Department leadership, Congress, and – if necessary – the Office of the Inspector General about the contours and impact of the association program.

PLA strongly encourages the Service to consider how it will use any information it collects to provide this program with a wide variety of stakeholders.

On behalf of PLA, thank you for the opportunity to comment on this important issue and would be happy to discuss in more detail any of the recommendations above.

Warm regards,

A handwritten signature in black ink, appearing to read "Dan Puskar".

Dan Puskar  
President and CEO