

[EXTERNAL] 1018 Friends

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To: Info\_Coll, FWHQ <info\_coll@fws.gov>

 1 attachments (35 KB)

Pursuant to the formal request published in the Federal Register.docx;

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Sirs:

I have prepared comments regarding the OMB report concerning the OIG and FWS reports regarding Friends Organizations. The Federal Register requested public input open until January 8.

My comments are attached in the following letter.

Regards

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December 20, 2020

Service Information Collection Clearance Officer,  
U.S. Fish and Wildlife Service, MS: PRB (JAO/3W),  
5275 Leesburg Pike, Falls Church, VA 22041-3803

Re: 1018 Friends

Pursuant to the formal request published in the Federal Register / Vol. 85, No. 217 / Monday, November 9, 2020 / Notices, I am providing this comment pertaining to the Friends Organizations under the Friends Program of the FWS.

I am in full agreement with the November 3 letter from the NWRA, CORFA and signatories to Director Skipwith, Director of the U.S. Fish and Wildlife Service. The OIG findings from a small, random sampling of Friends Organizations (FOs), do not collectively represent FOs organized under the "Friends Program". The FWS embrace of OIG findings rather than formalizing a request for more input and study discredits the FOs when it can be documented that FOs act as collegial partners with the Service and have become essential in delivery of service and support for Service activities pertaining to wildlife refuges and hatcheries. Their value, in my opinion, far outweighs the few financial and reporting concerns discussed in the OIG report.

My concern is that Friends organizations, as independent, public, 501(c)(3) organizations with mission and vision in support of the particular refuge, or entity for which they are associated, have sufficient independence from the FWS to be able to enter into partnerships with other organizations for which mutual goals would enhance goals and objectives of the Service and the particular Service entity (refuge or hatchery). The Friends organization needs sufficient independence to be able to seek such partners and devise and develop the concept and nature of the partnership, formalizing it with or without the expressed agreement by the FWS or a particular entity.

There are many kinds of partnerships besides the signed "Partnership Agreement" between a FO and the FWS. One, in particular, is the informal partnership that comes about between like-minded groups during grant applications. A FO may act as a partner for the applicant without receipt of goods or the exchange of money. These partnerships are common and are seen as valuable for the applicant thereby enhancing the probability of funding. Another partnership type occurs between groups seeking resources one partner has. This may be of the type in which an organization requires manpower for an event or project and requests partnering with a FO for a list of possible workers. Provided FO review finds the project worthy, there should be no FWS prevention of the interaction. Another partnership type occurs with third parties and may extensively involve complex agreements, memoranda of action, and legal counsel. A FO may provide funds to a third party with means to enable a land purchase or easement that would enhance opportunity for the FWS or unit to reach a stated objective. Such partnerships likely would involve agreements among three or more parties, could be complex, but should not be prohibited as they ultimately may enhance the refuge system goals and objectives. There are other types of partnership agreements, but the point remains one that any new partnership model constructed under the umbrella of the FWS-FO program should be written so as not to

exclude potentially beneficial partnership agreements and restrict the independence of the FO. If each "partnership" entity is to be reviewed and approved by the FWS and the FWS entity, refuge or hatchery, the FOs may not operate with sufficient independence contributing to loss of means and opportunity.

Another concern is the complexity and nature of an "annual or periodic report". For an established 501(c)(3) FO, I believe the report should consist of no more than the I-990, a prepared Annual Report such as might be provided to membership, a statement from the Friends Board concerning goals, objectives and achievements, and a response from the Board to a carefully prepared questionnaire prepared by the Service with input from the FOs. All input should be by electronic means. Provided funding from the FWS, these FOs should have independent audits performed at intervals. Findings from an independent audit are frequently requested by granting agencies. Friends groups that do not have 501(c)(3) status or FOs that are start-ups should only be held responsive to the questionnaire. Of course ample assistance from the Service in completion of the reports should always be made available.

Once the organizations within the Friends Program are burdened with unneeded governance and rules, I believe innovation, flexibility, and problem solving needed for today's environmentalism needs will give way to rigid positioning, protection of positions, bickering and as a consequence, environmentalism, conservation and outdoor resources for all will suffer. The Friends Program is immensely successful, beneficial and essential to promoting each Service entity, educating the public and contributing financially to goals and objectives. We ask that for the sake of FOs that potential **changes be mutually agreed upon**, not be excessive and deemed unmanageable or oppressive by FOs.

Though a member of my FO Board, the views reflected in this response are strictly my own and do not necessarily reflect those of the Friends Board of the Neal Smith NWR.

Sincerely,

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