WESTERN STATES ARTS FEDERATION (WESTAF)

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WESTERN STATES ARTS FEDERATION (WESTAF)

Gold Transparency 2024 Candid

- aka WESTAF
- Denver, CO
- www.westaf.org
- (303)629-1166



View GuideStar Profile

MISSION

Headquartered in Denver, Colorado, WESTAF (Western States Arts Federation) is a nonprofit arts service organization dedicated to strengthening the financial, organizational, and policy infrastructure of the arts in the West. WESTAF assists state arts agencies, arts organizations, and artists in their quest to serve diverse audiences, enrich the lives of local communities, and provide access to the arts and arts education for all. Through innovative programming, advocacy, research, technology, and grantmaking, WESTAF encourages the creative advancement and preservation of the arts regionally and through a national network of customers and alliances.

EIN

23-7255426

RULING YEAR

1973

IRS SUBSECTION

501(c)(3) Public Charity

MAIN ADDRESS

1625 Market St, Suite 226 PMB 98286 Denver, CO 80202

AFFILIATION TYPE

Independent Organization

CONTACT

Christian Gaines, Executive Director christian.gaines@westaf.org

EXECUTIVE DIRECTOR

Christian Gaines

BOARD CHAIR

Tamara Alvarado

SUBJECT AREA

Arts councils

NTEE Code

(Arts Council/Agency) (A26)

PROGRAMS

1. ZAPPlication

Population(s) served: Artists and performers

POPULATIONS SERVED

1. Artists and performers

COMPLIANCE

- ✓ IRS Pub 78 Verified as of June 2024
- ✓ IRS BMF 509(a) (1) as of June 10, 2024
- ✓ A-133 Audit Required/Performed?
- ✓ Conflict of Interest Policy
- X Written whistleblower policy

Section 509(a)(1) organization as referred to in Section 170(b)(1)(A)(vi)

TRANSPARENCY MEASURES

- X Board Practices Reported?
- ✓ Diversity Data Reported?
- **20** Number of Independent Board Members

Programs & Results

PROGRAMS

Source: Self-Reported by Organization, April 2024

ZAPPlication

Population(s) Served:

Artists and performers

Where artists and art festivals connect.

GUIDESTAR PRO REPORT
July 08, 2024 www.guidestar.org WESTERN STATES ARTS FEDERATION (WESTAF)

CHARTING IMPACT

What is the organization aiming to accomplish?

NA

Financials

FISCAL YEAR START: 10/01 FISCAL YEAR END: 09/30

✓ Financials audited by an independent accountant

FINANCIALS QUICK VIEW

| Total revenue, gains, and other support per audited financial statements | \$7,884,434 |
|--|-------------|
| Total expenses and losses per audited financial statements | \$8,303,349 |
| Surpluses in last 5 years | 2 |
| Negative Net Assets in past 5 years | 0 |

Created in Partnership with



Financial Trends Analysis

Business Model Indicators

| Profitability | 2019 | 2020 | 2021 | 2022 | 2023 |
|--|-------------|-------------|--------------|--------------|-------------|
| Unrestricted surplus (deficit) before depreciation | \$388,913 | -\$56,484 | \$8,986,936 | -\$2,331,955 | -\$366,185 |
| As a % of expenses | 9.4% | -1.1% | 142.2% | -30.9% | -4.4% |
| Unrestricted surplus (deficit) after depreciation | \$307,078 | -\$113,723 | \$8,928,440 | -\$2,365,221 | -\$418,915 |
| As a % of expenses | 7.3% | -2.2% | 140.0% | -31.2% | -5.0% |
| Revenue Composition | | | | | |
| Total revenue (unrestricted & restricted) | \$4,551,280 | \$4,986,465 | \$15,542,440 | \$6,773,845 | \$7,041,612 |
| Total revenue, % change over prior year | -0.5% | 9.6% | 211.7% | -56.4% | 4.0% |
| Program services revenue | 59.7% | 46.3% | 16.3% | 44.8% | 50.2% |
| Membership dues | 0.0% | 0.0% | 0.0% | 0.0% | 0.0% |
| Investment income | 0.5% | 0.4% | 0.2% | 2.7% | 3.2% |
| Government grants | 39.7% | 51.8% | 20.1% | 51.0% | 42.7% |
| All other grants and contributions | 0.0% | 2.4% | 63.6% | 1.5% | 4.2% |
| Other revenue | 0.0% | -1.0% | -0.1% | 0.0% | -0.3% |
| Expense Composition | | | | | |
| Total expenses before depreciation | \$4,146,025 | \$5,045,075 | \$6,320,900 | \$7,556,922 | \$8,288,952 |
| Total expenses, % change over prior year | 1.9% | 21.7% | 25.3% | 19.6% | 9.7% |
| Personnel | 48.2% | 47.9% | 41.0% | 41.4% | 42.3% |
| Professional Fees | 10.6% | 4.3% | 7.7% | 10.0% | 9.8% |
| Occupancy | 2.5% | 2.5% | 1.8% | 0.9% | 0.5% |
| Interest | 0.0% | 0.0% | 0.0% | 0.0% | 0.0% |
| Pass-Through | 18.4% | 28.7% | 38.2% | 28.1% | 21.8% |
| All other expenses | 20.3% | 16.7% | 11.3% | 19.6% | 25.6% |

Financial Trends Analysis, continued

Moving Toward Full Cost Coverage

| Full Cost Components (estimated) | 2019 | 2020 | 2021 | 2022 | 2023 |
|-------------------------------------|-------------|-------------|-------------|-------------|-------------|
| Total Expenses (after depreciation) | \$4,227,860 | \$5,102,314 | \$6,379,396 | \$7,590,188 | \$8,341,682 |
| One Month of Savings | \$345,502 | \$420,423 | \$526,742 | \$629,744 | \$690,746 |
| Debt Principal Repayment | \$0 | \$0 | \$391,391 | \$13,839 | \$7,830 |
| Fixed Asset Additions | \$0 | \$0 | \$0 | \$127,718 | \$117,431 |
| Total Full Costs (estimated) | \$4,573,362 | \$5,522,737 | \$7,297,529 | \$8,361,489 | \$9,157,689 |

Capital Structure Indicators

| Liquidity | | | | | |
|--|-------------|-------------|--------------|-------------|-------------|
| Months of cash | 1.9 | 8.1 | 2.1 | 2.0 | 0.5 |
| Months of cash and investments | 4.1 | 9.9 | 19.1 | 12.3 | 13.9 |
| Months of estimated liquid unrestricted net assets | 4.6 | 3.6 | 19.9 | 12.8 | 10.9 |
| Balance Sheet Composition | | | | | |
| Cash | \$653,247 | \$3,394,173 | \$1,129,596 | \$1,250,855 | \$360,538 |
| Investments | \$758,740 | \$783,269 | \$8,919,511 | \$6,522,738 | \$9,240,316 |
| Receivables | \$48,430 | \$36,394 | \$493,657 | \$482,004 | \$1,119,074 |
| Gross land, buildings, and equipment (LBE) | \$2,034,053 | \$1,889,978 | \$1,801,406 | \$1,929,124 | \$2,046,555 |
| Accumulated depreciation (% of LBE) | 92.3% | 93.6% | 96.7% | 92.1% | 89.4% |
| Liabilities (as % of assets) | 27.2% | 65.8% | 5.3% | 10.2% | 34.4% |
| Unrestricted net assets | \$1,740,633 | \$1,626,910 | \$10,555,350 | \$8,190,129 | \$7,771,214 |
| Temporarily restricted net assets | \$0 | N/A | N/A | N/A | N/A |
| Permanently restricted net assets | \$0 | N/A | N/A | N/A | N/A |
| Total restricted net assets | \$0 | \$0 | \$0 | \$0 | \$0 |
| Total net assets | \$1,740,633 | \$1,626,910 | \$10,555,350 | \$8,190,129 | \$7,771,214 |

Key Data Checks

| Material Data Errors | 2019 | 2020 | 2021 | 2022 | 2023 |
|----------------------|------|------|------|------|------|
| | No | No | No | No | No |

Note: This issue is relevant to a small number of organizations: The nonprofit subject(s) of this report may have affiliates. The Form 990 data may not include information about any or all potential affiliates. If an organization does have affiliates and these affiliates have substantial financial activity, the financial data in this report may not present a comprehensive picture of the nonprofit's financial condition. Please consult the 990s of any potentially related affiliates for additional information.

- ☑ <u>'Key Revenue & Expense Data from Form 990'</u>
- 'Key Balance Sheet Data from Form 990'

Operations

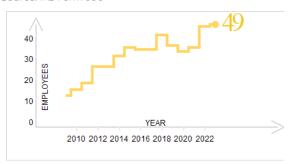
Source: Self-Reported by Organization, April 2024

EXECUTIVE DIRECTOR

Christian Gaines

NUMBER OF EMPLOYEES

Source: IRS Form 990



BOARD CHAIR

Tamara Alvarado

| Name | Title | Compensation | Other | Related |
|-------------------------|-----------------------------|--------------|----------|---------|
| Christian Gaines | EXECUTIVE DIRECTOR | \$209,782 | \$18,340 | \$0 |
| Amy Hollrah | DIRECTOR OF FINANCE & ADMI | \$89,571 | \$12,330 | \$0 |
| Tamara Alvaredo | CHAIR | \$0 | \$0 | \$0 |
| Teniqua Broughton | VICE CHAIR | \$0 | \$0 | \$0 |
| Karmen Rossi | BOARD SECRETARY | \$0 | \$0 | \$0 |
| Michael Lange | BOARD TREASURER | \$0 | \$0 | \$0 |
| Karen Hanan | DEVELOPMENT COMMITTEE CHAIR | \$0 | \$0 | \$0 |
| Roy Agloinga | EIC CHAIR | \$0 | \$0 | \$0 |
| Cyndy Andrus | TRUSTEE | \$0 | \$0 | \$0 |
| Amber-dawn Bear Robe | TRUSTEE | \$0 | \$0 | \$0 |
| Lisa Becker | TRUSTEE | \$0 | \$0 | \$0 |
| Bassem Bejjani | TRUSTEE | \$0 | \$0 | \$0 |
| Victoria Panella Bourns | TRUSTEE | \$0 | \$0 | \$0 |
| Tatiana Gant | TRUSTEE | \$0 | \$0 | \$0 |
| Susan Garbett | TRUSTEE | \$0 | \$0 | \$0 |
| Ann Hudner | TRUSTEE | \$0 | \$0 | \$0 |
| Jonathan Johnson | TRUSTEE | \$0 | \$0 | \$0 |
| Candace Kita | TRUSTEE | \$0 | \$0 | \$0 |
| Nikiko Masumoto | TRUSTEE | \$0 | \$0 | \$0 |
| Megan Miller | TRUSTEE | \$0 | \$0 | \$0 |
| Brandy Reitter | TRUSTEE | \$0 | \$0 | \$0 |
| Adrian San Miguel | TRUSTEE | \$0 | \$0 | \$0 |
| Kelly Stowell | TRUSTEE | \$0 | \$0 | \$0 |

| Name | Title | Compensation | Other | Related |
|-------------------------|----------------------------|--------------|----------|---------|
| Christian Gaines | EXECUTIVE DIRECTOR | \$202,240 | \$13,398 | \$0 |
| Amy Hollrah | DIRECTOR OF FINANCE & ADMI | \$83,507 | \$11,811 | \$0 |
| Roy Agloinga | EIC CHAIR | \$0 | \$0 | \$0 |
| Tamara Alvaredo | BOT CHAIR | \$0 | \$0 | \$0 |
| Cyndy Andrus | TRUSTEE | \$0 | \$0 | \$0 |
| Amber-dawn Bear Robe | TRUSTEE | \$0 | \$0 | \$0 |
| Lisa Becker | TRUSTEE | \$0 | \$0 | \$0 |
| Bassem Bejjani | TRUSTEE | \$0 | \$0 | \$0 |
| Victoria Panella Bourns | TRUSTEE | \$0 | \$0 | \$0 |
| Teniqua Broughton | BOT VICE CHAIR | \$0 | \$0 | \$0 |
| Tatiana Gant | TRUSTEE | \$0 | \$0 | \$0 |
| Susan Garbett | TRUSTEE | \$0 | \$0 | \$0 |
| Karen Hanan | BOARD DEV CHAIR | \$0 | \$0 | \$0 |
| Ann Hudner | TRUSTEE | \$0 | \$0 | \$0 |
| Jonathan Johnson | TRUSTEE | \$0 | \$0 | \$0 |
| Michael Lange | BOARD TREASURER | \$0 | \$0 | \$0 |
| Nikiko Masumoto | TRUSTEE | \$0 | \$0 | \$0 |
| Megan Miller | TRUSTEE | \$0 | \$0 | \$0 |
| Paul Nguyen | TRUSTEE | \$0 | \$0 | \$0 |
| Brandy Reitter | TRUSTEE | \$0 | \$0 | \$0 |
| Karmen Rossi | BOARD SECRETARY | \$0 | \$0 | \$0 |
| Kelly Stowell | TRUSTEE | \$0 | \$0 | \$0 |
| Candace Kita | TRUSTEE | \$0 | \$0 | \$0 |
| Adrian San Miguel | TRUSTEE | \$0 | \$0 | \$0 |

| Name | Title | Compensation | Other | Related |
|----------------------------|-----------------------------|--------------|----------|---------|
| Christian Gaines-Doh 11419 | EXECUTIVE DIRECTOR | \$202,090 | \$14,791 | \$0 |
| Amy Hollrah | DIRECTOR OF FINANCE & ADMIN | \$85,602 | \$13,850 | \$0 |
| Anthony Radich-Dot 73119 | EXECUTIVE DIRECTOR EMERITUS | \$84,700 | \$8,310 | \$0 |
| Roy Agloinga | TRUSTEE | \$0 | \$0 | \$0 |
| Tamara Alvaredo | BOT CHAIR | \$0 | \$0 | \$0 |
| Cyndy Andrus | TRUSTEE | \$0 | \$0 | \$0 |
| Amber-dawn Bear Robe | TRUSTEE | \$0 | \$0 | \$0 |
| Lisa Becker | TRUSTEE | \$0 | \$0 | \$0 |
| Bassem Bejjani | TRUSTEE | \$0 | \$0 | \$0 |
| Victoria Panella Bourns | TRUSTEE | \$0 | \$0 | \$0 |
| Teniqua Broughton | BOT VICE CHAIR | \$0 | \$0 | \$0 |
| Michael Faison | TRUSTEE | \$0 | \$0 | \$0 |
| Susan Garbett | TRUSTEE | \$0 | \$0 | \$0 |
| Karen Hanan | TRUSTEE | \$0 | \$0 | \$0 |
| Joaquin Herranz JR | TRUSTEE | \$0 | \$0 | \$0 |
| Ann Hudner | TRUSTEE | \$0 | \$0 | \$0 |
| Jonathan Johnson | TRUSTEE | \$0 | \$0 | \$0 |
| Michael Lange | BOT TREASURER | \$0 | \$0 | \$0 |
| Nikiko Masumoto | TRUSTEE | \$0 | \$0 | \$0 |
| Megan Miller | TRUSTEE | \$0 | \$0 | \$0 |
| Paul Nguyen | TRUSTEE | \$0 | \$0 | \$0 |
| Brandy Reitter | TRUSTEE | \$0 | \$0 | \$0 |
| Karmen Rossi | BOT SECRETARY | \$0 | \$0 | \$0 |
| Kelly Stowell | TRUSTEE | \$0 | \$0 | \$0 |

| Name | Title | Compensation | Other | Related |
|---------------------------|--------------------|--------------|---------|---------|
| Anthony Radich | EXECUTIVE DIRECTOR | \$146,000 | \$6,802 | \$0 |
| Amy Hollrah | FINANCE DIRECTOR | \$77,207 | \$7,760 | \$0 |
| Roy Agloinga | SECRETARY | \$0 | \$0 | \$0 |
| Tamara Alvarado | VICE CHAIR | \$0 | \$0 | \$0 |
| Cyndy Andrus | TREASURER | \$0 | \$0 | \$0 |
| Bassem Bejjani | TRUSTEE | \$0 | \$0 | \$0 |
| Dana Bennett | TRUSTEE | \$0 | \$0 | \$0 |
| Victoria Panella Bourns | TRUSTEE | \$0 | \$0 | \$0 |
| Wendy Bredehoft | TRUSTEE | \$0 | \$0 | \$0 |
| Teniqua Broughton | TRUSTEE | \$0 | \$0 | \$0 |
| Michael Faison | TRUSTEE | \$0 | \$0 | \$0 |
| Erin Graham | CHAIR | \$0 | \$0 | \$0 |
| Karen Hanan | TRUSTEE | \$0 | \$0 | \$0 |
| Joaquin Herranz JR | TRUSTEE | \$0 | \$0 | \$0 |
| Ann Hudner | TRUSTEE | \$0 | \$0 | \$0 |
| Jonathan Johnson | TRUSTEE | \$0 | \$0 | \$0 |
| Michael Lange | TRUSTEE | \$0 | \$0 | \$0 |
| Nikiko Masumoto | TRUSTEE | \$0 | \$0 | \$0 |
| Karmen Rossi | TRUSTEE | \$0 | \$0 | \$0 |
| Kelly Stowell | TRUSTEE | \$0 | \$0 | \$0 |
| Brandy Reitter | TRUSTEE | \$0 | \$0 | \$0 |
| Christian Gaines Beg 0119 | EXECUTIVE DIRECTOR | \$0 | \$0 | \$0 |

HIGHEST PAID EMPLOYEES

FISCAL YEAR 2021

| Name | Title | Compensation | Other | Related |
|---------------|----------------------------|--------------|----------|---------|
| Adam Sestokas | DIRECTOR OF TECHNOLOGY & I | \$115,232 | \$17,757 | \$0 |

HIGHEST PAID EMPLOYEES

FISCAL YEAR 2020

| Name | Title | Compensation | Other | Related |
|---------------|-------------------------------------|--------------|----------|---------|
| Adam Sestokas | DIRECTOR OF TECHNOLOGY & INNOVATION | \$108,539 | \$12,994 | \$0 |

HIGHEST PAID EMPLOYEES

| Name | Title | Compensation | Other | Related |
|---------------|-------------|--------------|---------|---------|
| Adam Sestokas | IT DIRECTOR | \$109,537 | \$6,749 | \$0 |

Contractors

FISCAL YEAR 2023

| Name | Address | Type of Service | Compensation |
|------------------------|-------------------------------------|----------------------------|--------------|
| Brownrice Internet INC | 201 CAMINO DE LA MERCED, TAOS 87571 | SOFTWARE DEVELOPMENT | \$333,603 |
| Alyeska Resort | PO BOX 249, GIRDWOOD 99587 | BOARD & COMMITTEE MEETINGS | \$176,686 |
| Bilberry Technologies | 2529 22ND AVE S, SEATTLE 98144 | SOFTWARE DEVELOPMENT | \$108,700 |

Contractors

FISCAL YEAR 2022

| Name | Address | Type of Service | Compensation |
|------------------------|-------------------------------------|----------------------------|--------------|
| Brownrice Internet INC | 201 CAMINO DE LA MERCED, TAOS 87571 | SOFTWARE DEVELOPMENT | \$469,715 |
| Bilberry Technologies | 2529 22ND AVE S, SEATTLE 98144 | SOFTWARE DEVELOPMENT | \$112,998 |
| Alohilani Resort | 2490 KALAKAUA AVE, HONOLULU 96815 | BOARD & COMMITTEE MEETINGS | \$109,742 |

Contractors

| Name | Address | Type of Service | Compensation |
|------------------------|-------------------------------------|-----------------|--------------|
| Brownrice Internet INC | 201 CAMINO DE LA MERCED, TAOS 87571 | DEVELOPMENT | \$219,512 |

Paid Preparers

FISCAL YEAR 2023

| Firm Name | Firm EIN | Firm Address | Firm Phone |
|---------------------|-----------|--|------------|
| PLANTE & MORAN PLLC | 381357951 | 8181 E TUFTS AVENUE SUITE 600, DENVER CO 802372579 | 3037409400 |

Paid Preparers

FISCAL YEAR 2022

| Firm Name | Firm EIN | Firm Address | Firm Phone |
|---------------------|------------|--|--------------|
| PLANTE & MORAN PLLC | 38-1357951 | 8181 E TUFTS AVENUE SUITE 600, DENVER CO 802372579 USA | 303-740-9400 |

Paid Preparers

| Firm Name | Firm EIN | Firm Address | Firm Phone |
|---------------------|------------|--|--------------|
| PLANTE & MORAN PLLC | 38-1357951 | 8181 E TUFTS AVENUE SUITE 600, DENVER CO 802372579 USA | 303-740-9400 |

 GUIDESTAR PRO REPORT

 July 08, 2024
 www.guidestar.org
 WESTERN STATES ARTS FEDERATION (WESTAF)

Organizational Demographics

Who works and leads organizations that serve our diverse communities? This organization has voluntarily shared information to answer this important question and to support sector-wide learning. GuideStar partnered on this section with CHANGE Philanthropy and Equity in the Center.

Leadership

The organization's leader identifies as:

Race & Ethnicity White/Caucasian/European

Gender Identity Male, Not transgender

Sexual Orientation Heterosexual or Straight

Disability Status Decline to state

Race & Ethnicity

No data

Gender Identity

Transgender Identity

No data

Sexual Orientation

No data

Disability

No data.

Appendix

| Key Documents | |
|------------------------------|--|
| IRS Forms 990 | Z 2023 990 |
| | Z 2022 990 |
| | Z 2021 990 |
| | Z 2020 990 |
| | Z 2019 990 |
| IRS Forms 990T | ☑ 2019 990T |
| | ☑ <u>2018 990T</u> |
| Audited Financial Statements | 2022 Audited Financial Statement |
| | 2020 Audited Financial Statement |
| | ☑ 2018 Audited Financial Statement |
| Key Organization Documents | ☑ 2017 Annual Report |
| | ∠ 'Key Revenue & Expense Data from Form 990' |
| | [2] 'Key Balance Sheet Data from Form 990' |

GuideStar Charity Check

WESTERN STATES ARTS FEDERATION (WESTAF)

Aka WESTAF

1625 Market St, Suite 226 Pmb 98286 Denver, CO 80202 ✓ Foundation Status Code: PC*

✓ Public charity described in section 509(a)(1) or (2)

IRS Publication 78 Details

Verified IRS Pub 78

Organization name Location Most recent IRS Publication 78

Western States Arts Federation Denver, CO June 2024

EIN Deductibility status description Verified with most recent Internal Revenue Bulletin

23-7255426 A public charity (50% deductibility limitation). July 08, 2024

IRS Business Master File Details

IRS BMF 509(a)(1)

Organization name Most recent IRS BMF Reason for Non-Private Foundation Status

WESTERN STATES ARTS FEDERATION June 10 2024 Section 509(a)(1) organization as referred to in Section

170(b)(1)(A)(vi)

EIN IRS subsection Ruling date
23-7255426 This organization is a 501(c)(3) Public Charity 02/1973

Foundation Code Pescription

15 Organization which receives a substantial part of its support from a governmental unit or the general public

This organization was not included in the Office of Foreign Assets Control Specially Designated Nationals (SDN) list.

On September 8, 2011, the IRS issued regulations which eliminated the advance ruling process for a section 501(c)(3) organization. Learn more

* The Foundation Status Code is the code that foundations are required to provide for each grantee annually on part XV of Form 990PF. Note that this code cannot be derived in some cases (e.g., supporting organizations for which 'type' can't be determined).

<u>IRS Revenue Procedure 2011-33</u> allows grantors to rely on third-party resources, such as GuideStar Charity Check, to obtain required Business Master File (BMF) data concerning a potential grantee's public charity classification under section 509 (a) (1), (2) or (3).

GuideStar Charity Check Data Sources

-GuideStar acquires all IRS data directly from the Internal Revenue Service.

-<u>IRS Publication 78 (Cumulative List of Organizations)</u> lists organizations that have been recognized by the Internal Revenue Service as eligible to receive tax-deductible contributions.

- -The <u>IRS Internal Revenue Bulletin</u> (IRB) lists changes in charitable status since the last Publication 78 release. Between the release of IRS Publication 78 and the subsequent IRS Internal Revenue Bulletin, the IRB date will reflect the most recent release date of IRS Publication 78.
- -The <u>IRS Business Master File</u> lists approximately 1.7 million nonprofits registered with the IRS as tax-exempt organizations.
- -The I<u>RS Automatic Revocation of Exemption List</u> contains organizations that have had their federal tax-exempt status automatically revoked for failing to file an annual return or notice with the IRS for three consecutive years.
- -The Foundation Status Code is a value derived by mapping the codes found on the <u>990PF filing instructions</u> to the corresponding codes in the IRS BMF. Note that not all codes are able to be mapped due to insufficient data.
- -The Office of Foreign Assets Control (OFAC) <u>Specially Designated Nationals (SDN) list</u> organizations that are owned or controlled by targeted Individuals, groups, and entitlies, such as terrorists or narcotics traffickers. Their assets are blocked and U.S. persons are generally prohibited from dealing with them.