

# Private Org Rules for Fundraisers

## What are Private Organization rules for Fundraisers?

PO's are required to submit a fundraising request form to FSS for approval. Allow at least 20 business days for the approval process and do not begin advertising until the request has been approved.

Some limitations to fundraising are as follows (not an all-inclusive list):

- Private Org must be in compliance with annual review requirements.
- The fundraising event will not be conducted during the Combined Federal Campaign or the Air Force Assistance Fund Campaign (unless MSG Commander approves).
- Will NOT occur during duty hours in the workplace. (Lunch hours are permissible).
- Government time, resources or letterhead will not be utilized.
- May not use government title or positions on any advertising.
- The event will not compete with AFFES or FSS.
- Any sale of food will be coordinated through Public Health.
- The sale of alcoholic beverages is prohibited.
- Military personnel cannot participate while in uniform.
- Comply with AFI 36-3101, Fundraising in the Air Force.
- Conduct no more than three (3) fundraisers per quarter.

Under Air Force guidance raffles are allowed by POs only. All funds must directly benefit DoD personnel or their families and cannot be used to raise funds for charities or outside causes.

## PO's are nonfederal entities and therefore they must adhere to State laws:

AFI 34-223 10.20.3. Raffles must comply with State and local laws of the jurisdiction in which the installation is located and comply with any applicable requirements of such laws, (e.g., securing required licenses or permits).

Ensure you check state and local laws as well to ensure you are in compliance with guidelines concerning raffles. (See your FSS/legal office)

## Unofficial Activity/Unit Unofficial Activity vs. Private Organization Quick Reference Guide

	Unit Unofficial Activities (FE)	Private Organization (NFE)
Approval Authority to Operate	Unit/CC	MSG/CC**
Fundraiser Approval Authority	Unit/CC	FSS/CC**
Fundraise during duty hours?	Yes	No
Fundraise in uniform?	Yes	No
Use Official Email?	Yes	No
Cap on # of fundraisers?	No	Yes = 3 per quarter
Fundraise off base?	Not allowed	Yes**
Solicit gifts from outside sources?	Not allowed (but may accept gifts)	Yes**
Conduct raffles?	Not allowed	Yes** (if 501C3)



DAFI 36-3101



AFI 34-223

## Organizing and Fundraising to Support Unit Events

A commonly asked question is how to raise funds to support events that benefit our Airmen and their families. Holiday parties, sunshine funds, infant support, and new member welcome events all cost money and it's sometimes confusing to understand all the rules about fundraising on the base.

This primer is meant to orient you to the terms, concepts, and general rules that govern private organizations and fundraising on an Air Force Base. It is not a substitute for consulting your private organization program manager (normally in the FSS) and your legal office. In most cases, units can very successfully organize to raise funds for unit events and support but they need to be informed and operate deliberately to ensure they don't run afoul of the the legal and institutional rules that surround fundraising. There are two primary categories of organizations that you can utilize, Unofficial Unit-affiliated Activity (UUA), and Private Orgs (PO). Which one of these you choose is dependent on your situation and desired outcomes.

For most situations, Unofficial Unit-affiliated Activity is a preferred course of action. It has the lowest requirements for initiation and approval, the least amount of oversight requirements, and can usually raise sufficient funds to support most unit activities. AFI 34-223 Paragraph 2.2 covers the overall requirements for Unofficial Unit-affiliated Activity organization and operation. Please consult your local wing guidance for additional information and requirements.

For some situations, it may be necessary to become a recognized private org. This is more involved, incurs more oversight, and has some different restrictions that UUAs don't have...but there are benefits as well.

You should consult with your Force Support Squadron (manages the Private Organization program for most wings) and legal office to determine which option is best for you and your group.

## What is an Unofficial Activity?

Unofficial activities/organizations are small groups that are not required to be formally established as Private Organization because their current assets (including cash, investments, inventory and receivables) do not exceed a monthly average of \$1,000 over a three month period.

UA (Unofficial Activity) if there is not a unit commander to provide oversight: *all fundraising requests start and stop with FSS. Provide annual financial documents to FSS*

UUA (Unit-Unofficial Activity) if there is a unit commander to provide oversight: *all unit fundraising requests start and stop with unit CC. UUA's provide annual financial documents to unit CC. On base fundraising that goes outside the unit must be routed through FSS.*

UA/UUA fundraising activities are considered "for us, by us" within the meaning of the JER. Section 3-210(a) (6) defines "for us, by us" as:

- Federal entities
- Made up entirely of Department of Defense members and/or their dependents
- Funds raised must exclusively benefit the DoD community
- Maintain a two-person accountability system for all cash transactions.

### Unofficial Activities **SHOULD NOT**:

- Conduct frequent or continuous resale activities (excludes unit souvenirs)
- Conduct fundraisers off-base
- Solicit contractor employees to participate in your fundraiser
- Advertise for, refer to, or encourage the use a specific off-base business
- Sell or serve alcoholic beverages.

If an unofficial activity or unofficial unit activity is not the right answer, you may want to consider becoming a registered Private Organization.

## What is a Private Org?

According to AFI 34-223, "POs are self-sustaining special interest groups, set up by individuals acting exclusively outside the scope of any official Air Force Duties. They operate on Air Force Installations with the written consent of the Installation Commander. POs are not Federal entities and are not to be treated as such." Paragraph 9 adds that DoD personnel CANNOT be on duty time to develop documents in support of PO's.

PO's can fundraise on or off base. PO's cannot solicit donations on base—except to their own members but may solicit gifts and donations off base, making it clear that they are not part of the Air Force and using the disclaimer statement. "THIS IS A PRIVATE ORGANIZATION. IT IS NOT PART OF THE DEPARTMENT OF DEFENSE OR ANY OF ITS COMPONENTS AND IT HAS NO GOVERNMENTAL STATUS."

PO's operate on Air Force installations with the written authorization of the Wing Commander and MSG Commander. Normally, the FSS acts as a liaison between Private Organization members, the Legal Office, Force Support Commander, and the Mission Support Group Commander to establish the Private Organization.

### **New Private Organizations are required to submit the following to FSS for Approval (check local guidance)**

- Request to Establish Memo
- Request for Insurance Waiver/copy of Insurance Policy
- Letter of Liability Understanding
- Constitution/By-Laws
- List of current PO Officers
- Financial Liability Memo/Bank Statement/Budget
- Meeting Minutes

### **Existing Private Organizations**

- Annual review / recertification request
- The constitution and by-laws need to be submitted every two years or when there is a change in purpose, function, or membership eligibility to get your private organization reviewed by the staff judge advocate and recertified IAW AFI 34-223 para. 9.3.
- The list of officers is due annually or when there is a change in officers, whichever comes first.
- Insurance liability waiver or liability insurance, letter of understanding, financial report, and meeting minutes are due annually.

## Unofficial Activity Rules for Fundraising

"For us, by us" fundraising should normally be planned and executed to take place primarily where funds collected can come from unit members and their family members. A bake sale or lunchtime food sale, however, is often welcomed by other units and advertising can inform all installation Airmen and Guardians who might have an interest in participating in such sales. Contractor employees should not be targeted by advertising to participate in the fundraising event, but may on an unsolicited voluntary basis, elect to purchase goods or services of value at the unit fundraiser. An event that uses an installation facility, outside the unit, such as a car wash using the installation car wash complex, may target the installation-wide community so long as all tenant units have similar opportunity to engage in similar fundraising events. No fundraising events whatsoever may take place in federal workplaces other than in common areas. Workplace (desk-to-desk) collections are not allowed in such circumstances.

Because unit commanders may support and endorse "for us, by us" fundraising events, they may allow military unit members to set up, execute and clean up from such events during the duty day and while in uniform. Unit commanders may authorize the use of official communications systems (e.g., official email) to advertise such unit fundraising events. However, caution should be used so that the source of the email (e.g., Commander, Command Chief, Supervisors) does not go beyond official support and endorsement and make participation in the event non-voluntary or compulsory.

All other fundraising activities, including unit unofficial activities/social fund fundraising, should generally be scheduled for a time of year so as to not adversely impact the Air Force Assistance Fund and Combined Federal Campaign. Because of the timing of the Combined Federal Campaign, unit fundraising to support holiday parties may occur during the Combined Federal Campaign. Regardless, however, such ad hoc fundraising may not take place in a manner that seeks to mimic, or would substantially detract from, or cause confusion with, the Air Force Assistance Fund and Combined Federal Campaigns.

Please refer to DAFI 36-3101, your FSS, and your legal office if you have any questions about fundraising as a UA/UUA.