



42d Air Base Wing, Maxwell AFB



Private Orgs & Unofficial Activities

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AFI 34-223



- PO Para. 1.1 Private Organizations are self-sustaining special interest groups, set up by individuals acting exclusively outside the scope of any official capacity. They operate on Air Force installations with the written consent of the Installation Commander (delegated to Mission Support Group (MSG) Commander).
- UA Para. 9.1 Unofficial Activities fundraising efforts are considered “FUBU.” As such commanders may advertise and support their fundraising efforts by official communication (to unit members) and cannot interfere with the mission. UAs are still Federal entities and may not solicit gifts outside sources or engage in off base activities.
- If the fundraiser event for a UA is outside the unit, paperwork must be submitted to 42fss.privateorg@us.af.mil mailbox for review/approval of the event prior to advertising.



PO



- Private Organizations are self-sustaining special interest groups, set up by individuals acting exclusively outside the scope of any official capacity. They operate on Air Force installations with the written consent of the Installation Commander (delegated to Mission Support Group (MSG) Commander).
- POs must identify control of assets goals and objectives and have a budget.
- Have financial statements and can maintain over \$1K but less than balance in their financial account turn in documents to FSS/FSR Annually.
- \$100K, less than \$250K, annual financial review by accountant paid by the PO.
- \$250K or more: An Annual audit is performed by a CPA and paid by the PO.
- Installation CC may request AF audit anytime.



UA



- UA's are allowed to keep a balance of up to \$1,000 (average over 3 months). There is an exception--the UA can request to increase their threshold (NTE 6 months) when preparing for a large event up to \$5,000. They can also increase holdings for local membership over 300 people at the rate of \$100 for every 50 members over 300 (up to \$5,000). Value of assets on hand—even if used for resale--no longer count toward financial limits.
- EXAMPLE: a UA consisting of 400 people could hold \$1,000, plus an additional \$200 {\$100 for every fifty people over 300=\$200} for a total of \$1,200. If saving for an event, 6 months of the year the unit can carry up to \$5,000 with prior approval.
- Any Unofficial Activity that exceeds these limits must reduce financial footprint to stay a UA or submit to become a Private Organization.



Snack Bars



- Sunshine funds, coffee funds...are not considered Private Organizations. These funds are only for the use of the unit and is not meant to be displayed for public view. The moneys may not be used for Change of Commands, Promotion ceremonies, wedding gifts, baby shower gifts, etc...
- Funds can only be used to sustain the snack fund. If any left-over moneys from the snack bar, then funds may be used to purchase food items, microwave or refrigerator if needed to sustain the fund.



Establishing a PO



- IAW AFI 34-223

- Documents needed:
 - Officers List (Due yearly or whenever there is a change)

 - Constitution and bylaws (Due every 2 years or if there is a significant change in purpose)

 - Insurance or Insurance Waiver (Due yearly)

 - Financials (Due yearly)

 - Meeting Minutes (Due quarterly)



C&BL



AFI 34-223 Para. 9.2: The Constitution and By-Laws (C&BL) must address the nature, function, objectives, membership eligibility and sources of income of the PO.

- Include the certification that PO members are notified and understand their personal financial liability for obligations of the PO.
- Describe the responsibilities of the officers and their role in asset accountability and financial and operational management.
- Provide specific guidance on disposition of residual assets and liabilities upon dissolution.
- Must be resubmitted for review and approval every two years or when there is a change in purpose, function, or membership eligibility of the PO, whichever comes first and must be reviewed by the installation SJA.



Insurance



- AFI 34-223 Para. 10.15: POs must have liability insurance unless the installation commander or delegee waives the requirement.
- Insurance should be required unless the activities of the PO are such that the risk of liability is negligent. PO members must be made aware that they are jointly and severally liable for the obligations of the PO.
- The commander or delegate may waive the requirement for continuous liability coverage; however, the approval document must advise the PO that the commander may still require liability insurance for specific events that involve a greater risk of injury or damage. Insurance waivers must be reevaluated annually.



Financials



- AFI 34-223 Para. 10.6 POs must use budgets and financial statements as financial management tools.
- A budget details financial plans for annual operations. It includes income and expense for the PO.
- POs with certain levels of gross annual revenue, must undergo audits and financial reviews at the POs expense such as a CPA when gross annual revenues of \$250K or more.
- POs with gross annual revenues of \$100K, but less than \$250K would need an Accountant to review their financial books.
- POs that have gross annual revenues less that \$100K, but more that \$5K, must send FSS their information annually.



Officers Listing



- AFI 34-223 Para. 11 Newly elected PO officers must consult FSS for guidance and training on local installation requirements and procedures because POs do not get either Appropriated funds or Non-appropriated Funds support.
- Officers cannot use their official capacity when filling out documents. Government Letterheads, the use of military logos and insignias, rank, government phone numbers and government emails are all prohibited use by POs.
- POs must use the following disclaimer on all printed and electronic media “THIS IS A PRIVATE ORGANIZATION. IT IS NOT A PART OF THE DEPARTMENT OF DEFENSE OR ANY OF ITS COMPONENTS AND IT HAS NO GOVERNMENTAL STATUS.”



Establishing a UA



➤ **IAW AFI 34-223**

➤ Documents needed:

➤ Officers List (two-person)

➤ Financials (Due yearly)

➤ Form to be established as a UA signed by RMFC



FUNDRAISING



- AFI 34-223 Para. 9.1 UAs fundraising efforts are considered “for us, by us” within JER Section 3-210. Unit commanders may advertise and support their fundraising efforts using official email and by allowing unit personnel to support such efforts while on duty but cannot interfere with mission status. Unofficial activities are still Federal entities and may not solicit gifts from outside sources or engage in off base fundraising.
- Private Orgs may not use government resources to get out their fundraising efforts. A PO can use word of mouth, social media and fliers. Must use disclaimer on all printed and electronic media. POs may not solicit, but can receive gifts from outside sources and can fundraise off base with permission from FSS/CC.
- Cannot conduct games of chance according to State, Federal and Local laws.
- **Remember: The Government does not Fundraise! As a UA, your organization cannot ask for donations or fundraise off base.**



FUNDRAISING Cont...



AFI 34-223: All organizations POs and UAs MUST BE IN COMPLIANCE with AFI 34-223 before Fundraising Paperwork can be submitted. Please plan accordingly before submitting documents so that the paperwork process can proceed smoothly.

NOTE: Failure of compliance with AFI 34-223 and our office will result in the organization suspended or dissolution.



SO, WHAT IS A FUNDRAISER?



- The intent of the event is to make money = fundraiser.
- Exchanges (popcorn, cookies, lollipops) for monetary “donations” (drop what you want in a can) or set price = fundraiser.
- Any event where money (cash, check, payroll deduction) changes hands for services (it is not “volunteering” if someone is being paid) = fundraiser.



FUNDRAISING PROCESS



- An organization must be in good standing before submitting a Fundraiser Request Form. Please do not use official information on the form as it says for POs to use Unofficial information on the form. If preparation of food is involved, Public Health's Temporary Food Booth Paperwork is needed (953-5606).
- The form must be submitted to 42fssprivateorg@us.af.mil 14 days or prior to the event to start the approval/disapproval process.
- If there is a flyer, please attach with the request form and make sure to use the disclaimer. Also, do not use rank, government phone numbers or government emails written on the document.



FUNDRAISING PROCESS Cont



- Once the fundraising process is finished. The FSS Private/Unofficial Orgs Monitor will send the POC of the event a Fundraiser License showing approval for the event.
- The POC will need to keep the license or display the paperwork showing approval with Public Health's document if applicable.
- Three fundraisers are permissible per quarter for Private and Unofficial Organizations.



FUNDRAISING Template



MAXWELL – GUNTER PRIVATE ORG FUNDRAISER REQUEST

Request form must be turned into the 42 FSS Private Org Box/Office 14 days prior to event

UNOFFICIAL NAME OF REQUESTER _____ UNOFFICIAL PHONE NUMBER _____

UNOFFICIAL E-MAIL _____

NOTE: I request authorization to hold a fundraising event on/off Maxwell/Gunter Installations. If approved, I/We: expressly agree to indemnify and hold the United States of America harmless from and against any and all claims, suits, and liability, however caused arising out of or in connection with this event, whether or not caused or contributed to by any negligence or alleged malfeasance on the part of any employee of the United States or member of the United States Armed Forces. I/Understand and am responsible for the individual members of the requesting organization – rather than the Air Force – would be liable.

ORGANIZATION REPRESENTED (Name) _____ TIME(s) and DATE(s) OF THIS FUNDRAISER _____

SIGNATURE OF REQUESTER _____ DATE(s) OF LAST FUNDRAISER _____

(Use wet signature only)

This event is _____ (M, F, or S) of this quarter. I understand each Private Organization or Unofficial Activity is authorized 3 fundraisers per quarter.

DETAILS OF YOUR EVENT (Example – WHAT: Wash to hold a bake sale, car wash, etc.; WHERE: In the BX lobby, parking lot, etc.; PURPOSE: Funds will be used to offset the cost of a unit party). Please be as detailed and comprehensive as possible, attaching additional sheets if necessary.)

WHAT: _____ WHERE: _____ (Must be in a common area)

PURPOSE: _____ BLDG MGR INITIALS: _____

Attach Flyer If Applicable I understand that I cannot advertise this event until the fundraiser and flyer have been approved. All printed and electronic media must contain the following disclaimer: "THIS IS A PRIVATE ORGANIZATION. IT IS NOT A PART OF THE DEPARTMENT OF DEFENSE OR ANY OF ITS COMPONENTS AND IT HAS NO GOVERNMENTAL STATUS." All posted flyers must have approval to post through the facility manager of the area that they will be posted in. Under no circumstances will signs be allowed to be posted outside of any facility. _____ (fundraiser POC initials)

YES NO (fundraiser POC initials for each item)

- ___ ___ 1. The requesting organization is in good standing according to the AFI 34-223
- ___ ___ 2. I understand that all participants must be volunteers, not in uniform. If conducted during duty hours, participants shall be on leave or special pass (applies to both military and civilians)
- ___ ___ 3. This event involves food preparation and coordination is attached (coordinate with Public Health 953-5000)
- ___ ___ 4. I understand that this event may not be held in the workplace
- ___ ___ 6. I understand that this event will not involve solicitation in base housing
- ___ ___ 6. I understand that I may not advertise this event using government email
- ___ ___ 7. I understand that I may not conduct games of chance, lotteries, raffles, or other gambling-type activities (AWAL state law)

424 ABW/JA

RECOMMEND APPROVAL RECOMMEND DISAPPROVAL

SIGNATURE: _____ DATE: _____

REMARKS/LIMITATIONS: _____

DECISION OF APPROVAL AUTHORITY:

YOUR REQUEST TO CONDUCT A FUNDRAISER AT THE TIMES AND DATES INDICATED IS:

APPROVED DENIED

424 FORCE SUPPORT SQUADRON COMMANDER _____ DATE: _____

MAXWELL – GUNTER UA FUNDRAISER REQUEST FORM

(FUNDRAISING OUTSIDE OF THEIR UNIT)

Request form must be turned into the 42 FSS Private Org Box/Office 14 days prior to event

NAME OF REQUESTER _____ PHONE NUMBER _____

E-MAIL: _____

ORGANIZATION REPRESENTED (Name) _____ TIME(s) and DATE(s) OF THIS FUNDRAISER _____

SIGNATURE OF REQUESTER _____ DATE(s) OF LAST FUNDRAISER _____

This event is _____ (M, F, or S) of this quarter. I understand each Unofficial Activity is authorized 3 fundraisers per quarter.

DETAILS OF YOUR EVENT (Example – WHAT: Wash to hold a bake sale, car wash, etc.; WHERE: In the BX lobby, parking lot, etc.; PURPOSE: Funds will be used to offset the cost of a unit party). Please be as detailed and comprehensive as possible, attaching additional sheets if necessary.)

WHAT: _____ WHERE: _____ (Must be in a common area)

PURPOSE: _____ BLDG MGR INITIALS: _____

Attach Flyer If Applicable I understand that I cannot advertise this event until the fundraiser and flyer have been approved. All posted flyers must have approval to post through the facility manager of the area that they will be posted in. Under no circumstances will signs be allowed to be posted outside of any facility. _____ (fundraiser POC initials)

YES NO (fundraiser POC initials for each item)

- ___ ___ 1. The requesting organization is in good standing according to the AFI 34-223
- ___ ___ 2. This event involves food preparation and coordination is attached (coordinate with Public Health 953-5000)
- ___ ___ 3. I understand that this event will not involve solicitation in base housing
- ___ ___ 4. I understand that I may not conduct games of chance, lotteries, raffles, or other gambling-type activities (AWAL state law)

424 ABW/JA

RECOMMEND APPROVAL RECOMMEND DISAPPROVAL

SIGNATURE: _____ DATE: _____

REMARKS/LIMITATIONS: _____

DECISION OF APPROVAL AUTHORITY:

YOUR REQUEST TO CONDUCT A FUNDRAISER AT THE TIMES AND DATES INDICATED IS:

APPROVED DENIED

424 FORCE SUPPORT SQUADRON COMMANDER _____ DATE: _____



FUNDRAISING License



Fundraising License

Log Number: FSR 21-009

42 FSS/FSR PO/UA Org POC: Michelle Brown 334-953-7519

Maxwell Cub and Boys Scouts

FR #1 3rd QTR

When: 4, 11, 18, and 25 Sept 2021

Where: Maxwell BX/Shoppette

Description of Fundraiser: Annual popcorn National Fundraiser

Public Health Coordination

N/A

Exchange Coordination

YES

Commissaries

N/A

APPROVED

Approving Official:

Jennifer Stewart

Maj, USAF

Commander, 42d FSS



(SOME) AIR FORCE FUNDRAISING RULES



PO Participants **MUST NOT** use official duty time and cannot be in military uniform (UAs are allowed limited duty time by unit commanders to conduct fundraisers and may stay in uniform).

- AF personnel (active duty/civilians) may not use their official positions for endorsing fundraising efforts or membership drives.
- Only in common areas (lobbies, entryways, break rooms, etc.).
- No more than 3 per quarter per activity including the ones approved by Unit Commanders.
- Proposed flyers to advertise the event must be attached to the Fundraiser Request.
- Cannot compete with AAFES or NAF activities.
- No solicitation on base.
- Public Health (953-5606) must sign off if fundraising involves selling of food items.

These are not all inclusive. Contact FSS with specific questions



SO HOW DO WE GET THE WORD OUT?



- Signs advertising approved fundraisers may be posted in common areas of buildings with the approval of the facility manager.
- Facebook pages, social media, unofficial email (don't forget the disclaimer). May not use government social media as an appearance to endorse the event in an official capacity.
- Paid advertising on FSS media.
- Word of mouth (Once approval paperwork is received).



FSS



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- **Do not confuse FSS activities or events with fundraising.**
 - **FSS rules of engagement are very different from PO's.**
 - **FSS logos will be on all FSS advertising media.**
 - **PO's/UA's cannot partner with FSS or Federal Government to fundraise.**
 - **ALL FUNDRAISING PAPERWORK STARTS AND STOPS WITH FSS.**



RAFFLES



- Para. 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.
- ALABAMA DOES NOT RECOGNIZE GAMES OF CHANCE AND RAFFLES ARE NOT LEGAL IN THE GREAT STATE OF ALABAMA



FUNDRAISING OPPORTUNITIES FOR POs/UAs



In addition to your traditional fundraisers (bake sales, car wash, etc.) Additional opportunities exist at some FSS events where concessions are needed:

- Month of Military Child
- Various Festivals
- Egg Hunts
 - Cannot be considered for fundraising opportunity if org is not in compliance.
 - Org will be required to pay a \$20 concessionaire fee that will cover the cost of a table, 2 chairs and a canopy. Org is required to bring their own extension cords.
 - Notified by email by FSS of these opportunities (This is why POC updates are so important).
 - No duplication of sales items—first request in gets first right to sell.
 - Does count as one of your 3 per quarter allowable fundraisers.



IMPORTANT TIPS FOR COMMANDERS/FIRST SHIRTS/SUPERVISORS



- **You may not endorse a PO fundraising event by using your position.**

Air Force employees may not officially endorse (or appear to endorse) fundraising for a PO (no use of .mil email, AF letterhead, official signature blocks, etc.). No “strong-arming” subordinates.

- **Never accept gifts or donations intended as gifts to the military in your official capacity.**

If you are contacted by a person, group, or business wanting to generously give to the AF, see the legal office (953-2786) or Maxwell Marketing Dept (953-7410).

- **Do not confuse PO events with official government events.**

If the PO is paying for the event, then it is not an official function. POs can accept unrestricted donations from local businesses, but when it comes time to recognize donors at the event, it must be a PO/UA officer that thanks donors – not Air Force leadership.

- **Situational Awareness of the PO/UAs that operate inside your area of control is critical. It is up to leadership to ensure that POs/UAs do not exceed their boundaries.**

Check to assure that orderly and timely turnover of records and funds are made when officers change and report any irregularities to FSS immediately.



IMPORTANT TIPS FOR COMMANDERS/FIRST SHIRTS/SUPERVISORS



If you are contacted to “help get the word out” on an event or a fundraising opportunity:

- Refer all volunteer opportunities to the Installation Volunteer Coordinator at 953-2353.
- Politely decline requests to assist others in promoting PO fundraising opportunities and activities unless specifically cleared by legal office. It could give the appearance of government sanction or endorsement, and violates DoD 5500.7-R, Section 3-210.a.



ENDORSEMENTS



- PO's and UA's (as well as AF units) cannot engage in any conduct that has the effect of advertising for, making referrals to, or encouraging the use of any commercial business concerns (T0).
 - could imply unintentional government endorsement.
 - could potentially conflict with AAFES or FSS operations.
 - could interfere with FSS Commercial Sponsorship Program.
 - could cause liability issues with businesses who are not given opportunity at the same venue.

- Exception for approved fundraising events through third party vendors. Must not conflict with AAFES or FSS operations. Information Fairs may be held for awareness of CFC/AFAF participating charities during CFC/AFAF.



AIR FORCE FUNDRAISING/DRIVES



- The Air Force has 2 official fundraising campaigns: CFC (Fall-Winter timeframe) and AFAF (Spring) and 1 official food drive: Feds Feeding Families (summer-fall).
- These campaigns **ARE** allowed to be conducted during duty hours, in the workspace, by members in uniform.
- Other than these 3 events, all fundraising and drives on base can only be conducted by Private Orgs or Unofficial Activities that are in good standing.
- Fundraising done exclusively for the campaign does not count as a fundraiser for your organization (3 per quarter rule). CFC and AFAF does not accept cash any longer.
 - **Outside fundraising cannot detract from CFC or AFAF. Fundraising by UAs is allowed to support unit holiday parties during the CFC on base. Fundraising by PO's during this time is not allowed on base.**
- Rules governing PO/UA fundraising during AFAF and CFC are found in AFI 36-3101.



OTHER TRADITIONAL EVENTS



- There are several TRADITIONAL AF events that ARE NOT OFFICIAL events. These events require PO/UA establishment if fundraising is needed. Some examples are:
 - **Retiree Appreciation Day**
 - **Annual Awards Ceremony**
 - **AF Ball**
 - **Cultural Awareness Day**

- Remember that appropriated funds cannot be used for these events. Money is usually made for these events by PO fundraisers/donations and/or UA fundraisers (only on base).



FUNDRAISING DOs



- **DO** get FSS approval for ALL fundraisers (N/A for UAs fundraising within their units).
- **DO** route request form through FSS/FSR. Allow AT LEAST TWO WEEKS to process.
- **DO** READ all the instructions on the back of the Fundraiser Request Form.
- **DO** write a comprehensive email (What, Where, When, Why/Purpose) describing your fundraising event to submit with the Fundraiser Request Form. This will streamline the process.
- **DO** submit copies of all potential advertisements/flyers/posters with the fundraising request form.
- **DO** provide complete list of vendors to FSS before the event.



FUNDRAISING DON'Ts



- **DON'T** use government time, e-mail, or equipment for unofficial fundraising activities! Don't use it to advertise your fundraiser, conduct activities in furtherance of your fundraiser, or to collect money
- **DON'T** use your government computer to get on social media **to fundraise**
- **DON'T** fundraise in the federal workplace. Don't collect money; don't circulate order forms for cookies or candles or donuts; don't deliver or distribute fundraiser items



MORE FUNDRAISING DON'Ts



- **DON'T** solicit to your civilian subordinates or military members junior in rank to you.
- **DON'T** use government time or allow subordinates to use government time for PO meetings, planning committees, advisory boards, or oversight boards.
- **DON'T** officially endorse, or appear to endorse, unofficial fundraising activities and non-federal organizations or their events, products, services, or enterprises.



THE MOST IMPORTANT “Fundraising DON’T”



- **DON’T** THINK THAT BECAUSE YOU’VE SEEN IT DONE BEFORE HERE, OR SEEN IT DONE AT ANOTHER INSTALLATION, THAT IT WAS IN COMPLIANCE WITH THE AFIs AND JOINT ETHICS REGULATION.

Just because something was done in the past does not mean that it is now permitted. If past activity violated the rules, it cannot be used as precedent to authorize such action in the future.



WHAT ABOUT DRIVES?



DRIVES (food, coat, bicycle, etc.) do not fall under the legal definition of FUNDRAISER.

- Sponsoring DRIVES will not count towards your quarterly fundraising limit.
- Membership Drives without collection of money is not considered a fundraiser
 - AAFES/Commissary, however, do require drive membership paperwork for this
- Membership Drives with collection of money IS considered a fundraiser and must follow above procedures



DONATIONS



**Donations = products or money given for PO use
(sometimes referred to as Gifts)**

- **Soliciting donations of any sort (by anyone) IS NOT allowed on base**
- Additionally, UAs are not allowed to solicit donations off base.
- Donations **cannot** be requested on government letterhead or official e-mail.
- Unsolicited donations to any organizations **can** occur at any time.
- No advertising may be made for the benefit of the donor.
- Donor(s) can be recognized briefly at the event that their contribution benefits with a “thank you.”
- GoFundMe or other internet “crowd funding” sites are allowed for **POs** (be aware of fees and charges) GoFundMe currently = 5% + 2.9% (bank) plus 30 cents per donationa \$10 donation = \$8.90 to the originator.



INFORMATION LOCATIONS



Get information at:

42 FSS/Private Org Mailbox (GAL)

42fss.privateorg@us.af.mil

Michelle Brown 953-7519 or Maxine Harvey 953-3687



References



- AFI 34-223, *Private Organizations (PO) Program*
- AFI 36-3101, *Fundraising within the Air Force*
- DoD 5500.7-R, *Joint Ethics Regulation (JER)*
- DoDI 1000.15, *Procedures and Support for Non-Federal Entities Authorized to Operate on DoD Installations*
- AFMAN 33-152, *User Responsibilities and Guidance for Information Systems*
- 5 CFR 2635.808, *Standards of Ethical Conduct for Employees of the Executive Branch; Fundraising Activities*
- AFI 51-601, *Gifts to the Department of the Air Force*
- AFI 36-2909, *Professional and Unprofessional Relationships*
- Local Legal Rulings/Policy Letters



42d Air Base Wing, Maxwell AFB



QUESTIONS

