



U.S. AIR FORCE

96th Force Support Squadron



96 FSS

PRIVATE ORGANIZATIONS, UNOFFICIAL ACTIVITIES & FUNDRAISING



U.S. AIR FORCE

ROLES & RESPONSIBILITIES



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INSTALLATION COMMANDER

- Approves PO to operate on installation
 - Delegated to MSG/CC
- Approves fundraisers
 - Delegated to FSS/CL
 - Delegated to MSG/CC during CFC and AFAF

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- Administers PO program, coordinates and routes requests for approval
- Conducts annual reviews of POs/UAs
- PO Coordinator (96 FSS/FSR) routes requests and acts as a liaison

LEGAL

- Advises FSS on interpretation of applicable rules
 - Cannot directly advise POs/UAs. Activities needing legal guidance must submit their request to 96fss.fsr.privateorg@us.af.mil.
- Ensures organizations do not compromise the Air Force by providing guidance on compliance with the instructions.



WHAT IS A PRIVATE ORGANIZATION (PO)?



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PRIVATE ORGANIZATIONS ARE:

- Self-sustaining special interest groups (i.e. Booster Clubs, Association, etc.), set up by people acting **exclusively outside the scope of any official capacity**, and operate on installation with written consent from the Installation Commander.
- Not official entities of the Federal Government-federal entities
- Require Installation CC written consent to operate.

PRIVATE ORGANIZATIONS ARE NOT:

- Integral parts of the military or Federal entities
- Nonappropriated Fund Instrumentalities
- Entitled to sovereign immunities or privileges
- Considered “for us, by us” fundraising entities within the meaning of JER Section 3-201 (a)(6)



WHAT IS AN UNOFFICIAL ACTIVITY (UA)?



UNOFFICIAL ACTIVITIES ARE:

- Considered “for us, by us” IAW JER Section 3-210. Think “**unit affiliated**”.
- An Unofficial Activity small unit affiliated clubs (e.g. coffee funds, water funds, snack bars, social funds, holiday committees, etc.)
- Are considered Federal Entities
- May conduct fund 3 fund raisers per quarter only for unit personnel
- Cannot solicit gifts outside the unit or off installation
- Cannot conduct fund raisers off installation
- Fundraisers cannot duplicate or compete with AAFES or Services activities

Assets (cash, receivables and investments) are less than \$1K

- UAs can **temporarily** exceed the \$1K threshold, NTE 6-months, if more than 75% of assets will be used in upcoming large unit event (e.g. holiday party, ball, etc.) and may be increased by \$100 for every 50 unit member over 300 (max \$5K month average).
- **If assets are above \$1K for any 3-consecutive month period**, UA must become PO, discontinue on-base operations, or reduce current assets to below that threshold. (on-hand inventory not included in the asset calculations)
- Increase required Installation CC approval (delegated to MSG/CC or FSS/CL)
- All cash transactions require 2 person accountability system
- Unit required to submit basic financial report to unit CC
 - - Must detail income and expenses
- Unit CC may authorize use of Gov’t communication systems to advertise fundraiser within the unit

“For the unit, by the unit” type of activities



HOW TO ESTABLISH A PO



STEP 1: SUBMIT REQUIRED DOCUMENTS TO 96 FSS/FSR

- **1) Request to become (or renew) a Private Organization**
- **2) Constitution**
 - Constitution must address nature, function, objectives, membership eligibility, sources of income
 - Members must be aware of personal liability for obligations of PO
 - Describe duties of officers
 - Describe how to dispose of assets in case of dissolution
- **3) Bylaws**
- **4) Insurance Waiver Request/Statement of Understanding** (or copy of Insurance Policy)
- **5) Officer POC Listing**

All documentation and correspondence that includes your PO name must include the following disclaimer somewhere in the document: **“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.”**

After initial establishment, PO must update/review Constitution every 2 years in addition to submitting yearly for a complete annual review.

Quarterly requirements: Meeting minutes, financial statements

NAMING YOUR PO/UA

- May only use the name or abbreviation of the DoD, AF unit, or installation with written approval from installation commander. This approval must be provided with initial review of paperwork to the PO coordinator.
- May not use seal, logos, or insignia of DoD, component, instrumentality on letterhead, correspondence, etc.

EXAMPLES

Names that are **not permitted** (without approval):

- 96 MSG BOOSTER CLUB
- 96 TW TOP 3
- EGLIN AFB MECHANICS ASSOCIATION

Names that are **permitted**:

- PILOTS BOOSTER CLUB
- EGLIN TOP 3
- EGLIN MECHANICS ASSOCIATION



MEMBERSHIP



MEMBERSHIP

- May not discriminate on basis of religion, race, ethnicity, color, age, disability, gender, sexual orientation, or national origin
 - BUT may have religious/cultural focus
 - **Constitutions membership section must include the following statement:**
“**Membership is open to all persons regardless of age, race, religion, color, national origin, disability, ethnic group, or gender, provided they meet the requirements of this article.**” (Verbiage must be exact).
- Religiously oriented POs may **NOT**:
 - Have exclusive use of gov’t facilities
 - Leave signs/insignia except during PO’s activities
 - Restrict membership to the religion involved



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LIABILITY



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- Joint and Several liability of PO members
- Members must be made aware & their understanding documented in the Constitution
- Must have adequate insurance to provide liability coverage against personal injury or property damage claims that may arise from their activities
- **Waiver**—If Installation Commander determines extremely low liability exposure
 - **Waiver does NOT protect PO or members from liability**
 - Does not apply to special events
- May be required to obtain insurance in case of medium or high risk event.



FINANCES & TAXES



FINANCES

- Must be self-sustaining, primarily through “dues, contribution, service fees”
- Income derived must be primarily for offsetting expenses of operation, which may include awards and charitable contributions
- No financial assistance from DoD or NAFI
- **CANNOT** engage in any conduct that has the effect of advertising for, making referrals to, or encouraging use of any commercial business concerns.
- PO’s with certain levels of gross annual revenue must undergo audits and financial reviews at the PO’s own expense
 - Maintain a **two (2)-person accountability system for all cash transactions**. Submit a basic annual financial report to PO coordinator quarterly

TAXES

- IAW AFI 34-223, para 10.17. “Private Organizations and unit unofficial activities must comply with all applicable federal, state, local, and foreign laws governing like civilian activities. (T-0) Some Private Organizations may qualify for tax-exempt status. It is the responsibility of the Private Organization to obtain proper tax-exempt information and forms through the regional Internal Revenue Service office and the state taxing authority. (T-0)”
- PO/UA should retain copies of tax status for records and may provide a copy for digital filing to the PO coordinator, but is not required to.
- **Note: Establishing a PO/UA, does not mean you are automatically exempt!**
- For more information see IRS Publication 557 Section 501 (c)(19), visit: <https://www.irs.gov/charities-non-profits/applying-for-tax-exempt-status>



FUNDRAISING



- PO/UA may conduct **occasional** fundraising- defined as **no more than 3 per quarter of the Fiscal Year**
- **POs MUST obtain approval for on and off base fundraisers via the Fundraiser Request Form**
- POs must be compliant/current to fund raise
- Must not engage in activities that duplicate or compete with AAFES, MWR, or any FSS (except Thrift Store)
- Must not operate amusement machines, or games of chance (e.g. lottery, bingo, raffles)
- No selling or serving of alcohol (see AFI 34-223 para. 10.14 for additional guidance)
- Must be away from the workplace (can be in common areas such as hallways/break rooms)
- Working for the fundraiser while in uniform or during duty time is **not** allowed!

- **UAs cannot fundraise off base or outside their unit.**
- They typically fundraise within the unit and use funds for the unit. (See AFI 36-3101, Ch.5, para 5.3.4 for more info on “For Us, By Us”.)
 - Still only allowed 3 per quarter limit.
 - Must request fundraiser approval from 96 FSS/FSR via Fundraiser Request Form, but Unit CC approves fundraisers since they stay within the unit.

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FUNDRAISING



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To request a fundraiser, submit the Fundraiser Request Form to 96fss.fsr.privateorg@us.af.mil.

You will also need to **attach your FLYER(s)** when submitting your requests. The PO disclaimer **must** be somewhere on the flyer: **“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.”**

If your fundraiser includes the **handling of food** (precooked or homemade), you will need to have the **Public Health Office** sign your fundraiser request form **before** submitting it to FSR.

If your fundraiser involves the use of **another facility** on base (such as the BX or Commissary), you will also need to obtain **signatures from all facility managers** on your Fundraiser Request Form **before** submitting it to FSR.

The following are reminders when filling out your Request Forms:

- POC Name –Please ensure that your **government rank is removed**, and it is only your name
- Method of Advertising/Promotion –**You are not able to use military emails as a form of advertising.**



RAFFLES



- Raffles must be authorized in advance by the installation Commander or designee
- Must be held to support the PO's routine operations or for the direct benefit of DoD personnel and/or family members (i.e. scholarships for DoD personnel and dependents)
- **May not** be conducted to raise money for an outside cause local/national groups or local/national charities.
- 50/50 Raffles and cash raffles are **not** allowed on base, per the AFI, as they violate the general gambling prohibition in DoD 5500.7-R, *Joint Ethics Regulation (JER)*.
- Requires submission and routing just like fundraisers.
 - Requests must identify what funds will be used for on the request form.
- Cannot be conducted in the workplace, on work time, or in uniform.
- May be utilized for benefiting AFAF if 100% of donations go to the fund
- Raffles will not be conducted in the workplace
- Raffles must comply with State and local laws (securing a license/permits)
- Counts toward 3 per quarter fundraisers
- **UA's are prohibited from conducting raffles!**





ADVERTISING



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Flyers must display an easily visible PO 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.”**

- Avoid the use of anything that gives the appearance of base/AF sanction (ranks, official contact info, logo, insignia, letterhead, etc.)
- POs should have facility managers approval prior to hanging flyers
- Fundraiser must be approved prior to advertising– this includes bulletin requests.
- Any advertising should be submitted as a support document along with the fundraiser request form

SOLICITATION OF DONATIONS

Private Orgs

- POs may **not** directly solicit funds/gifts for their organization ON the installation
 - Do not confuse with fundraising!
- OFF Base solicitations must clearly indicate that they are for a PO/UA and not the base or any official part of the Air Force (*don't forget the PO disclaimer*) → We have a donation letter template and donor letters require approval
- There is a donor letter template, available upon request.

Unofficial Activities

- **Cannot solicit gifts/donations at any time.**

Both

- May “accept” gifts and donations (at any time)
- Donor/gift recognition may **not** be made publicly; Recognition can only be made to members of the PO/UA or those present at an event benefitting from the donation/gift
- **Avoid the word “Sponsor” or “Sponsorship”!!**





SNACK BARS



- The prohibition against frequent or continuous resale activities does not preclude collective purchasing and sharing of purchased items by members of the POs or unofficial/unit unofficial activities/organizations so long as there is no actual resale.
 - *“Resale” is defined as the sales of items or services at a markup intended to generate cash in excess of that needed to pay expenses; cash generated from rounding up costs to a sales price to make a sales price more convenient to the customer does not constitute resale.*
- Proceeds can only sustain the snack bar. It is NOT appropriate to make a profit or use proceeds to fund other activities.



FOR PO'S ONLY

POs must use budgets and financial statements as financial management tools.

- **Budget**: Annual operations (income & expenses) & capital purchases
- **Financial Statements**: POs also must prepare an income and expense statement, which can be done either on an accrual basis or cash basis
-
- **Fiscal years run: Oct. 1, XXXX –Sep. 30, XXXX, but POs can report based on their own FY** (see your constitution).
 - *If ever you are confused which FY you fall in (or just need help in general), please contact the PO Workflow inbox.*



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LOGISTICAL SUPPORT



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- POs may be provided venues to conduct meetings of reasonable duration and frequency
- Private Organizations must furnish their own equipment, supplies, and other materials
- Air Force personnel may use official email to communicate with the PO Coordinator



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GUIDANCE



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- **AFI 34-223**, *Private Organization Programs*
- **AFI 36-3101**, *Fundraising within the Air Force*
- **DoD 5500.07-R**, *Joint Ethics Regulation*



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CONTACT INFO



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- **96 FSS/FSR Private Org Coordinator:**
 - (850) 882-6884
 - Workflow: 96fss.fsr.privateorg@us.af.mil
- <https://eglin96fss.com/privateorgs/>