

Private Organizations and Fundraisers Guideline

Many members of the JB MDL community are actively involved in private organizations (POs) on base, from the unit booster club to a PO based on rank, common interest, or other affinity. These POs are often engaged in commendable activities such as community service, support for dependents and airmen, and organizing social events. However, there is specific guidance that POs should follow to ensure compliance with federal ethics laws and regulations and not give the appearance of official DoD endorsement of PO activities.

Small unofficial activities (like office coffee/snack bar funds or sunshine funds) are generally not considered POs. However, if the organization's current assets exceed a monthly average of \$1,000 over a 3-month period; if it wants to use the name or abbreviation of the DoD or an Air Force organizational unit or installation in the organization's name; or if it wants to conduct a raffle fundraiser, the activity/organization must become a PO.

To become a PO, a proposed member of the PO must submit a written constitution and bylaws to the Force Support Squadron Resource Management Office, FSS/FSR, which will route the request through FSS/CC, the Legal Office, and MSG/CC for approval.

Government email and systems are authorized to send messages on behalf of a PO, but the use of government systems must be of reasonable duration and frequency, not adversely affect the performance of official duties, not overburden systems, and not adversely reflect on the Air Force or DoD. Government email should not be used to provide notice of unofficial off-installation fundraising campaigns and volunteer requests.

POs may not use the seals, logos, or insignia of the DoD or any DoD Component, DoD organizational unit, or DoD installation on organization letterhead, correspondence, titles, or in association with organization programs, locations, or activities.

POs operating on DoD installations may use the name or abbreviation of the DoD, an Air Force organizational unit, or installation in the PO name provided that the status as a PO is apparent and unambiguous and there is no appearance of official sanction or support by the DoD. Also, the PO must obtain written approval from the installation commander before using the name or abbreviation.

FUNDRAISERS

POs may conduct a maximum of two (2) events for fundraising purposes per calendar quarter with prior approval of the MSG/CC. This applies whether the fundraiser is conducted on or off installation. Examples of such fundraisers include but are not limited to bake sales, donut sales, golf or bowling tournaments, dances, carnivals, auctions, and car washes. During the Combined Federal Campaign (mid-October to early December) and Air Force Assistance Fund (February to May) drives, fundraising for a PO at the workplace is not authorized. Fundraising can still take place, with 87 MSG/CC approval, away from the workplace, e.g., at the base chapel, BX, or building lobbies and entrances. During the rest of the year, fundraising can take place at or away from the workplace with 87 MSG/CC approval.

RAFFLES

POs may not conduct games of chance, lotteries, or other gambling-type activities, except that fundraising raffles may be permitted in very limited circumstances. Raffle fundraisers may be permitted if they serve a charitable, civic, or other community welfare purpose within the DoD community and directly benefit DoD personnel or their family members. They may not be used for purely social, recreational, or entertainment purposes. They may not be conducted in the workplace, while on duty, while in uniform, or in an official capacity.

Obtaining approval to conduct a raffle is a three-step process:

1. First, the PO must register with the New Jersey Division of Consumer Affairs Legalized Games of Chance Control Commission. This must be done every two years and requires payment of a nonrefundable, nontransferable \$100 fee.
2. Next, the PO should submit approval to conduct a raffle fundraiser with 87 FSS/FSR, including a copy of the raffle registration.
3. Finally, the PO must obtain a license from the municipality where the raffle will be held. Depending on the raffle's location, this may be New Hanover Township, North Hanover Township, Pemberton Township, or another municipality. Each raffle license requires payment of \$20 to the state and \$20 to the municipality.

Failure to comply with federal, state, and local requirements could lead to civil penalties of up to \$7,500 for the first offense and \$15,000 for subsequent offenses under N.J.S.A. 5:8-57.1. Also, military members could face prosecution under the Uniform Code of Military Justice for violation of the Joint Ethics Regulation or other applicable laws and regulations.

Because of the complexity, cost, and time involved in conducting a raffle in New Jersey, POs may be better served hosting a live or silent auction or other type of fundraiser.

For more information, see DoD 5500.07-R, *Joint Ethics Regulation*; AFI 34-223, *Private Organizations (PO) Program*; AFI 36-3101, *Fundraising Within the Air Force*; and AFMAN 33-152, *User Responsibilities and Guidance for Information Systems*. To initiate the PO establishment or fundraiser request process, see the documents on gomdl.com at <https://gomdl.com/wp-content/uploads/Off-Base-Solicitation-and-Fundraiser-Request-2018.pdf>.

If you have any questions about private organizations or fundraisers, please contact the JAG Office Civil Law Section at 609-754-2010 or 87 FSS/FSR at 609-754-4570 or 609-754-4047.