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PRIVATE ORGANIZATIONS PROGRAM

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This publication implements Department of the Air Force (DAFPD) 34-1, Department of the Air Force, Services; and is consistent with Department of Defense Instruction (DoDI) 1000.15, *Procedures and Support for Non-Federal Entities Authorized to Operate on Department of Defense (DoD) Installations*. It provides guidance and procedures on establishing and operating Private Organizations throughout the Department of the Air Force (DAF). It applies to all non-Federal entities who seek recognized status as a Private Organization by one or more DAF installations, United States Air Force, (USAF), United States Space Force (USSF), the Air Force Reserve (AFR) and Air National Guard, except where noted otherwise. Ensure all records generated as a result of processes prescribed in this publication adhere to Air Force Instruction (AFI) 33-322, *Records Management and Information Governance Program*, and are disposed in accordance with the Air Force Records Disposition Schedule, which is located in the Air Force Records Information Management System. Refer recommended changes and questions about this publication to the office of primary responsibility (OPR) using the DAF Form 847, *Recommendation for Change of Product*; route DAF Form 847 from the field through the appropriate functional chain of command. This publication may be supplemented at any level, but all supplements must be routed to the OPR of this publication for coordination prior to certification and approval. The authorities to waive wing, unit, delta, or garrison level requirements in this publication are identified with a tier ("T-0, T-1, T-2, T-3") number following the compliance statement. See Department of the Air Force Manual (DAFMAN) 90-161, *Publishing Process and Procedures*, for a description of the authorities associated with the Tier numbers. Submit requests for waivers through the chain of command to the appropriate tier waiver approval authority, or alternately, to the publication OPR for non-tiered compliance items. The use of the name or mark

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SUMMARY OF CHANGES

This document has been rewritten and should be completely reviewed. Changes include updating references, renumbering the publication number from former AFI 34-223, including USSF organizations and terminology, and restructuring the publication as a DAFI. These changes also introduce the private organization model for recognizing a Local Supporting Foundation (LSF) that provides dedicated support to a Local Supported Unit (LSU) of the DAF. The LSF concept is addressed in new Chapter 8 and the changes at **Attachment 2** also provide a template memorandum of understanding (MOU) for installation use when establishing roles and responsibilities between the DAF and LSF for support to an LSU.

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1. Overview.

1.1. Private Organizations are self-sustaining special interest groups, set up by individuals acting exclusively outside the scope of any official capacity as members of the DAF or Federal Government, to include uniformed service members, civilian employees, DAF-affiliated contractors, and their families residing on the installation or part of the larger installation community. They operate on DAF installations with the written consent of the Installation Commander.

1.2. Private Organizations are non-Federal entities and are to be treated as such. Accordingly, they are not Nonappropriated Fund Instrumentalities (NAFIs) as defined in AFMAN 34-201 *Use of Nonappropriated Funds,* nor are they entitled to the sovereign immunities and privileges given to NAFIs or the DAF.

1.3. Personal and professional participation in Private Organizations is governed by the Joint Ethics Regulation (JER).

1.4. Private Organizations, regardless of unit affiliation, are non-federal entities with greater latitude in fundraising than Federal entities including unit unofficial activities (i.e., social committees).

1.4.1. Private Organizations may consist of service members and/or their families; however, they are not considered "for us, by us" fundraising entities within the meaning of Title 5, Code of Federal Regulations (CFR), Part 950-102(e) *Scope of the Combined Federal Campaign*; JER section 2-400(f); and DAFI 36-3101, *Fundraising*, paragraph 5.3.4.. Fundraising activities that occur outside of military installations organized by private organizations should not implicate DAF endorsement, which might include membership dues, event fees, and internal fundraising efforts. When fundraising occurs on an installation and targets individuals beyond the private organization's enrolled membership, it is classified as one of the three authorized fundraising events per quarter, as stipulated by DAFI 36-3101. The DAF will not endorse or promote these Private Organization fundraising activities through official government communication channels.

1.4.2. Service members may not perform activities for Private Organizations while in an official duty status or on-duty time. Service members should be sensitive to conducting Private Organization business in an official duty status or from Federal workplaces. **(T-1)**

2. Roles and Responsibilities.

2.1. Headquarters Air Force Services Directorate (AF/A1S). Must provide oversight and establish policy for the Private Organization Program. Unless stated otherwise, it serves as the approval authority for any waivers or exceptions to this DAFI.

2.2. Commander, Air Force Services Center (AFSVC/CC). Oversees, develops, and publishes operational guidance and procedures for the Private Organization Program. The Private Organization Guide is located on the AFSVC Portal at **https://usaf.dps.mil/sites/10042**.

2.3. Installation Commander.

2.3.1. Approval for the establishment of Private Organizations is granted when it is determined that they will positively contribute to the quality of life for base personnel. This approval authority, along with the associated actions, may be delegated to the Mission Support Group Commander (MSG/CC) or Space Based Delta Mission Director (SBD/MD).

2.3.2. Will withdraw the authorization if the Private Organization adversely affects or discredits the United States Government, conflicts with Government activities, or for any other valid reason or just cause.

2.3.3. Will approve or deny requests for fundraisers in accordance with (IAW) DAFI 36-3101.

2.3.3.1. Is the approval authority for the accumulation of more than $1,000 in unit unofficial activities for a duration not to exceed six (6) months.

2.3.3.2. The authority to approve fundraising and the accumulation of additional funds may be delegated to the Force Support Squadron (FSS) Commander/Leader (CC/CL) IAW DAFI 36-3101.

2.3.4. Authorizes contractor personnel participation in Private Organizations when justified if the interests of the DAF are fully protected. Such participation should be in their personal capacity and not as representatives of their company.

2.3.5. Will direct a Private Organization to eliminate duplication of services when services are determined to compete with the installation's NAFI revenue-generating activities and Army and Air Force Exchange Service (AAFES).

2.3.6. Will ensure background checks are completed for employees and volunteers of Private Organizations who have routine contact with children under the age of 18 in DoD operated programs used to supplement or expand childcare or youth services, according to DoDI 1402.05, *Background Checks on Individuals in DoD Child Care Services Programs*. Private Organizations should have an internally-managed and robust Youth Protection Training Program.

2.4. FSS Commander or Civilian Leader (FSS CC/CL).

2.4.1. Monitor and administers the installation Private Organization program.

2.4.2. Ensure membership provisions and startup justification continue to apply.

2.4.3. Advise the installation commander on Private Organization changes, to include a recommendation to revoke or continue permission to operate.

2.5. FSS Resource Management Flight Chief. (RMFC).

2.5.1. Will maintain an information and history file on each installation Private Organization.

2.5.2. Will conduct an annual review of the Private Organization's file to ensure that financial statements, documents, records, and other information required by this instruction and the Private Organization guide are properly organized.

2.6. Air Force Civil Law and Litigation (AF/JAC).

2.6.1. Advises AF/A1S on nonappropriated fund policy and Services law issues.

2.6.2. Approves delegation of Installation Commander's gift acceptance authority to Local Supporting Units for gifts from their Local Supporting Foundations, per **paragraph 8.5.5**.

2.7. Installation Staff Judge Advocate/Legal Office.

2.7.1. Installation's Legal Office should not provide legal advice to prospective and currently-recognized Private Organizations.

2.7.2. Legal advisors may ensure that Private Organizations adhere to DAF Standards by offering guidance on compliance with this instruction, DAFI 36-3101, and with other applicable directives.

2.7.3. There may be circumstances, such as making necessary State and Federal filings to establish nonprofit status, where a Private Organization or its prospective members might consider hiring outside counsel; however, many Private Organizations typically lack the resources, sophistication, or necessity for outside legal support. Installation legal advisors can assist Private Organizations in understanding and applying the provisions related to

formation, certification and recertification, annual financial reports and fiscal controls, and dissolution as outlined in this instruction.

2.7.4. At joint bases where the DAF is the Supported Component, legal advisors may also assist the Supporting Component's Private Organization program. They can support by identifying, interpreting, and applying similar provisions in the Supporting Component's governing regulations (e.g., Army Regulation 210-22, *Support for Non-Federal Entities Authorized to Operate on Department of the Army Installations, OPNAVINST 1754.5C, Family Readiness Group*) concerning DAF-affiliated Private Organizations, and may facilitate communication between the installation Legal Office and representatives of DAF-affiliated Private Organizations.

3. Applicability.

3.1. The following organizations are not considered Private Organizations covered by this DAFI:

3.1.1. For-profit businesses including vendors under contract with AAFES, concessionaires licensed as part of an installation Open House per AFMAN 10-1004, *Conducting Air Force Open Houses,* or home businesses operating from installation housing.

3.1.2. Air Force Aid Society (AFAS) operating in support of the Military and Family Readiness Center per DAFI 36-3009, *Military and Family Readiness Centers* and DAFI 36-3111, *Air Force Aid Society*, and providing emergency financial assistance to Airmen, Guardians, and their families.

3.1.3. Veterans Services Organizations operating from the installation per Title 10 United States Code (USC) Section 2670, *Use of facilities by private organizations*; *use as polling places,* to assist transitioning Airmen and Guardians.

3.1.4. Banks or Credit Unions authorized to operate on the installation per DoDI 1000.11, *Financial Institutions on DoD Installations*.

3.1.5. Scouting organizations operating overseas on USAF military installations, DoDI 1015.09, *Professional U.S Scouting Organization Operations at U.S. Military Installations Overseas*. Individual troops and units, however, may request recognition as a Private Organization. CONUS Scouting organizations follow standard private organization guidelines.

3.1.6. Academic institutions authorized by the Installation Education Office, IAW Title 32 CFR, Part 68, *Voluntary Education Programs.*

3.1.7. Non-profit non-Federal entities operating only on an occasional basis and requesting logistical support for each such instance of logistical support per DoDI 5410.19 Vol 2, paragraph 3.2.a, *Community Outreach Activities: OSD Outreach Programs, Speaking Engagements, and Support to Non-DoD Organizations*.

3.1.8. Other non-Federal entities excluded by Department of Defense Directive (DoDD) 1000.26E, *Support for Non-Federal Entities Authorized to Operate on DoD Installations,* and DoDI 1000.15.

3.1.9. National Military Associations (NMA) per DoDI 5410.19 Vol 2, Section 3, *Support for NFEs* and Professional Military Associations simply by virtue of their self-affiliation with the DAF. However, local chapters of such national associations may apply for Private Organization recognition in accordance with this instruction.

3.2. Unit unofficial activities (e.g., coffee funds, water funds, sunshine funds) are not required to apply for Private Organization status, unless current assets (cash, receivables, and investments) exceed a monthly average of $1,000 over a three (3)-month period. On-hand inventory is not included in current asset calculations. Activities which exceed the asset limit ($1,000) must become a recognized Private Organization or discontinue operations or reduce their current assets below the $1,000 threshold. (T-1)

3.2.1. Unit Unofficial activities may temporarily exceed the asset limit ($1,000) for a period not to exceed six (6)-months without having to convert to Private Organization status; if the substantial majority (more than 75%) of assets will be spent on an upcoming large unit event such as a holiday party, military ball, etc. **(T-3)**

3.2.2. The $1,000 average monthly limit may be increased by $100 for every 50-unit member over 300 members, to a maximum of $5,000 monthly average. **(T-3)**

3.2.3. Unit unofficial activities, although encouraged to do so, are not required to implement financial management tools (budgets/financial statements/audits). At a minimum, unit unofficial activities will implement the following financial controls:

3.2.3.1. Maintain a two (2)-person accountability system for all cash transactions. **(T-3)**

3.2.3.2. Submit a basic annual financial report to unit commander detailing income and expenditures throughout the year. **(T-3)**

4. Setting up a Private Organization.

4.1. A Private Organization must submit a written constitution, bylaws, or other similar documents, outlined by AFSVC Private Organizational guide through the FSS/RMFC, FSS CC/CL, and Legal Office for consideration by the Installation Commander. **(T-1)** DoD personnel may not be on official duty time when developing constitutions, bylaws, or similar documents in support of Private Organization activities. **(T-1)**

4.2. Unit commanders should carefully consider the advantages and disadvantages of transitioning their unit unofficial activities into Private Organizations. Typically, fundraising efforts associated with unit unofficial activities are regarded as "for us, by us" fundraising under JER Section 2-400. Consequently, commanders are permitted to promote and support these fundraising initiatives using official communication channels (for unit members) and by allowing unit personnel to participate in such activities while in a duty status, provided it does not interfere with the mission. Conversely, unofficial activities remain federally recognized entities and are prohibited from soliciting contributions from external sources or conducting fundraising efforts off base. **(T-0)**

4.3. The constitution, bylaws, or similar documents submitted by the Private Organization must:

4.3.1. Clearly outline the nature, function, objectives, membership eligibility, and sources of income for the Private Organization. **(T-0)**

4.3.2. Include certification that Private Organization members were notified and understand their personal financial liability for obligations of the Private Organization, as provided by law. **(T-1)**

4.3.3. Describe the responsibilities of Private Organization officers and their role in asset accountability, and financial and operational management. **(T-1)**

4.3.4. Provide specific guidance on disposition of residual assets and liabilities upon dissolution. **(T-1)** **Note:** A Private Organization may dispose of its assets only in the manner outlined in its constitution, bylaws, or similar documentation. If the proper provisions exist, a Private Organization may give residual assets to the DAF or a NAFI per AFI 51-506, *Gifts to the Department of the Air Force from Domestic and Foreign Sources*, and DAFMAN 34-209, *Nonappropriated Fund Financial Management and Accounting.* Neither appropriated fund activities nor NAFIs may claim the assets of, or make or assume any obligation for, a Private Organization except those that may arise from a valid contract between them.

4.4. The organization's request for certification must be resubmitted for review and approval every two years or when there is a change in the purpose, function, or membership eligibility of the Private Organization, whichever comes first and must be reviewed by the servicing Staff Judge Advocate's office. **(T-1)**

4.5. Provide the contact information for a primary and alternate local representative for the organization, since Private Organizations are local in nature (most often their membership is formed by Airmen and Guardians and family members attached to the installation) and they must remain accountable to the Installation Commander. **(T-1)**

5. Operating a Private Organization.

5.1. Installation Commanders provide limited supervision over Private Organizations. Their control lies in the power to authorize and withdraw authorization for these organizations to operate on the installation. They ensure compliance with the requirements of this instruction, but do not control or dictate internal activities or structure of Private Organizations. The DAF generally does not monitor or approve the content of their substantive meetings and guest speakers so long as the scope of advertising for such events are kept internal to the organization. If the advertising of a Private Organization meeting, or other event, spills over beyond the boundaries of its enrolled members or if the Private Organization requests logistical assistance from the installation (in the form of use of facilities or equipment or the provision of guest speakers), then the DAF retains the right to monitor and approve meeting content and guest speakers in accordance with DoD and DAF regulations and based on appropriateness of affiliation with the DAF considerations.

5.2. Private Organizations must prevent the appearance of an official sanction or support by the DoD. **(T-0)** Private Organizations must not conduct events or activities that are inappropriate for affiliation with the DAF.

5.2.1. Private Organizations may not use the seals, logos, or insignia of the DoD or any DoD Component, DAF or DoD organizational unit, or DAF and DoD installation on organization letterhead, correspondence, titles, or in association with organization programs, locations, or activities. **(T-1)**

5.2.2. Private Organizations operating on DAF installations may use the name or abbreviation of the DoD, a DAF organizational unit, or installation in the Private Organization name provided that the status as a Private Organization is apparent and unambiguous and there is no appearance of official sanction or support by the DoD. The following applies:

5.2.2.1. Private Organizations must have written approval from the Installation Commander before using the name or abbreviation of the installation or organizational unit. Requests for use of the DoD or DAF name or abbreviation must be routed to AFSVC, for action. **(T-1)**

5.2.2.2. Any use of the name or abbreviation of a DAF organizational unit, or installation must not mislead members of the public to assume a Private Organization is an organizational unit of the DAF. **(T-1)**

5.2.2.3. Private Organizations must prominently display the following disclaimer on all print and electronic media mentioning the Private Organization's name confirming that the Private Organization is not part of the DoD: "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." **(T-0)**

5.3. Private Organizations may not discriminate, or give preferential treatment, in hiring practices or membership policies (including officership eligibility) based the following protected classifications: race, color, religion, sex, national origin, disability, age (40 and over), and retaliation for prior Equal Opportunity (EO) activities. Anyone who suspects unlawful discrimination, or preferential treatment, by Private Organizations should contact the local Equal Opportunity Counselor and follow the procedures in DAFI 36-2710, *Equal Opportunity Program*. **(T-0)**

5.3.1. Private Organizations may organize around a cultural, ethnic, religious, or single sex focus if they do not restrict their membership or officer eligibility based on culture, ethnicity, religion, or sex.

5.3.2. Spouses' clubs will be open and available to spouses of both sexes.

5.4. Private Organizations may not haze or harass (either physically or mentally) as part of their initiation rites. **(T-0)**

5.5. Religiously oriented Private Organizations may be authorized to operate on installations if:

5.5.1. Requests by similar organizations are also approved.

5.5.2. Authorization is for non-exclusive use of government facilities.

5.5.3. No sign or insignia or other organizational identification is placed on or inside government facilities except when the organization's activities are in progress.

5.5.4. Membership is not restricted to members of the religion involved. **(T-1)**

5.5.5. The installation staff chaplain shall work with the installation legal office to coordinate on the request.

5.5.6. Religiously oriented Private Organizations have higher priority than other installation recognized Private Organizations for use of chapel facilities and equipment.

5.6. Private Organizations must be self-sustaining, primarily through dues, contributions, service charges, fees, or special assessments of their members. **(T-1)** There will be no financial assistance to a Private Organization or unit unofficial activity from appropriated funds and from a NAFI in the form of contributions, repairs, services, dividends, or donations of money or other assets. **(T-1)**

5.6.1. Private Organizations must properly plan and adequately control the money aspects of their goals and objectives, including cash and other assets. **(T-1)**

5.6.2. Income must not accrue to individual members except through wages and salaries for Private Organization employees or other payment for services rendered to the Private Organization or military community. **(T-1)** Any income will be derived primarily for offsetting expenses of operation, which may include competitive awards or charitable contributions. As an exception, Installation Commanders may authorize investment-oriented Private Organizations if they comply with all other provisions of this Instruction.

5.6.3. Private Organizations may enroll with Office of Personnel Management as a participating charity with the Combined Federal Campaign if otherwise qualified

5.7. Private Organizations must use budgets and financial statements as financial management tools. **(T-2)** Additional financial requirements are provided in the AFSVC Private Organization Guide.

5.7.1. The budget details financial plans for annual operations. It includes projected activities (income and expense) and capital purchases (equipment and property). The budget establishes financial objectives to generate sufficient income to offset planned expenses. Comparing actual results with the budget helps indicate management performance.

5.7.2. Private Organizations must prepare an income-and-expense statement, either on an accrual or cash basis. **(T-2)** The income and expense statement reflect monetary events that have occurred during a given period.

5.7.3. Private Organizations must also prepare a balance sheet that accounts for total assets, liabilities, and net worth (equity) of the Private Organization’s financial condition on a given date. **(T-2)**

5.8. Private Organizations with certain levels of gross annual revenue must undergo audits and financial reviews at the Private Organization’s own expense: (**T-2)**

5.8.1. Certified Public Accountants perform annual audits of Private Organizations with gross annual revenues of $250,000 or more. Use of a Certified Government Financial Manager is permitted in overseas locations when the RMFC documents that a Certified Public Accountant is not available.

5.8.2. Accountants (Certified Public Accountant not required) perform annual financial reviews of Private Organizations with gross annual revenues of $100,000, but less than $250,000. Accountants conduct these reviews and provide written verification of the accounting data and other relevant information.

5.8.3. Private Organizations that have gross annual revenues of less than $100,000, but more than $5,000, normally are not required to conduct an independent audit or financial review. However, such Private Organizations must provide an annual financial statement to the FSS/ RMFC no later than 20 days following the end of the Private Organization's fiscal year. **(T-2)**

5.8.4. If there are signs of fraud or other improprieties, regardless of the amount of revenue, the FSS CC/CL advises the Installation Commander. The Installation Commander should request an audit from the Air Force Audit Agency, which may schedule the review within available resources. See DAFI 65-301, *Internal Audit Services*.

5.8.5. The audit (which provides more detailed information) and the financial review must verify the Private Organization has:

5.8.5.1. A uniform system of accounting. **(T-2)**

5.8.5.2. Consolidated reports of the accounting system into meaningful summaries. **(T-2)**

5.8.5.3. Identified areas of weakness and plan(s) for corrective action. **(T-2)**

5.8.6. Private Organizations must implement internal control procedures that ensure:

5.8.6.1. Adequate segregation of duties. **(T-2)**

5.8.6.2. Proper procedures for authorizations. **(T-2)**

5.8.6.3. Adequate documents and records. **(T-2)**

5.8.6.4. Physical control over assets and records. **(T-2)**

5.8.6.5. Independent checks on performance. **(T-2)**

5.9. Private Organizations and unofficial activities/organizations must not engage in activities that duplicate or compete with activities of the AAFES or FSS NAFIs. **(T-0)**

5.10. Private Organizations and unofficial activities/organizations will not operate amusement machines, slot machines, lotteries, bingo, sophisticated games of chance, or other gambling-type activities, nor will they engage in frequent or continuous resale activities either directly or indirectly through third parties except as provided in **paragraph 5.10**. **(T-1)**

5.10.1. Auctions (including silent auctions) are not considered game of chance. If a portion of the auction proceeds go to the Private Organization, then the auction will count towards the organizational limit of not more than three fundraising events per calendar quarter per **paragraph 5.8.2**.

5.10.2. The prohibition against frequent or continuous resale activities does not preclude collective purchasing and sharing of purchased items by members of Private Organizations or unofficial activities so long as there is no actual resale.

5.11. The Installation Commander or designee, approves Private Organization continuous retail operations (e.g., thrift shops, consignment stores, food and sundries vendors) and occasional on-installation events for fundraising purposes (e.g., bake sales, dances, carnivals, car washes, or similar functions) which the Private Organization conducts directly or indirectly through a third party.

5.11.1. Unit commanders may approve unit unofficial activity fundraisers on the installation within the unit, and only for the unit's personnel. Fundraising outside the unit requires Installation Commander or designee approval.

5.11.2. Continuous retail operations include the exchange of goods or services for a fee, or the provision of a complimentary good (e.g., bag of popcorn, bouquet of flowers or stringed balloon) or complimentary service (e.g., gift wrapping, bagging groceries, car washing) for a pro forma donation or tip amount.

5.11.3. Occasional fundraising is defined as not more than three per calendar quarter. The length of a fundraising event is fact dependent. For example, a community theatre performance might only last a single evening, whereas cookie and candy sales might last three days over a holiday weekend.

5.11.4. The occasional sales limitation for funding does not apply to unit unofficial activity or Private Organization sales of functional community training schoolhouse or unit souvenirs, memorabilia to members of the school or unit involved. This is contingent on the AAFES or FSS resale activities electing not to provide this service and the Private Organization chartering documentation authorizing resale under these circumstances. Nor does it apply to Private Organizations sales conducted following a concessionaire contract with the installation FSS/Morale Welfare Recreation (MWR) programs at Open Houses and similar events.

5.12. Fundraisers conducted by unit unofficial activities off the installation are not authorized. **(T-2)** Private organizations may conduct fundraising events off the installation so long as it is clear to members of the public that the organization is not representing the installation or the DAF. Special care should be exercised in **paragraph 5.2.2.2** situations. Unit unofficial activities should consult with their local FSS CC/CL and the servicing Staff Judge Advocate's office before accepting any gifts or donations.

5.13. Private Organizations may not make direct solicitations for donations from non-members on base. **(T-2)**

5.14. Private Organizations and unit unofficial activities operating on a DAF installation are prohibited from engaging in any conduct that has the effect of advertising for, making referrals to, or encouraging use of any commercial business concerns. **(T-0)** The only exception to this policy is when a Private Organization or unofficial activity/organization conducts an approved fundraising event through a third-party (e.g., the spouses' club conducts an art sale as an approved fundraiser and contracts with an art dealer (third party) to provide the artwork to be sold).

5.15. Private organizations will not sell or serve alcoholic beverages on DAF installations. **(T-1)** Alcoholic beverages may be consumed and shared among members of legal drinking age of the Private Organization and their guests of legal drinking age in a potluck fashion at Private Organization social (non-business) events. **Exception:** At the discretion of the installation commander, NAFI operated MWR programs may secure the aid of volunteers or persons providing gratuitous services to assist in the sale of MWR procured alcoholic beverages. NAFI operated MWR programs may also enter into contractual agreements with unit unofficial activities or installation Private Organizations, under which the military unit unofficial activity (such as a booster club) or Private Organization provides qualified personnel to assist the NAFI

in selling alcoholic beverages at MWR events in exchange for a fee. Fees paid to Unit Unofficial Activities or Private Organizations are deposited into the appropriate accounts; units will not require Airmen and Guardians to participate in the event. **(T-1)** This may also apply to events, such as Open Houses or other special installation events. All personnel assisting the NAFI MWR program to sell alcoholic beverages at such events must receive appropriate "Dram Shop" training as outlined within DAFI 34-107, *Alcoholic Beverage Program*. **(T-3)**

5.16. Private Organizations must have liability insurance unless the Installation Commander waives the requirement. **(T-1)** This waiver authority may be delegated to the MSG/CC or SBD/MD. No further delegations are authorized. **(T-1)** Insurance should be required unless the activities of the Private Organization are such that the risk of liability is negligible. Private Organization members must be made aware that they are jointly and severally liable for the obligations of the Private Organization. The absence of liability insurance places their personal assets immediately at risk in the event of Private Organization liability. Forward all waiver requests through the servicing Legal Office prior to approval. The commander or delegates may waive the requirement for continuous liability coverage; however, the approval document must advise the Private Organization 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. **(T-2)**

5.17. The Private Organization should consider bonding for its treasurer. The treasurer is in a sensitive position, especially if handling and controlling large amounts of cash. Private Organizations may make a bonding determination by weighing the cost of commercial fidelity insurance protection from a qualified underwriter against the potential dollar risk.

5.18. 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)**

5.19. Private Organization officers and members must report any signs of fraud or other improprieties to the FSS CC/CL. **(T-1)**

5.20. Private Organization officers, members and unofficial activity actions must not prejudice or discredit the United States Government or conflict with governmental activities policies or messaging to the public on DoD matters. **(T-0)**

5.20.1. Private Organizations and unit unofficial activities may not directly solicit cash donations for their organization on base. Private Organizations and unit unofficial activities may raise funds through approved on base fundraising events. **(T-2)**

5.20.2. FSSs may not co-sponsor events with Private Organizations or unofficial activities/organizations for the purpose of obtaining commercial sponsorship, contributions, donations, gifts, advertising or generating revenue for them. **(T-1)**

5.20.3. Per DAFI 34-108, *Commercial Sponsorship and Sale of Advertising*, commercial sponsorship is not authorized to support Private Organizations or unit unofficial activities (such as social funds). **(T-1)** These entities are not authorized to partner with a MWR program to gain access to sponsorship benefits. **(T-0)**

5.20.4. Private Organizations and unit unofficial activities may accept gifts and donations from outside sources. Unit unofficial activities will not solicit gifts. **(T-1)** Private Organizations will not solicit direct monetary gifts or donations (as distinguished from the sale of items of value) on base. **(T-2)** Off-base solicitations must clearly indicate that they are for a Private Organization and not for the base or any official part of the DAF. Donor/gift recognition may not be made publicly. **(T-1)** Oral recognition of the gift or donation can only be made to members of the Private Organization or those present at an event benefiting from the donation/gift. **(T-1)**

5.20.5. Private Organizations and unit unofficial activities are prohibited from actions which might make it appear that the installation is endorsing or giving special treatment to the donors involved. **(T-0)**

5.21. Fundraising raffles may be conducted on an DAF installation by those Private Organizations that are composed primarily of DoD personnel or their family members. **(T-1)** Such raffles provide a means of extending needed services or other assistance to members of the DoD family, but failure to strictly follow the provisions below could result in the raffles violating Joint Ethics Regulation Section 2-501. Unit unofficial activities are not authorized to conduct raffles. **(T-1)**

5.21.1. Raffles must be authorized in advance by the Installation Commander or designee. **(T-1)**

5.21.2. All requests to conduct raffles must be reviewed by the servicing Legal Office and a raffle counts towards the overall Private Organization's limit to hold not more than three fundraisers per calendar quarter. **(T-1)**

5.21.3. 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). **(T-0)** In locations outside the U.S., raffles must be held per host nation laws and applicable Status of Forces Agreements. **(T-0)**

5.21.4. Raffles must be held to support the Private Organization's routine operations or for the direct benefit of DoD personnel or their family members. **(T-1)** Raffles may not be authorized to raise money for an outside cause local or national group, such as local regional or national charities (including the Combined Federal Campaign). Raffles may be utilized for the benefit of the Air Force Assistance Fund, however 100% of the proceeds must be donated to the Fund. **(T-1)** See also DAFI 36-3101.

5.21.4.1. Requests for approval to conduct raffles must identify the purpose for which funds are being raised and the intended use of the proceeds. **(T-3)**

5.21.4.2. Raffles conducted strictly for a monetary prize are not authorized on the installation. **(T-1)** Monetary raffles conducted off of the installation by the Private Organization must comply with the guidance in this Instruction.

5.21.5. Raffles must not be officially endorsed or supported except as permitted by JER. **(T-0)**

5.21.6. Raffles must not be conducted in the workplace. Unlike Private Organization fundraisers involving the sale of goods and consumables, which may be conducted at public entrances and in community support facilities such as the lobby of the Base

Exchange, raffles must be carefully planned so as not to spill over beyond the members of the Private Organization and any affiliated unit. **(T-2)** Raffles on the Pentagon reservation are prohibited. **(T-0)**

5.21.7. Raffles must not be conducted by military members or civilian employees during their duty time. **(T-1)** Military members may not conduct raffles while in uniform at any time. **(T-1)** Air Force personnel may participate in Private Organization fundraising raffles only in a purely personal, unofficial, volunteer capacity at authorized locations and in ways that do not imply official endorsement. **(T-1)**

6. Logistical Support.

6.1. Private Organizations must furnish their own equipment, supplies, and other materials. **(T-1)** Newly elected Private Organization officers must consult FSS/RMFC for guidance and training on local installation requirements and procedures because Private Organizations do not get either APF or NAF support except where specifically identified in this instruction. **(T-1)**

6.2. Private Organizations may be provided venues to conduct meetings of reasonable duration and frequency.

6.2.1. A Private Organization must reimburse for services (to include utilities) when it uses a facility or space on a non-exclusive (i.e., license), other-than-occasional basis unless a separate directive or instruction authorizes non-reimbursable support. Thrift shops are exempt from the requirement to pay utilities under such circumstances. A Private Organization must reimburse for any additional costs incurred by the Air Force resulting from such uses (e.g., incremental increases in maintenance and janitorial expenses). **(T-1)**

6.2.2. The Air Force mandates an approved out-grant (i.e., lease) when a Private Organization has exclusive use of a facility, space, or land area. Any reimbursement for utilities will be determined per DAFMAN 32-1061, *Providing Utilities to Department of the Air Force Installations*. Any fair market value reimbursement ("rent") for space occupied, maintenance, and other support will be determined per AFI 32-9003, *Granting Temporary Use of Air Force Real Property.* Private Organization activities that provide a benefit to the entire installation (e.g., a used uniform shop within a thrift store) may make all or part of their rental payment in-kind.

6.2.3. The use of Government equipment and systems for other than official purposes are extremely limited. Government communication systems (e.g., weekly upcoming events email from the installation Public Affairs Office) may be used to inform Airmen and Guardians of Private Organization events of interest to the unit and its families (e.g., regular meeting of the unit-affiliated spouses' club). Official communication systems will not be used to advertise Private Organization fundraiser (and membership) events unless the primary purpose of the communication is for other than support of the Private Organization's efforts, but rather to notify unit Airmen and Guardians of a local event of possible interest (e.g., lunchtime sale of food in a public area adjacent to the unit's geographic footprint). **(T-2)**

6.2.4. Installations are encouraged to hold information fairs to educate Private Organizations on the requirements of this instruction and resources available to them on the installation.

6.3. Private Organizations in overseas areas can request additional logistical support such as: reimbursable transportation services; commissary; Armed Forces postal services; exchange; recreational activity privileges; reimbursable space-available hospitalization, medical, and dental care; and dependent school service. Requests must be sent through the Installation Commander to the Air Force Services Center. **(T-1)** For FSS support, the approval authority is the Air Force Services Center Commander. For all other functional support, the Air Force Services Center will coordinate with the senior Major Command/Field Command owning functional(s) or Air Force Installation Mission Support Center functional(s) for their approval. As part of the forwarding recommendation, the Installation Commander must include a statement acknowledging the commander can provide the added support requested within available resources and without degrading the installation's ability to fulfill its mission. The request must include:

6.3.1. A cost estimate for the added support and installation legal reviews. **(T-1)**

6.3.2. A list of services, programs, and activities the Private Organization provides that warrant additional support. **(T-1)**

6.3.3. An acknowledgement by the Private Organization that additional support may be terminated if the Private Organization's services, programs, and activities change so that they no longer warrant the support. **(T-1)**

7. Dissolution of a Private Organization.

7.1. When a Private Organization decides to dissolve or shut down, it must:

7.1.1. Use its funds to satisfy any outstanding debts, liabilities, or obligations. **(T-1)**

7.1.2. Dispose of the residual balance as decided by the Private Organization membership. **(T-1)**

7.1.3. Notify the FSS CC/CL of the intent to dissolve the Private Organization and prepare a time-phased action plan to do so. **(T-1)**

8. Local Supporting Foundations (LSF).

8.1. Scope: Local Supporting Foundations (LSFs) are classified as a specific type of Private Organization. Unlike other Private Organizations, they are not necessarily composed of Airmen, Guardians, or their family members. Instead, LSFs are independent, nonprofit, non-Federal entities that must register as a Private Organization with the installation per this instruction. This registration is essential to foster a reliable and transparent relationship between the LSF and the DAF unit it supports.

8.2. Purpose: Commanders and directors of installations and subordinate or tenant units may establish collaborative relationships with nonprofit entities eligible for recognition as LSFs. Typically, LSFs are local, though they may occasionally be national or regional nonprofit organizations, dedicated primarily to supporting a DAF unit, activity, or program. It is required for LSFs to seek recognition from the installation commander as a Private Organization, as stipulated in this instruction.

8.3. Concepts of Operations: The DAF acknowledges that LSFs advocate for community interests, engage local citizens and patrons, and significantly contribute to DAF operations via volunteer recruitment, management, recognition, community relations support, and

fundraising activities that enhance the unit's supplementary funding. However, LSFs are not permitted to administer or manage DAF activities or interfere with supervisory relationships between unit personnel and the commander/director they support. DAF personnel may not partake in the management or control of an LSF but may, upon request from the LSF, be designated in writing as a liaison in accordance with the JER Section 3-100 (c).

8.3.1. Fundraising initiatives by LSFs may support their efforts and contributions to the DAF, but such donations must not substitute for federal appropriations in a manner that contravenes the Anti-Deficiency Act, Title 31 USC Section 1341, *Limitations on Expending and Obligating Amounts* et seq. **(T-0)**

8.3.2. LSFs may aid in the operations of supported units, activities, or programs as outlined in this instruction; however, they must not encroach upon responsibilities or functions deemed inherently governmental as specified in the *Federal Acquisition Regulation (FAR), Subpart 7.5*. *Inherently Government Functions*. **(T-0)**

8.3.3. Donor funds generated by LSFs intended for the DAF unit, program, or activity are considered gifts according to Title 10 USC Section 2601(a)(1), *General Gift Funds* and AFI 51-506, which governs gifts to the DAF from domestic and foreign sources (or other applicable statutory/regulatory frameworks). This statute permits the gifting of funds, real property (and enhancements thereof), and personal property (including in-kind supplies). Since gifts of services (including in-kind contracts) are not authorized under 10 USC § 2601(a)(1), a separate statutory or alternative authority is necessary for any contribution of services from the LSF. For instance, an LSF may, by mutual consent, manage the volunteer activity office of the supported unit or program in compliance with Title 10 USC Section 1588, *Authority to accept certain voluntary services*.

8.4. Local Supporting Foundation (LSF) Requirements: Supported units, activities, and programs must ensure that LSFs:

8.4.1. Fulfill administrative requirements for recognition as a Private Organization by the installation, including formation, recertification, and annual financial assessments, as detailed in this directive. **(T-1)** LSFs must provide a copy of their current IRS recognition as a Title 26, USC, Section 501(c)(3), *Exemption from tax on corporations, certain trusts, etc*., nonprofit entity, their latest IRS Form 990 filing, a comprehensive description of fundraising activities (including marketing and donations received) undertaken in support of the DAF unit, activity, or program, and a log of gifts provided to the supported unit, activity, or program. **(T-1) Note:** If the LSF engages in other missions unrelated to the supported DAF unit, activity, or program, which might raise concerns regarding the disclosure of proprietary information, the terms may be further refined in the Memorandum of Understanding (MOU) between the parties to limit the annual financial assessment's scope to information relevant for establishing a verifiable trusted relationship. **(T-1)**

8.4.2. Comply with the requirements specified in DoDI 1000.15. **(T-0)**

8.4.3. Be currently chartered and incorporated in cognizant state. **(T-0)**

8.4.4. Hold current recognition and charitable organization status from the Internal Revenue Service under Internal Revenue Code, 26 USC § 501. **(T-0)**

8.4.5. Operate under articles of incorporation and bylaws that prioritize supporting the specified local DAF unit and its mission.

8.4.6. Collaborate with the supported commander or director of the unit, program, or activity to establish a Memorandum of Understanding (MOU) and ensure it remains up to date with any changes in signatories. The MOU should explicitly outline the responsibilities, limitations, terms, and working relationships between the Local Supporting Foundation (LSF) and the supported DAF unit, program, or activity (hereinafter Local Supported Unit (LSU)). **(T-1)** This instruction should be referenced within the MOU.

8.4.6.1. Installation Commanders and Headquarters DAF, including Secretariat (SAF), Air Staff (AF), and Space Staff 2-letter (L2) organizations; directors may mandate a comprehensive review of all MOUs under their jurisdiction without the necessity of formally supplementing this instruction. **(T-2)** A legal review of such MOUs is required. **(T-1)** **Attachment 2** provides a template for the MOU, which may be adapted for local use. **(T-3)**

8.4.6.2. Legal Office and Commanders/Directors conduct MOUs reviews and re-signing no less than once every ten (10) years and MOU assessments for currency at least once during their term, preferably at the midway point. **(T-1)**

8.5. Ethical Guidelines and Avoiding Conflicts of Interest.

8.5.1. LSFs should conduct their operations in an ethical manner that safeguards the integrity of DAF units, programs, activities, and their personnel from public scrutiny. DAF employees must comply with Title 5, CFR Part 2635, *Standards of Ethical Conduct for Employees of the Executive Branch*, and must avoid even the appearance of impropriety in their interactions with the LSF. **(T-0)**

8.5.2. CC/CLs of LSUs, along with their designated representatives, may be appointed by the installation commander or HAF/AF as official liaison officers to the LSF, in accordance with JER. These individuals are not permitted to be employees of the LSF, hold an elected position on the LSF Board of Directors, or serve in an appointed position on the Board of Directors in a voting position. See **paragraph 8.5.6**. **(T-0)** They must avoid any real or perceived influence over the LSF's operations or representation of the LSF's interests to the DAF. The liaison's primary responsibility is to enhance communication between the organization and ensure a trusted relationship.

8.5.3. LSFs are permitted to incorporate the name of a DAF LSU within their organizational name, provided that they include the following disclaimer on all printed and electronic media that mention the LSF's name, clearly stating that it is not affiliated with the DoD: “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.” Additionally, LSFs are prohibited from utilizing the seals, logos, or insignia of any DoD component in their organizational name, logo, or materials**. (T-1)**

8.5.4. LSF may use incidental space in the supported facility that is available in excess of current LSU needs. Consistent with DAF and DoD policy, the supported CC/CL may grant exclusive or non-exclusive use of space for use by the LSF, but not in such a manner as to impose space limitations on the operations of the supported activity. Prior to moving into

any space made available by the DAF, the LSF will acknowledge that should the allocated space be needed for DAF operations, it will vacate its allocated space, with the understanding that the DAF is not obligated to identify/make available space in other installation facilities. (**T-1)**

8.5.4.1. Such space may be used by the LSF to plan and execute support to the supported DAF LSU, including volunteer recruitment, training, and supervision. LSFs may not use such spaces for "back-office functions" such as functions related to the overall management of their non-Federal entity or fundraising activities. **(T-0)**

8.5.4.2. LSFs are obligated to pay fair market value rent for the exclusive (i.e., lease) and non-exclusive use (i.e., license) of such space, per AFI 32-9003 *Granting Temporary Use of Air Force Real Property.*

8.5.4.3. LSFs are not be obligated to pay utility costs for such space unless it is specifically installed for their use (e.g., Commercial Wireless (Wi-Fi) Service) or if the LSF has no other permanent business office location. See **paragraph 8.5.4.4**.

8.5.4.4. If the LSF has no regular business office other than the one located within the DAF unit, program or activity's facility footprint, the LSF is obligated to enter into a lease or license with the DAF, pursuant to AFI 32-9003, in order to presumptively conduct "back-office functions" in its assigned spaces. **(T-1)** Fair market value rent may be paid, in whole or in part, through in-kind services rendered to the supported unit, program or activity. Utility costs should be reimbursed to the DAF on a pro rata basis of overall percentage of the LSU's facility used for LSF purposes.

8.5.4.5. LSU commanders/directors and LSFs are encouraged to hold at least one LSF Board of Directors meeting, at the supported facility, annually to familiarize Board members with supported LSU operations.

8.5.5. DAF units, programs and activities that have a LSF that meets all requirements of this chapter may request written delegation of the parent Installation Commander's authority to accept gifts of funds and personal property, from the LSF, pursuant to AFI 51-506. Installation legal office review and AF/JAC approval is required for such delegations of gift acceptance authority to LSU Commanders/Directors. **(T-1)**

8.5.5.1. Delegation of authority to accept gifts of funds, from the LSF, must be limited to $500. Gifts of funds includes cash equivalent items (e.g., universal use gift cards). **(T-1)**

8.5.5.2. Delegation of authority to accept gifts of personal property, from the LSF, must be limited to $5000. **(T-1)**

8.5.5.3. Gifts of in-kind items that were previously owned or used are not considered gifts requiring delegation and may be accepted in any amount from the LSF.

8.5.5.4. Gifts of vehicles (including leased vehicles) are not considered a gift of services within the meaning of 10 USC § 2601(a)(1). To avoid repetitive gift acceptance, the donation of leased vehicles may be processed on a monthly, quarterly, or yearly basis, as determined by the MOU.

8.5.6. LSU employee may not act as an agent, fiduciary, officer, director, staff, or volunteer for the LSFs (or engage in duties that might be construed as such). **(T-0)**

8.5.6.1. LSU employees will not perform day-to-day managerial, administrative, or bookkeeping duties for the LSF. The use of official office supplies or equipment, except on an occasional and minimal basis (e.g., to copy the agenda for the annual LSF Board of Directors' meeting that is held at the facility), is not permitted. **(T-1)**

8.5.6.2. LSU staff's immediate family members must not be an agent, officer, director, or employee of the LSF. **(T-1)** Immediate family members may be a volunteer for the LSF except that they should not be in a supervisor-subordinate relationship with their sponsor. If the immediate family member is related to the unit, program or activity commander/director, or other leadership position, then consideration with regards to preferential treatment, the appearance of impartiality and other appearance issues, should be taken before approval of this volunteer position.

8.5.7. The supported LSU and the supporting LSF should establish and maintain an open, transparent relationship of trust while keeping each other at arm's length respective of their roles as a government agency and a non-Federal entity.

8.5.7.1. The parties should maintain open channels of communication and resolve disputes at the lowest possible level of the chain of command. Agreed upon resolutions of issues can be captured in modifications to the MOU which will embody the entire understanding between the parties. **(T-0)**

8.5.7.2. The unit, program or activity commander/director should communicate immediate, short-term, and long-term unfunded requirements of the LSU to the LSF. Written documentation and supporting justification of such financial needs must be provided to the LSF, as appropriate. Minor, routine, or immediate needs may not require written justification.

8.5.7.3. Since the LSF, by its nature and mission, has a standing offer of assistance to the unit, program or activity, then the commander/director may communicate such unfunded requirements to the LSF without violating prohibitions on solicitation of gifts to the DAF.

8.6. Authorized Activities. DAF units, programs and activities may accept the following non-inclusive list of support from their LSF:

8.6.1. Financial assistance with unfunded requirements.

8.6.1.1. As installation-recognized Private Organizations, LSFs may hold up to three on base fundraising events per quarter. **(T-3)** Fundraising events that are held entirely within the facility footprint of the supported unit, program or activity do not require installation commander's approval, but should be approved in advance by the LSU commander/director. Such events should not adversely impact routine operations (or customers) of the LSU. Although annual financial record reviews will provide some visibility on the totality of the LSF's fundraising program (at least in instances where the name of the supported unit, program or activity is invoked), this instruction does not address the LSFs off-base fundraising activities.

8.6.1.2. A representative of the unit, program or activity must be present for any fundraising events held within its operational footprint by the LSF. **(T-3)**

8.6.1.3. At other events, a representative of the unit, program or activity may appear in a passive role and be available for photographic opportunities. Any official remarks made at a LSF fundraising event must comply with 5 CFR Part 2635, Section 808, *Fundraising* Activities. The official DAF representative must not participate in the solicitation or encouragement of donations to the LSF (or the unit, program or activity) **(T-0)**, but may thank potential donors for their interest in the supported unit/program/activity and provide an informational brief on its operations. See AFI 51-506, Chapter 4. LSU leaders and staff should not become the "draw" to LSF fundraising events.

8.6.2. Community relations event management including the conduct of tours and community information fairs. Such events must be conducted in a manner that promotes the mission of the supported unit, program or activity and does not imply official endorsement of the LSF.

8.6.3. Website and social media content and management. The unit, program or activity commander/director is still liable for messaging forums compliance with DAF policy.

8.6.4. Although an employee recognition program must be operated by the unit, program or activity, the LSF may fund the purchase of individual and team recognition item, as a form of sponsorship pursuant to DAFMAN 36-2806, *Military Awards: Criteria and Procedures.* The LSF may also host an employee awards reception or banquet, on a not more frequently than quarterly basis. The fair market value of food and beverage provided should not exceed $20 per person and alcoholic beverages may not be provided as part of the event. **(T-1)**

8.6.5. Support of the DAF unit, program or activity through gifts or donations by the LSF in accordance with AFI 51-506.

8.6.6. Operate the supported unit, program or activity's volunteer office including the recruitment, training, management, and recognition of such volunteers. Volunteers that, in the regular course of their assigned duties, have contact with minor children, must have the requisite criminal background investigation pursuant to DoDI 1402.05, and DAFI 34-144, *Child and Youth Programs.* **(T-1)** The unit, program or activity commander/director must remain the official accepting official for the provision of volunteer services, pursuant to 10 USC § 1588, and DoDI 1100.21, *Voluntary Services in the Department of Defense.* **(T-1)**

8.6.7. If the LSU is routinely visited by members of the general public (e.g., installation museum, installation Fisher House, Pentagon 9-11 Memorial), then the LSF may collect funds by donation boxes, unless prohibited by State or local laws impacting the installation. As part of the MOU, the LSF must agree that labeling of such donation boxes make it clear to the visiting public that the donations are voluntary are not required for admittance into the unit, program or activity's facilities. **(T-1)** Additionally, the LSF must properly label the boxes to show that the LSF is solely responsible for the donation boxes and the intended use of any donations. Unit, program, and activity CC/CL must seek the advice of the servicing Legal Office before the installation commander approves the donation box. (**T-1**)

8.7. Prohibited Activities. Local Supporting Foundations (LSFs) will not:

8.7.1. Act as representatives to other non-Federal entities for DAF units, programs, and activities. **(T-0)**

8.7.2. Take any action that purports to obligate the supported CC/CL or the unit, program or activity to either current or future actions or to any financial obligations. **(T-0)**

8.7.3. Do anything contrary to the intent, guidance, or purpose of this instruction or that would reflect negatively on the DAF.

8.7.4. Accept any donations or property on behalf of the LSU. **(T-0)** However, the LSF may communicate with prospective donors the limited scope of their mission (i.e., to solely or principally support the DAF unit, program or activity) and their intended use of such donations.

8.7.5. Develop or implement any separate agenda, map, or programs for official DAF events, without prior written approval from the unit, program or activity commander or director. **(T-3)** Such authorized agendas, maps and programs may be commercially reproduced and include commercial advertisements with appropriate disclaimer that the appearance of advertising does not constitute endorsement by the DAF; however, a free map of the facility and/or agenda of events must usually be made available, or otherwise posted for, members of the visiting public.

8.7.6. Administer or manage the unit, program or activity or interfere in the supervisor relationships between unit, program or activity employees and the supported commander/director. **(T-0)**

BRIAN L. SCARLETT, SES, DAF
Principal Deputy Assistant Secretary of the
Air Force for Manpower and Reserve Affairs

Attachment 1

GLOSSARY OF REFERENCES AND SUPPORTING INFORMATION

References

10 USC § 2670, *Use of facilities by private organizations; use as polling places*

10 USC § 2601(a)(1), *General Gift Funds*

10 USC § 1588, *Authority to accept certain voluntary services*

26 USC § 501, *Exemption from tax on corporations, certain trusts, etc.*

31 USC §1341 *Limitations on expending and obligating amounts (Anti-Deficiency Act)*

5 CFR 950-102(e), *Scope of the Combined Federal Campaign*

5 CFR Part 2635, *Standards of Ethical Conduct for Employees of the Executive Branch*

32 CFR Part 68*, Voluntary Education Programs*

Title 26, *Internal Revenue Code*

Federal Acquisition Regulation (FAR), Subpart 7.5. *Inherently Government Functions*

Joint Ethics Regulation, (JER), 15 May 2024

DoDD 1000.26E, *Support for Non-Federal Entities Authorized to Operate on DoD Installations*, 2 Feb 2007

DoDI 1000.11, *Financial Institutions on DoD Installations*, 16 January 2009

DoDI 1000.15, *Procedures and Support for Non-Federal Entities Authorized to Operate on DoD Installations*, 24 October 2008

DoDI 1015.09, *Professional U.S. Scouting Organization Operations at U.S. Military Installations Overseas*, 19 January 2016

DoDI 1100.21, *Voluntary Services in the Department of Defense*, 27 March 2019

DoDI 1402.05, *Background Checks on Individuals in DoD Child Care Services Programs*, 11 September 2015

DoDI 4000.19, *Support Agreements*, 16 December 2020

DoDI 5410.19 Vol 2, *Community Outreach Activities: OSD Outreach Programs, Speaking Engagements, and Support to Non-DoD Organizations*, 29 September 2021

AFI 32-9003, *Granting Temporary Use of Air Force Real Property*, 24 October 2018

AFI 33-322, *Records Management and Information Governance Program*, 23 March 2020

AFI 51-506, *Gifts to the Department of the Air Force from Domestic and Foreign Sources*, 16 April 2019

DAFI 34-107, *Alcoholic Beverage Program*, 5 July 2023

DAFI 34-108, *Commercial Sponsorship and Sale of Advertising*, 31 January 2023

DAFI 34-144, *Child and Youth Programs*, 2 October 2024

AFMAN 34-209, *Nonappropriated Fund Financial Management and Accounting,* 2 October 2019

DAFI 36-2710, *Equal Opportunity Program*, 23 May 2024

DAFI 36-3009, *Military and Family Readiness Centers,* 4 November 2022

DAFI 36-3101*, Fundraising,* 26 October 2022

DAFI 36-3111, *Air Force Aid* Society, 31 August 2021

DAFI 65-301, *Internal Audit*, 1 March 2023

AR 210-22, *210-22, Support for Non-Federal Entities Authorized to Operate on Department of the Army Installations*, 12 May 2022

DAFMAN 32-1061, *Providing Utilities to Department of the Air Force Installations*, 18 August 2023

DAFMAN 36-2806, *Military Awards: Criteria And Procedures*, 27 October 2022

DAFMAN 90-161, *Publishing Process and Procedures*, 18 October 2023

AFMAN 10-1004, *Conducting Air Force Open Houses*, 23 August 2018

AFMAN 34-201, *Use of Nonappropriated Funds (NAFs)*, 28 September 2018

Adopted Forms

DAF Form 847, *Recommendation for Change of Product*

IRS Form 990, *Return of Organization Exempt from Income Tax*

Abbreviations and Acronyms

AAFES—Army and Air Force Exchange Service

AFAS—Air Force Aid Society

AFMAN—Air Force Manual

AFI—Air Force Instruction

AFPC—The Air Force Personnel Center

AFPD—Air Force Policy Directive

AFSVC—Air Force Services Center

CC/CL—Commander/Leader

CFR—Code of Federal Regulations

CSAF—Chief of Staff of the Air Force

CSO—Chief of Space Operations

DAF—Department of the Air Force

DAFI—Department of the Air Force Instruction

DAFMAN—Department of the Air Force Manual

DFAS—Defense Finance and Accounting Service-Cleveland

DoD—Department of Defense

DoDD—Department of Defense Directive

DoDI—Department of Defense Instruction

EO—Equal Opportunity

FSS—Force Support Squadron

IAW—In Accordance WithJER—Joint Ethics Regulation

LNO—Liaison Officer

LSF—Local Supporting Foundations

LSU—Local Supporting Unit

MOU—Memorandum of Understanding

MPF—Military Personnel Section

NAFI—Nonappropriated Fund Instrumentalities

NMA—National Military Associations

OPR—Office of Primary Responsibility

PCS—Permanent Change of Station

PO—Private Organization

RMFC—Resource Management Flight Chief

USAF—United States Air Force

USC—United State Code

USSF—United States Space Force

Office Symbols

AF/A1—Deputy Chief of Staff for Manpower, Personnel, and Services

AF/A1S—Air Force Services Directorate

AF/A1SR—Services Resourcing and Requirements Division

AF/JA—The Judge Advocate General of the Air Force

AF/JAC—Civil Law and Litigation Directorate

AF/JACP—Civil Law and Policy Division

AF/RE—Chief of the Air Force Reserve

AFPC/CC—Commander, Air Force Personnel Center

AFPC/DPP—Headquarters Air Force Personnel Center - Personnel Pay Directorate

AFPC/DP3SA—Air Force Assistance Fund Central Accounting Office

AFSVC/CC—Air Force Services Center Commander

MSG/CC—Mission Support Group Commander

NGB/CF—Director of the Air National Guard

SAF/FM—Assistant Secretary of the Air Force for Financial Management and Comptroller

SAF/OS—Secretary of the Air Force

SBD/MD—Space Based Delta Mission Director

SF/S1—Deputy Chief of Space Operations for Human Capital

Terms

Dram Shop Theory—A theory of legal liability under which servers of alcoholic beverages (facility owner, operator or employee) can be held liable for damages when they continue to serve alcoholic beverages to a customer who reaches or appears to be nearing the point of intoxication and the customer then brings harm to property, the customer or others.

"For us, by us" fundraising—Organizations composed primarily of DoD employees or their dependents when fundraising among their own members for the benefit of welfare funds for their own members or their dependents. (This includes most Morale, Welfare and Recreation programs, regardless of funding sources, Military Welfare Societies (i.e., AFAS) as well as, Unit Unofficial Activities). Private organizations, established pursuant to this instruction, are not considered 'for us, by us' fundraising entities.

Attachment 2

DAF LOCAL SUPPORTED UNIT (LSU) AND LOCAL SUPPORTED FOUNDATIONS (LSF) MEMORANDUM OF UNDERSTANDING (MOU) TEMPLATE

A2.1. Memorandum of Understanding between Department of the Air Force and Local Supporting Foundation Template.

Figure A2.1. Memorandum of Understanding between Department of the Air Force and Local Supporting Foundation Template.

MEMORANDUM OF UNDERSTANDING
BETWEEN THE DEPARTMENT OF THE AIR FORCE AND
THE LOCAL SUPPORTING FOUNDATION (LSF) FOR
SUPPORT TO [LOCAL SUPPORTED UNIT], XXXXXX AFB/SFB
PROVIDED BY [LOCAL SUPPORTING FOUNDATION, CITY, STATE]

This is a Memorandum of Understanding (MOU) between a Department of the Air Force (DAF) Local Supported Unit (hereinafter LSU) and a Local Supporting Foundation (hereinafter LSF). This MOU establishes roles and responsibilities related to the support of [Local Supporting Unit], located at [LSU installation], as the LSU, provided by [Name of LSF], located at [LSF Location], as the LSF. When referred to collectively, the LSU and the LSF are referred to as the "Parties." This MOU is (a new agreement (or) an amendment of current MOU dated xx/xx/xxxx) and once signed, supersedes all prior existing agreements.

1. BACKGROUND: Department of the Air Force Instruction (DAFI) 34-106, *Private Organizations Program,* recognizes that the support of local nonprofit organizations can enhance the efficiency and efficacy of DAF units, programs, and operations. Further, that such nonprofits are often in a better position to fund desirable, but non-mission essential, requirements; to engage in community relations; and to coordinate the recruiting and efforts of 10 USC 1588 volunteers. A successful collaboration between an LSU and an LSF requires a relationship built on trust, open channels of communication, and unity of mission. All requirements of DAFI 34-106. Chapter 8 are hereby incorporated by reference.

1.1. [LSU] is the DAF unit responsible for [description of unit mission].

1.2. [LSF] is a registered 26 USC §501(c)(3) nonprofit non-Federal entity, in the State of [STATE], authorized to operate on DoD installations in accordance with DoDD 1000.26E, *Support for Non-Federal Entities Authorized to Operate on DoD Installations*, and DoDI 1000.15, *Procedures and Support for Non-Federal Entities Authorized to Operate on DoD Installations,* recognized as a Private Organization by [LSU PARENT INSTALLATION], whose [sole/primary] mission is to support [LSU].

1.3. [LSF] enters this MOU with the purpose of becoming a recognized LSF for the support of [LSU].

2. PURPOSE: To provide transparency regarding the administration and fiscal management and to define the roles and responsibilities between the Parties.

3. ROLES AND RESPONSIBILTIES OF THE PARTIES. The LSF must register as Private Organization with installation per DAFI 34-106, paragraph 8.4. Parties agree to have their relationship governed by DAFI 34-106, and must maintain all requirements in DAFI 34-106, Chapter 8, order for continued recognition as an LSF.

4. PERSONNEL: Each Party is responsible for all costs of its personnel, including pay and benefits, support, and travel. Each Party is responsible for supervision and management of its personnel and their respective professional

conduct.

5. POINTS OF CONTACT (POC): The following points of contact will be used by the Parties to communicate in the implementation of this MOU. Each Party may change its point of contact upon reasonable notice to the other Party.

5.1. For the Local Supported Unit:

5.1.1. Primary: (Name, LSU Liaison Officer, Phone #, and Email)

5.1.2. Alternate: (Name, Alternative LSU Staff Member, Phone #, and Email)

5.2. For the LSF:

5.2.1. Primary: (Designee Name, Title, Phone #, and Email)

5.2.2. Alternate: (Designee Name, Title, Phone #, and Email)

5.3. For the Parent Installation (when required):

5.3.1. Primary: (Name, FSS CC/CL, Phone #, and Email)

5.3.2. Alternate: (Name, Alternative FSS Staff Member, Phone #, and Email)

5.4. For AF/JA Civil Law and Litigation Domain **(when required)**:

5.4.1. Primary: (Name, AF/JACP Legal Advisor to DAF Services, Phone #, and Email)

5.4.2. Alternate: (Name, Alternative JACP Staff Member, Phone #, and Email)

6. CORRESPONDENCE: All correspondence to be sent and notices to be given pursuant to this MOU will be addressed, as follows:

6.1. If for the LSU:

6.1.1. (Name, LSU LNO, Mailing Address and Email)

6.2. If for the LSF:

6.2.1. (LSF Mailing Address and Email Address)

6.3. If for the parent installation FSS:

6.3.1. (Name, FSS POC, Mailing Address and Email)

6.4. If for the AF/JA Civil Law and Policy Division (AF/JACP):

6.4.1. (JACP Mailing Address and Email Address)

7. GENERAL PROVISIONS:

7.1. **MODIFICATION OF THE MOU:** This MOU may only be modified by the written agreement of the Parties and duly signed by their authorized representatives.

7.1.1. This MOU will be examined and reviewed for applicability, relevancy, and necessary changes every five (5) years in coordination with the Private Organization recertification of the LSF by the installation. Upon review, any major modifications or changes made to the existing MOU should result in the re-signing of the MOU. If no significant changes are identified or required by either Party, the effective date of the MOU will change, to reflect the date of review completion and establishing the next review date.

7.1.2. Minor changes that do not significantly alter the existing MOU, may be changed with pen and ink, including non-substantive modifications, by mutual agreement providing the changes are not significant nor affect the transfer of manpower or funds. Each party will initial and date each minor change. The pen and ink changes document mutual acknowledgement of the minor changes. A new signature page verifying the understanding and approval of the changes may be required.

8. **DISPUTES**: Any disputes relating to this MOU will be subject to applicable law, Executive order, directive, or instruction, be resolved by consultation between the Parties in accordance with DoDI 4000.19, *Support Agreements*. Disputes that cannot be resolved by consultation between the Parties must be submitted to AF/A1S for resolution.

9. **TERMINATION OF UNDERSTANDING:**

9.1. This MOU may be terminated at any time upon mutual written agreement of the Parties.

9.2. This MOU may be terminated upon thirty (30) days written notice to the LSF by the LSU or parent installation, for a violation of this Agreement or when (in the opinion of AF/A1S or AF/JAC) the continued affiliation of the Parties is no longer in the best interests of the Department of the Air Force. When conditions warrant, LSF operations relating to the support of the LSU may be suspended immediately.

9.3 MOU lasts a term of 10 years.

10. **TRANSFERABILITY:** This MOU is not transferable except with the written consent of the Parties.

11. **LIMITATIONS:** This MOU is not intended to, or does not, create any right or benefit, substantial or procedural, enforceable at law or inequity by any party against the United States, its departments, agencies, or entities, its officer, employees, or agents, or any other person.

12. **ENTIRE UNDERSTANDING:** It is expressly understood and agreed that this MOU embodies the entire understanding between the Parties and supersedes all previous understandings and agreements between the Parties whether written or oral regarding the MOU's subject matter.

13. **EFFECTIVE DATE:** This MOU takes effect beginning on the day after the last Party signs.

SIGNATURE:

FOR LSU COMMANDER/DIRECTOR

FOR LSF EXECUTIVE DIRECTOR (or equivalent)