**Private Organization Fundraising and Logistical Support by Army Agencies**

SAGC-EF

March 31, 2006

1. **Purpose.** To provide information on a Post Commander’s ability to have fundraising activities in support of a non-Federal entity (NFE).

2. **Facts.**

 a. A Post Commander may provide logistical support to NFE fundraising activities on his installation, in addition to those listed in JER 3-210, only if he has obtained permission, in advance, from the Office of Personnel Management (OPM). The reason for this rule is that most NFEs are affiliated with the Combined Federal Campaign (CFC). As such, all fundraising by the organization should be within the context of the CFC. This rule would also apply to local chapters which are affiliated with the CFC. [**NOTE:** OPM has indicated that, generally, it will disapprove exceptions for fundraising outside of the CFC.]

***Example:*** *The local AmVets chapter, a CFC affiliate, wants to host a fundraising 10K race on post and asks for logistical support. OPM must approve before the Post Commander can approve either the race or the support.*

 b. The exception to this general rule is when the NFE fundraising event is in direct response to an OPM approved emergency or disaster relief appeal. Absent extraordinary circumstances, fundraising for emergency or disaster relief will not occur during the CFC campaign period (1 September through 15 December).

***Example:*** *A branch of the local river has flooded in a nearby community. The President has designated the area eligible for Federal disaster relief, and OPM has announced that Federal agencies may allow employees to collect food, blankets and funds to assist victims of the flood. The Post Commander may authorize soldiers and employees to use official time and resources to collect donations to be given to the Red Cross for relief in this disaster.*

 c. If the event raises gifts-in-kind such as food, clothing or toys, rather than funds, no OPM permission is required.

***Example:*** *The United Way sponsors a Food Bank for needy families. They have asked for access to the post housing area to conduct the collection. The Post Commander can approve the request.*

 d. If the fundraising occurs outside of the Federal workplace, no OPM permission is required. The Federal workplace includes, by definition, the entire DoD installation. The installation commander may, however, designate limited areas as public places on the installation where similarly situated groups may solicit funds.

***Example:*** *The Red Cross has asked whether it can set up a card table and a “Cross Your Heart” display soliciting donations outside of the PX on Valentine’s Day weekend. In the past the Post Commander designated this area as a public area. He has authorized both the Girl Scouts to sell cookies and the Disabled American Veterans to sell poppies in this area. The Commander has the authority to authorize the Red Cross appeal in the same place because it is a designated public area, and similar organizations have been granted access in the past.*

 e. After obtaining OPM approval for an on-post NFE fundraising event and pursuant to JER 3-211, a commander may provide logistical support**.** On a limited basis, DoD facilities and equipment (and the personnel necessary for proper use of the equipment) may be provided when the head of the DoD command determines:

 (1) The support does not interfere with the performance of official duties and does not detract from readiness.

 (2) The support promotes legitimate DoD community relations, public relations or recruiting interests, or military training objectives can be met by providing the support.

 (3) The event is appropriate for DoD support.

 (4) The command is able and willing to provide the same support to comparable events sponsored by similar organizations.

 (5) No admission fee beyond the reasonable cost of the event itself will be charged, or no fee will be charged for **that portion** of the event supported by DoD. (That is, DoD support to an event must be incidental to the fundraising purpose.)

 (6) No other statutes restrict the support.

***Example:*** *The USO has obtained OPM approval to conduct a fundraising concert in conjunction with the CFC. Local celebrities and entertainers have offered their services. The USO has asked if the post theater may be used for the concert. Use of the post theater can be authorized. (This scenario is a good example of how DoD may support a fundraising event without directly contributing assets to the fundraising itself.)*