



# USAG Bavaria DFMWR Private Organizations and Fundraising

1 January 2022



# Private Organizations and Fundraising

## Definition – Private Organizations (PO)

- Play an important role in improving the **morale, well being, and standard of living** in this garrison.
- Offer opportunities for social interaction, educational pursuits, and professional development including important financial and volunteer support to many community programs & activities.
- Are self-sustaining, non-Federal entities that operate on USAREUR installations with the written consent of the Garrison Commander.
- Act exclusively outside the scope of any official position they occupy in the U.S. Government or its instrumentalities.





# Private Organizations and Fundraising

## Required Documents for Approval to Operate

- Constitution/Bylaws, or other authorizing document (bi-annually).
  - If affiliated with a national, regional or state organization, the PO will include documentation of the parent organization.
- Membership roster with SOFA status with statement of percentage of members with SOFA status (annually).
  - PO President or Vice President and Treasurer (if on post bank account) must have SOFA status.
- List of PO Officers with contact information to include email address.
- Insurance policy liability and bonding.
- Facility/Room/Space requirement request.
- Approving Authority: Senior Commander.





## Renewal Requirements

### Ninety days prior to expiration:

- Renewal Request.
- Constitution and bylaws.
- Membership roster with SOFA status with statement of percentage of members with SOFA status (annually).
  - PO President or Vice President and Treasurer (if on post bank account) must have SOFA status.
- List of PO Officers with contact information to include email address.
- Audit reports covering the previous two years.
- Proof of insurance for bonding and liability.
- Missing Minutes and Financial Statements.
- Summary of major changes and planned activities.
- Space Renewal Request.
- Approving Authority: Senior Commander.





# Private Organizations and Fundraising

## Fundraising

- Garrison Commander may authorize occasional fundraising.
- Requests must be submitted 30 days prior to event date.
  - Fundraisers at AAFES, FMWR, DeCA, schools, motorpools, etc. must have a facility use approval letter.
  - Re-event ticket sales/advertising require submission 30 days prior to ticket sale/advertising start.
- Authorized fundraising organizations:
  - Private Organizations
  - Unit Informal Funds
  - Non-MWR NAFI, Youth & School, Unit Funds, Boys and Girls Club
- Approval letter must be posted at the fundraising site during the event.
- After action report due not later than **14 days** after the event.
- Profits must be used IAW constitution and bylaws.
- Approval letter must be posted at the fundraising site during the event.
- Approving Authority: Garrison Commander.
- Note: Directorate, Family and MWR sponsored events such as bazaars and Volksfests are not considered Fundraisers.





# Private Organizations and Fundraising

## Submission Requirements

- Monthly Financial Reports with beginning and ending balances, expenses and income in detail, signatures of treasurer and verifier (president or vice president).
- Officers' list (address, phone number and personal Email - no government Email).
- Membership list with SOFA status as proof that at least 51% have SOFA status.
- Updated certificates of adequate insurance for liability and bonding.
- Audit report:
  - When treasurer changes but not less than annually.
  - Must include period of audit, beginning and ending balances, income and expenses by categories, signatures of all the auditors.
  - Can be completed by three members of organization who are not on board of officers.





# Private Organizations and Fundraising

## Opportunities and Requirements

Upon receipt of approval, you are authorized to:

- Obtain a **Bank Account**
- Request to conduct Fundraising events limited to the installation.
  - Submit Fundraising request at least 30 days out.
  - Advertise fundraisers, activities and membership drives
  - Provide After Action Report in detail within 14 days.

Once Approval to Operate is Granted you are required to:

- Conduct annual **financial audit** or upon change of treasurer
- Submit **Renewal application 90 days prior** to expiration
- Submit **Meeting Minutes**
- Submit **Financial Statements**





# Private Organizations and Fundraising

## General Principles

- Not entitled to the immunities and privileges given to government entities.
- Not endorsed by the Army.
- No relationship between PO & official duties of Mil/Civ personnel – U.S. Code & Joint Ethics Regulation.
- Will chose functions & expenditures.
- Must be financially and operationally self-sustaining.
- Government (APF/NAF) has no claim to assets or assume any responsibility.
- Neither Soldiers nor civilian personnel can be assigned to work for a PO as an official duty.







# Private Organizations and Fundraising

## Restrictions

Will **not** conduct activities that:

- May discredit Army, DOD, or Federal Government.
- Propagate extremists or advocate violence against others or the violent overthrow of the government.
- Impose financial liability to Army or NAFI.
- Deprive individuals of their civil rights.
- Compete with Army and/or NAFI activities.
- Are for commercial or monetary purposes only.
- Include usage of USAG Bavaria and other DOD seals, logos, and insignias – to prevent appearance of sanction or support by DOD.





# Private Organizations and Fundraising

## Compliance with HN Requirements

- POs are required to comply with HN tax laws.
- POs will license, certify, or register activities if they are required to do so by HN authorities.
- POs must obtain private counsel to determine compliance with HN requirements.





## Limitations of Army Personnel

- Army employees in an official capacity
  - Will remain neutral in dealing with POs.
  - Will not use their titles, offices, or position, to endorse PO activities.
  - Will not participate in fundraising beyond JER 3-210 & 3-300.
  - Will not give the appearance of official sanction.
  - Will not use position to evade restrictions on expenditure of APF or NAF.
- Without reference to specific PO, personnel may be encouraged in general terms to join or support without favor or advocacy.





# Private Organizations and Fundraising

## Funding

- Approved POs are self-sustaining through:
  - Dues
  - Service Charges
  - Contributions
  - Fees
  - Special Assessment of Members
- Neither NAF nor APF may incur or assume any obligation of any PO, except as may arise out of contractual relationships.





# Private Organizations and Fundraising

## Use of Army Resources

- No financial assistance in the form of:
  - Contributions
  - Repairs
  - Services
  - Donations of Money
  - Donations of Assets
  - Dividends
- Government funds and assets will not be transferred to PO directly or indirectly – unless legislatively authorized DODI 1015.9, Scouting Operations Overseas.





# Private Organizations and Fundraising

## Use of Army Resources

**POs will not use Army Services to include:**

- Legal
- Transportation
- Printing
- Clerical
- Copying
- Procurement
- Audit
- Postal
- Information
- Financial
- Management
- Government E-mail Address





## Logistical Support

- Garrison Commander may grant use of space facilities on a space-available basis IAW Facility Support Policy and AR 405-80.
  - Use of space or facilities grants no additional rights to the PO.
- Further details are outlined in AR 210-22 and DoD Directive 5500.7-R, The Joint Ethics Regulation.
- OSJA will review all requests for logistical support before granted.





# Private Organizations and Fundraising

## Postal Support

- Intra-theater Mail Delivery Service authorization includes no cost delivery of correspondence of 11 oz or less and parcels weighing 70 lbs or less when the item is sent from one APO address to another, within U.S. European Command.
- PO will print, type, or stamp “PO” on the upper right corner of correspondence and parcels.
- POs may not use United States Post Office, APO.







# Private Organizations and Fundraising

## Fundraising Restrictions

POs cannot fundraise or engage in the listed activities:

- In the federal workplace.
- Direct resale from AAFES or DECA, or through MPS.
- Use of VAT relief forms for items bought at the economy.
- Bag at AAFES facilities
- Sell or give away alcohol or engage in events that glamorize alcohol.
- Engage in fundraising while on duty or in uniform.
- Using Government equipment to support or advertise the event.

DOD Personnel may not endorse fundraising, solicit or require subordinates to participate

Note: Limited to authorized personnel





# Private Organizations and Fundraising

## Guidelines

- DoDI 1000.15, Procedures and Support for Non-Federal Entities Authorized to Operate on DOD Installations, 24 October 2008.
- DoD 5500.7-R, Joint Ethics Regulation, 17 November 2011.
- AR 600-29, Fundraising within the Department of the Army, 7 June 2010.
- AR 210-22, Private Organizations on Department of the Army Installations, 22 October 2001.
- AR 215-1, Military Morale, Welfare, and Recreation Activities and Nonappropriated Fund Instrumentalities, 24 September 2010.
- AE Regulation 210-22, Private Organization and Fundraising Policy, 13 August 2010.
- AR 405-80, Management of Title and Granting Use of Real Property, 10 October 1997.
- **Local guidelines, samples and this briefing are available at:**  
<https://hohenfels.armymwr.com/programs/private-organizations>





# Private Organizations and Fundraising

## Your Point of Contact:

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