

Private Organizations

As PCS season comes to an end, many Private Organizations (POs) operating on Little Rock AFB start having more activities for all our Airmen, civilians, and dependents. With all of the new ideas and planning for the next fiscal year happening at your Private Organization, it's a good time to highlight some general legal rules regarding Private Organizations.

What are "Private Organizations"? They are self-sustaining non-federal groups operating on-base with the consent of the installation commander. To become a Private Organization, the group must show that it will make a positive contribution to the quality of life of base personnel. Such groups have special rules in AFI 34-223, must follow a specific process for becoming a Private Organization, and must always follow all ethics rules in the Standards of Conduct and the Joint Ethics Regulation. All unofficial activities that exceed a monthly average of \$1,000 in assets (NOT income) over a three-month period must become a Private Organization, discontinue on-base operations, or reduce their current assets below the \$1,000. To set up a PO, you must submit a written constitution, bylaws, or other similar documents IAW AFI 34-223 to 19 FSS.

One of the most important rules for POs is that they cannot create the appearance of official sanction or support by the DoD, Air Force, or Little Rock AFB. That general rule has broad implications, since most PO names somehow reference the base or a unit here. It means that POs may not use any official Air Force logos or insignias. If a PO's name includes any reference to Little Rock AFB or a Little Rock AFB unit, the name must receive approval from the installation commander. Also, any use of the name must not mislead members of the public to assume a PO is part of the Air Force. Finally, the PO must prominently display a special disclaimer on all print or electronic media mentioning the PO's name. The disclaimer must read: "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." That disclaimer must be on all letters, e-mails, websites, and other flyers from a PO.

Other important rules for POs concerns donations and fundraisers. POs can solicit donations and receive unsolicited donations off-base. However, POs can only receive unsolicited gifts or donations on-base and cannot ask for funds, gifts, or any other donations on-base. That doesn't mean POs can't fundraise on-base. They can indeed hold fundraisers, so long as the fundraisers receive 19 FSS/CC approval and a legal review from 19 AW/JA. The PO's fundraiser must: not involve any gambling, receive approval and legal review whether held on or off the installation, not compete with ongoing CFC or AFAP campaigns (without special installation commander approval), not be more frequent than two per calendar quarter, and otherwise comply with AFI 34-223, the JER, and the Standards of Conduct. There are additional ethics rules concerning fundraising which are too complex to discuss in a single article. That makes it all the more crucial that POs ensure that all requests for fundraisers receive a legal review.

In a similar vein, POs cannot have commercial sponsors. What does that mean? That means that POs have only limited means to recognize those who have donated to their group. The PO can only recognize donors to other members of the PO (e.g., in an internal PO newsletter) or to those present at an event benefitting from the donation or gift.

If you have any questions regarding Private Organizations or fundraisers, please visit the General Law Section at the Little Rock AFB Legal Office located at 1250 Thomas Avenue or call (501) 987-7886.