

OFFICE OF THE STAFF JUDGE ADVOCATE
48TH FIGHTER WING, RAF LAKENHEATH, UK
Building 1082, DSN 226-3553



COMMERCIAL ACTIVITIES

On-Base Solicitation

1. The responsibility for controlling commercial activities on an Air Force installation rests primarily with the Installation Commander. *See DoDI 1344.07.*
 - a. On-base solicitation is a privilege, not a right.
 - b. Commercial activities may not compete with the BX or Commissary.

2. Solicitation on an Air Force installation is normally permitted, provided that:
 - a. The solicitor is duly licensed and insured under appropriate laws;
 - b. The Installation Commander has not prohibited the solicitation; and
 - c. A specific appointment has been made with the individual concerned and conducted in family quarters or other areas designated by the Installation Commander.

3. Special rules apply to sales of life insurance and securities.
 - a. DoD personnel may NOT represent an insurer or broker in an official or business capacity with or without compensation.
 - b. DoD personnel cannot utilize the base bulletin or any other official or unofficial notice to announce their presence on the base.

4. Prohibited solicitation practices include:
 - a. Soliciting personnel on duty or making appointments during their normal duty day;
 - b. Soliciting any kind of mass audience (*i.e.*, commander's call, guard mount, etc.);
 - c. Soliciting in housing areas (to include transient housing) without an appointment;
 - d. Soliciting door to door or without an appointment;
 - e. Implying DoD sponsorship or sanction;
 - f. Soliciting members junior in grade or their families;
 - g. Procuring or supplying roster listings of DoD personnel; and
 - h. Using official military ID cards to gain access for soliciting.

5. Violation of any of the prohibited practices may result in suspension or revocation of on-base solicitation privileges and eventual debarment (either of the individual or the entire firm).

Commercial Activities from Family Housing (AFI 32-6001, paragraph 2.13)

1. *Definition:* “Commercial Activities” are defined as business enterprises conducted for profit by family members assigned to the dwelling unit.
2. *Policy:* Housing occupants may operate limited enterprises while in base housing. These enterprises are limited to:
 - a. Sales of products;
 - b. Minor repair services on small items;
 - c. Limited manufacture of items;
 - d. Incidental services; or
 - e. Tutoring.
3. *Limitations:*
 - a. The family member(s) must request permission in writing to conduct the commercial activity. The housing officer provides written authorization or denial notices.
 - b. The family member(s) must meet local government licensing requirements before requesting approval to operate the business.
 - c. The enterprise must not compete with installation officially sanctioned commerce. Sale of specific brand name merchandise not available in military exchanges is not competition.

NOTE: Childcare from family quarters is governed by AFI 34-276.

Fundraising

Fundraising is the solicitation of funds from military and civilian personnel for contribution to private organizations.

There are two types of campaigns: “On-the-job” and “off-the-job.”

1. On-the-job fundraising.
 - a. On-the-job fundraising campaigns are official, command-sponsored campaigns conducted during duty hours by government personnel in their official capacities.
 - b. Project officers, key workers, and reporting requirements are authorized.
 - c. Participation (contact) and overall dollar goals may be established.
 - d. Contributions must be voluntary. No coercive practices may be used and lists of contributors may not be created.
 - e. Examples of on-the-job fundraising campaigns are the Combined Federal Campaign (CFC) and the Air Force Assistance Fund (AFAF).

2. Off-the-job fundraising.

a. Off-the-job fundraising campaigns are unofficial, non-command-sponsored campaigns conducted by private organizations, which do not participate in the CFC or AFAF drives.

b. The campaigns are conducted with the approval, but not the sponsorship, of the Installation Commander.

c. The campaigns are conducted by volunteers in their personal capacity, away from the duty section, and in a non-duty status.

d. The solicitations should be restricted to:

(1) Family quarters in the unrestricted areas of the installation.

(2) Entrances to installations or at entrances, concourses, or lobbies of office buildings open to the public.

(3) Letter campaigns that specify contributions are to be mailed directly to the organization.

e. Fundraising during CFC and AFAF campaigns:

(1) Requests to support "local internal programs" at the workplace are not authorized during CFC or AFAF campaigns.

(2) Requests for support for local external private voluntary organizations away from the workplace are also not authorized during CFC or AFAF.

(3) While requests for support for "local internal programs" away from the workplace during CFC or AFAF are authorized, these drives should not detract from CFC or AFAF drives if already in progress. (AFI 36-3101, Table 1, Rule 4).

NOTE: AFI 36-3101 defines support for local internal programs as solicitations conducted by organizations that are directed exclusively at their members. Only AF members may conduct internal fundraising activities and these activities must exclusively benefit AF members. Examples include a base open house, carnival, special benefit or benefit sales by base scout troops, athletic teams or special benefits or events conducted by private, social or professional organizations such as Air Force Association, Officer's Wives Club, NCO Wives Club, and Civil Air Patrol.

Services Events

1. Due to the significant cuts in appropriated fund support of "Services," there has been a dramatic increase in the number and variety of Services fundraising events. Services fundraising events need to be reviewed carefully.

2. Donations and contributions.

a. Services may not solicit donations or contributions.

b. Services may accept voluntary donations and contributions.

c. Donations to Services may not be publicly acknowledged and the donor may not be granted any special privileges.

3. Commercial sponsorship.
 - a. Unsolicited commercial sponsorships are authorized and provide incentives for companies to sponsor Services events. *See* AFI 34-108.
 - b. Sponsorship privileges may include:
 - (1) Sponsor credit;
 - (2) Advertising;
 - (3) Merchandise giveaways.
 - c. General limitations include:
 - (1) Advertising must be in good taste and be approved in advance.
 - (2) Special or favored treatment will not be beyond regulatory limits.
 - (3) Cost of sponsorship donated may not be charged to any government contract.
 - (4) Preapproval.

4. Solicited commercial sponsorship.
 - a. The Solicited Commercial Sponsorship program is the only authorized process for soliciting commercial sponsors for Services programs. *See* AFI 34-108.
 - b. It allows Services to directly approach civilian companies and request money or merchandise in exchange for an opportunity to advertise on-base.
 - c. All solicitations must be publicly announced and competitively solicited.
 - d. May not solicit from alcohol or tobacco companies under any circumstances.
 - e. JA and contracting involvement is essential to success of program.

Other Related Issues

1. Bingo.
 - a. Unless the base is fully ceded to the United States, bingo will only be authorized if allowed by the state in which the base is located.
 - b. Must be played as a social activity and not as a lottery or gambling event.
 - c. Open mess bingo games are limited to members, dependents, and authorized guests.

2. Raffles.
 - a. The Joint Ethics Regulation, DoD 5500.7R, authorizes private organizations to conduct fundraising raffles on AF installations on an infrequent basis when authorized by the Installation Commander.
 - b. Raffles can only be conducted when the proceeds are for the exclusive benefit of DoD personnel or their family members (*i.e.*, proceeds to purchase playground equipment at a child development center, to fund scholarship programs for DoD personnel and their family members, to donate money for base scouting organizations, etc.)**
 - c. Raffles are not authorized to raise money for local or national groups, such as regional or national heart or cancer association.
 - d. Raffles are not authorized for purely social, recreational or entertainment purposes which benefit only individual private organization members and/or their family members (*i.e.*, proceeds to underwrite the cost of a weekend ski trip or retreat).
 - d. Raffles are not to be conducted in the workplace or by military members or civilian employees during their duty time.

RAF Lakenheath Legal Assistance App

For a copy of this pamphlet, as well as other helpful pamphlets, please go to the 48 FW Phone App, click on “J.A.G.” at the bottom, and then click on “forms and documents.”

RAF Lakenheath Legal Office Hours

Legal Assistance/Wills (**By appointment only**)

Tuesday 0900-1100 and Thursday 1300-1500

Call **0163852-3553 (226-3553)** or email 48fw.ja@us.af.mil

Powers of Attorney/Notary Service (No appointment necessary).

Monday-Wednesday & Friday 0830 – 1530; Thursday 0930-1530