

Department of the Army, DoD

§ 556.18

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by installation commanders. (See Logistical Support and Services of this subpart) Funds will be obtained through dues, contributions, service charges, fees, or special assessment of members.

(b) Neither APFs nor NAFs are authorized to transfer any monies or other assets to any PO, including the Boy Scouts and Girl Scouts, by means of contributions, dividends, or other distributions, except as provided by statute. (See section 155, title 10, United States Code (U.S.C.) (10 U.S.C. 115).)

§ 556.18 Resale and fundraising activities.

(a) POs will not engage in on-post resale and fundraising activities unless the installation commander authorizes—

(1) Thrift shop sales of used clothing and used or handcrafted merchandise; net proceeds of such sales will be donated as specified in § 556.18(b)(2)(iii) of this section.

(2) Museum gift shop sales of items related to museum activities per AR 870-20.

(3) Occasional fundraising activities such as dances, car washes, cake raffles, bazaars, or other special events. All POs will comply with State codes requiring licensing for raffles; PO-sponsored raffles will not be permitted in States that prohibit them. Occasional sales for fundraising purposes within the continental United States (CONUS) will offer only the services and merchandise listed in AR 60-20, appendixes B and C.

(b) Exceptions to the continuing resale prohibition may be granted—

(1) By the installation commander as follows:

(i) Sales are restricted to PO members.

(ii) Merchandise sold is related directly to the purpose of the PO.

(iii) The Army and Air Force Exchange Service (AAFES) and other installation NAFIs state in writing an inability to meet the resale requirement.

(2) By major Army commanders as follows:

(i) Sales are not restricted to PO members and merchandise is not directly related to the PO's purpose.

(Include the following paragraph: "If the organization is dissolved, all funds in the treasury at the time will be used to meet any outstanding debts, liabilities, or obligations. The balance of these assets will be disposed of as determined by the membership.") Approved by Majority Vote on(date)

(Signed) _____
President _____
(Signed) _____
Secretary _____

Subpart D—Support and Services

FUNDING

§ 556.17 Overview.

(a) POs subject to this regulation will be self-sustaining except for limited logistical support that may be granted

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(ii) AAFES and other installation NAFIs state in writing an inability to meet the resale requirement.

(iii) Net proceeds from sales are donated by the PO to—

(A) The installation to support its morale, welfare and recreation (MWR) and other community and family support activities, scholarship funds, or installation hospitals, schools, museums, and so forth.

(B) Local off-post hospitals, museums, libraries, and other community organizations used by, and of direct benefit to, the installation community. (Donations do not include proceeds used to cover the PO's expenses in providing such sales.)

(c) A copy of MACOM approval for such operations will be sent to Commander, CFSC, Attn: AE-P, Alexandria, VA 22331-0507.

PERSONNEL

§ 556.19 Exclusions.

Neither soldiers nor DA employees (APF or NAF) will, as an official duty, be assigned to work for POs.

§ 556.20 Permissive temporary duty (TDY).

Installation commanders may authorize permissive TDY for active duty military personnel to support national Scouting organizations per AR 630-5, paragraph 12-4(e).

§ 556.21 Special events.

Installation commanders may authorize the use of military personnel and APF or NAF civilians to support special events that may benefit POs. The use of such personnel is only to prepare installation facilities and grounds for the event. The following conditions must be met:

(a) The commander must approve the special event (such as a fair, bazaar, or picnic) to be conducted on the installation.

(b) The event must benefit or enhance the morale of the installation DOD family.

(c) The event must be open to all members of the installation DOD family.

(d) The event must not compete with resale activities of the installation's

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MWR and other community and family support programs unless authorized, on an exception basis, by the installation commander.

(e) The event must not state or imply endorsement of a PO or specific commercial goods or services.

LOGISTICAL SUPPORT AND SERVICES

§ 556.22 Overview.

The amount and type of support authorized for a PO depends on the authority under which the PO is organized.

(a) For type 1 POs governed by other directives (see § 556.5(a)(1)) support is authorized as stated in those directives.

(b) For support for all other POs, §§ 556.23 through 556.30 will be followed. (For POs on Army Reserve Centers requesting use of space and facilities, see AR 140-488.)

(c) Under the provisions of AR 37-60, paragraphs 9-6 and 9-8, installation commanders may waive or reduce charges to nonprofit POs for any of the support elements listed in paragraph 9-3 of that publication. This applies only to support provided to a PO on an occasional or nonrecurring basis.

[55 FR 27104, June 29, 1990, as amended at 55 FR 32243, Aug. 8, 1990]

§ 556.23 Use of space and facilities.

Most POs require space only for periods of time necessary to conduct regular organizational meetings or for other occasional or nonrecurring PO-sponsored events. Installation commanders may grant use of space to include utilities, in-place equipment, and janitorial supplies used without charge when it is incidental to other uses of the facility. PO use of space is governed by AR 405-80. Specific provisions are as follows:

(a) *Use of space or facilities under license agreement.* Use may be granted by means of a revocable-at-will license and will be defined as occasional, nonregular, regular part-time, or full-time use of space, and will not contain any of the terms in paragraph (b) of this section. Commanders will determine whether or not the license will be on a rent-free basis. POs have no property rights when use of space is granted