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From: Dunlap Charles J Jr BrigGen ACC/JA
Sent: Wednesday, March 22, 2006 4:13 PM
To: HQ ACC Staff - Directors
Cc: HQ ACC Executive Officers
Subject: March EthicsGram: Please scan before teeing-off!!!

Airmen,

Spring is in the air and PCS season is upon us, therefore it must be time to organize an office golf tournament as a proper sendoff for some beloved individual in your organization-or for the sheer enjoyment of it.

Seems simple? Actually, this used to be something where folks in the office and a few others took an afternoon off for some informal sun and fun on the golf course.

Recently, however, we've seen instances where these once uncomplicated events have somehow evolved into major operations involving the kind of money and resources usually reserved for wartime deployments. Specifically, over the years efforts to increase the availability of prizes, include more players, and reduce the cost to participate have morphed these events from internally funded office outings into potentially illegal fundraising and sponsorship activities.

Consequently, even something as seemingly innocuous as a golf tournament could have serious albeit unintended consequences for all concerned if it isn't done the right way. Our Joint Ethics Regulation-along with the criminal statues it is derived from-does not take a spring-break. And, of course, we live in a world where adverse public perceptions can occur easily and are difficult to root out.

For example, in packages we've seen (*but we don't know if we've seen them all!!!*), well-meaning A/Os included letters (on official Air Force letterhead and intended for the official signature of the director) requesting donations from commercial entities to defray the costs normally associated with a golf outing. It is paramount to remember that Government employees (and contractors working on behalf of Government employees) may not solicit anyone for anything while on duty or in their official capacities. *The word "solicit" should be treated as a four-letter word-avoid it, and the concept, at all cost.*

There are legal ways to have your event but the most bullet-proof way is to have everyone pay their fair share and enjoy the fellowship, fresh air, and fairways without trying to do it for free. (Hey, they're worth a couple of bucks!)

Anyway, a bona fide private organization (PO) or unofficial activity (UA) may accept gifts and donations in conjunction with its golf tournament (e.g., a sleeve of balls for closest to the pin) and recognize those who donated the prizes at the event, but only when the donations and recognition are made within the bounds of paragraphs 1 and 10.15 of AFI 34-223, *Private Organization Program*.

Principal among those restrictions are the prohibition on any on-base requests for donations, and the requirement that off-base solicitations clearly indicate that they are for a PO or an unofficial activity/organization and not the base or any official part of the Air Force. This needs to be crystal clear, especially where defense contractors or contractor wannabees are concerned.

The ability of POs and UAs to accept donations comes with a price-the PO or UA must be self-sustaining and must be set up and run by people acting exclusively outside the scope of any official capacity as officers, employees, or agents of the Federal Government. Any actions taken to support the PO-such as writing the letter to request prize donations-must be done **off duty and outside the federal workplace**. In addition, personnel playing in a PO or UA golf tournament must do so in their **personal** capacities...off duty and out of uniform.

Some organizations have also tried to pay for their golf tournaments through solicitation of commercial sponsorships. Only Services MWR programs may use the Commercial Sponsorship Program - and their use of the program has its own limitations. Other Air Force organizations, units, private organizations, or unofficial activities or organizations are not authorized to use commercial sponsorship to offset program or activity expenses. (see para 1.2 of AFI 34-407 and para 10.15 of AFI 34-223)

Again, I urge you to seek JA advice before you tee off. If it is possible to do it, legally, we want to help you do it right.

Thanks!!!

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