

**BY ORDER OF THE COMMANDER
45TH SPACE WING**

45TH SPACE WING INSTRUCTION 90-101



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Command Policy

**COMMERCIAL SOLICITATION, ON-BASE
FUNDRAISING, ON-BASE PRIVATE
BUSINESSES, CONTRACTOR
DEMONSTRATIONS AND THE
TEMPORARY USE OF AIR FORCE
PROPERTY**

COMPLIANCE WITH THIS PUBLICATION IS MANDATORY

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Certified by: 45 MSG/CC
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This instruction implements a number of publications, including but not limited to, DoD Instruction 1344.07, *Personal Commercial Solicitation on DoD Installations*; DoD 5500.7-R, *Joint Ethics Regulation*; AFI 32-9003, *Granting Temporary Use of Air Force Real Property*; AFI 34-223, *Private Organizations (PO) Program*; and AFI 36-3101, *Fundraising Within the Air Force*.

This publication establishes policy and procedures to obtain approval for on-base commercial solicitation, on-base fundraising, on-base private businesses in base housing and the temporary use of Air Force property controlled by 45th Space Wing, including facilities and land. This instruction requires the requester to have an approved 45 SW Form 400, *Request to Use Base Facilities*, during the activity or event. It also explains the procedures to obtain access to 45th Space Wing property once the request is approved. It applies to any individual or organization that wants to solicit or conduct fundraising on 45th Space Wing property, including Patrick AFB (PAFB), Cape Canaveral AFS (CCAFS), military and family housing areas (including dormitories and temporary quarters/lodging) and beach areas. It applies to individuals desiring to have a private business in base housing and to individuals requesting temporary use of Air Force property for other than official government purposes. This publication requires the collection and/or maintenance of information protected by the Privacy Act (PA) of 1974. The authorities to collect and/or maintain the records prescribed in this publication are Title 10, *United States Code*, Section 8013, and Executive Order 9397. Individuals will show, or on request, provide a Privacy Act Statement prior to collecting personal information.

This instruction does not apply to individuals or companies requesting to sell products or services in the lobby of the Base Exchange, which shall be done strictly in coordination with AAFES.

Refer recommended changes and questions about this publication to the Office of Primary Responsibility (OPR) using AF Form 847, *Recommendation for Change of Publication*; route AF Form 847s from the field through Major Command (MAJCOM) publications/forms managers. Ensure that all records created as a result of processes prescribed in this publication are maintained in accordance with Air Force Manual (AFMAN) 33-363, *Management of Records*, and disposed of in accordance with Air Force Records Information Management System (AFRIMS) Records Disposition Schedule (RDS) located at <https://www.my.af.mil/gcss-af61a/afrims/afrims>.

SUMMARY OF CHANGES

This publication has been revised and must be completely reviewed. Changes include: 45th Services Squadron to 45th Force Support Squadron and billeting to lodging, updated paragraph 3.1 to show current 45 FSS/FSR involvement, minor modification to paragraph 10.1, deletion of references made to AFI 32-6001, *Family Housing Management*, 45 SW Policy Letter 02-002, *Home Business and Sales to Subordinate*; 45 SW Policy Letter 02-018, *Fundraising*; and 45 SWI 32-6003, *Military Family Housing Brochure*. These references are obsolete.

1. Responsibilities.

1.1. Final approval authority for 45th Space Wing on-base solicitation, on-base fundraising, contractor demonstrations and logistical support to non-Federal entities is delegated to the Commander, 45th Mission Support Group (45 MSG/CC). Final approval authority for operating a private business in family housing and requests for temporary use of Air Force real property is the Commander, 45th Space Wing (45 SW/CC). Concerns by housing residents about a particular private business in base housing should be forwarded to 45 MSG/CC, who will coordinate with the 45 SW/CC to address the concern. 45 SW Form 400 will be used to gain approval for the aforementioned activities. Residents of South Housing off-base must also seek permission from the City of Satellite Beach to operate a private business from their home.

1.2. No fundraisers may be held during the same time periods as Combined Federal Campaign (CFC) or Air Force Assistance Fund (AFAF) campaigns. Rare exceptions: Fundraiser activities by internal base organizations away from the workplace that do not detract from CFC or AFAF fundraising campaigns may be conducted, but only upon explicit approval of 45 MSG/CC.

1.3. Family housing occupants may operate business enterprises while living in housing as subject to their lease terms. The following conduct is prohibited: door-to-door sales, sales that compete with the Base Exchange (BX) or Commissary, soliciting without an appointment, soliciting personnel on duty, soliciting members or employees junior in grade, procuring/supplying a roster listing of DoD personnel, games of chance, personal financial classes or counseling, and representing an insurer or broker (whether or not compensated). Moreover, personnel or family members who wish to hold home-based sales shows or parties (e.g., candles, baskets, cookware, etc.) must obtain prior approval via 45 SW Form 400 and

conduct those activities in accordance with this instruction. Garage sales are treated separately from this instruction and are governed by the terms of the Privatized Management Office.

1.3.1. Applications for a private business to be operated in base housing will be submitted through the Privatized Management Office and coordinated through the following base organizations:

1.3.1.1. Base Housing Office (45 CES/CEAC) will coordinate on all requests.

1.3.1.2. Army & Air Force Exchange Service (AAFES) will coordinate on requests involving services or goods currently provided at the Shoppette or the BX.

1.3.1.3. Defense Commissary Agency (DeCA) will coordinate on requests regarding services or goods currently provided at the Commissary.

1.3.1.4. Public Health (45 ADOS/SGGM) will coordinate on requests involving the serving or vending of food at the activity or event.

1.3.1.5. The 45th Security Forces Squadron (45 SFS) must coordinate on 45 SW Form 400 requests involving any non-military identification (ID) card holders requiring access to PAFB and CCAFS. The Commander, Detachment 1, 45th Mission Support Group (Det 1/CC, 45 MSG) must coordinate on 45 SW Form 400 requests involving access to CCAFS.

1.3.1.6. The 45th Force Support Squadron (45 FSS) will coordinate on requests to determine compliance with paragraph 3.3 of this instruction.

1.3.1.7. The 45 SW Ground Safety Office (45 SW/SEG).

1.3.1.8. Office of the Staff Judge Advocate (45 SW/JA).

1.3.1.9. The 45th Mission Support Group (45 MSG).

1.3.2. Additional requirements for family housing private business are outlined by paragraph 5 of this instruction. Requests to operate a Family Child Care business will be handled by 45 FSS and are governed by paragraph 6 of this instruction.

1.4. The following organizations will coordinate on requests for on-base solicitation, on-base fundraising, logistical support to non-Federal entities, temporary use of Air Force real property and contractor demonstrations:

1.4.1. The 45 SW Ground Safety Office (45 SW/SEG).

1.4.2. Office of the Staff Judge Advocate (45 SW/JA).

1.4.3. The 45th Security Forces Squadron Operations (45 SFS/S3O) must coordinate on 45 SW Form 400 requests involving any non-military ID card holders requiring access to PAFB. The Commander, Detachment 1, 45th Mission Support Group (Det 1/CC, 45 MSG) must coordinate on 45 SW Form 400 requests involving access to CCAFS.

1.4.4. The Fire Department (45 CES/CEF) will coordinate on all requests that involve an activity or event that may require its assistance or resources.

1.4.5. The Civil Engineer Real Property Office (45 CES/CEAO) will coordinate on all requests for use of Air Force real property and will specify additional required documentation.

1.4.6. Public Health (45 ADOS/SGGM) coordinates on requests involving the serving or vending of food at the activity or event.

1.4.7. The 45 FSS will coordinate on requests to determine compliance with paragraph 3.3 of this instruction and (as applicable) liaison with AAFES/DECA.

1.4.8. The applicable office of primary responsibility (OPR) coordinates on requests to use a facility or area of land under its responsibility. If available, the OPR may tentatively reserve facilities and land subject to approval by the Approval Authority.

1.4.9. The 45th Mission Support Group (45 MSG).

2. Requests for On-Base Solicitation.

2.1. Requesting individuals/organizations must submit a fully coordinated 45 SW Form 400 and any supporting documentation to the 45th Mission Support Group Command Section at least 21 days prior to the activity or event. All documented organizational concerns/conflicts must be resolved prior to submitting the document to 45 MSG. Requests may be rejected if untimely. In addition, the solicitor must attach a letter explaining its planned procedures and the names of its representative(s) who will be soliciting to the 45 SW Form 400.

2.2. When completing a 45 SW Form 400, if the proposed activity will involve solicitation, the applicant should indicate whether the solicitation will involve passive in-person solicitation or active in-person solicitation.

2.2.1. Passive in-person solicitation means that the solicitor does not initiate personal individual contact. Examples of passive in-person include: ringing a bell beside a collection bucket, responding to individuals who walk up to a table set up to sell baked goods and calling out “get fresh baked goods here” from behind a table when the speech is not directed at a particular individual.

2.2.2. Active in-person solicitation involves initiating personal contact. Examples of active in-person solicitation include asking an individual person if they want to buy a box of cookies as they walk in the BX, handing out flyers to everyone who walks by or walking up to persons to solicit donations. In-person solicitation should never impede persons from entering or using base facilities.

2.3. The solicitor must be duly licensed under applicable Federal, state, county and municipal laws and codes.

2.4. No individual or non-federal entity may provide educational programs or materials on personal financial affairs, insurance, government benefits, savings, investing, budgeting, pre-retirement briefings or similar matters. The only exceptions to this prohibition are in limited circumstances where the 45 SW/CC may approve educational materials and training provided by base-affiliated banks and credit unions or tax-exempt organizations under I.R.C Sec 501(c)(3) that have SAF/MR approval. At no time shall representatives recommend specific commercial insurance, loan or investment products.

- 2.5. For any solicitation to be conducted in family housing, the solicitor must have a specific appointment with each individual household they wish to solicit.
- 2.6. For solicitations to be conducted other than in family housing areas, solicitors may engage in in-person solicitation or presentations only in the specific areas approved by the Approval Authority via the 45 SW Form 400.
- 2.7. There shall be no “captive audience” solicitations. Examples of “captive audiences” include, but are not limited to recruits, Airman Leadership School, Professional Development Course, newcomers’ briefing, commander’s briefing and any other official event.
- 2.8. Requests to display literature may be approved in areas designated by 45 MSG/CC or higher Approval Authority. Such literature must prominently contain the following statement: “No Federal endorsement of this product or service intended.”
- 2.9. “De Minimis” solicitation in family housing, such as children’s lemonade stands, may operate without submission of a 45 SW Form 400. The “De Minimis” exemption does not cover any door-to-door solicitation. If there is any doubt whether a solicitation is “De Minimis”, a 45 SW Form 400 must be submitted.
- 2.10. Official military ID cards or access badges shall not be used to gain access to the installation for the purposes of solicitation in lieu of obtaining a properly coordinated and approved 45 SW Form 400.

3. Requests for Private Organization (PO) On-Base Fundraising Events.

- 3.1. Requesting individuals and organizations must submit a fully coordinated 45 SW Form 400 and any supporting documentation to 45 FSS/FSR at least 21 days prior to the activity or event. All documented organizational concerns/conflicts must be resolved prior to submitting document to 45 FSS/FSR. Requests may be rejected if untimely.
- 3.2. Prior to forwarding fundraising requests to use USAF facilities or other property at PAFB or CCAFS, all POs must coordinate their 45 SW Form 400 through the appropriate facility or area owner.
- 3.2.1. The requester must have and present upon request the approved 45 SW Form 400 (or a photocopy) at the activity or event.
- 3.2.2. For fundraising events, requesters must coordinate their 45 SW Form 400 through 45 SW/JA only after coordinating through, and resolving any concerns of, other staff agencies.
- 3.3. Prior to submitting a 45 SW Form 400, the PO must ensure it is in compliance with AFI 34-223, *Private Organizations (PO) Program*, and that all required information is current and on file with 45 FSS/FSR (including list of current officers, latest financial statement (if required), most recent organizational meeting minutes, proof of insurance or waiver form, etc.). Requests may be disapproved by the Approval Authority based on a recommendation by 45 FSS/FSR for failure to comply with these requirements.
- 3.4. POs and unofficial activities/organizations may not sell or serve alcoholic beverages.
- 3.5. 45 MSG/CC is the OPR for PO activity at PAFB and CCAFS. 45 MSG/CC or the Approval Authority may cancel an otherwise pre-approved event without prior notice for violations of this instruction or of AFI 34-223. 45 SFS will, as necessary or upon request

from 45 MSG/CC, assist in the orderly cancellation or closure of an event, or due to superseding, exigent or emergency needs as determined by the 45 MSG/CC or the Approval Authority.

4. Requests from Non-Federal Entities for Logistical Support.

4.1. Requesting individuals and organizations must submit a completed/pre-approved 45 SW Form 400 and any supporting documentation to the 45th Mission Support Group Command Section at least 21 days prior to the activity or event. All documented organizational concerns/conflicts must be resolved prior to submitting document to 45 MSG/CC. Requests may be rejected if untimely. Requests will be evaluated IAW DoD 5500.7-R, *Joint Ethics Regulation*, and other applicable DoD and USAF guidance.

5. Requests to Operate a Business in Family Housing (Other Than Family Child Care).

5.1. Obtain a request package from the Privatized Management Office.

5.2. Submit a completed package, including any supporting documentation, to the Privatized Management Office at least 30 days prior to the desired date to start the business. Include proof of compliance with applicable Federal, state, county, municipal statutes and any applicable licensing or permit requirements.

5.3. The business may begin operations only upon approval from the Approval Authority.

6. Requests to Operate a Family Child Care Business in Family Housing.

6.1. Any individual desiring to care for another family's children for more than 10 hours a week, on a regular basis, must be licensed to provide on-base care in housing quarters.

6.1.1. The requester must submit a completed AF Form 1928, *Family Day Care License Application*, to the Family Child Care Office (45 FSS/FSFF). Such applicants shall be evaluated in accordance with AFI 34-276, *Family Child Care Programs*.

6.1.2. The requester must attend orientation classes and complete training for original certification.

6.1.3. The requester must successfully complete all reference and agency checks required for certification.

7. Requests to Temporarily Use Air Force Real Property.

7.1. Requesting individuals and organizations may submit a letter requesting support, along with supporting documentation, to the 45th Space Wing Command Section at least 30 days prior to the activity or event. All documented organizational concerns/conflicts must be resolved prior to submitting the documentation to 45 SW/CC for approval/disapproval. Requests may be rejected if untimely.

7.2. These requests must be coordinated with 45 CES/CEAO.

7.3. **Athletic Fields.** 45 FSS receives numerous requests from non-Federal entities to use the 45 SW athletic fields. The Golf Course is not an Athletic Field for purposes of this paragraph and is covered under separate guidance.

7.3.1. This policy applies to requests from the following categories of non-Federal entities: community teams and educational institutions (including, but not limited to,

high schools and colleges). This policy does not apply to official POs; non-profit, charitable organizations and commercial organizations. All requests to use 45 SW athletic fields must be made using a 45 SW Form 400. These types of requests must be coordinated with 45 SW/JA and 45 FSS/CC prior to submission to 45 MSG/CC for approval/disapproval.

7.3.2. Routine Uses. Routine requests from community teams and educational institutions including, but not limited to, area high schools and colleges, will be denied. Examples of routine requests include scheduling for location or convenience, financial savings or to take advantage of the quality or nature of 45 SW athletic fields.

7.3.3. Non-routine Uses. Non-routine requests (those involving extraordinary circumstances) from area teams and organizations (including, but not limited to, high schools and colleges) will be evaluated by the Approval Authority on a case-by-case basis. Generally, non-routine requests must satisfy five criteria:

7.3.3.1. The use will be for a limited period of time;

7.3.3.2. The request must be urgent or due to some exigent circumstance;

7.3.3.3. No other facilities or fields are reasonably available in the community;

7.3.3.4. There will be minimal or no impact on higher-priority users; and

7.3.3.5. Use of the property shall be compatible with appropriate Air Force public image and would be consistent with good order, morale, security and safety on the installation.

7.3.4. Requests from teams composed of 50% or more active duty military members or family members will be processed as a non-routine request.

7.3.5. All requests to hold privately sponsored "Competitive Events" on Air Force installations are required to obtain approval from AFSPC IAW paragraph 1.14 of AFI 32-9003 and must be submitted 30 days before the event. Other requirements that must be accomplished prior to the event include, but are not limited to, the following:

7.3.5.1. Provide proof of insurance.

7.3.5.2. Obtain "Hold Harmless Agreement" (45 CES/CEAO).

7.3.5.3. Ensure no use of Air Force equipment or personnel to prepare for/conduct the event.

7.3.5.4. Provide for adequate arrangements for policing, fire protection and first aid.

7.3.5.5. Ensure there is no charge for admission or parking.

7.3.5.6. Ensure the event will not adversely affect the performance of the 45 SW mission.

8. Contractor/Vendor Demonstrations.

8.1. All contractor/vendor product or service demonstrations and briefings, including informal testing, viewing or capability demonstrations, shall be coordinated using the 45 SW Form 400 process and shall be coordinated through 45 CONS and 45 SW/JA for review and

comment prior to submission for approval. The Approval Authority is determined IAW paragraph 1.1 of this instruction.

9. Duration of Approval. All approvals granted under this instruction are effective for a maximum 1 year from the date of approval, unless otherwise stated. Approval may be withdrawn at any time and for any reason by the Approval Authority, 45 SFS/CC, 45 MSG/CC, 45 SW/CV or 45 SW/CC.

10. Requests to Access PAFB and CCAFS. PAFB requests to enter the installation to conduct an approved activity or event must be submitted to the 45th Security Forces. CCAFS requests to enter the installation to conduct an approved activity or event must be submitted to Det 1/CC, 45 MSG.

10.1. Each request for access must include a copy of the approved 45 SW Form 400 and a list of individuals requiring access. When groups of 10 or more persons require access to the installation, the sponsor must submit a letter in person to 45 SFS and/or Det 1/CC, 45 MSG (as applicable) at least 10 days in advance of the event. The letter must include the sponsor's name, address, telephone number, type of event, location, date and times access is needed to the installation. A list of guests shall be provided at the time of entry into CCAFS or PAFB. All guests shall be briefed by their sponsor to adhere to all directives pertaining to operating a vehicle on PAFB and/or CCAFS. The sponsor will be held responsible for the behavior of guests while on the installation.

11. Prescribed Forms:

45 SW Form 400, *Request to Use Base Facilities*

12. Adopted Forms:

AF Form 1928, *Family Day Care License Application*

RORY D. WELCH, Colonel, USAF
Vice Commander

Attachment 1**GLOSSARY OF REFERENCES AND SUPPORTING INFORMATION*****References***

AFI 32-9003, *Granting Temporary Use of Air Force Real Property*, 19 August 1997
AFI 34-223, *Private Organizations (PO) Program*, 8 March 2007
AFI 34-276, *Family Child Care Programs*, 1 November 1999
AFI 36-3101, *Fundraising Within the Air Force*, 12 July 2002
DoD 5500.7-R, *Joint Ethics Regulation*, 1 August 1993
DoD Instruction 1344.07, *Personal Commercial Solicitation on DoD Installations*, 30 March 2006

Abbreviations and Acronyms

AAFES—Army & Air Force Exchange Service
AFAF—Air Force Assistance Fund
AFB—Air Force Base
AFSPC—Air Force Space Command
AFRIMS—Air Force Records Information Management System
AFS—Air Force Station
BX—Base Exchange
CCAFS—Cape Canaveral Air Force Station
CFC—Combined Federal Campaign
DeCA—Defense Commissary Agency
DoD—Department of Defense
IAW—In Accordance With
ID—Identification
OPR—Office of Primary Responsibility
PAFB—Patrick Air Force Base
PO—Private Organization
RDS—Records Disposition Schedule

Terms

Air Force Assistance Fund Campaign—The AFAF campaign is an authorized on-the-job annual solicitation of Air Force members (active duty military, non-extended active duty Reservists, and Air National Guardsmen) through host command channels. Air Force civilian personnel who want to give, may do so.

Alcoholic Beverages—Potable beverages containing any amount of ethyl alcohol.

Approval Authority—Senior leader responsible for contributing to and implementing policies and guidance/procedures pertaining to his/her functional area(s), e.g., heads of functional two-letter offices.

Combined Federal Campaign—The CFC is an authorized on-the-job annual solicitation of active duty military personnel and civilian employees of the Air Force.

Family Housing—All privatized leased residential dwellings provided for eligible military and civilian members and their families.

Private Organizations—Self-sustaining special interest groups, set up by people acting exclusively outside the scope of any official capacity as officers, employees, or agents of the Federal Government.

Real Property—Lands, buildings, structures, utility systems, improvements, and appurtenances. Includes equipment attached to and part of buildings and structures, such as heating systems, but not movable equipment, such as plant equipment.

Solicitation—A request for money.