

**1 MARCH 2003**



**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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This instruction implements a number of publications, including but not limited to, DoDD 1344.7, *Personal Commercial Solicitation on DoD Installations*, DoD 5500.7-R, *Joint Ethics Regulation*; AFI 32-6001, *Family Housing Management*; AFI 32-9003, *Granting Temporary Use of Air Force Real Property*; AFI 34-223, *Private Organization (PO) Program*; AFI 36-3101, *Fundraising Within the Air Force*, 45 SW Policy Letter 00-9, *Use of Athletic Fields and Facilities—Non-Federal Entities*, 45 SW Policy Letter 02-002, *Home Businesses and Sales to Subordinates* and 45 SW Policy Letter 02-018, *Fundraising*.

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, Cape Canaveral AFS, military housing areas (including dormitories and temporary quarters/billeting) 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 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.

**SUMMARY OF REVISIONS**

The significant updates to this instruction are, but not limited to, the following: delegates 45 SW Form 400 approval authority to 45 MSG/CC vice 45 MSG/CD (paragraph **1.1.**); identifies periods when fundraisers are prohibited (paragraph **1.2.**); stipulates procedures for operating businesses in base housing

(paragraph 1.3.); increases the required period for 45 SW Form 400 submission (paragraph 3.1.) and identifies specific coordination agencies for each category (paragraph 1.3. and 1.4.).

## 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 base 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 Installation Commander (45 SW/CC) to address the concern. 45 SW Form 400 will be used to gain approval for the aforementioned activities.

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 exception: 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 the Installation Commander, 45 SW/CC.

1.3. Housing occupants may operate business enterprises while living in base housing, including the sale of products, minor repair services on small items, limited manufacture of items, incidental services, or tutoring. The following conduct is prohibited: door-to-door sales, sales that compete with the 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, **Request for Use of Base Facilities**, and conduct those activities in accordance with this instruction. Garage sales are treated separately from this instruction and are governed by AFI 32-6001, *Family Housing Management*.

1.3.1. Applications for a private business to be operated in base housing will be submitted through the Housing Office (45 CES/CEH) and coordinated through the following base organizations:

1.3.1.1. Army/Air Force Exchange Service (AAFES) will coordinate on requests involving services or goods currently provided at the commissary or the base exchange (BX).

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

1.3.1.3. The 45th Security Forces Squadron Operations (45 SFS/SFO) must coordinate on 45 SW Form 400 requests involving any non-military ID card holders requiring access to Patrick AFB. The requesting agency/POC will be instructed on proper entry/escort procedures and security procedures that may impact the requested activity. A list of individuals for whom access is requested must be submitted to 45 SFS/SFO along with the 45 SW Form 400. For requests involving CCAFS, route coordination to Commander, Detachment 1, 45th Mission Support Group (Det 1, 45 MSG/CC).

1.3.1.4. The 45th Services Squadron (45 SVS) will coordinate on requests to determine compliance with **Paragraph 3.3.** of this instruction.

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

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

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

1.3.2. Additional requirements for base housing private business are outlined by **Paragraph 5** of this instruction. Requests to operate a Family Child Care business will be handled by 45th Services Squadron (45 SVS) and are governed by **Paragraph 6** of this instruction.

1.4. The following organizations will coordinate on requests for on-base solicitation, on-base fund-raising, and the temporary use of Air Force real property:

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/SFO) must coordinate on all 45 SW Form 400 requests involving any non-military ID card holders requiring access to Patrick AFB. The requesting agency/POC will be instructed on proper entry/escort procedures and security procedures that may impact the requested activity. A list of individuals for whom access is requested must be submitted to 45 SFS/SFO along with the 45 SW Form 400. For requests involving CCAFS, route coordination to Det 1, 45 MSG/CC.

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/CERR) 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 45th Services Squadron (45 SVS/SVF) 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 document to 45 MSG. Requests may be rejected if untimely. In addition, the solicitor must attach to the 45 SW Form 400 a letter explaining its planned procedures and the names of its representative(s) who will be soliciting.

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 sale bake 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 individual person if they want to buy a box of cookies as they walk in the base exchange, 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 program or materials on personal financial affairs, insurance, government benefits, savings, investing, budgeting, pre-retirement briefings or similar matters. The only exceptions to this prohibition is 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 organization under I.R.C Sec 501(c)(3) that have SAF/MR approval.
- 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. For all materials and presentations concerning financial interests (e.g., tax assistance, investments, insurance, etc.), the solicitor must prominently display a sign or banner stating: “Free financial counseling is available to active duty members, retirees, and their family members through the 45th Space Wing Family Support Center: 494-5675.”
- 2.8. There shall be no “captive audience” solicitations. Examples of “captive audiences” include but are not limited to recruits, Airman Leadership School, Company Grade Officer Professional Development Course attendees, and newcomers’ briefings.
- 2.9. 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.”
- 2.10. “De Minimis” solicitation in base 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.
- 2.11. Official military identification 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 On-Base Fundraising Events.**

3.1. Requesting individuals and 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 document to 45 MSG/CC. Requests may be rejected if untimely.

3.2. All Private Organizations requesting the use of Air Force facilities or other property at Patrick AFB or Cape Canaveral AFS for fundraising events must coordinate their 45 SW Form 400 through the associated agencies having responsibility over the requested facility or area, prior to forwarding the request to the Approval Authority for final approval.

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 by, other staff agencies.

3.3. Prior to submitting a 45 SW Form 400, the Private Organization must ensure they are in compliance with AFI 34-223, *Private Organization (PO) Program*, and that all required information is current and on file with 45 SVS (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 SVS, for failure to comply with these requirements.

3.4. Private Organizations and unofficial activities/organizations may not sell or serve alcoholic beverages.

3.5. 45 MSG/CC is the OPR for Private Organization activity at Patrick AFB and Cape Canaveral AFS. 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, *Private Organization (PO) Program*. 45 SFS will, as necessary or upon request from 45 MSG/CC, assist in the orderly cancellation or closure of an event.

### **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 for not being timely. Requests will be evaluated IAW DoD 5500.7-R, *Joint Ethics Regulation (JER)*.

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

5.1. Obtain a request package from the Housing Office (45 CES/CEH).

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

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

6.1. Any individual desiring to care for other 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 SVS/SVYC). Such applicants shall be evaluated in accordance with AFI 34-276, Family Child Care Program.

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 document to 45 SW/CC. Requests may be rejected if untimely.

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

7.3. **Athletic Fields.** 45 SVS 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 Private Organizations; 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 SVS/CC to 45 MSG 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 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; and

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

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 "Competitive Events" on Air Force installations are required to obtain approval from AFSPC IAW paragraph 1.4. of AFI 32-9003. 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/CERR).

7.3.5.3. Ensure non-use of Air Force equipment/personnel.

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

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

## 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/JAQ for review and comment prior to submission for approval. The Approval Authority is determined IAW paragraph 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 Patrick AFB and Cape Canaveral AFS.** Patrick AFB requests to enter the installation to conduct an approved activity or event must be submitted to the 45 Security Forces Squadron Operations. Cape Canaveral AFS requests to enter the installation to conduct an approved activity or event must be submitted to Detachment 1, 45th Mission Support Group.

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/SFO and/or Det 1, 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, times access is needed to the installation, and a list of all guests. All guests shall be briefed by their sponsor to adhere to all directives pertaining to operating a vehicle on Patrick AFB and/or CCAFS. The sponsor will be held responsible for the behavior of guests while on the installation.

**11. Form Prescribed.** 45 SW Form 400, **Request to Use Base Facilities**, is available via the electronic forms program, from organization orderly rooms, or from the 45 MSG Command Section.

J. GREGORY PAVLOVICH, Brigadier General, USAF  
Commander