

ENCLOSURE 11

COMMERCIAL SPONSORSHIP

1. GENERAL

a. Commercial sponsorship is authorized only for support of the DoD MWR programs shown in this enclosure. It does not include volunteer work or activities or outright donations where no volunteer or donor recognition or acknowledgment is expected or required. This program does not include nor refer to those products and services that are considered gifts or donations nor those items considered to be premiums, coupons, or limited samples. Any funds, products, services, or items resulting from commercial sponsorship programs shall be used only within the MWR program.

b. Commercial sponsorship is authorized only if the DoD Component or Military Service has established standard procedures to ensure that:

(1) Only MWR organizations accept commercial sponsorship unless a specific waiver to accept commercial sponsorship exists (i.e., the Army Family Team Building program and the Army Family Action Plan). ~~Non-MWR organizations, including those authorized to operate on DoD installations, may not accept commercial sponsorship.~~

(2) Procedures exist to ensure commercial sponsors do not obtain personal contact information from attendees at MWR programs or events without the express written consent of the attendee.

(3) The obligations and entitlements of the sponsor and the MWR program are incorporated into a written agreement that shall be for a 1-year period or less. The period covered by the original agreement and any annual renewals shall not exceed a total of 5 years. This does not prevent the award of a new contract to the same sponsor after the initial 5-year period. All agreements shall receive a legal review.

(4) Assistance provided is commensurate with the level of sponsorship offered.

(5) Special concessions or favored treatment are not provided to sponsors, with the exception of public recognition and advertising entitlements addressed in the agreement, and individuals or entities not providing sponsorship are not treated with disfavor or suffer any form of reprisal.

(6) Appropriate disclaimers are included in any public recognition or advertising media since the Department of Defense does not endorse nor favor any commercial supplier, product, or service.

(7) The contents of all public recognition and advertising media to be used by or for the sponsor and that refer to any part or program of the Department of Defense are reviewed by the

DoD Components for consistency with DoD and DoD Component policies and are otherwise appropriate to the agreement.

(8) Agreements concerning television and radio broadcast rights to MWR events, and pre-event publicity related thereto, are entered into after coordination with the Office of the Assistant Secretary of Defense for Public Affairs for DoD inter-Service events, or the public affairs office of the military component concerned where only one Military Department is involved.

(9) Tobacco and alcoholic beverage (including beer) sponsorship is not solicited. If offered, such sponsorship may be accepted only if it is unsolicited and not directed predominately or exclusively at the military, and a responsible use campaign and Surgeon General Warning are provided as part of the sponsorship.

(10) The commercial sponsor certifies in writing that its costs of sponsorship shall not be charged to any part of the Federal Government.

(11) The DoD Component maintains a record of all MWR-sponsored events to include the sponsor's name and organization; the type and amount of the sponsor's assistance; funding, goods, equipment, or services provided; and the disposition and use of that assistance, funding, goods, equipment, or services within MWR programs.

(12) Commercial sponsorship opportunities are coordinated with the Service exchanges to ensure they do not violate existing understandings or agreements.

(13) Pursuant to DoDI 1344.07 (Reference (~~amal~~)), off-base financial institutions are not permitted to be in direct competition with the financial services provided by on-base banks or credit unions. However, off-base financial institutions are permitted to serve as commercial sponsors for MWR events as long as they limit promotions to product lines and services not offered by the applicable on-base bank or credit union. In addition, promotional materials should be reviewed, properly vetted, and approved as part of the sponsorship agreement before the materials are permitted to be displayed or distributed.

c. In accordance with paragraph 4.g. of Enclosure 2 of this Instruction, commercial sponsorship is authorized for MWR events at open houses only when specifically approved by the Secretary of the Military Department concerned or his or her designated representative. DoD open-house programs are public affairs activities. MWR commercial sponsorship guidelines shall be followed at open houses.

2. SOLICITED SPONSORSHIP

a. This sponsorship is specifically solicited on behalf of the MWR program and/or event from a potential sponsor willing to provide support for the mutual benefit of the sponsor and the MWR program and/or event.

b. The DoD Components and Military Services shall develop written procedures and guidelines for commercial sponsorship programs. They shall maintain records on the value of commercial sponsorship funding, both solicited and unsolicited, with a separate breakout of the value of unsolicited alcohol and tobacco sponsorship.

c. Commercial sponsorship shall be based on principles similar to those that guide NAF contracting; e.g., competition and evaluation of offers. Additionally:

(1) Each installation authorized to accept solicited commercial sponsorship products and services shall designate the individual(s) by name who will work with this type of sponsorship.

(2) Sponsors shall be solicited competitively from an adequate number of known U.S. sources. If feasible, announcements of solicitations shall be placed in appropriate publications to reach the maximum number of potential sponsors. The NAF contracting official should act in an advisory capacity.

(3) Officials who exercise contracting authority shall not solicit for commercial sponsorship. This does not preclude normal NAF contracting in support of commercially-sponsored MWR programs and/or events.

d. In overseas areas, solicitation of *U.S. and non-U.S. firms, including vehicle manufacturers and dealers*, is authorized with the commander's approval provided solicitation is not in violation of the SOFA or treaty agreements. *This may include brief periods of publicity and display (not to exceed 10 days) of cars or motorcycles as sponsor recognition.*

3. UNSOLICITED SPONSORSHIP Unsolicited commercial sponsorship shall be treated the same as solicited commercial sponsorship, except that it shall have been wholly and entirely initiated by the prospective sponsor without prior knowledge of the needs of the MWR program or installation. After an appropriate inquiry from a prospective sponsor, the installation point-of-contact for sponsorship may inform the sponsor of the installation's needs. The unsolicited sponsor should then furnish a letter or memorandum of intent to the installation to assist in preparing the sponsorship agreement. Unsolicited sponsorship is otherwise subject to the guidance set forth in section 1 of this enclosure.

4. OCONUS AUTOMOBILE SPONSORSHIP Authorized sponsorship shall only be for brief periods of time (not to exceed 10 days) for foreign name-plate cars or motorcycles by commercial sponsors under public recognition and advertising entitlements addressed in agreements executed by MWR activities and Armed Services Exchanges.

ENCLOSURE 12

ADVERTISING

1. GENERAL. DoD MWR programs must communicate their presence and the availability of goods and services they offer to as many potential patrons as they can. Such communication shall not reflect unfavorably on the Department of Defense.

2. PROCEDURES

a. MWR programs may pay to advertise MWR goods, services, entertainment, and social events in DoD newspapers (DoDI 5120.4 (Reference (~~anam~~))) and/or on installation cable television. Brand names and item prices; feature acts, films, or talents; admission price or cover charges; and names of commercial sponsors may be included in advertisements.

b. MWR programs may pay to advertise their services and events in other than DoD newspapers provided the chosen media is circulated to, written for, or geared to an audience consisting primarily of military or DoD civilian personnel or other authorized patrons and NOT to publications distributed to a more general audience. When advertising in non-DoD publications, a disclaimer shall be used that is similar to “this offer or event is open only to authorized patrons.”

c. MWR programs may pay to advertise in appropriate civilian media when MWR events are open to the public and when:

(1) The events do not directly compete with similar events offered in the local civilian community. Open events shall be coordinated in advance with the local public affairs office.

(2) The events are infrequent, not weekly or monthly; increase military and/or civilian interaction; and enhance community relations.

(3) Merchandise is not advertised. However, event-related merchandise and food and beverages may be sold for on-premises consumption.

(4) The advertising conforms to existing SOFA regulations, command policy, and local laws.

(5) If any installation MWR activities have been given permission to open to the general public with the concurrence of the local community as authorized in Enclosures 2, 3, and 4 of this Instruction, ongoing advertising in civilian media is permitted for these activities.

d. MWR programs may sell space for commercial advertising in any media (printed, signs, electronic, or .com and .org Web-based sites) produced for or prepared by the MWR program and may accept payment for such advertising provided that:

(1) Publication of paid commercial advertising meets standards similar to those that apply to civilian enterprise publications.

(2) The advertising includes a disclaimer that it does not constitute a DoD endorsement.

(3) No paid commercial advertising on AFRTS, local commander channels, or any APF electronic media is used.

(4) Local commanders make the final decisions on acceptance of advertising and consider public perceptions, impact to the local economy, and the effect on the local civilian enterprise newspaper, installation guide, and installation map.

(5) Advertising in MWR media is based on reaching bona fide users in accordance with established patronage policies. *This does not preclude providing sponsor recognition for MWR programs or events or sale of advertising on MWR or related websites as these websites target bona fide users and not the general public. Thus, sponsor recognition as part of the commercial sponsorship agreement and advertising on such websites may be offered.*

(6) The MWR media are not distributed off the installation. Mailing to authorized patrons is permitted.

e. Mailings to authorized MWR patrons of announcements pertaining to sales in and services provided by MWR programs are authorized. Mailings containing advertisement of specific commercial products, commodities, or services provided by or for any private individual, firm, or corporation are authorized only to those patrons who have voluntarily requested to receive such mailings. The cost of promotional mailings to include postage shall be paid with NAF.

f. MWR programs may contribute articles and stories for publication as unpaid information items in DoD newspapers, plans-of-the-day, AFRTS, installation cable television, and other media intended primarily for distribution to authorized patrons.

g. Advertisements, premiums, coupons, and samples (except tobacco and alcohol) may be distributed directly to authorized patrons. A disclaimer is not required for items provided as premiums, coupons, and samples. MWR programs may accept premiums with a value of U.S. \$20 or less when voluntarily initiated and prepared by suppliers. Advertisements and promotional devices that are primarily advertising devices and are prepared by non-DoD sources shall not be distributed through official channels. Such media may be placed in locations on the installation for personal pickup. A disclaimer that the Department of Defense does not endorse, pay for, or sponsor such promotional media is required. MWR programs shall not solicit funds from suppliers or other non-DoD sources to offset costs of premiums, nor may they request such suppliers or sources to prepare or provide special premiums at their expense.

h. MWR activities may use point-of-sale displays and promotional material, such as reduced price and special offer coupons, and may participate in national and local coupon redemption programs available to the general public or to the military community.