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22 Apr 2019

## MEMORANDUM

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COMDT (CG-00B)

Reply to (CG-00B-EA)  
Attn of: C. E. Mullins, YNCS  
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To: Distribution

Subj: CHIEFS CALL TO INITIATION LEGAL GUIDANCE

Ref: (a) Master Chief Petty Officer of the Coast Guard Standing Order One

1. Reference (a) was developed to professionalize the Chief's Call to Initiation (CCTI) process and to develop a standardized and repeatable process designed to grow future enlisted leaders. By firmly establishing the CCTI process, along with the existing formal C-Schools (Chief Petty Officer Academy and Senior Enlisted Leadership Course), as a critical path to developing a strong and dependable corps of Senior Enlisted Leaders.

2. Recently, this office has received numerous inquiries relating to the kinds of authorized fundraising activities that have coincided with the CCTI process as well as questions relating to the use of official time and equipment. Nothing in reference (a) changes existing Coast Guard policy with regards to fundraising activities.

3. To further assist Chief Petty Officers who desire to engage in fundraising, the majority of which has traditionally been carried out in their personal capacity, the enclosed frequently asked questions (FAQs) have been developed by the MCPOCG in coordination with The Judge Advocate General to answer commonly asked fundraising questions. Additionally, the FAQs address other common legal questions relating to the use of official time and equipment, offsetting costs of CCTI dinners, and other CCTI activities.

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Enclosure: Chief's Call to Indoctrination, Frequently Asked Questions

## **Chiefs Call to Indoctrination**

### **Frequently Asked Questions**

Members of the Chiefs' Mess and Commands throughout the Coast Guard are frequently confused by the convoluted fundraising rules that seem to apply differently depending upon the circumstances. Additionally, members and Commands are confused by the relationship between those fundraising rules and the use of official time and resources in carrying out MCPOCG's Standing Order One. These FAQs have been developed based upon routine questions submitted to the MCPOCG's office and Servicing Legal Offices (SLO) throughout the Coast Guard. These FAQs are not Coast Guard policy, but they conform to Coast Guard policy found in a number of Coast Guard regulations that touch upon the CCTI process. Where required, those Coast Guard regulations are cited within the body of the FAQs. While the FAQs cover the thirty-one topics listed below, they are not exhaustive. Commands and members should consult with their District Command Master Chief (CMC) and SLO for further guidance not covered by these FAQs.

### **Frequently Asked Questions**

1. Is CCTI recognized as an official Coast Guard activity?
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3. If CCTI is an official activity, can government resources be used for CCTI activities?
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19. How can I advertise my unofficial fundraising event?
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21. Are 50/50 raffles an appropriate official or unofficial fundraising activity?
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### 1. Is CCTI recognized as an official Coast Guard activity?

Yes, pursuant to MCPOCG STANDING ORDER ONE, CCTI and the CCTI training elements that are required to complete the CCTI Personnel Qualification Standard (PQS) are an official Coast Guard activity that leads to a recognized competency following the PQS process. The recognized competency is used to evaluate Senior Enlisted Assignments. Coast Guard members, as authorized by their Commands, may be granted either official or permissive time to participate in CCTI training activities. Permissive time would be granted pursuant to COMDTINST M1000.8A, paragraph 2.A.10.b. (5), because CCTI qualifies as an official activity “for which TDY is not appropriate . . . [but] will enhance the member's value to the Coast Guard, or understanding of the Coast Guard.” However, as explained below, while CCTI leads to a recognized competency, not all activities that are traditionally carried during the CCTI process (e.g. fundraising) qualify as an official activity.

### 2. What is the difference between activities I can carry out in my official capacity and those I must perform in my personal capacity?

Throughout these FAQs, the terms “official capacity” and “personal capacity” are used. Generally, if an activity can be carried out in your official capacity you may use some level of Coast Guard resources to carry out that activity. For example, you may be permitted to use official time, carry out the activity in uniform, use Coast Guard office equipment, a Coast Guard space, or some other level of Coast Guard support to carry the activity out. Any use of Coast Guard resources must still be appropriate and authorized by the Chain of Command.

When an activity is carried out in your personal capacity, you are carrying that activity out in your personal, off-duty, non-Coast Guard capacity and your ability to use Coast Guard resources is limited or non-existent. For example, using a government vehicle or Coast Guard office equipment for activities that must be conducted in your personal capacity (e.g. fundraising) is prohibited, but the use of a Coast Guard space may be permitted by the Command.

Understanding your status when carrying out an activity and working with your Chain of Command to ensure that use of Coast Guard resources is appropriate will ensure that CCTI related activities are both successful and compliant with Coast Guard regulations.

### 3. If CCTI is an official activity can government resources be used for CCTI activities?

Some activities may be carried out using official resources because CCTI leads to an approved Coast Guard competency. For example, participants may use some combination of official and permissive leave to fulfill the training requirements of the CCTI PQS. Participants may use the CGDN and Coast Guard office equipment to carry out CCTI training and PQS activities. Further, CCTI participants may carry out CCTI PQS activities in the federal workplace and spaces. Not all aspects of the CCTI process are for an official purpose, however, and participation remains voluntary. For example, under Coast Guard regulations, the Coast Guard may not expend

appropriated federal funds on the CCTI dinner or fundraising activities as described in these FAQs. Additionally, due to the voluntary nature of CCTI and the very large number of annual CCTI events that occur nationally, government vehicles should generally not be used to support CCTI activities without specific Command authorization and strict adherence to the Coast Guard Motor Vehicle Manual COMDTINST M11240.9D.

4. What are the responsibilities of the unit Commander, Commanding Officer, or Officer in Charge in the CCTI process?

Commanders, Commanding Officer, and Officers in Charge are ultimately responsible for ensuring the well-being of all unit personnel and that members' conduct is lawful and compliant with Coast Guard policy and standards. This charge specifically includes maintaining knowledge and oversight over initiations such as CCTI. In addition, the responsible Chief of the Mess, Command Master Chief or Senior Chief shall attend and maintain appropriate control over ceremonial activities such as CCTI. Command oversight should not be limited to activities that occur onboard during duty hours, as the Uniform Code of Military Justice (UCMJ) and various Coast Guard policies may apply to activities that occur both on and off base as well as on and off duty.

5. Can appropriated funds, representational funds, or MWR related funding be used to support the CCTI dinner?

No. Per Coast Guard regulations located in the Financial Resources Management Manual, COMDTINST M7100.3E, only certain Coast Guard "traditional ceremonies" are authorized official funding: CCTI is not one of them. Further, CCTI does not qualify as the type of event for which limited representational funds may be used and, because CCTI primarily benefits the Prospective Chief Petty Officers (PCPO) and Chief Petty Officers, MWR related funds are not authorized to support a CCTI event. Accordingly, the Coast Guard may not expend appropriated funds for the CCTI dinner, and the cost of the dinner is frequently offset by unofficial CCTI fundraising activities carried out by CCTI participants in their personal, off-duty capacity.

6. Since the CCTI PQS process is now considered an official activity, can I fundraise on behalf of CCTI or the Chief's Mess to support CCTI activities in my official capacity?

No. While the PQS and competency obtained are considered an official training and developmental activity, all Coast Guard members remain subject to law and regulations relating to fundraising as outlined in our Standards of Ethical Conduct Manual, COMDTINST M5370.8B, as well as the Office of Government Ethics Standards of Conduct for Employees of the Executive Branch in 5 C.F.R. § 2635.808. Making CCTI a Coast Guard competency doesn't change the underlying laws and regulations relating to fundraising. Essentially, Coast Guard personnel can engage in official fundraising only as authorized by the COMDTINST and federal regulations. Fundraising for CCTI is not one of the authorized official fundraising efforts (detailed list provided in the answer to question 12).

7. Can I convert my local CCTI dinner into an authorized unit MWR activity?

No. The nature of the CCTI dinner, and the fact that the primary purpose of the dinner is to support PCPOs, other members of the Chiefs' Mess, and CCTI participants (as opposed to the entire unit), places the event outside of the parameters of what can be authorized as an official MWR activity under MWR Program policy. Opening the dinner up to the entire unit does not change the primary purpose of the event. Accordingly, MWR funds, MWR bank accounts, and MWR unit fundraising activities cannot be comingled with CCTI funds or CCTI fundraising activities. To do so would be a violation of MWR Program policy.

8. Can the Chiefs' Mess hold an MWR fundraiser?

No, the Chiefs' Mess is not a unit. It is a specific group of members who are part of the unit. The MWR Program authorizes unit fundraising activities by units that have an authorized MWR Program. When funds are raised for the unit MWR program, they must be used in a way that provides morale, welfare and recreation benefits to the entire unit and fundraisers that are to benefit some portion of that unit are not an authorized MWR fundraising activity and fall outside of the MWR program. Merely providing some portion of the amount raised to the MWR program does not convert a fundraising activity to an MWR fundraising activity and MWR funds and MWR accounts cannot be used to benefit a specific segment of the unit per MWR program regulations.

9. How will fundraising be conducted in my geographic location?

Funding for the CCTI dinner event will be prescribed by the organizers of the event, typically the COTM. As stated above, because appropriated funds may not be used to support the dinner, any fundraising that will occur onboard federal property should be coordinated first with your SLO to ensure compliance with 5 CFR § 2635.808 and the Standards of Ethical Conduct, COMDTINST M5370.8B. In all cases, fundraising activities will be voluntary, avoid active solicitation (i.e. asking for donations outside the members peer group), and avoid aggressive activities such as stopping traffic or activities that would feel compulsory, particularly towards junior members.

10. What if the amount charged for the CCTI dinner is the actual cost per plate for the event?

Per MCPOCG STANDING ORDER ONE, the cost for PCPOs and those attending shall be kept to a reasonable amount and only cover those expenses associated with conducting the CCTI. It is not necessarily the case that fundraising must be used to offset the cost of the event. If dinner attendees pay the market value of their attendance (i.e. the cost per person charged by the venue/caterer/etc.) and no gifts or donations were made to reduce the overall cost of the dinner, there is no ethics issue associated with the event attendance by any Coast Guard member purchasing a ticket. In cases where the cost of the event is offset by funds from outside the Coast Guard, the analysis of the dinner become more complicated but will be explained in further detail below.

11. What if I desire to fundraise to offset the cost of the CCTI dinner?

Fundraising activities are an outstanding opportunity to reduce the cost of the CCTI dinner while building camaraderie among the participants. Funds raised shall only be used for offsetting CCTI costs (i.e. bringing dinner cost down, purchasing plaques, & and recognition memorabilia for the new Chiefs). All personnel should obtain guidance from their SLO before executing any fundraising plan. In executing a fundraising plan, the COTM will have to determine the nature of the CCTI dinner. Will the dinner be one where everyone is invited and can purchase a ticket or will it be one where the guest list is limited to members of the Chiefs' Mess, PCPOs, and invited guests (which may include junior or senior personnel)? Does the COTM desire to offset the cost of the dinner through fundraising? Once the COTM decide on the nature of the CCTI dinner, they can provide guidance on the status of the fundraising activity based upon the guidance below and in coordination with their SLO.

12. Will I be able to fundraise in an official capacity?

No. You can only fundraise in an official capacity (in the Coast Guard workplace, in uniform, using official time, title and authority, and using Coast Guard office equipment over the Coast Guard Data Network) for the following activities:

- a. The Combined Federal Campaign as authorized by 5 C.F.R. Part 950;
- b. Emergency and disaster appeals approved by the Office of Personnel Management, the Secretary of the Department of Homeland Security, and the Commandant;
- c. Coast Guard Mutual Assistance, as the Coast Guard's recognized beneficial aid society;
- d. Approved Coast Guard Morale, Welfare, and Recreation (MWR) Program fundraising activities performed in accordance with COMDTINST M1710.13D.

If the fundraising activity does not fall within a. through d. it must be carried out in your personal, off-duty capacity outside of the Coast Guard workplace. CCTI fundraising does not fall within any of the categories that qualify for official fundraising and must, therefore, be carried out in your personal capacity and outside of the Coast Guard workplace (i.e. only in a fundraising area designated by the Command).

13. Can the Chiefs' Mess or similar group collect donations solely from other members of the same peer group?

Yes. Coast Guard personnel may make a collection amongst themselves in their personal capacity as long as they solicit contributions from recognized members of the same group. This is peer-to-peer fundraising within the same group and may be carried out so long as no member of the group solicits from a subordinate and it is clear that all contributions are voluntary. This kind of fundraising frequently occurs through affiliated private organizations (APO). An APO is a group consisting primarily of federal employees or their dependents that

share common interests and who work together to further that group's common purpose. Examples of APOs include the Chief Petty Officers Association, the Chief Warrant Officers Association, the Coast Guard Spouses Club, the Coast Guard Academy Alumni Association, Blacks in Government, The Federal Asian Pacific Advisory Council and other similar organizations comprised of federal people or their dependents.

For example, if members of the Chiefs' Mess, an APO, or colleagues within the same office space want to seek contributions for a mutual purpose, they may seek voluntary contributions from their own members. This rule would extend to all CCTI participants because they are members who are voluntarily participating in that group activity.

Solicitations of this kind in the federal workplace shall be conducted in accordance with the following procedures:

- a. Fundraising by these organizations within the federal workplace may only be conducted among their own members, for the benefit of welfare funds for their own members or dependents.
- b. Coast Guard personnel shall not personally solicit funds or other support from a subordinate, or use their official position, or the authority of their position to further the fundraising efforts of these organizations.
- c. Fundraising shall be conducted in a personal capacity. However, the restrictions limiting personal solicitation to off-duty and out of uniform do not apply to these internal solicitations. Please review COMDTINST M5370.8B.
- d. All contributions must be voluntary.
- e. Any fundraising during business hours should be limited to incidental amounts of time (e.g. quick phone call, email, or performed during the lunch hour or on a coffee break) per COMDTINST M5370.8B.

#### 14. How do I manage the funds collected from this kind of peer-to-peer fundraising?

How you manage the funds is up to you. This kind of fundraising is unregulated and it is outside of the purview of MWR fundraising and may be, depending on how you have structured it, outside of the purview of charitable or nonprofit fundraising. If you open a bank account in your own name, the IRS could view it as income to you. Accordingly, if you conduct peer to peer fundraising you should keep it at low dollar amounts. Some peer groups have sought nonprofit status. Doing so allows that nonprofit entity to open up a bank account to carry out organizational activities using a Tax ID number which clearly shows that the people making a deposit into that account are not incurring personal income. If members of a local Chiefs' Mess are not networked with a nonprofit organization, they might consider registering as one or with one. The alternative is to deposit money into a personal account, exposing the member to allegations that they had unreported income, or keeping funds safely stowed in a lockbox. The



latter does not violate Coast Guard regulations; it is simply an unregulated account but may expose the member to risk of the funds not being accounted for.

15. What is the definition of fundraising if it is not solely within the same group?

Per the OGE regulations in 5 C.F.R. 2635.808, fundraising means the raising of funds for a nonprofit organization through:

- a. solicitation of funds or sale of items; or
- b. Participation in the conduct of an event by an employee where any portion of the cost of attendance or participation may be taken as a charitable tax deduction by the person incurring that cost.

16. What if I want to fundraise outside of my peer group?

Per COMDTINST 5370.8B and the OGE regulations, once you go outside of your own peer group to conduct fundraising you must be engaged in either charitable or nonprofit APO fundraising and you must perform that activity in your personal capacity. The Coast Guard Standards of Ethical Conduct limits command approval to authorize charitable fundraising in command designated public areas. Based upon the OGE regulations, the rewrite of the Coast Guard Standards of Ethical Conduct manual will expand the definition of authorized fundraising to include nonprofit entities that are also APOs.

Fundraising for charitable organizations and nonprofit APOs is treated the same and members must conduct the fundraising in their personal capacity. This framework ensures (1) adherence to federal law, federal fundraising regulations, DHS, and Coast Guard regulations; (2) equitable treatment between all similarly-situated charitable and nonprofit APOs seeking to fundraise in their personal capacity; and, (3) serves to encourage compliance with federal laws relating to charitable and nonprofit organizations and receipt of income. Groups who desire to fundraise are encouraged to meet IRS guidelines or may consider affiliating themselves with an existing charitable organization or nonprofit APO.

17. If I fundraise in my personal capacity for a charitable organization or as a member of a nonprofit APO (e.g. CPOA, CWOA, CGOA, etc.), what fundraising rules apply?

When members of a nonprofit APO seek to fundraise outside of the confines of their own members or to otherwise engage in charitable fundraising, the following rules apply. As a Coast Guard person fundraising on behalf of a nonprofit APO or engaging in charitable fundraising, you may not:

- a. \*Personally solicit funds or other support from a subordinate or from a person/entity that you know is a prohibited source;
- b. Use or permit the use of your official title, position or authority associated with your office to further the fundraising effort (though you aren't prohibited from using your military grade as a general term of address);

- c. Fundraise while on duty;
- d. Wear your uniform while fundraising in a personal capacity, since that implies Coast Guard endorsement of the fundraising activity;
- e. Fundraise inside of the Coast Guard “federal government workplace;” or,
- f. Use Coast Guard equipment or supplies to further your fundraising activities (which includes use of your official e-mail, copy machines to make flyers, etc.).

\*Note that paragraph a. prevents the solicitation of funds, but it does not prevent the sale of items.

18. Does the above mean that I can’t engage in fundraising for a charitable organization or nonprofit APO in my personal capacity anywhere onboard a Coast Guard unit?

There are places you MAY fundraise in your personal capacity onboard a Coast Guard facility with the Command’s permission. Purely personal, unofficial, volunteer efforts to fundraise for a nonprofit APO or charitable organization outside of the federal government workplace are not prohibited where the efforts do not imply Coast Guard endorsement of the charitable or nonprofit APO organization. Commands may authorize Coast Guard personnel or their dependents to engage in nonprofit APO or charitable fundraising activities in their personal capacity in a designated public area onboard Coast Guard facilities. Public areas are sections of a command facility that is ordinarily open to members of the public, including but not limited to roadways, athletic fields, lobbies, courtyards, auditoriums, elevator bank areas, and entrances to the Coast Guard Exchange System. Ordinarily, the Command will designate a certain area onboard the unit as the designated fundraising area which is outside of the office spaces, cubicle, and work areas. For example, Chief Petty Officers who are also members of a nonprofit APO could hold a chicken sandwich sale in a Command designated fundraising area.

19. How can I advertise my unofficial fundraising event?

Every unit has one or more unit bulletin boards, either electronic or in hard copy, where notices may appear. The bulletin boards, both the hard copy and electronic ones controlled by the Command, are considered “outside of the federal workplace” for fundraising purposes. Notices may not appear inside the workplace (e.g. by copy machines, on office doors, tacked to the side of a cubicle) because doing so would violate fundraising in the workplace rules. You can only post notices in areas authorized by your Command. Additionally, passing fundraising notices electronically via the CGDN or using Coast Guard copy machines to produce flyers would violate the Coast Guard Limited Use of Coast Guard Office Equipment instruction in COMDTINST 5375.1D 8.a.(6).

20. If I want to conduct an unofficial fundraiser, how do I get that fundraiser approved?

Simply speak with your Command, who should run the proposal through the SLO to ensure that the concept of operations complies with the fundraising rules. Event flyers should be approved

by the Command and SLO to ensure that they comply with the fundraising rules and indicate the voluntary nature of the activity.

21. Are 50/50 raffles an appropriate official or unofficial fundraising activity?

A "raffle" is a gambling activity. Gambling activities are regulated by federal and state government and are prohibited on Coast Guard facilities whether leased or owned by the federal government. The primary manual which regulates gambling onboard Coast Guard facilities is the MWR manual, COMDTINST M1710.13C.

As described in section 1.P. of the MWR Manual, there are three fundamental elements to all gambling activities: (1) participants (players) are required to pay money, (2) to take a chance (3) to win a prize (cash or property).

You can change an impermissible gambling activity into a permissible game of chance by removing any one of those three elements. By making the activity strictly voluntary and by not requiring any person to pay in order to play (i.e. "no purchase necessary" with a suggested donation amount per chance) you can convert a raffle into an authorized game of chance.

Generally, 50/50 games of chance are discouraged because they involve cash, are rife with accountability issues, and the person winning derives reportable IRS income. A 50/50 game of chance is not, however, a violation of the Standards of Ethical Conduct or MWR manual.

The Command may authorize a nonprofit APO to engage in a game of chance. Whether the game of chance is for a cash or property prize (e.g. TV, retail store gift card, etc.), any notice describing the game of chance must clearly indicate that participation is voluntary, that the cost of a chance is a suggested amount, and that no purchase is necessary to participate.

22. Can I or another member of a nonprofit APO donate an item for the permissible game of chance?

Yes. You may donate an item to a nonprofit APO or members of the nonprofit APO can voluntarily pitch in to purchase an item to be used in the game of chance. In some instances, a nonprofit APO (e.g. CPOA) may donate an item that will be used in the game of chance. However, no Coast Guard person can solicit a gift from a prohibited source (described in more detail below) and the COTM should be informed of any case where a Coast Guard PCPO desires to make a donation to ensure that no PCPO is incurring a financial hardship because of their CCTI activities.

23. Can I solicit from a commercial business for an item that can be used in the game of chance?

When engaging in fundraising outside of the Coast Guard you must be acting in your personal, off-duty capacity. This means that you cannot make an approach on a potential donor using

your official title, position, or authority or in uniform to encourage a donation. However, you could approach a person or business that was not a subordinate or prohibited source, identify yourself as a member of the nonprofit APO for which you are fundraising, identify yourself by rank (but not your official position or office title), describe that you are fundraising in your personal off-duty capacity and describe the purpose of your fundraising. A prohibited source, which may not be solicited, means any person or entity who:

- a. Is seeking official action by the Department of Homeland Security or the Coast Guard;
- b. Does business or seeks to do business with the Department of Homeland Security or the Coast Guard;
- c. Conducts activities that are regulated by the Department of Homeland Security or the Coast Guard;
- d. Has interests that may be substantially affected by the performance or non-performance of the employee's official duties; or
- e. Is an organization a majority of whose members are described in (a) through (d) above.

In some instances, Coast Guard members may be approached by a prohibited source. Clearly members may not accept gifts from a prohibited source in their personal capacity without the approval of the SLO. Further, Active Component members are urged caution in accepting gifts from a prohibited source on behalf of nonprofit APO because such an action may appear as a bribe or other federal felony offense. PCPOs and others who are associated with a nonprofit APO (e.g. CGEA, CPOA etc.) might consider referring unsolicited offers from a prohibited source to a retired member of that APO for resolution.

24. What other fundraising activities are appropriate?

Traditional and successful fundraising activities carried out by charitable organizations and nonprofit APOs have included food sales of all kinds (bake sales, chicken sandwich sales, BBQ sandwich sales, etc.). What else might be authorized will depend upon how CCTI fundraising is structured in your geographic area. Specific fundraising ideas should be discussed with your SLO. The sale of food at a Coast Guard facility should also be discussed with the Coast Guard Community Service Command as certain concessionaire contracts prohibit the sale of food by any other entity.

25. In summary terms, what are the differences between fundraising for an approved MWR Program activity and fundraising in one's personal capacity as a member of a nonprofit APO?

Essentially, it comes down to two concepts (1) your status (acting in an official versus unofficial capacity) and (2) location (inside the workplace or outside of the workplace).

When you are fundraising for an approved CFC, CGMA, or MWR Program activity, you are authorized to fundraise in your official status inside of the Coast Guard workplace in uniform

and you may use Coast Guard office equipment (e.g. the CGDN to notify people of the fundraiser) and official time to carry out the CFC, CGMA, or MWR fundraising activity.

When you are fundraising in your personal (unofficial) capacity on behalf of a charitable organization or as a member of a nonprofit APO, you must fundraise in your personal, off-duty capacity, not in uniform, outside of the Coast Guard workplace, and you cannot use Coast Guard time or office equipment to carry out your fundraising activity as described above.

CCTI fundraising as a member of a nonprofit APO can only be conducted in your personal (unofficial) capacity and you must not confuse it with authorized CFC, CGMA, or MWR Program fundraising activities. Not all fundraising is created equal.

26. Can a gift from the CPOA or other non-federal entity be used to offset the costs of attendance at a CCTI dinner?

Whether free attendance or discounted attendance may be accepted depends upon who is being offered the gift and by whom.

Generally, members in the grades of E-6 and below who have been invited to the CCTI dinner are authorized to accept gifts from senior members. Members of the Chiefs' Mess are authorized (and highly encouraged) to invite junior members to participate for free or at a discounted rate.

Senior members are not authorized to accept an offset but must pay full fare to the dinner UNLESS the affiliated private organization is not a prohibited source (e.g., CPOA) and creates a benefit for a class of Coast Guard members that includes these senior members (e.g. all members voluntarily participating in CCTI, or all members assigned to a specific unit). This benefit can only be accepted where the class is not defined in a manner that specifically discriminates among government employees on a basis that favors those of a type of official responsibility or on a basis that favors those of a higher rank or rate of pay. For example, a class consisting of "all officers at unit X" or "junior officers who participate in CCTI" would not be appropriate because it discriminates on the basis of rank (only officers).

Where no gift acceptance rule would allow the acceptance of an offset, (e.g., a Chief is not a member of the CPOA or the offered benefit favors those of a higher rank or rate of pay) the price charged should be the market value of the event (what it would have cost to attend per person) before the offset was applied. Frequently, to avoid any concerns under the Standards of Ethical Conduct as they relate to gifts between employees, it is advisable for senior members to simply pay full fare. The additional benefit is that this arrangement allows for a deeper discount for more junior members. Questions may be referred to the SLO for resolution.

27. Can a Chief invite an enlisted member in the grades of E-6 or below and pay for the junior enlisted member?

Yes. In fact, inviting more junior members and their significant others is highly encouraged as a leadership and mentoring opportunity. From MCPOCG's perspective, the CCTI dinner should not be limited to a specific demographic and any member that the PCPO thinks is appropriate may be invited.

28. Can a Chief invite a member who is senior and pay for the senior member's free attendance?

Generally, no, because the rule states that employees cannot be in a subordinate-official superior relationship and in the military all superiors are official superiors. In some instances, where members are not in the same chain of command and there is a long-standing personal relationship between the two employees that would justify the gift, a superior may accept an invitation to the CCTI dinner from a subordinate. For this exception to apply, there would have to be an easily articulable long-standing relationship (e.g. family or life-long friendships, not long-standing professional acquaintances). Questions may be referred to your Servicing Legal Office.

29. Can the Chiefs' Mess invite a Coast Guard member as an official speaker and then pay for that speaker's free attendance?

Generally, no, if the invited speaker is senior to the Chiefs participating in CCTI. If the invitation comes from the Chiefs' Mess then it is viewed as coming from Coast Guard members who are not authorized to pay for the meal of an official superior. If the invitation came from the local chapter of the CPOA, then the invitation would be viewed as coming from a non-federal entity, but that non-federal entity is comprised almost entirely (for CCTI dinner purposes) of official subordinates. While roughly one-half of the CPOA is comprised of retired members, where the majority of those attending a CCTI dinner are Active or Reserve Component members of the CPOA, it is simply appropriate that the senior member pay like all others in attendance. Not paying means the cost of the senior member's free attendance is borne by the junior members.

The question often arises whether a member can travel TAD on funded orders solely to speak at a CCTI event. Ordinarily, no, because speaking to other federal members at a CCTI function is rarely sufficient justification, by itself, to authorize official travel. Local travel, because of the de minimis cost, is authorized. However, if a CCTI function coincides with other justifiable and appropriate TAD travel, then an invited speaker could attend and speak at a CCTI event while on funded orders.

Regarding Senior Enlisted Leaders, it may sometimes be the case that the invitation to speak is from the CPOA and the Senior Enlisted Leader is also a member of the CPOA. In this instance, the gift is viewed as relating to the Senior Enlisted Leader's membership in the CPOA and may be accepted in that status. In this kind of case, the Senior Enlisted Leader would simply be

engaging in the CCTI dinner while in a liberty status while TAD. Given the nature of the event, even though the gift may be accepted because of the Senior Enlisted Leader's CPOA status, wearing of uniform is authorized.

30. Who should I call if I have additional questions?

Call your Servicing Legal Office if the question involves fundraising or other issues involving the Standards of Ethical Conduct.

The geographically located (District) Gold Badge CMC is ultimately responsible for guiding, controlling, and ensuring the spirit and intent of CCTI is maintained throughout the process for all CCTI activities within their assigned District. The COTM is responsible for the day to day management of CCTI related activities and provides guidance and direction to the committees within a consolidated Chiefs Mess. Specific guidelines, Policy and procedures are outlined in MCPOCG Standing Order Number One.

Contact the COTM or District CMC if the question is related to CCTI.

In some instances, you may need to loop in both to promptly resolve a question.

31. When Should I Contact My Servicing Legal Office?

As early as possible when you become aware of a potential fundraising issue or question: fundraising is, as is obvious from the above, very complex and nuanced. Please give your SLO as much time, and as many details, as possible as every fundraising issue is intensely fact specific.