

Information Paper

SUBJECT: Processing and Reviewing Requests for Commercial Sponsorship

1. Purpose. To provide a summarized guide for judge advocates when processing and reviewing requests for commercial sponsorship.

2. References.

- a. AR 215-1 Morale, Welfare and Recreation (24 Sep 2010)
- b. DoDI 1015.10 Military Morale, Welfare and Recreation Programs (6 Jul 2009)
- c. Army Sponsorship Desk Reference Book

3. Background. The Army has recognized that strong MWR programs help it recruit and retain quality soldiers. However, commanders have not always had enough money to fund these programs. In response to the lack of funds for MWR programs, the DOD approved the commercial sponsorship program. Thus, DOD intended the commercial sponsorship program to upgrade the quality of MWR events for soldiers and their families.

4. Discussion.

a. Army commercial sponsorship is an exchange of values. Corporations, associations, or individuals provide assistance, funding, goods, equipment (including fixed assets), or services to an MWR program or event in exchange for advertising or promotional opportunities within the Army community. Sponsorships are not gifts or donations.

b. Commercial sponsorship may be used only for MWR events and programs. Unit events, family support groups, private organizations, and non-MWR programs are not eligible for the support. All solicitations must be made by trained sponsorship personnel.

c. There are two types of MWR commercial sponsorships: Solicited sponsorship - gained through a formal process targeting an adequate number of known U.S. sources in a competitive manner. Alcohol (including beer) and tobacco sponsors are not solicited. Unsolicited sponsorship - comes from companies who approach MWR with an idea and resources. Unsolicited sponsorship from alcohol and tobacco companies may be accepted.

d. All commercial sponsorships must be in writing. Agreements are valid for one year or less, with annual renewals not to exceed five years. This does not preclude the award of a new contract after the initial five year period. Sponsorship agreements must include the following:

- (1) Event or program description.
- (2) Detailed summary of MWR obligations.

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- (3) Detailed summary of entitlements of the sponsoring company or organization.
- (4) Term and termination clause.
- (5) Certification that no costs incurred by the company are charged to any part of the federal government.
- (6) Force Majeure clause.
- (7) Independent contractor clause.
- (8) Assignment clause.
- (9) Disclaimers.
- (10) Signature of an Army representative.
- (11) Signature of the sponsor representative.
- (12) Legal review.

f. In addition, ensure that sponsors are generally limited to firms and organizations involved with consumer products or services and that commercial sponsors do not obtain personal information on attendees at MWR events without the express written consent of the attendee.