

DTD 24 JUNE 2024

VFW OHIO CHARITIES (PERMISSABLE AND NON-PERMISSIBLE LIST FOR CHARITY CHECKS)

OVERVIEW:

Thank you for being an Agent of VFW Ohio Charities (VFWOC). Through your partnership with VFWOC, you receive the privilege of directing charitable gaming revenue. Ohio law requires you to donate to a 501(C)3 local charity, furthering the charitable purpose of Ohio's charitable gaming law and the VFW's purpose in supporting our local communities.

With this privilege comes the responsibility of always ensuring that we comply with both the letter of the law and spirit of IRS regulations and Ohio law. This requires more than a half-hearted or false explanation on the memo line of a charity check. Obtaining funds through false or misleading representations constitutes theft by deception and is a crime. Mistakes can happen to anyone, to be sure. Intentional misrepresentations with respect to the expenditure of charitable funds, however, will not be tolerated and will be brought to the attention of the Ohio Attorney General and local law enforcement authorities.

Below are some of the "permissible" donations and "non-permissible" donations to help guide you in directing VFWOC charitable funds. This list does not cover all permissible or non-permissible items. No list could ever include all of the permissible or non-permissible expenditures of charitable funds. If you are unsure if an expenditure of charitable funds is permissible, please call VFWOC first and we will provide guidance. If we are unsure, we will obtain legal guidance. This is for the protection of all involved.

You will note that some of the listed "permissible and non-permissible" items are different than what was acceptable in the past. The list has been updated based upon consultation with outside legal counsel and communications with the Ohio Attorney General's Office. "We have always done it this way" may have been true in the past, but that does not make it legal and will not excuse expenditures that are not in compliance with the permissible and non-permissible items listed below.

EACH POST BELONGING TO VFWOC ACTS AS AN AGENT IN ITS SPENDING AND MANAGEMENT OF VFWOC'S CHARITY FUNDS. THE FUNDS IN YOUR POST'S CHARITY ACCOUNT **BELONG TO VFWOC**. THIS IS WHY THE VFWOC EIN IS ON THE ACCOUNT AND NOT THE INDIVIDUAL'S POST EIN. YOUR POST, **AS AN AGENT FOR VFWOC**, IS AUTHORIZED TO DIRECT THE EXPENDITURE OF FUNDS **PROVIDED THAT SUCH EXPENDITURES COMPLY WITH IRS REGULATIONS, OHIO LAW, AND THE RULES OF VFWOC**.

THE PERMISSIBLE AND NOT PERMISSIBLE RULES HAVE BEEN APPROVED BY THE OHIO ATTORNEY GENERAL CHARITABLE LAW SECTION FOR USAGE AND REFERENCE FOR AGENTS OF VFW OHIO CHARITIES

THE PERMISSABLE ITEMS AND NON- PERMISSABLE INCLUDE BUT ARE NOT LIMITED TO:

PERMISSIBLE - Make certain that all checks have an explanation of the expenditure on the memo line. If the memo line does not provide enough space for use the Checking Account Log.

NOT PERMISSIBLE UNLESS ASKED TO DO SO - Send back-up paperwork to VFWOC keep the information for your files. If additional information is needed VFWOC will request the information by calling the Post or sending a letter to the Post. Requests for information **MUST** be answered no later than the date provided in the letter or by the date requested during a phone call with the VFWOC office to obtain the requested information.

NOT PERMISSIBLE TO MAKE CHECKS PAYABLE TO AN INDIVIDUAL – Unless there is no other option. Where possible preapproval for writing a check to an individual **MUST** be given by VFWOC. If it is not possible to obtain preapproval (VFWOC is closed or not available). VFWOC **MUST** be notified as soon as possible after the fact. All supporting documentation is to be submitted along with the checking account log for the applicable month and sent to VFWOC for review.

NOT PERMISSIBLE TO MAKE CHECKS PAYABLE TO “CASH” THIS IS NEVER ALLOWED.

NOT PERMISSIBLE TO WRITE CHECKS TO OTHER VETERAN OR FRATERNAL ORGANIZATIONS FOR THEM TO DONATE TO THEIR CHARITIES – You **MUST** donate directly to the charity and take credit for the donation.

PERMISSIBLE TO PROVIDE ASSISTANCE - For rent, utility bills, or other items. Have the requestor furnish the landlord's or the mortgage company's information or a copy of the utility bill being paid. The check is to be made out to the utility company, landlord, or mortgage company. **KEEP ALL DOCUMENTATION REGARDING PERSON IN NEED REQUESTS INCLUDING VETERANS, VETERANS FAMILIES, OR COMMUNITY PERSON.**

NOT PERMISSIBLE - To donate to other Veteran or Fraternal organizations that was created or is presently controlled by a 501(C)19. For example, some Posts have established separate 501(C)3 charities. **YOU MAY NOT DONATE TO THESE CHARITIES.**

NOT PERMISSIBLE - To pay mileage out of your Charity Account to District Meetings unless a VFW Ohio School of Instruction is being held.

PERMISSIBLE - To receive mileage and hotel reimbursement for mileage and hotel stays for VFWOC Schools of Instruction. You **MUST** sign in on the VFWOCs School of Instruction sign-in sheet. A voucher **MUST** be submitted to VFWOC. The voucher is to be submitted to your Post Quarter Master. The Post Quarter Master is to reimburse you for mileage and your hotel stay. All hotel stays must have your name on the hotel receipt.

PLEASE NOTE: For Mid-Winter and Summer Conventions, reimbursement for hotel stays is limited to **ONE NIGHT** as there is only one day of VFWOCs School of Instruction at Mid-Winter or the Summer Conventions.

NOT PERMISSIBLE - To use debit or credit cards on the Charity Account.

NOT PERMISSIBLE – To fund other accounts from the Charity Account. Examples: Honor Guard or Scholarship accounts.

NOT PERMISSIBLE - To use Charity money for food for Post or District Meetings, or for Post Anniversary dinners. **ANY** dinners or food “events” that are only for the **POST MEMBERS ARE NOT PERMITTED**. It is **PERMISSIBLE** to use Charity money for the **ACTUAL COST** of a meal on the following occasions, provided that the meal is not limited to members of your Post and is, **in fact, actively promoted** to Veterans generally or the community at large with the actual intent of having persons from outside the Post attend:

Christmas Day	Pearl Harbor
Thanksgiving Day	Patriots Day (September 11)
4 TH of July	Memorial Day
Labor Day	POW/MIA Day
Loyalty Day	Flag Day
Service Birthdays (Army, Navy, Marine Corps, Airforce, Space Force, Coast Guard)	

Voice of Democracy Recognition Dinner – limited to 100 Persons

Patriot’s Pen Recognition Dinner – limited to 100 Persons

These expenses must be paid to a grocery store or outside catering company. You may **NOT** pay your Canteen to prepare the meal and the Canteen make a profit. You **MUST** keep a record of the names of people who attend, and the expense may **NOT** exceed \$20 per person per meal.

NOT PERMISSIBLE - To use Charity money for entertainment, speaker fees, rentals, or property taxes.

NOT PERMISSIBLE - To use Charity money to purchase alcohol for **any** function. **EVER**. This includes “hospitality suites”, Post picnics, holiday dinners, etc.

NOT PERMISSIBLE - To use an organization’s acronym on the payee line of the Charity check. **WRITE OUT THE NAME OF THE ORGANIZATION**. For example, do not write DAV. Write out Disabled American Veterans.

NOT PERMISSIBLE - To donate or sponsor professionals. For example: Do not donate to Corn Hole Champions, or Race Car Drivers.

NOT PERMISSIBLE - To donate or sponsor any activity that does not donate the proceeds to a 501(C)3 Charity or charitable cause. **NOTE**: Just because the recipient is a veteran does **NOT** necessarily mean the cause is charitable.

If you sponsor a charitable activity, the only amount that may be paid with charitable funds is the amount **above the value** of anything received in return for the sponsorship or donation.

For example, an organization hosts a golf outing to benefit the Wounded Warrior Project. The cost to sponsor a team is \$400 per foursome. The cost of a round of golf at this golf course is

\$25, lunch is provided that is valued at \$10 a person, and cart rental at this course is \$20. The total value received for the sponsorship donation is \$160. Only \$240 of the \$400 sponsorship cost may be paid with charity money. The rest must come from the participants themselves or your Post's general fund.

PERMISSIBLE - You must make a copy of the ID of any person whom you assist through payment of their utility bills, rent, etc.

NOT PERMISSIBLE – To pay for advertising using funds from the Charity Account if you are advertising an event for profit or for your Post generally.

PERMISSIBLE - **KEEP ACCURATE RECORDS FOR ALL EXPENDITURES THAT ARE MADE FROM YOUR CHARITY ACCOUNT.** This includes copies of bills paid for Veterans in need, vouchers, hotel receipts, advertising, solicitations for donations, receipts for any purchases using charity funds.

PERMISSIBLE - To pay for Honor Guard expenses with Charity money.

PERMISSIBLE EXPENSES ARE:

- Uniform Purchases
- Cleaning of Uniforms
- Flags for family of the deceased
- Bible for family of the deceased
- Mileage to and from the event at .14 cents a mile

One meal for Honor Guard Members, excluding alcohol (May Not Pay Post Canteen for Meal) May Pay Restaurant Directly or Reimburse Honor Guard Members Who Submit Itemized Receipt)

PERMISSIBLE - To pay for Honor Guard van expenses as follows:

Honor Guard Van expenses may be reimbursed on a quarterly basis for:

- Gas/Oil
- Insurance
- Maintenance
- Tags/Registration

The amount of reimbursement is limited to the percentage of mileage put on the van in the preceding quarter that is attributable to bona fide **Honor Guard** activities (as opposed to being used to shop for the Canteen, take Post members to a golf outing or fishing trip etc.). Mileage for every trip of the van must be documented with starting and ending mileage, date, and purpose of the trip. If for an Honor Guard activity, that activity must be substantiated (For Example: if traveling to a funeral service for rendering military honors, record the name of the deceased veteran and funeral home). Mileage logs and receipts for expenses must be submitted quarterly. Failure to keep complete and accurate records will result in the reimbursement being denied.

PERMISSIBLE – Must include in all permissible advertisement “Agent of VFW Ohio Charities”

Radio Ads and Newspaper Ads are permissible – Along with the check the Post **MUST** submit an invoice that indicates the charitable event that is being advertised; The Star-Spangled Banner is permissible for payment with charity funds on local or regional radio stations. An invoice from the Radio Station must be submitted. The radio station’s invoice must indicate it is a payment for playing the Star-Spangled Banner.

Advertising that includes the Post Name, Post Number and Post Location along with “Agent of VFW Ohio Charities” for the following commemorative days:

Christmas Day	Pearl Harbor
Thanksgiving Day	Patriots Day (September 11)
4 TH of July	Memorial Day
Labor Day	POW/MIA Day
Loyalty Day	Flag Day
Service Birthdays (Army, Navy, Marine Corps, Airforce, Space Force, Coast Guard)	

NOT PERMISSIBLE – To pay for Post Newsletters with Charity funds; or advertisement that is for the Post that includes non-charitable activities or events.

NOT PERMISSIBLE – To donate to the Auxiliary.

DETAILS – THINGS TO KNOW

DO CALL THE VFWOC OFFICE 614-222-1611 IF YOU HAVE ANY QUESTIONS REGARDING A DONATION YOU WANT TO MAKE.

IF YOU ARE UNSURE ABOUT ANY EXPENDITURE OR AN ORGANIZATION, PLEASE CALL THE VFWOC OFFICE AND WE WILL FIND OUT IF IT IS PERMISSIBLE OR **NOT PERMISSIBLE** UNDER THE PROGRAM.

DO NOT ASSUME THAT AN ORGANIZATION IS A 501(c)3 OR THAT AN EXPENSE IS ALLOWABLE BECAUSE SOME SAID IT IS OKAY. PLEASE VERIFY THAT IT IS PERMISSIBLE BY CALLING THE VFWOC OFFICE.

REMEMBER YOU CANNOT USE CHARITY MONEY TO MAKE MONEY!!

DO NOT PAY FOR PROFESSIONAL SERVICES WITH CHARITY MONEY!!

THIS INCLUDES BUT NOT LIMITED TO:

- **Doctors (Co-Pays are acceptable)**
- **Lawyers**

- Accountants
- Maids/Housekeeping
- Plumbers
- Electricians
- Carpenters
- Entertainment

**For Example: Do not pay for leaky roofs, plumbing, or electrical work
– Do not provide assistance for brick and mortar repairs**

DO NOT PAY FOR ANY RENTAL ITEMS WITH CHARITY MONEY

THIS INCLUDES BUT IS NOT LIMITED TO:

- TENTS
- BOUNCE HOUSES
- TRAILERS
- ELECTRONICS

DO NOT PAY CREDIT CARD BILLS WITH CHARITY MONEY

DO NOT PAY TAXES WITH CHARITY MONEY

**DO NOT PAY OFF LOANS, ASSISTANCE IS ONE OR TWO PAYMENTS,
NOT A PAYOFF OF THE LOAN**

**DO NOT PAY FOR BANKRUPTCIES, PERSONAL JUDGEMENTS,
CHILD SUPPORT, TRAFFIC TICKETS OR ANY OTHER COURT
ORDERED FINES OR PENALTIES**

**DO NOT MAKE ANY POST PROPERTY REPAIRS WITH CHARITY
MONEY SUCH AS ROOFING, FOUNDATIONS, WATER LINES,
ELECTRIC LINES, ATM MACHINES, SECURITY CAMERAS, ETC.**

**WE ARE AWARE OF EXCEPTIONS TO THE RULES, PLEASE CALL
OUR OFFICE.**

IF YOU ARE UNSURE 614-222-1611

\