



UNITED STATES MARINE CORPS
MARINE CORPS BASE HAWAII
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MCBHO 5760.3C
MCCS
16 Oct 20

MARINE CORPS BASE HAWAII ORDER 5760.3C

From: Commanding Officer, Marine Corps Base Hawaii
To: Distribution List

Subj: ESTABLISHMENT AND OPERATION OF PRIVATE ORGANIZATIONS

Ref: (a) DoDD 5500.7-R, "Joint Ethics Regulation" August 30, 1993
(b) DoDI 1000.15, "Procedures and Support for Non-Federal Entities Authorized to Operate on DoD Installations," October 24, 2008
(c) MCO PI700.27B
(d) MCO 5760.4C

Encl: (1) Request for Authorization to Form a Private Organization
(2) Request for Authorization to Continue Operations
(3) Current Membership Roster
(4) Sample Financial Report Format
(5) Fundraising Activity Request
(6) Audit Procedures
(7) Meeting Minutes

1. Situation. To publish instructions for the establishment and operation of private organizations aboard Marine Corps Base Hawaii (MCBH) per the references. Private organizations are self-sustaining and non-Federal entities, incorporated or unincorporated, which are operated on Department of Defense (DoD) installations with the written consent of the installation Commander or higher authority, by individuals acting exclusively outside the scope of any official capacity as officers, employees, or agents of the Federal Government.

2. Cancellation. Base Order 5760.3B.

3. Mission. This Order publishes instructions which are to be followed by organizations requesting approval to operate aboard MCBH and private organizations currently granted approval to operate aboard MCBH.

4. Execution

a. Commander's Intent. This Order provides guidance for establishing and operating a private organization aboard MCBH.

b. Concept of Operations. The Marine Corps Community Services (MCCS) Director shall be responsible for oversight and monitoring of all private organizations operating aboard MCBH and ensure periodic reviews are conducted to:

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(1) Guarantee the membership provisions and purposes on the basis of which the organization was permitted on the installation continue to apply, thereby justifying its continuance. Substantial changes to those conditions shall necessitate further review, documentation, and approval for continued permission to remain active.

(2) Furnish reports to the Commanding Officer, MCBH as required.

5. Administration and Logistics

a. Activities of private organizations covered by this Order shall not in any way prejudice or discredit the DoD components or the other Agencies of the Federal Government.

b. The nature, function, and objectives of a private organization covered by this Order shall be delineated in a written constitution, by-laws, charter, articles of agreement, or other authorization documents acceptable to the Commanding Officer, MCBH. That documentation shall also include:

(1) Description of membership eligibility in the private organization.

(2) Designation of management responsibilities, to include the accountability of assets, satisfaction of liabilities, disposition of any residual assets on dissolution, and other matters that show responsible financial management.

(3) Documentation indicating an understanding by all members as to whether they are personally liable, if the assets are insufficient to discharge all liabilities.

c. A private organization covered by this Order that offers programs or services similar to MCCS activities shall not compete with MCCS, but may, when specifically authorized in the approval document, supplement services offered by MCCS.

d. Private organizations covered by this Order shall be self-sustaining, primarily through dues, contributions, service charges, fees, or special assessment of members. There shall be no financial assistance to a private organization from MCCS in the form of contributions, repairs, services, dividends, or other donations of money or other assets. Fundraising and membership drives are governed by reference (a).

e. MCBH may provide logistical support to private organizations with appropriated Federal Government resources in accordance with reference (a). Per reference (b), MCCS non-appropriated funds (NAF) or assets shall not be directly or indirectly transferred to private organizations.

f. Personal and professional participation in private organizations by DoD employees is governed by reference (a).

g. Neither appropriated fund activities nor NAF instrumentalities may assert any claim to the assets, or incur/assume any obligation of any private organization covered by this Order except as may arise out of contractual relationships. Property abandoned by a private organization on its disestablishment or departure from MCBH, or donated to MCBH, may be acquired by MCBH under the terms of applicable agreements, statutes, and DoD policy.

h. Adequate insurance, as defined by the Staff Judge Advocate, MCBH shall be secured by the organization to protect against public liability and property damage claims or other legal actions that may arise as a result of activities of the organization or one or more of its members acting in its behalf, or the operation of any equipment/apparatus or device under the control and responsibility of the private organization.

i. Private organizations shall be responsible for enduring applicable fire and safety regulations, environmental laws, local, State, and Federal tax codes, and any other applicable statutes and regulations are compiled within the operation of the private organization.

j. Income shall not accrue to individual members except through wages and salaries as employees of the private organization or as award recognition for service rendered to the private organization or military community. The Commanding Officer, MCBH may approve the operation of private organizations, such as investment clubs, in which the investment of members' personal funds result in a return on investment directly and solely to the individual members.

k. No person because of race, color, creed, sex, age, disability sexual orientation or national origin, shall be unlawfully denied membership, unlawfully excluded from participation, or otherwise subjected to unlawful discrimination by any private organization on MCBH covered by this Order. When an individual suspects unlawful discrimination by private organizations, the individual shall report the unlawful act to the MCBH Command Inspector General for subsequent investigation, and if the act of discrimination is founded, the private organization shall be immediately suspended from operating on the installation.

l. Applicable laws on labor standards for employment shall be observed.

m. This Order does not apply to the following organizations, which are governed by DoD Directives and Instructions:

(1) Professional United States Scouting Organizations Operating at U.S. Military Installations located Overseas, DoDI 1015.9.

(2) American National Red Cross, DoDD 1330.5.

(3) United Service Organizations (USO), Inc., DoDD 1330.12.

(4) United Seamen's Service (USS), DoDD 1330.16.

(5) Financial Institutions on DoD Installations, DoDD 1000.11.

n. Certain unofficial activities may be conducted on MCBH, but need not be formally authorized because of the limited scope of their activities, membership, or funds. Examples are office coffee funds, flower funds, and similar small, informal activities and funds less than \$200. Any activity generating income in excess of this amount requires specific authorization from the Commanding Officer, MCBH to operate aboard the Base and must comply with all provisions in reference (d).

o. Non-DoD civilian membership in a private organization shall be limited to not more than one-third of the total membership strength of the private organization to keep the private organization oriented primarily for the benefit of military personnel and their family members. DoD civilian employees who work aboard the Base may be included in membership without regard to this limitation.

p. Private organizations are subject to audits and inspections by MCBH representatives.

(1) Actions. Private organizations shall initiate the following:

(a) A request to form a private organization shall be submitted in writing to the Commanding Officer, MCBH, via the MCCS Director, using enclosure (1). Each request shall include the name of the organization, its purpose, and a statement of activities to be conducted; a proposed constitution and by-laws; an estimate of membership strength and composition; a financial plan for self-sustained operations; proposed affiliation with related local, state or national organizations; and proposed use of facilities equipment, or services of the Base. The MCCS Director will forward the request to the Commanding Officer, MCBH for approval, via the MCBH Staff Judge Advocate (SJA). The SJA is responsible for review and approval of proposed constitution and by-laws.

(b) Each private organization must renew by 31 January of each year its authorization to operate aboard MCBH, using enclosure (2). The request shall include enclosure (3) listing members by status, i.e., active duty, retired military, family members, civilian employees, or non-DoD civilians and an annual report of financial operations using enclosure (4) as guidance. Failure to renew shall result in the immediate termination of the private organization's authority to operate aboard the Base.

(c) Each organization desiring to conduct a fundraising activity shall prepare a fundraising request using enclosure (5). The fundraising request shall be submitted to the MCBH SJA Office at least four weeks before the fundraising event. The MCBH SJA Office will review each fundraising request to determine applicability and appropriate action.

(d) Authorized private organizations shall comply with the following:

1. To prevent the appearance of an official sanction or support by the DoD or United States Marine Corps, a private organization covered by this Order shall not utilize the following in its title or letterhead:

a. The name of seal of the Department of Defense or the acronym "DoD."

b. The name, abbreviation, or seal of any DoD Component or instrumentality.

c. The seal, insignia, or other identifying device of the local installation.

d. Any other name, abbreviation, seal, logo, insignia, or the like, used by any DoD Component to identify any of its programs, locations, or activities.

2. The sale of alcoholic beverages of any kind is prohibited unless approved in writing by the Commanding Officer, MCBH.

3. The sale of merchandise, goods, or services, or the pursuit of any activity that conflicts or competes with MCCS is prohibited.

4. The requirements for insurance must be ascertained, acquired, and maintained by the private organization. Proof of insurance must be submitted to the MCCS Director at the time of authorization and upon request for continuance.

5. Activities conducted shall not prejudice or discredit the interests of the Marine Corps or any other government agency.

6. Tax liabilities must be ascertained and the private organization shall comply with all applicable State and Federal laws.

7. The private organization shall appoint, or membership shall elect, an Audit Board that shall be responsible for conducting an annual audit for the preceding calendar year. The results of the audit shall be provided to the MCCS Director by 31 January of each year. Guidelines are provided in enclosure (6).

8. The Commanding Officer, MCBH shall be provided with a report of each regular meeting conducted, including a copy of enclosure (7), the number, type, and dates of activities conducted during the period between meetings, and the number of military, family members, retirees, and civilian participants at each activity. This report shall be submitted via the MCCS Director.

9. Financial accounts and records and/or a bookkeeping system per generally accepted accounting and business practices must be maintained.

10. The constitution and by-laws, charter, articles of agreement, or statement of purpose of the organization must establish procedures for the election and relief of responsible officers, including procedures for transfer, custody, and retention of all records and receipts, duties of these officers, procedures for required audits, and the disposition of residual funds and property.

11. The MCCS Director shall be notified in writing when dissolving an organization, and a close-out financial report using the format in enclosure (4) must be submitted.

(e) The use of military designators, such as MCBH or similar phraseology in the title of a private organization is prohibited.

(2) Facilitates and Assistance. No assurance can be given that Base facilities such as buildings, equipment, furniture, etc., will be made available to voluntary groups receiving command authorization to operate aboard the Base. However, MCBH shall provide facilities to the extent available.

(3) Withdrawal of Authorization. The Commanding Officer, MCBH may at any time without notice withdraw authorization of any private organization when it is considered to be in the best interest of the Marine Corps.

q. This Order can be accessed online via the Marine Corps Base Hawaii SharePoint site at <https://eis.usmc.mil/sites/mcbhmpa/Adjutant/Base%20Directives%20and%20Policies/Forms/MCBH%20Forms.aspx>.

r. Records created as a result of this Order shall be managed according to National Archives and Records Administration approved dispositions per SECNAV M-5210.1 and SECNAV Notice 5210 to ensure proper maintenance, use, and accessibility and preservation, regardless of format or medium.

s. Privacy Act. Any misuse or unauthorized disclosure of Personally Identifiable Information (PII) may result in both civil and criminal penalties. The Department of the Navy (DON) recognizes that the privacy of an individual is a personal and fundamental right that shall be respected and protected. The DON's need to collect, use, maintain, or disseminate PII about individuals for purposes of discharging its statutory responsibilities will be balanced against the individuals' right to be protected against unwarranted invasion of privacy. All collection, use, maintenance, or dissemination of PII will be in accordance with the Privacy Act of 1974, as amended (5 U.S.C. 552a) and implemented per SECNAVINST 5211.5F.

16 OCT 20

6. Command and Signal

- a. Command. This Order is applicable to MCBH and tenant commands.
- b. Signal. This Order is effective the date signed.


S. C. KOUMPARAKIS

DISTRIBUTION: A

MCBHO 5760.3C
16 Oct 20

REQUEST FOR ORGANIZATION TO FORM A PRIVATE ORGANIZATION

From: [Organization name for which authorization is being requested]
To: Commanding Officer, Marine Corps Base Hawaii
Via: Director, Marine Corps Community Services

Subj: REQUEST TO ESTABLISH A PRIVATE ORGANIZATION

Ref: (a) MCBHO 5760.3C

Encl: (1) Proposed Constitution (and/or By-Laws or Governing Regulations or Charter)

1. Per the reference, we request that the [enter activity name for which authorization is being requested] be authorized to function and otherwise operate aboard Marine Corp Base Hawaii, Kaneohe Bay, as a private organization. If you approve this request, this organization shall operate in strict compliance with the reference and the enclosure.

2. The following information is submitted:

- a. Name: [Enter activity name of organization for which authorization is being requested.]
- b. Purpose: [Enter purpose as set forth in the enclosure.]
- c. Brief statement as to the activities to be conducted.
- d. Estimate of membership and composition of membership (i.e., military, retired military, dependent, civilian, etc.).
- e. Financial Plan: [Include a plan for a full self-sustaining operation including a system for audit and control.]
- f. Proposed affiliation with State or National Organizations.
- g. Proposed use of facilities, equipment, or services.

3. Additional requirements or comments: [If additional referenced requirements are to be met, use this paragraph to explain the additional requirements or for additional comment.]

SIGNATURE

Enclosure (1)

MCBHO 5760.3C
16 Oct 20

REQUEST FOR AUTHORIZATION TO CONTINUE OPERATIONS

From: President, [Official Designation of Organization]
To: Commanding Officer, Marine Corps Base Hawaii
Via: Director, Marine Corps Community Services

Subj: REQUEST FOR AUTHORIZATION TO CONTINUE OPERATING AS A PRIVATE ORGANIZATION FOR [CALENDAR YEAR]

Ref: (a) MCBHO 5760.3C

Encl: (1) Annual Financial Report
(2) Current Membership Roster

1. Per the reference, we request that the [Official Designation of Organization] be authorized to continue to function and operate aboard Marine Corps Base Hawaii, Kaneohe Bay as a private organization. This organization shall continue to operate in strict compliance with the reference.
2. The [constitution and by-laws] [governing regulations] have not been changed during the last calendar year [except as approved by the Commanding Officer, Marine Corps Base Hawaii letter or endorsement as appropriate, date] and shall not be changed without prior written approval of the Commanding Officer.
3. The current officers of the activity are: [List by name, address, work and home phone number.]
4. If the President, Secretary, or Treasurer changes, we will notify you in writing.
5. [State title of enclosure (1)], enclosure (1) is the annual financial report required by the reference. [State title of enclosure (2)], enclosure (2) is the current membership roster required by the reference.

SIGNATURE

Enclosure (2)

CURRENT MEMBERSHIP ROSTER
[Official Designation of Organization]

ACTIVE DUTY MILITARY

Name Rank Unit

DOD CIVILIAN EMPLOYEES

Name Organization

RETIRED MILITARY

Name Military Service

FAMILY MEMBERS OF ACTIVE DUTY MILITARY

Name Sponsor's Unit

FAMILY MEMBERS OF RETIRED MILITARY

Name Military Service

NON-DOD CIVILIANS

Name MCBH Affiliation

SAMPLE FINANCIAL REPORT FORMAT

[Official Designation of Organization]

BALANCE SHEET

[Date]

ASSETS

Cash		
Petty Cash Fund	\$	_____
Cash on Hand	\$	_____
Cash in Bank, General Account	\$	_____
Accounts Receivable	\$	_____
Merchandise Inventory	\$	_____
	Total Assets	\$ _____

LIABILITIES AND CAPITAL

Accounts Payable	\$	_____
Taxes Payable	\$	_____
Capital		
Operating Capital, [Date]	\$	_____
Increase/Decrease per attached schedule	\$	_____
	Total Liabilities and Capital	\$ _____
Value of Property	\$	_____

Submitted:

Approved:

Signature of Treasurer
(Optional)

Signature of President

ACCOUNTS AUDITED AND FOUND TO BE CORRECT:

MCBHO 5760.3C
16 Oct 20

FUNDRAISING ACTIVITY REQUEST

[Date]

From: [Official Designation of Organization]
To: Commanding Officer, Marine Corps Base Hawaii
Via: Staff Judge Advocate, Marine Corps Base Hawaii

Subj: FUNDRAISING ACTIVITY REQUEST

Ref: MCBHO 5760.3C

1. Type of fundraising activity requested.
2. Date and Time (include length of time).
3. Location of Fundraising Activity.
4. Number of participants expected – Military/Civilian.
5. Sponsorship of guests (open gate – individual sponsor, roster, etc.)
6. Purpose and how funds are to be used (if fundraising event or admission fee is charged). If admission fee is to be charged, state dollar amount.
7. Rules and regulations governing activity (including supervision and activity safety measures, if required).
8. Other information.

SIGNATURE

Enclosure (5)

AUDIT PROCEDURES

1. The audit board shall examine all accounts and records. This shall include, but shall not be limited to, the following audit steps:

- a. Count cash on hand.
- b. Reconcile the latest bank statement with the cash account. Request a current statement from the bank if necessary.
- c. Audit checkbook - examine cancelled checks for payees, endorsements, and dates; compare with check stubs; trace checks to expense record; age outstanding checks.
- d. Audit cash income record - examine receipts or documentation of cash received; add increases and decreases.
- e. Audit expense record - add and classify various expense items; trace business papers (vendors' bills, invoices, register receipts, etc.) and verify support for entries to the expense record.
- f. Using the data developed above, reconcile cash receipts and disbursements.
- g. Age accounts payable and accounts receivable, if applicable.
- h. Examine evidence of insurance for current status, and amounts and kinds of coverage for adequacy.
- i. Determine tax status and, if applicable, check for compliance with State and Federal laws.
- j. Verify the accuracy of financial statements from the general books presented for audit, or prepare a financial report.

2. Submit an audit report to the President and furnish a copy to the Treasurer. This report shall be submitted on enclosure (4) and must address the following:

- a. That the minimum audit procedures are followed.
- b. That records are maintained using generally accepted accounting and business practices.
- c. That recorded income and expenses were supported by receipts, invoices, etc.
- d. That the financial statement accurately classifies and summarizes the income and expenses recorded in the accounting records.

MCBHO 5760.3C
16 Oct 20

e. That the organization has operated in full compliance with this Order and the approved constitution and by-laws of the organization.

Enclosure (7)

MEETING MINUTES

From: President, [Official Designation of Organization]
To: Commanding Officer, Marine Corps Base Hawaii
Via: Director, Marine Corps Community Services

Subj: MINUTES OF A REGULAR MEETING

Ref: MCBHO 5760.3C

1. Date/time/location of meeting called to order; members present (quorum).
2. Old Business
 - a. Report of various committees.
 - b. Financial Reports.
 - c. Discussion Items.
 - d. Etc.
3. New Business
 - a. Discussion Items.
 - b. Project/Plans.
 - c. Etc.
4. Other information deemed necessary.
5. Date/Time/location of next meeting; adjournment time.

SIGNATURE