



UNITED STATES MARINE CORPS

MARINE CORPS BASE
3250 CATLIN AVENUE
QUANTICO VA 22134 5001

MCBO 5760.3
B 09
5 Dec 12

MARINE CORPS BASE ORDER 5760.3

From: Commander
To: Distribution List

Subj: PRIVATE ORGANIZATIONS ON MARINE CORPS BASE, QUANTICO
(MCBQ)

Ref: (a) DoDI 1000.15 Private Organizations on DoD
Installations
(b) DoDD 1000.26E, Support of NFE Authorized to Operate on
DoD Installations
(c) DoD 5500.7-R, Joint Ethics Regulations
(d) MCBO 5760.1A, Solicitation and Conduct of Personal
Commercial Affairs
(e) SECNAVINST 11011.47B, Acquisition, Management, and
Disposal of Real Property and Real Property Interests
by the Department of the Navy
(f) NAVFAC P-73, Real Estate Procedure Manual
(g) MCO 5760.4C, Procedures and Support for Non-Federal
Entities Authorized to Operate on Marine Corps
Installations and Informal Funds
(h) MCBO 8000.1A, Privately Owned Weapons, Ammunition and
Explosives
(i) 5 CFR 2635.808, Fundraising Activities
(j) E.O. 12353, Charitable Fundraising

Encl: (1) Sample Letter - Private Organization Request to Use
MCBQ Facilities for an Event
(2) Private Organization Checklist for Required
Documentation
(3) Sample Constitution or Bylaws
(4) Minimum Audit Procedures Required of Audit Boards for
Private Organizations
(5) Sample Report of Audit Format
(6) Sample Waiver of Liability and Agreement to Indemnify
Agreements
(7) Sample Letter - Request to Operate as a Private
Organization Aboard MCBQ
(8) Sample Recertification Letter
(9) Sample Dissolution/Disestablishment Letter

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1. Situation. To establish policy and procedural guidance for support for private organization authorized to operation aboard MCBQ, Virginia.
2. Cancellation. MCBO 7010.1B.
3. Mission. This Order provides policy, guidance, information, and procedures concerning support for private organization to conduct activities and operate aboard MCBQ, Virginia.
4. Execution
 - a. Information

(1) Reference (a) sets forth requirements and parameters for authorization of and support to private organizations operating on military installations. References (b) and (c) authorize limited logistical support of Non-Federal Entities (NFE), of which private organizations are a subset. Reference (d) governs the solicitation and operations of commercial enterprises by private organizations aboard MCBQ. Reference (e) is a restatement of the Department of the Navy (DON) policy for the acquisitions, management, and disposal by the DON of real property and real property interests, and to assign responsibility and delegate authority to carry out such policy. Reference (f) provides procedural guidance and requirements for accomplishing various real estate actions. Reference (g) describes procedures and support for non-federal entities to operate on Marine Corps installations. Reference (h) provides instructions for the control of privately owned weapons, ammunition and explosives including transportation aboard MCBQ. Reference (i) identifies the restrictions on the conduct of charitable fundraising in the Federal workplace. Reference (j) describes the on-the-job solicitation of Federal employees and members of the uniformed services. Enclosures (1)-(9) are provided for the use of private organizations. This Order does not apply to MCBQ Non-Appropriated Fund Instrumentalities (NAFI), billeting funds, or chaplains' religious offering funds. In the event the instructions contained herein conflict with those issued by higher authority, the orders of the higher authority shall take precedence. Notify the Commander, MCBQ (B 09) of any conflict or questions of interpretation.

(2) In recognition of the benefits to military service members and their families, the Commander, MCBQ has authorized select private organizations to operate aboard the installation subject to the requirements of this Order. The Business

Performance Office (BPO) will maintain a list of authorized private organizations.

b. Definitions

(1) Authorized Private Organization. A MCBQ authorized private organization is a self-sustaining, NFE, incorporated, and constituted or established and operated on a Department of Defense (DoD) installation with the written consent of the installation or higher authority, composed of individuals acting exclusively outside the scope of any official capacity, as officers, employees, or agents of the Federal Government.

(a) Government employees who are members or officers of private organizations may not use Government resources to conduct private organization business. See reference (c).

(b) Government employees in their performance of official duties are allowed to use Government resources

(2) Constitution or Bylaws. In general, the constitution or bylaws of an organization is the document that contains a private organization's own basic rules relating principally to itself as an organization. All of the private organization's rules shall be combined into a single instrument, usually called the "bylaws" or the "constitution."

(3) Guest. For purposes of this Order, a guest is an individual (not an organization) who is a relative, friend, or acquaintance of a member of a private organization authorized to conduct activities on MCBQ, invited to observe or participate in those activities on a one-time or infrequent basis. Guests must remain with the qualified member throughout their visit to MCBQ.

(4) Lease. The term "lease" means an agreement or contract by which the Federal Government grants to a private organization the exclusive rights to possess, use, and enjoy Navy/U.S. Marine Corps Class I (land) or Class II (buildings) Real Property for a specified period of time in exchange for consideration.

(5) License. The term "license" means a personal privilege granted by the Federal Government to a private organization to conduct some particular act or series of acts on Navy/U.S. Marine Corps Class I (land) or Class II (buildings) Real Property without possessing any estate or interest therein. A license is non-exclusive, revocable at the will of the

licensor (Federal Government), and cannot grant any contractual rights to the licensee (private organization).

(6) Non-Appropriated Fund Instrumentalities. A NAFI is a fiscal entity of the Federal Government that is supported in whole or in part by Non-Appropriated Funds (NAFs). NAFIs are not incorporated under the laws of any state or the District of Columbia, but have the legal status of an instrumentality of the Federal Government and have the same immunities and privileges as the Federal Government in the absence of specific Federal Statute. NAFs are Government monies that are not appropriated by Congress and are not held within the United States (U.S.) Treasury. Military Departments and Defense Agencies generate NAFs primarily through the sale of goods and services to the DoD military, civilian personnel and their family members in conjunction with authorized Morale, Welfare, and Recreation (MWR) programs.

(7) Non-Authorized Private Organizations. An organization which comes on base once a year or less to conduct an event, but is not a MCBQ authorized private organization.

(8) Non-Federal Entity. Reference (b) defines a NFE as a self-sustaining, non-Federal person or organization, established, operated, and controlled by any individual(s) acting outside the scope of any official capacity as officers, employees, or agents of the Federal Government. The Navy-Marine Corps Relief Society and the American Red Cross are two examples of NFEs that are managed differently and subject to different laws than private organizations. These examples are not subject to this Order. Certain NFEs are controlled by specific laws or separate understanding and have statutory authorization for particular support.

c. Policy. When specifically authorized in writing by the Commander, MCBQ, private organizations may offer programs or services that supplement either appropriated or non-appropriated fund activities aboard the installation, subject to the following requirements:

(1) Private organizations that seek to conduct events on MCBQ must submit a request to the Commander, MCBQ (refer to enclosure (1)). An approved event request is required for all private organization events or activities on MCBQ, even those that involve one-time or occasional use of Government facilities. A Naval Facilities Engineering Command (NAVFAC)

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real estate agreement may also be required depending on the nature of the private organization's use of Government property.

(2) Private organizations are not NAFIs, nor is there an official relationship between their activities and those of DoD personnel who are members and/or participants. Reference (c) governs DoD employee personal and professional participation in private organizations.

(3) Private organizations are only authorized to use MCBQ facilities, services, and equipment for activities when such use is consistent with the military mission, and otherwise conforms to applicable laws, regulations, and command procedures. Any use of Government facilities, services, and equipment must be reflected in a formal written agreement between the private organization and MCBQ.

(4) References (a), (c), (f) and (g) specify and limit the logistical support that can be provided to private organizations. Authorized support is to be outlined in a formal written agreement between the private organization and MCBQ.

(5) A private organization is not a Federal entity and is therefore not entitled to sovereign immunity and privileges accorded to the Federal Government and NAFIs. In order to avoid conflicts of interest and unauthorized expenditures of appropriated and non-appropriated funds:

(a) There shall be no financial assistance given to a private organization in the form of contributions, repairs, services, dividends, or other donations of money or other assets.

(b) NAFFI funds or assets shall not be directly or indirectly transferred to private organizations.

(6) Private organizations shall not engage in activities that compete with any appropriated or non-appropriated fund activities (e.g., Marine Corps Community Services (MCCS) programs) aboard MCBQ.

(7) Reference (d) prohibits private organizations from soliciting and operating commercial enterprises on Government property. Private organizations may not accept commercial sponsorship or allow commercial enterprises to operate or conduct events or activities in any facilities provided to them

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or endorse products or businesses on the private organization's website.

(8) Private organizations shall secure insurance, as deemed adequate by the Commander, MCBQ and/or the Naval Facilities Engineering Command (NAVFAC), in order to protect against public liability and property damage claims or other legal actions that may arise as a result of activities of the private organization, one or more of the organization's members acting in its behalf, or the operation of any equipment, apparatus, or device under the control and responsibility of the organization. The review of insurance policies is limited to determining whether the interests of the Federal Government are adequately protected. If the Commander, MCBQ and/or NAVFAC determine that the interests of the Federal Government can be adequately protected without the private organization obtaining insurance, the Commander, MCBQ, may grant a waiver to private organizations relieving them of this requirement.

(9) Private organizations must acknowledge that the Commander, MCBQ may temporarily suspend and/or permanently revoke permission to operate or conduct activities/events on the installation at any time.

(10) Private organizations must provide a single point of contact to BPO concerning all private organization business. The point of contact must be the President, Vice President, or designated representative of the private organization.

d. Private Organization Activities on MCBQ. Private organizations authorized to sponsor or conduct activities/events or otherwise operate aboard MCBQ are subject to the following conditions and requirements:

(1) Activities conducted by the private organization and the behavior of its members, guests, and other participants shall not prejudice or bring discredit to the U.S. Marine Corps or other Government agencies.

(2) To prevent the appearance that it is an instrumentality of the Federal Government, the private organization shall not use any of the following in its title or letterhead to identify any of its programs, locations, or activities: name, abbreviation, seal, logo, insignia, or the like used by any DoD component. Private organizations must prominently display the following disclaimer on all print and electronic media mentioning the entity's name confirming that

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the entity is not a part of the Department of Defense: "THIS IS A NON-FEDERAL ENTITY. IT IS NOT A PART OF THE DEPARTMENT OF DEFENSE OR ANY OF ITS COMPONENTS AND IT HAS NO GOVERNMENTAL STATUS." This disclaimer must also be provided in appropriate oral communications and public announcements when the name of the entity is used.

(a) A sample of all intended advertising for an event will be included in the event request, enclosure (1).

(b) All advertising not associated with an event will be submitted through the BPO (i.e. flyers, brochures, banners, etc.).

(c) All advertising, whether on or off base, will include the NFE disclaimer stated in paragraph 4.d.(2) above.

(3) A Memorandum of Agreement (MOA) or a Memorandum of Understanding (MOU) may be required for authorized private organization events or activities on MCBQ, even those that involve one-time or occasional use of Government facilities and logistical support provided. A NAVFAC real estate agreement may also be required depending on the nature of the private organization's use of Government property. The MOA or MOU must be approved by the Commander, MCBQ. Thus, depending on the nature of the private organization's intended operations and type of activities to be conducted on MCBQ, one of the following types of legal arrangements will be used:

(a) An MOA or MOU; or

(b) An MOA or MOU and a NAVFAC real estate agreement.

(4) In accordance with reference (e), private organizations are required to reimburse MCBQ for services and logistical support provided, including utilities, when they use Government facilities, property or labor unless the Commander, MCBQ determines the cost for such services to be nominal, or there exists a separate directive or instruction that authorizes non-reimbursable support (e.g., credit union operations).

(5) Private organizations shall comply with applicable fire and safety regulations, environmental laws, local, state, federal tax codes, and any other applicable statutes and regulations.

(6) Private organizations shall ensure that participation in activities/events they sponsor or conduct aboard MCBQ is limited to only those participants (members, guests, and other attendees) the Commander, MCBQ individually or collectively has authorized. The private organization is responsible for supervision of participants in activities/events it sponsors or conducts aboard MCBQ. Any event outside of normally scheduled meetings must have an approval request submitted at least 60 days in advance, but no more than 1 year in advance, of the date(s) of the event.

(a) Private organizations are not allowed to advertise an event until an event approval letter has been received by the private organization.

(b) Failure to submit an event request 60 days in advance of the event date may result in the denial of the event request.

(c) All private organizations will be vetted to make sure all required documents, listed in enclosure (2), are up to date before requests to hold a special event will be considered. BPO will reject the event request if not in compliance with this Order.

e. Private Organization Fundraising Aboard MCBQ

(1) Purpose. The purpose of this section is to inform private organizations of permissible fundraising activities that may take place onboard MCBQ to ensure transparency in the process, fairness to all private organizations, and manage their expectations. A secondary purpose is to assist BPO in its review of fundraising events conducted by private organizations aboard MCBQ.

(2) Definitions

(a) Solicitation. Solicitation is any action requesting money, either by cash, charge, check, or payroll deduction. This includes pledges of a future contribution of money.

(b) Fundraising. Fundraising is the raising of funds by an individual or private organization, other than a political organization. Fundraising includes any event where money is generated by the sale of goods, solicitation of funds, or the charging of an admission fee beyond what is necessary to cover

the reasonable costs of the event. Fundraising for political causes or political organizations is prohibited aboard MCBQ. Fundraising aboard MCBQ is limited to raising funds by the organization among its members only, for the benefit of welfare funds of the organization's members or for organizational support. Pursuant to reference (j), organizations may not raise funds for the benefit of, or on behalf of, other organizations, charities or other purposes.

(c) Gambling. Gambling is a game of chance, in which the participant provides something of value in order to receive the chance to win a reward or prize. For example, gambling includes events where tickets are purchased to participate in a random drawing to select a "winning ticket" that may be exchanged for a prize. The name given to a gambling or fundraising event is not dispositive. Gambling is prohibited aboard MCBQ.

(3) Permissible Fundraising Events

(a) Bake Sales. A private organization may sell baked items prepared by its members to its members in order to raise funds for the benefit of those members. The baked items must be individually wrapped and a placard or sign must be displayed at the event which contains the following verbiage: Food sold at this sale has been prepared in a kitchen that is not subject to regulation and inspection by the regulatory authorities. Members may NOT sell items to non-members without the advance approval of MCBQ.

(b) Prepackaged or Cooked Food Item Sales. In order to sell prepackaged or cooked food items at a fundraising event, all food handlers must complete the necessary training provided by the Quantico Naval Health Clinic, Preventive Medicine Department and/or possess an approved Health Card.

(c) Door Prizes. A private organization may provide a "door prize" when all event participants receive an equal chance to win the prize without charge or as part of the event cost. For example, where all attendees receive a free ticket/token for a random drawing to award a prize, and there is no chance to purchase extra tickets to increase the odds of winning.

(d) Silent or Live Auctions. Members may bid on items for sale by pledging a certain amount of money for the

item. At a certain point, bidding is closed and the individual with the highest bid is allowed to purchase the listed item.

(e) Sale of advertisement. Private organizations may request permission to sell advertisement spaces in their newsletters and brochures.

(f) Games of Skill. As an alternative to door prizes, private organizations may request permission to engage in competitions involving skills (e.g. golf or other sport tournament; carnival-type games).

(4) Impermissible Fundraising Events

(a) Raffles. Private organizations may not conduct a raffle fundraiser that involves the sale of tickets with winners being randomly drawn. This is one example of gambling.

(b) Political Fundraising. Fundraising for any political purpose is strictly prohibited aboard MCBQ.

(c) Commercial events. Private organizations may not conduct events that involve sales by commercial vendors, or charge a fee for commercial vendors to participate as exhibitors at the event.

(5) Required Fundraising Approval. The MCBQ Commander must approve all fundraising activity to be conducted aboard MCBQ in advance. Even if a type of activity is not specifically prohibited by law or regulation, the MCBQ Commander may disapprove certain activities. The foregoing list of permissible and impermissible fundraisers is not exhaustive; final decision is dependent on the facts of the event. Fundraising activity requests will only be considered from approved private organizations. Private organizations are responsible for the timeliness of their requests. All event requests will contain an enclosure defining fundraising activities expected to be conducted during the event, see enclosure (1). The MCBQ Commander may, at anytime, suspend or revoke a private organization's ability to fundraise or operate aboard MCBQ due to non-compliance with this order.

f. Advertising. Private organizations are not entitled to any advertising services from MCBQ.

(1) Approved private organizations may provide literature to MCCS for use at "welcome aboard" or special events

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on a space available basis. Any advertisements must include the following disclaimer:

"THIS EVENT IS NOT AN OFFICIAL EVENT OF, AND IS NOT ENDORSED OR SPONSORED BY THE FEDERAL GOVERNMENT, DEPARTMENT OF DEFENSE, UNITED STATES MARINE CORPS, OR MARINE CORPS BASE QUANTICO."

Additionally, commercial advertisement in private organization publications must contain the following disclaimer:

"THE APPEARANCE OF ADVERTISING IN THIS PUBLICATION DOES NOT CONSTITUTE ENDORSEMENT BY THE FEDERAL GOVERNMENT, DEPARTMENT OF DEFENSE, UNITED STATES MARINE CORPS, OR MARINE CORPS BASE QUANTICO."

Disclaimers must be conspicuous, which is to say in the same font and color as that used throughout the publication, within the first 3 pages, and printed in a manner that causes the disclaimer to be easily seen and read.

(2) Approved private organizations seeking to advertise aboard MCBQ must submit their entire proposed advertising materials to MCCS and BPO. Once approved, publication and distribution of advertisements is the responsibility of the approved private organization. MCBQ will not, and is not responsible for, publishing or distributing advertisements for any private organization.

(3) Trademarks. The use of any Marine Corps seal, emblem, logo, words, organizational names and marks suggesting an association with the Marine Corps qualifies as a trademark. This includes the Marine Corps Seal, the initials USMC, the term U.S. Marines, etc. The use of Marine Corps trademarks for commercial purposes is prohibited without a license. For more information, private organizations should contact the Marine Corps Trademark Licensing Office. Contact information is available at <http://www.marines.mil/unit/divpa/tmlo/pages/welcome.aspx>.

g. Sustained Private Organization Presence on MCBQ. Private organizations desiring to establish or continue sustained operations or sponsor/conduct recurring activities/events on MCBQ are subject to the following conditions and requirements:

(1) Purpose. Private organizations establishing operations on MCBQ must have as their primary objective the support of military service members or their families.

(2) Constitution or Bylaws. Private organizations requesting to establish operations on MCBQ must formally create and present to the Commander, MCBQ, via the Director, BPO, a written constitution or bylaws, signed by a duly appointed officer of the organization that describes its objectives. A sample is provided as enclosure (3). Articles of Incorporation, charters, Articles of Agreement, or other authorization documents can form the basis of this document. This documentation must:

(a) Establish the nature, function, and objectives of the organization, to include a description of membership eligibility. It must also state that no person shall be discriminated against because of race color, creed, sex, age, disability, or national origin, or otherwise subjected to unlawful discrimination.

(b) Detail management/board responsibilities, to include the accountability for assets, satisfaction of liabilities, and disposition of any residual assets on disestablishment/dissolution, and other matters that show responsible financial management.

(c) Acknowledge that personal financial responsibility for debts and liabilities of the organization is possible and is the responsibility of the membership if the assets of the organization are insufficient to discharge liabilities.

(d) Provide copies of the private organization's proof of incorporation under the laws of the Commonwealth of Virginia, or other state of incorporation or domicile.

(e) Establish procedures for periodic audits by officials of the organization, association, or club under the laws of the Commonwealth of Virginia or other state.

(f) Establish procedures of the election and relief of officers.

(g) Establish frequency of regular meetings.

(h) Establish procedures to amend the constitution or bylaws.

(i) Establish procedures for dissolution of the organization and/or disestablishment (discontinue operations) as an approved private organization aboard MCBQ and must include a method for reaching a decision to dissolve/disestablish.

(j) Reflect the policies and requirements outlined in this Order.

(k) Provide the private organization's website address, if applicable.

(3) Membership

(a) Membership discrimination based on race, color, sex, creed, disability, or national origin is prohibited. Establishment of cultural, ethnic, or religious private organizations is allowed provided that membership is not restricted on the above basis.

(b) Private organizations establishing operations on MCBQ shall limit non-DoD-related civilian membership to not more than one-third of the total membership strength so as to maintain the private organization as an entity that is operated for the primary benefit of military service members and their families. To be eligible for membership within a private organization, the person seeking membership must reside within a 60 mile radius of MCBQ.

(c) Priority membership within a private organization operating aboard MCBQ shall be as follows:

1. Active duty military personnel and family members who reside aboard MCBQ.

2. Active duty military personnel and family members who are stationed aboard MCBQ, but reside off the installation.

3. Retired military personnel and family members.

4. Other DoD civilians and family members.

5. All others (non-DoD-related civilians).

(4) Financial Requirements

(a) Private organizations authorized to operate on MCBQ must comply with all applicable state and Federal tax laws and file all appropriate tax returns and financial reports.

(b) Private organizations must be self-sustaining, primarily through dues, contributions, service charges, fees, or special assessments of members. References (a), (c), (i), and (j) govern fundraising and membership drives.

(c) Income derived from the activities of a private organization 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.

(d) Private organizations shall not engage in resale activities, or activities that are in direct competition with MCCS operations except through:

1. Approved thrift shop sales of used clothing and used merchandise.

2. Approved museum shop sales of items related to museum activities.

3. Occasional sales for fundraising purposes may be approved by Commander, MCBQ as described in this order. These fundraising activities shall be limited to authorized patrons of these activities, and funds raised must be for the benefit of the private organization and its members or for approved scholarship purposes. A written request to conduct fundraising activities must be submitted to the Commander, MCBQ, via the Director, BPO, not less than 60 days prior to the fundraising event. See paragraph 4e and enclosure (1).

(e) The Commander, MCBQ may consider granting an exception to the stipulations contained in paragraph 4.G.(4).(d) above if a NAFFI, such as the military exchange, cannot provide the product; or the merchandise is to be sold only to members of the private organization and is directly related to the purpose and function of the private organization.

(f) Private organizations authorized to operate on MCBQ must maintain financial accounts and records, a bookkeeping

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system, or both, in accordance with generally accepted accounting principles and business practices. Private organizations must retain all financial records for at least 4 years.

(g) The president or executive board of each private organization authorized to establish operations on MCBQ must appoint, or the membership elect, an audit board to be responsible for conducting a minimum annual audit within 60 days of the private organization's annual meeting in accordance with the procedures outlined in enclosure (4) and the format provided in enclosure (5). The professional services of a public or certified accountant are required if so stated in the private organization's constitution or bylaws.

(h) The Marine Corps Non-Appropriated Fund Audit Service (MCNAFAS) is not responsible for auditing private organizations.

(i) The Marine Corps is not responsible for auditing a private organization's funds.

(5) Use of MCBQ Facilities

(a) Private organizations that plan to allow non-members to observe/participate in their activities as bona fide guests must establish a guest policy. The guest policy shall be written and is subject to approval of the Commander, MCBQ and shall require that:

1. The number of guests allowed per member, per day is limited to three persons or fewer;

2. Guests and their activities/behavior are the responsibility of the private organization and the sponsoring member;

3. Guests must be accompanied by a member of the private organization at all times;

4. Guests must register with the private organization, provide appropriate identification, and sign a Waiver of Liability (enclosure (6)) prior to engaging in any activity with the organization;

5. Guests must comply with all terms and conditions of this Order and any other DoD, USMC, or MCBQ

directives or regulations applicable to visitors on the installation;

6. Guests are not to engage in any commercial activity or solicitation while on MCBQ.

(b) Mere membership in a private organization does not confer the privilege of using all MCBQ facilities. Members may only utilize those MCBQ facilities specified in the private organization's MOU or MOA and, when applicable, the organization's license. A separate agreement is required for use of any other MCBQ facilities or property.

(c) Private organizations shall not enter into any type of fee agreement or other arrangement that allows non-members or other organizations to use MCBQ facilities, including ranges, nor can a private organization schedule MCBQ facilities, including ranges, on behalf of these organizations or individuals. Violation of this provision will result in revocation or termination of the private organization's authorization to operate aboard MCBQ, MOA or MOU and, if applicable, license.

(d) All private organizations that use or transport firearms aboard MCBQ must comply with reference (h).

(6) Real Estate Agreements. If a private organization requires use of Department of Navy (DON) controlled real property for other than occasional use or a one-time event, the private organization is required to enter into a real estate agreement with the Federal Government.

(a) A Government license is the appropriate agreement to grant a private organization the privilege to use Class I (real estate) or Class II (buildings) real property on MCBQ on a non-exclusive, revocable at will basis. When a private organization is granted exclusive use of Navy/U.S. Marine Corps Class I (land) or Class II (buildings) Real Property a Government lease, in accordance with references (e), (f), and (g), is the appropriate real estate agreement.

(b) The Commander, MCBQ may, under limited circumstances, issue a 1-year or less, no-cost license for use of Government space or facilities, in accordance with references (e), (f), and (g).

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(c) The NAVFAC will issue real estate agreements in accordance with applicable regulations. Private organizations are to be charged fair market value for the property being used and are required to pay any administrative costs associated with obtaining their NAVFAC real estate agreement.

(d) Private organizations authorized to operate under a NAVFAC real estate agreement issued through NAVFAC shall comply with all terms and conditions of the agreement. In such cases where there is both a NAVFAC real estate agreement and an MOA or MOU, the NAVFAC real estate agreement shall be the governing document and the MOA or MOU shall be subordinate.

(7) Requests to Establish Sustained Presence on MCBQ.
To seek approval to establish sustained operations or sponsor/conduct recurring activities/events on MCBQ, a private organization must:

(a) Submit a letter to the Commander, MCBQ (Attn: Code B 09), requesting permission to operate on MCBQ. Include the website and other information as indicated in enclosure (7). Include a signed copy of the organization's constitution or bylaws.

(b) Private organizations shall specify to what extent Government space or facilities are required for the activities or operations of the organization.

(c) Submit a copy of an appropriate insurance policy, when required, with the basic request letter.

(8) Private Organization Operations. Once approved to establish or continue sustained operations or sponsor/conduct recurring activities/events on MCBQ, a private organization must:

(a) Within 30 days after initial or annual meeting to elect officers, submit the following information to the Commander, MCBQ (Attn: Code B 09);

1. Membership roster stating the number of military personnel, including active duty, reserve, retired personnel, and dependents of the foregoing; DoD civilians; non-DoD-related civilians (including the percentage of such members compared to other members. Note: retired DoD civilians are counted as non-DoD civilians).

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2. Any proposed affiliation with state or national organizations.

3. The names, addresses, telephone numbers (work and home) of all members, including incumbent officers. Any changes must be submitted within 30 days to the Commander, MCBQ (Attn: Code B 09).

4. The name of the individual who is designed by the members as the sponsor who will be responsible to the Commander, MCBQ for monitoring the activities of the organization and ensuring compliance with all regulations.

5. Designation of the officer, by title, who is accountable for the financial and/or property assets.

6. Certification that each member of the private organization has signed a Waiver of Liability and Assumption of Risk Agreement, enclosure (6), and a statement of the private organization's commitment to ensure that each authorized guest will be required to sign these documents as well.

(b) On a continuing basis:

1. Submit changes to any constitution or bylaws, to the Commander, MCBQ (Attn: Code B 09), for review and approval prior to being implemented.

2. Submit copies of updated insurance policies to the Commander, MCBQ (Attn: Code B 09), when changes are required, and provide 60 days written notice prior to the termination of an existing policy.

3. Submit minutes of meeting held by the officers of the private organization and a summary of activities/events conducted to the Commander, MCBQ (Attn: Code B 09). Submit a year-end letter stating that a financial review has been conducted and any results from that review, enclosure (5), within 30 days after the organization's annual meeting.

4. Maintain records documenting compliance with enclosure (2) to be used in reviews conducted at Command discretion.

5. Submit a letter, enclosure (1), to the Commander, MCBQ (Attn: Code B 09), requesting permission to use

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MCBQ facilities, services, equipment, etc. at least 60 days in advance of the date of the specific proposed event.

6. Submit a letter, enclosure (1), requesting approval of all fundraising events to Commander, MCBQ, (Attn: Code B 09), at least 60 days in advance of the date of the event.

7. Provide an updated list of organization officers with addresses and daytime phone numbers within 30 days of change to the Commander, MCBQ (Attn: Code B 09).

8. Notify the Commander, MCBQ (Attn: Code B 09) of any change of responsible officer and coordinate required inventory of all Government property within 30 days of the change.

9. Provide any information requested by the Commander, MCBQ or his designated action officers concerning the private organization's operations.

(9) Recertification. Private organizations approved to establish sustained operations or sponsor/conduct recurring activities/events on MCBQ, must request recertification annually, see enclosure (8). The annual recertification date is established as 1 year from the date of the initial MCBQ Commanders Approval Letter if this is the first recertification request, or 1 year from the date of the last recertification letter.

(a) A private organization that fails to obtain approval from the Commander, MCBQ to continue operations on the installation will be directed to terminate its activities in accordance with the terms established in its legal agreements with MCBQ and/or NAVFAC.

(b) A private organization that does not submit its recertification request at least 60 days in advance to allow the Commander, MCBQ to consider and act on it, prior to the anniversary date of the previous authorization utilizing enclosure (8), will be directed to cease activities aboard the installation until such time as authorization to operate is renewed.

(c) During the recertification process all private organization members must execute a new waiver of liability.

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The private organization will maintain the waiver of liability forms in accordance with the provisions of this Order.

(10) Private Organization Disestablishment

(a) Discontinuance of a private organization to operate aboard MCBQ must be based on the initiative of the membership or a decision of the Commander, MCBQ.

1. If a private organization decides to disestablish operations aboard MCBQ, contact should be made with BPO, see enclosure (9), at least 180 days in advance to receive guidance on a dissolution/disestablishment procedure plan.

2. The Procedure Plan that is developed will include a Plan Of Actions and Milestones which will identify all actions and timeline necessary to produce a logical and orderly withdrawal of the organization from operating aboard MCBQ.

(b) Sixty (60) days prior to dissolution/disestablishment, and/or disposal of residual assets and liabilities, forward a letter to the Commander, MCBQ (Attn: Code B 09) providing notice of plans for dissolution/disestablishment and the proposed means of disposing of residual assets and liabilities. Personal and financial responsibility for debts and liabilities of the organization is possible. It is the responsibility of the membership if the assets of the organization are insufficient to discharge liabilities.

5. Administration and Logistics

a. Commander, MCBQ

(1) Serve as approval authority for requests by private organizations to establish operations and/or conduct events on MCBQ, to include the recertification, waiver of any requirements, or discontinuance of operations of established private organizations.

(2) Direct all inquiries and requests from private organizations to sponsor or conduct activities/events, or otherwise operate aboard MCBQ to the Director, BPO (Attn: Code B 09) for appropriate action.

(3) Determine, after considering the BPO Director's recommendation and the recommendation of other MCBQ staff sections, other MCCDC organization, and tenant activities

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affected, whether a private organization's request should be approved, denied, or further processed and evaluated. Approval will be granted or denied based on local conditions and this Order.

(4) Direct the MCBQ, Command Inspector General to conduct unannounced inspections of established private organizations to ensure compliance with this Order.

(5) Direct investigations of any issue related to this Order.

(6) Ensure widest dissemination of the contents of this Order.

(7) Supports and reserves the right of MCBQ personnel to monitor or inspect activities and events of private organizations aboard MCBQ.

b. Director, BPO (B 09)

(1) Provide Command oversight of private organizations operating and/or conducting activities/events aboard MCBQ.

(2) Serve as the primary point of contact for preparation, negotiation and finalization of all MOAs/MOUs.

(3) Ensure that terms of the MOA/MOU are consistent with terms of a license, if applicable. Prepare and staff for comment, concurrence all MOAs/MOUs with the appropriate Command activities, including the Office of the Staff Judge Advocate (OSJA), and forward to the Commander, MCBQ for final approval and signature. Provide an approved and signed copy of the MOA/MOU to the duty appointed officer of the private organization, and make copies available to all Command activities concerned.

(4) If applicable, coordinate with the Assistant Chief of Staff (AC/S) G-5 to ensure that the appropriate real estate agreement (i.e., license) is obtained and properly executed by the private organization.

(5) Review all private organization bylaws, constitutions, and other documents and recommend to the Commander, MCBQ whether a private organization should be permitted to establish or continue operations aboard the installation.

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(6) Conduct a feasibility of support assessment with the staff sections impacted in order to make a recommendation to the Commander, MCBQ for approval or denial of a private organization's request to operate or conduct events aboard MCBQ. Include in the assessment if approval would cause potential conflicts of interest and/or have adverse impacts on MCBQ operations and activities.

(7) If a private organization's request to establish operations or conduct an event will not adversely impact MCBQ operations, the Director, BPO shall:

(a) Forward a copy of enclosures (1) and (7) to the AC/S G-5 (Attn: Code B 04), AC/SG-4, OSJA, and Quantico Area Counsel Office (QACO) for requests that involve the use of Government space or facilities.

(b) Forward a copy of enclosures (1) and (7) to the AC/S G-3, AC/S G-4, AC/S G-6, MCCS, OSJA, and QACO, as appropriate, for request for logistical support.

(8) Provide the Commander, MCBQ with all staff recommendations for approval or denial of requests from private organizations to operate or conduct events on MCBQ.

(9) Notify private organizations of the Commander, MCBQ final decision regarding an organization's request to operate or conduct events aboard the installation.

(10) Review and approve/disapprove all fundraising requests from private organizations in coordination with OSJA.

(11) Maintain and update the list of authorized private organizations.

(12) Conduct periodic reviews of all private organizations that have established operations or recurring events on MCBQ to ensure that the membership provisions and purposes continue to apply, thereby justifying continued operation aboard MCBQ. Review will ensure compliance with enclosures (2) and (5).

c. Director, MCCS (B 37)

(1) Review all MCCS related requests (events, fundraisers, vendors, etc.) and inform the Director, BPO if any

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private organization activities or events will compete or conflict with MCCS and its activities or events.

(2) Inform the Director, BPO whether it concurs or non-concurs with the establishment of the private organization or a particular activity.

d. AC/S, G-5 (B 04)

(1) Determine availability of Government space for the activities and events requested by private organizations.

(2) Initiate requests to NAVFAC, Washington, through Headquarters, U.S. Marine Corps (HQMC), to acquire the appropriate real estate agreement for any required use of Government land or buildings in accordance with references (e), (f), and (g).

(3) At the direction of the Commander, MCBQ, prepare 1-year, no-cost licenses in accordance with references (e), (f), and (g).

(4) Obtain approval from the Commander, MCBQ before processing any license through HQMC or NAVFAC.

(5) Coordinate evaluation of request with OSJA, QACO, BPO, and the AC/S G-3 as appropriate.

(6) Provide a copy of all utility readings, submissions to Defense Finance and Accounting Service, and collections made from Private Organizations to the Comptroller Division.

e. AC/S, G-3 (B 03)

(1) Evaluate requests received from BPO regarding private organizations' requests to conduct activities or events on MCBQ. Provide comments/concurrences/non-concurrences back to the Director, BPO for appropriate action.

f. OSJA(B 052)

(1) Serve as primary lead to provide legal advice to the Commander, MCBQ for questions concerning the conduct and operations of private organizations that have been authorized to operate on MCBQ. Review all recommended decisions involving request for private organizations to operate and conduct

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business and other organizational activities on MCBQ, including requests and denials, for legal sufficiency.

(2) Assist the Director, BPO; AC/S G-3 and AC/S G-5, in the decision-making process envisioned by this Order, including review of private organization documentation (e.g., Bylaws, constitutions, Articles of Incorporation, proof of incorporation under state law) required pursuant to this Order and negotiation of any MOAs or MOUs required for private organizations to operate on MCBQ.

(3) When appropriate, assist the Command Inspector General in performing compliance checks on private organizations operating on MCBQ.

g. QACO (B 02)

(1) Assist the Director, BPO; AC/S, G-3 and G-5, in the decision-making process envisioned by this Order for negotiation of MOAs and MOUs for private organization events and matters involving licenses.

(2) Review all agreements for private organization events and licenses for legal sufficiency before agreements are submitted to the Commander, MCBQ for approval.

(3) Review all recommended decisions, including denials, for private organization events and/or licenses, for legal sufficiency.

(4) Serve as primary lead to advise the Commander, MCBQ regarding requests from all entities, including private organizations, to use MCBQ property for co-sponsored, private, or commercial events.

(5) Assist OSJA in the review of all agreements for private organization events and licenses subject to this Order for legal sufficiency before agreements are submitted to the Commander, MCBQ for approval.

(6) Coordinate with the Marine Corps Trademark and Licensing Office (HQMC(PA)), OSJA, BPO, and MCCS on matters involving Marine Corps Trademarks.

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h. Director, Comptroller Division (B 064)

(1) To collect funds pertaining to utilities and other fund collection activities made by private organizations.

(2) Submit necessary documentation to the Defense Finance and Accounting Service.

6. Command and Signal

a. Command. This Order is applicable to MCBQ.

b. Signal. This Order is effective the date signed.

/s/

DAVID W. MAXWELL

DISTRIBUTION: A

5 Dec 12

SAMPLE LETTER
PRIVATE ORGANIZATION REQUEST TO USE MCBQ
FACILITIES FOR AN EVENT

Address

Date

From: (President, or individual desiring to conduct event)
To: Commander, Marine Corps Base, Quantico (MCBQ)(B 09), 3250 Catlin
Avenue, Quantico, VA 22134-5001

Subj: REQUEST BY PRIVATE ORGANIZATION TO CONDUCT AN EVENT

Ref: (a) Marine Corps Base Order (MCBO) 5760.X

Encl: (1) List of approved MCCA vendors expected to support this event (if
applicable)
(2) Fundraising Information (if applicable)

1. Per the reference, (name of private organization) requests authority to
conduct an event aboard MCBQ.

2. Brief purpose and mission statement of organization and indication of
profit/non-profit status.

3. The purpose and name of the event and the activities associated with the
event are as follows:

4. The estimated number of private organization members and non-members
expected to participate in the event are:

5. The facilities and/or services requested: (Describe all services required
for event and all space requirements for use of Government land or buildings)

6. The specific uses of the facilities and the dates and times of the
event(s) are:

7. The following elected officials of the organization that may be
contacted, are: (Names, addresses, email addresses and daytime telephone
numbers (include a primary point of contact)).

8. The list of all MCCA approved vendors that are anticipated to
participate in the event is included as enclosure (1). (For Marine
Corps Community Service (MCCA) approved vendors, contact MCCA Office at
703-784-3005).

9. I understand that if this request is approved, adequate liability
insurance must be secured unless specifically waived by the Commander, MCBQ.

10. I understand that the private organization may be required to obtain a
license if Government land or buildings are required for the event.

11. I understand that there may be costs and fees associated with this
request.

12. I understand that all private organization documentation must be
up to date with MCBQ before this request will be approved.

ENCLOSURE (1)

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13. I understand that gambling of any kind is not permitted aboard MCBQ.

14. I understand that all advertisements must carry the disclaimer stated in paragraph 6 (b) of MCBO 5760.X and that no advertising may be conducted until receipt of approval letter to conduct this event.

15. I understand that the decision to permit the organization to conduct an event rests solely with the Commander, MCBQ.

Signature (authorized representative)

ENCLOSURE (1)

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PRIVATE ORGANIZATION CHECKLIST FOR REQUIRED DOCUMENTATION	
ORGANIZATION:	
REVIEWER:	
DATE	
	CURRENT CONSTITUTION/BY LAWS (IN ACCORDANCE WITH MCBO 5760.X)
	LIST OF OFFICERS (NAME, ADDRESS, WORK PHONE, HOME PHONE AND EMAIL ADDRESS)
	AUDIT REPORT (SIGNED BY AUDIT BOARD)
	MEMBERSHIP ANALYSIS - TO INCLUDE EACH MEMBERS' NAME, BRANCH OF SERVICE AND SERVICE STATUS (I.E., ACTIVE DUTY, RETIRED, CIVILIAN)
	HOLD HARMLESS AGREEMENT (Youth organizations only)
	MEETING MINUTES/NEWSLETTER - (MONTHLY)
	SPONSOR DESIGNATED IN WRITING
	PERSON RESPONSIBLE FOR ASSETS DESIGNATED IN WRITING
	PROOF OF INSURANCE
	REQUEST FOR RECERTIFICATION AND APPROVAL
	MEMORANDUM OF AGREEMENT/MEMORANDUM OF UNDERSTANDING/LICENSE
	WAIVER OF LIABILITY SIGNED BY EACH MEMBER OF THE ORGANIZATION; SIGNED AGREEMENT TO INDEMNIFY
	INVENTORY OF GOVERNMENT ASSETS
	MCBQ COMMANDER'S APPROVAL
	WEBSITE ADDRESS (IF ORGANIZATION HAS ONE)

M = MISSING**R = REVIEW NECESSARY****N/A = NOT APPLICABLE***** = DOCUMENT RECEIVED**

ENCLOSURE (2)

SAMPLE CONSTITUTION OR BYLAWS

BYLAWS OF THE _____
OF _____

ARTICLE I. Organization Name

The name of this organization shall be _____.

ARTICLE II. Organization Objective

The objective of this organization shall be to _____;
to _____; and to _____; etc.

ARTICLE III. Members

Section 1. The membership of this organization shall be limited
to _____/be open to _____.

Section 2. Any _____ shall be eligible for
membership. (Civilian membership may not be extended beyond the
general vicinity of Quantico, VA.)

Section 3. The initiation fee shall be _____ dollars,
and/or the annual dues shall be _____ dollars, payable
in advance on or before _____ of each year. The
Treasurer shall notify members _____ months in
arrears, and those whose dues are not paid within
_____ thereafter shall be automatically dropped from
membership in the organization.

Section 4. Any member desiring to resign shall submit their
resignation in writing to the corresponding secretary, who shall
present it to the Executive Board for action. No member's
resignation shall be accepted until the member's dues are paid.

ARTICLE IV. Organization Officers

Section 1. The officers of the organization shall be a
President, a First Vice-President, a Secretary, a Treasurer, and
Directors (minimum). These officers shall perform the duties
prescribed by these bylaws and by the parliamentary authority
adopted by the organization.

Section 2. At the regular meeting held on the _____ (day)
in _____ (month) , a Nominating

Committee of _____ members shall be elected by the organization. It shall be the duty of this committee to nominate candidates for the offices to be filled at the annual meeting in _____.

The Nominating Committee shall report at the regular meeting in _____. Before the election at the annual meeting in _____, additional nominations from the floor shall be permitted.

Section 3. The officers shall be elected by the membership to serve for 1 year or until their successors are elected, and their term of office shall begin at the close of the annual meeting at which they are elected.

Section 4. No member shall hold more than one office at a time, and no member shall be eligible to serve more than two consecutive terms in the same office.

ARTICLE V. Meetings

Section 1. The regular meetings shall be held on the _____ (day) of each month/quarter unless otherwise ordered by the organization or by the Executive Board.

Section 2. The regular meeting on the (day) in _____ (month) shall be known as the annual meeting and shall be for the purpose of electing officers, receiving reports of officers and committees, and for any other business that may arise.

Section 3. Special meetings can be called by the President or by the Executive Board and shall be called upon by the written request of 10 members of the organization. The purpose of the meeting shall be stated in the call. Except in cases of an emergency, at least 3 days' notice shall be given.

Section 4. _____ membership of the organization shall constitute a quorum.

ARTICLE VI. The Executive Board

Section 1. The officers of the organization, including the Directors, shall constitute the Executive Board.

Section 2. The Executive Board shall have general supervision of affairs between its business meetings, fix the hour and place of meetings, make recommendations to the organization, and shall perform such other duties as are specified in these bylaws. The Board shall be subject to the orders of the organization, and none of its acts shall conflict with action taken by the organization.

Section 3. Unless otherwise ordered by the Board, regular meetings of the Executive Board shall be held on the _____ (day) of _____ (month). Special meetings of the Board can be called by the President and shall be called by the President and shall be called upon by the written request of three members of the Board.

ARTICLE VII. Committees

Section 1. A _____ Committee composed of the (officer) and _____ other members shall be appointed by the President promptly after each annual meeting. It shall be the duty of this committee to prepare a _____ for the fiscal year beginning the first day of _____, and to submit it to the organization at its regular meeting in _____. The _____ Committee can from time to time submit a supplement to the _____ for the current fiscal year.

Section 2. Such other committees, standing or special, shall be appointed by the President or the Executive Board shall from time to time deem necessary to carry on the work of the organization. The President shall be ex officio as a member of all committees except the Nominating Committee.

ARTICLE VIII. Parliamentary Authority

The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern the organization in all cases to which they are applicable, and in which they are not inconsistent with these bylaws, and any special rules of order the organization may adopt.

ARTICLE IX. Amendment of Bylaws

These bylaws can be amended at any regular meeting of the Society by a two-thirds vote of the total membership, provided that the amendment has been submitted in writing at the previous regular meeting.

**MINIMUM AUDIT PROCEDURES REQUIRED OF AUDIT BOARDS
FOR PRIVATE ORGANIZATIONS**

1. An examination of the accounts and records will be conducted by, each audit board. As a minimum requirement, each audit board will:
 - a. Count cash on hand.
 - b. Reconcile the latest bank statement to the cash account and request a current statement from the bank if necessary.
 - c. Audit Checkbook. Examine cancelled check for payees' endorsements and dates; compare with check stubs; trace checks to expense record; and age outstanding checks.
 - d. Audit Cash Income Record. Examine receipts or documentation of cash received and 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 records.
 - f. Using the data developed in the above procedures, reconcile cash receipts and disbursements.
 - g. Conduct a physical inventory, if applicable, and compare its aggregate value with the amount of inventory or property on charge per records.
 - h. Age accounts payable and accounts receivable, if applicable.
 - i. Examine evidence of insurance for current status and amounts and kinds of coverage for adequacy.
 - j. Determine tax status, and if applicable, check for compliance with state and Federal laws.
 - k. Verify the accuracy of financial statements from the general books presented for audit, or prepare a financial report.
2. Submit a report of audit to the president and furnish a copy to the treasurer. Unless conditions or circumstances warrant the submission of a separate detailed report, this may be accomplished by signing the typed notation "ACCOUNTS AUDITED AND FOUND TO BE CORRECT" on the balance sheet of the financial report. A copy of the audit report, regardless of form, will be furnished to the Director, BPO (B 09).

ENCLOSURE (4)

SAMPLE REPORT OF AUDIT FORMAT
(date)

From: _____
(Senior Member of the Audit Board)
To: President, _____ (NAME OF FUND)
Subj: AUDIT OF THE _____ (NAME OF FUND)
Ref: (a) Appointment/Election as noted in the minutes of the meeting of
_____ (date)
Encl: (1) Copy of financial report dated _____

1. In accordance with the reference, an audit has been conducted of the accounts and records of the subject fund by this Audit Board for the period _____ (date) to and including _____ (date).

2. (This paragraph should state briefly what was done.) Example:

The audit was conducted in accordance with the procedures outlined in enclosure (2) to the reference, and included those tests of general books that we considered necessary in the circumstances. Our examination indicated that the accounting system and related financial operations were accurate, reliable, and in accordance with the constitution or bylaws of the subject fund. We audited the enclosure and find that it accurately portrays the financial condition and the results of operation for the dates indicated.

3. (This paragraph should state the details which necessitate this separate report.) Example:

The exceptions to paragraph 2 above are stated in the following discrepancies:

a. The fund's constitution and bylaws require that the President countersign all checks. The stipulation was not complied with in that the Treasurer was the only person signing the checks issued during the audit period.

b. (Subsequent subparagraphs may be used as required.)

4. (This paragraph may be used to comment on pertinent information not included elsewhere in the report.)

Senior Member

Copy to
Treasurer
Director, BPO

ENCLOSURE (5)

SAMPLE
WAIVER OF LIABILITY
for
PARTICIPATION IN PRIVATE ORGANIZATION ACTIVITIES
aboard
MARINE CORPS BASE, QUANTICO, VIRGINIA

I am about to observe or participate in activities to be conducted under the direction of the [Name of private organization] , hereinafter the "Organization", on Marine Corps Base, Quantico (MCBQ) during the following dates and times: [Use the dates and times indicated in the private organization's Memorandum of Agreement, Memorandum of Understanding, or license]. I understand that the organization is a private organization and is not a Federal Government entity. I understand that the organization is operating and conducting events on MCBQ by permission of the Federal Government subject to certain terms and conditions. I understand that my observation and/or participation in the activities of organization will involve access to MCBQ, an active military base which consists of Marine Corps Base ranges and training areas.

I understand the following three cautions with regard to MCBQ:

1. All ranges and training areas, including recreational fields, are designed for and used by the Marine Corps for training its personnel in the deadly art of individual and unit combat.
2. Ranges and training areas have been subject to countless training exercises that may well have involved the use of ammunition and placement of manmade or natural obstacles which, if triggered or encountered by or during physical presence on the ranges/training areas, could result in serious bodily injury or death to me.
3. Range and training area conditions are often aggravated by the weather such that extreme heat, humidity, cold, wind, or wet will increase the likelihood of physical danger and exposure to serious bodily injury, sickness, accident, or death.

I understand that certain activities may cause injuries associated with physical fitness training like muscle sprains or strains, tendon pulls, dislocation of joints, broken bones, and injuries associated with physical contact with other participants, and injuries from playing conditions, to include field conditions and the inherent dangers associated with environmental conditions.

I further understand that the organization will provide the following events or activities and I voluntarily assume the specific risks associated with observing or participating in these events or activities:

[Include the following language if activities are equine or water-related:

Equine activities:

I understand that the Organization provides equine activities that will entail access to Marine Corps trails and training areas. I understand that riding horses involves accepting inherent risks including, but not limited

ENCLOSURE (6)

5 Dec 12

to, the unpredictability of a horse's behavior, the risk of injury resulting from falling from a horse, being stepped on or kicked by a horse, from a horse running into fences, trees, buildings, and other structures, and injuries resulting from tripping or falling over obstacles in the riding areas, and conditions of the trails, whether apparent or not. In addition, I understand that the injuries sustained from riding horses could be serious or could result in death. I acknowledge that equine activities are a high-risk sport and that my involvement with these activities is inherently dangerous and could result in property damage as well as serious bodily injury or death to me, my child, and others.

Water-related activities:

I understand that water-related activities involve accepting inherent risks including, but not limited to, electrocution, the possibility of drowning or near drowning, the unpredictability of weather and water conditions, the risk of injury resulting from being in and around a watercraft and/or a swimming pool, and injuries resulting from tripping, slipping or falling over obstacles (both seen and unseen) in and around the water. In addition, I understand that the injuries sustained from engaging in water-related activities could be serious or result in death. I acknowledge that water-related activities are high-risk and that engaging in these activities is inherently dangerous and could result in property damage as well as serious bodily injury or death to me or others.

In spite of my full knowledge of the risks involved in observing and/or participating in the organization's activities and, in consideration of the privilege to participate in the organization's activities to be held aboard MCBQ, I do hereby freely and voluntarily, and intending to be legally bound, accept all risks associated with these activities and waive any and all rights to any claims or demands or any other actions whatsoever, including those attributable to negligence for damages due to accident, injury, or my death resulting from observation and/or participation in any of the organization's activities, for me, my spouse, my parents or guardians, my heirs, executors, administrators, or legal representatives of my estate, or anyone else on my behalf, which I may have against any of the following: the United States of America, the Department of Defense, the Department of the Navy, the United States Marine Corps, Marine Corps Combat Development Command, Marine Corps Base Quantico, or any and all individuals assigned to or employed by the United States, to include, but not limited to, the Secretary of the Navy, the Commandant of the Marine Corps, the Commanding General of the Marine Corps Combat Development Command, or the Commander of Marine Corps Base, Quantico, in both their official and personal capacities, or any medical personnel or their representatives, successors, or assigns designated thereto.

I understand that the above language means I have abandoned any rights I may have or any rights anyone associated with me may have, through legal or friendship or family ties, to sue the Federal Government for any injury that I may sustain because of participation and/or observation in any of the organization's activities that result in any damage whatsoever to me, my property, or in my death. By signing this document, I acknowledge that the Federal Government, or any agency or employee thereof, is not liable for any injury I may sustain, to include death, as a result of participation in,

ENCLOSURE (6)

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observation or attendance of the organization's activities. By signing this document, I effectively and completely assume all risk associated with the organization's activities.

Lastly, I understand that should I decline to execute this Waiver of Liability, I will not be permitted to attend, observe or participate in the organization's activities or event(s) to be held aboard MCBQ.

PLEASE READ CAREFULLY BEFORE SIGNING

BY VIRTUE OF MY SIGNATURE, I ACKNOWLEDGE AND AGREE TO ALL TERMS AND CONDITIONS SET FORTH ON THIS DOCUMENT AND FURTHER ACKNOWLEDGE THAT I HAVE CAREFULLY READ THIS DOCUMENT IN WHOLE AND UNDERSTAND WHAT I AM SIGNING.

Printed Name of Participant/Observer

Signature of Participant/Observer

Date: _____

ENCLOSURE (6)

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SAMPLE
WAIVER OF LIABILITY
for
PARTICIPANTS UNDER THE AGE OF 18
IN ACTIVITIES AND OTHER EVENTS
aboard
MARINE CORPS BASE, QUANTICO, VIRGINIA

We hereby request that our child, [Name of child], be permitted to take part in the [Name of private organization], hereinafter the "*Organization*", events and activities to be held aboard

Marine Corps Base, Quantico (MCBQ), Virginia, during the dates of [Insert days, month, year or, if applicable, use dates and times indicated in the private organization's Memorandum of Agreement, Memorandum of Understanding, or license] under the direction of the organization. I understand that the organization is a private organization and is not a Federal Government entity. I understand that the organization is operating and conducting events on MCBQ by permission of the Federal Government subject to certain terms and conditions. I understand that my child's observation and/or participation in the activities of organization will involve access to MCBQ, an active military base which consists of Marine Corps Base ranges and training areas.

I understand the following three cautions with regard to MCBQ:

1. All ranges and training areas, including recreational fields, are designed for and used by the Marine Corps for training its personnel in the deadly art of individual and unit combat.
2. Ranges and training areas have been subject to countless training exercises that may well have involved the use of ammunition and placement of manmade or natural obstacles which, if triggered or encountered by or during physical presence on the ranges/training areas, could result in serious bodily injury or death to my child.
3. Range and training area conditions are often aggravated by the weather such that extreme heat, humidity, cold, wind, or wet will increase the likelihood of physical danger and exposure to serious bodily injury, sickness, accident, or death.

I understand that certain activities, including physical fitness or sport activities, may cause injuries associated with physical fitness training like muscle sprains or strains, tendon pulls, dislocation of joints, broken bones, and injuries associated with physical contact with other participants, and injuries from playing conditions, to include field conditions and the inherent dangers associated with environmental conditions.

I further understand that the organization will provide the following events or activities and I voluntarily assume for me, and on behalf of my child, the specific risks associated with observing or participating in these types of events or activities: (Provide a description of the organization's activities that the child will participate in, include the following language if activities are equine or water-related)

ENCLOSURE (6)

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Equine activities:

I understand that the organization provides equine activities that will entail access to Marine Corps trails and training areas. I understand that riding horses involves accepting inherent risks including, but not limited to, the unpredictability of a horse's behavior, the risk of injury resulting from falling from a horse, being stepped on or kicked by a horse, from a horse running into fences, trees, buildings, and other structures, and injuries resulting from tripping or falling over obstacles in the riding areas, and conditions of the trails, whether apparent or not. In addition, I understand that the injuries sustained from riding horses could be serious or could result in death. I acknowledge that equine activities are a high-risk sport and that my involvement with these activities is inherently dangerous and could result in property damage as well as serious bodily injury or death to me, my child, and others.

Water-related activities:

I understand that water-related activities involve accepting inherent risks including, but not limited to, electrocution, the possibility of drowning or near drowning, the unpredictability of weather and water conditions, the risk of injury resulting from being in and around a watercraft and/or a swimming pool, and injuries resulting from tripping, slipping or falling over obstacles (both seen and unseen) in and around the water. In addition, I understand that the injuries sustained from engaging in water-related activities could be serious or result in death. I acknowledge that water-related activities are high-risk and that engaging in these activities is inherently dangerous and could result in property damage as well as serious bodily injury or death to me or others.

In spite of my full knowledge of the risks involved in allowing my child to observe and/or participate in the organization's activities and, in consideration of the privilege for my child to participate in the organization's activities to be held aboard MCBQ, I do hereby freely and voluntarily, and intending to be legally bound, accept all risks associated with these activities and waive any and all rights to any claims or demands or any other actions whatsoever, including those attributable to negligence for damages due to accident, injury, or death resulting from observation and/or participation of my child in any of the organization's activities, for me, my child, my spouse, my heirs, executors, administrators, or legal representatives of me or my child's estate, or anyone else on mine or my child's behalf, which I or my child may have against any of the following: the United States of America, the Department of Defense, the Department of the Navy, the United States Marine Corps, Marine Corps Combat Development Command, Marine Corps Base, Quantico, or any and all individuals assigned to or employed by the United States, to include, but not limited to, the Secretary of the Navy, the Commandant of the Marine Corps, the Commanding General of the Marine Corps Combat Development Command, or the Commander of Marine Corps Base, Quantico, in both their official and personal capacities, or any medical personnel or their representatives, successors, or assigns designated thereto.

I understand that the above language means I have abandoned any rights I may have or any rights anyone associated with me may have, through legal or friendship or family ties, to sue the Federal Government for any injury that

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my child may sustain because of participation and/or observation in any of the organization's activities that result in any damage whatsoever to my child, my child's property, or in my child's death. By signing this document, I acknowledge that the Federal Government, or any agency or employee thereof, is not liable for any injury I or my child may sustain, to include death, as a result of participation in, observation or attendance of the organization's activities. By signing this document, I effectively and completely assume all risk associated with the organization's activities.

Lastly, I understand that should I decline to execute this Waiver of Liability, I or my child will not be permitted to attend, observe or participate in the organization's activities or event(s) to be held aboard MCBQ.

PLEASE READ CAREFULLY BEFORE SIGNING

BY VIRTUE OF MY SIGNATURE, I ACKNOWLEDGE AND AGREE TO ALL TERMS AND CONDITIONS SET FORTH ON THIS DOCUMENT AND FURTHER ACKNOWLEDGE THAT I HAVE CAREFULLY READ THIS DOCUMENT IN WHOLE AND UNDERSTAND WHAT I AM SIGNING.

Signature of parent/guardian

Date

Printed Name of Mother/Father/Legal Guardian (please circle one)

On behalf of

Printed Name of Child

Date

Health Insurance Coverage (initial the appropriate line):

We **do not** have health insurance coverage _____

We **do** have health insurance coverage _____

Name of Insurance Provider

Policy #

Unit Senior Representative Signature

Date

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AGREEMENT TO INDEMNIFY
for
PRIVATE ORGNIZATION'S EVENTS AND ACTIVITIES
aboard
MARINE CORPS BASE, QUANTICO, VIRGINIA

The signature at the bottom of this Agreement to Indemnify is a certification by the [*Name of private organization*], hereinafter the "*Organization*", that every member, guest or participant covered by this agreement that is observing or participating in the activities of the organization has had his/her Waiver of Liability signed and, if a participant is under the age of eighteen (18), signed by his/her appropriate parent or legal guardian; and, that the organization representative has in his or her possession all individual participants' Waivers of Liability, available for inspection on demand. The organization understands that there are inherent risks involved in participation in activities aboard Marine Corps Base, Quantico (MCBQ), Virginia, and that injury or death could arise from, but is not limited to, physical contact with other participants, physical exertion or from playing conditions, to include field conditions. The organization understands that by signing this agreement, it expressly assumes any and all risks involved in the organization's activities held aboard MCBQ including, but not limited to, injury or death caused to participants, guests, volunteers, or spectators, and any damage to property.

In consideration for the use of MCBQ facilities, including various open fields aboard MCBQ, for the conduct of the organization's activities during the period [Insert days, month and year or, when applicable, the dates and times indicated in the private organization's Memorandum of Agreement or license], the organization agrees to indemnify the United States Government, the United States Navy, the United States Marine Corps, its officers, military personnel, employees and agents, and all agencies and instrumentalities thereof, against any and all claims whether for damage, loss, injury, or death, brought by any person, group, or organization, as a result of or in connection with the conduct of the organization's activities.

SIGNATURE (organization's authorized representative)

Date

PRINTED NAME

Phone Number

ENCLOSURE (6)

SAMPLE LETTER
REQUEST TO OPERATE
AS A PRIVATE ORGANIZATION ABOARD MCBQ
Address

Date

From: (Private Organization)
To: Commander, Marine Corps Base, Quantico (MCBQ) (B 09), 3250
Catlin Avenue, Quantico, VA 22134-5001

Subj: REQUEST TO OPERATE AS A PRIVATE ORGANIZATION ABOARD MCBQ

Ref: (a) MCBO 5760.X

Encl: (1) Proposed Constitution or Bylaws
(2) Proposed Articles of Agreement

1. In accordance with the reference, (name of organization) requests authority to operate as a private organization aboard MCBQ.
2. The purpose of the activity is as follows: (Describe briefly).
3. The number of members of the organization: (Identify all non-DoD-related civilians by number and percentage of total membership.
4. I understand that no real estate may be occupied by our organization on an exclusive use basis. The following facilities and services are requests. (Describe all requirements for use of Government land or buildings.)
5. The following elected officials of the organization may be contacted: (Names, addresses, email addresses and daytime telephone numbers)
6. The URL for the organization's website, if applicable.
7. Enclosures (1) and (2) are forwarded for review and approval.
8. I understand that if this request is approved adequate insurance will need to be secured by the organization, unless specifically waived by the Commander, MCBQ.
9. I understand that, in addition to permission to operate, my organization may be required to obtain a license from NAVFAC prior to use of Government property.
10. I understand that there may be costs and fees associated with establishing operations on MCBQ including reimbursement for utilities.

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11. I understand and agree that the Commander, MCBQ, may revoke permission to establish and/or conduct operations at any time.

Signature (Authorized representative)

ENCLOSURE (7)

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SAMPLE RECERTIFICATION LETTER

Address

Date

From: (Name of Private Organization)
To: Commander, Marine Corps Base, Quantico (MCBQ) (B 09),
3250 Catlin Avenue, Quantico, VA 22134-5001

Subj: REQUEST FOR RECERTIFICATION OF (Name of Private Organization)

Ref: (a) MCBO 5760.X

Encl: (1) Listing of Officers and Contact Information
(2) Listing of Government Assets and POC

1. In accordance with the provisions contained in the reference, I certify that [Name of private organization] is active, in compliance with current regulations, and there are no changes to the organization's Constitution and Bylaws that have not previously been reported.

2. I understand that there may be costs associated with continued operations of [Name of private organization] on MCBQ, including reimbursement for utilities and other services provided.

3. I understand that the Commander, MCBQ, may revoke permission/certification for [Name of private organization] to operate on MCBQ at any time.

4. This organization does not have any Government assets. (If the private organization does possess Government assets, provide a listing as an attachment and identify the person responsible for those assets.)

5. All members of this organization have signed waivers of liability and the organization has retained them in the event that you, or a representative of your choice, would like to review them.

6. Accordingly, it is requested that this organization be recertified to continue operations on MCBQ, subject to execution of the appropriate agreements.

Signature (Authorized Representative)

SAMPLE DISSOLUTION/DISESTABLISHMENT LETTER

Private Organization Name
1800 Stone Ridge Street
Los Angeles, CA 90001

June 1, 2012

Commander (B09)
Marine Corps Base
3250 Catlin Avenue
Quantico, VA 22134

Dear Base Commander Name,

In compliance with the requirements identified in your base order MCBQ 5760.X, this letter is your notification that Private Organization Name intends to discontinue all operations aboard MCBQ on January 1, 2013.

The decision to disestablish operations is based on the initiative of the membership/your decision to have the organization discontinue operations/other reasoning. If the organization is to continue operations in an off base location, so state and provide the new address/phone/etc.

I understand that this organization owes you a disestablishment/dissolution procedure plan and will work with your Business Performance Office to ensure a workable plan is developed and implemented.

The point of contact for this organization during this transition will be name, phone, email address.

Sincerely,

Matt Smith
President, Private Organization Name

Enclosures (3)

ENCLOSURE (9)