

CONSTITUTION OF **Private Organization Name – ALL CAPS**

(NOTE: All text highlighted or in italics serves as a replacement for a name or an explanation of a requirement, and the italicized text is not to be included in the original constitution or by-laws.) ...delete this paragraph before signing and completing.

ARTICLE I NAME AND AUTHORITY

The name of this private organization shall be **(Name of PO)** (hereafter referred to as “(short name]” if applicable). This organization operates on Joint Base Andrews, Maryland, as an independent, nonprofit, nonFederal entity in accordance with DAFI 34106 *Private Organizations Program*, DoDI 1000.15, *Procedures and Support for Non-Federal Entities Authorized to Operate on DoD Installations*, and DAFI 36310, *Fundraising*.

This organization is not an instrumentality of the United States Government, the Department of Defense, or any of its components. It operates on the installation only with the consent of the Installation Commander, and its continued operation is contingent upon compliance with all applicable Department of the Air Force instructions and installation policies.

As a Local Supporting Foundation (LSF), this organization supports the mission, heritage, and community engagement activities of **[supported unit]**. The organization is not an instrumentality of the United States Government, the Department of Defense, or any of its components. It operates on the installation only with the consent of the Installation Commander and must comply with all applicable Department of the Air Force instructions and installation policies.

ARTICLE II PURPOSE

The purpose of **(Name of PO)** is to **[insert mission/purpose]**, supporting the morale, heritage, esprit de corps, and community engagement activities of **[supported unit]**. The organization will conduct activities consistent with DAFI 34106 and will not duplicate services already provided by official agencies. *(Please expand or edit this how you will, but we recommend this paragraph be concise, yet includes all pertinent objectives, since information not included could later limit the scope and legal activities of the organization)*

ARTICLE III LIABILITY

In accordance with DAFI 34106 and the laws of Maryland, each member is jointly and severally liable for the obligations of the **Name of PO** and specifically in the event the PO’s assets are insufficient to discharge liabilities upon dissolution. All members will be made aware that financial liability incurred by the organization may ultimately result in individual members being held personally financially responsible if the PO fails to discharge its obligations, even though the PO’s funds may have been re-designated or dissolved. The members will be briefed on this liability at the first official general membership meeting of the new year. Each member shall sign a statement of understanding of their financial liability. Certification will also be provided to 316 FSS/FSR indicating that **Name of PO** members have been notified and understand their personal financial liability for obligations of the PO.

“THIS IS A PRIVATE ORGANIZATION. IT IS NOT A PART OF THE DEPARTMENT OF DEFENSE OR ANY OF ITS COMPONENTS AND IT HAS NO GOVERNMENTAL STATUS.”

ARTICLE IV
MEMBERSHIP OR PATRONAGE

- a. Membership is voluntary and not automatic. No individual will be considered a member without their express consent and acknowledgment of potential liability.
- b. The **Name of PO** may not discriminate, or give preferential treatment, in hiring practices or membership policies (including officership eligibility) based the following protected classifications: race, color, religion, sex, national origin, disability, age (40 and over), and retaliation for prior Equal Opportunity (EO) activities
- c. Membership in **Name of PO** is open to: *(should primarily consist of members of the DOD and their family)*.
- d. Individuals may apply for membership by: *(explain application process or other affirmative action required for becoming a member)*.
- e. Continuing membership is based upon *(annual, seasonal)* enrollment commencing _____.
- f. Membership in the organization can be terminated by resignation or by notification of disciplinary action by _____ *(failure to pay dues, etc.)*.
- g. Membership can be reinstated by application in writing to _____ for consideration.
- h. *(The PO may want to add a section on guests or other types of participants.)*

ARTICLE V
OFFICERS AND GOVERNING BODY

- a. The officers of **Name of PO** shall include a President, Vice President, Secretary, and Treasurer *(other officers optional)*. The duties of the officers are outlined in *(list Article/paragraph)* of this private organization's By-Laws.
- b. The Executive Board shall consist of the officers *(plus others – this is optional)*; the President shall preside over all official meetings of the general membership or the board.

ARTICLE VI

“THIS IS A PRIVATE ORGANIZATION. IT IS NOT A PART OF THE DEPARTMENT OF DEFENSE OR ANY OF ITS COMPONENTS AND IT HAS NO GOVERNMENTAL STATUS.”

MEETINGS AND ELECTIONS

- a. General membership meetings will be held no less frequently than *(quarterly/semiannually/annually)*.
- b. An annual meeting will be held for the election of officers. Procedures for nominations and the elections are outlined in *(list Article/paragraph)* of the By-Laws.
- c. A quorum consists of ___% of the Executive Board and ___% of the general membership.
(Optional: The presiding officer will not have to vote except in case of a tie.)

ARTICLE VII EXECUTIVE BOARD REQUIREMENTS

- a. The President shall be responsible for ensuring the club's authorization to operate on JBA is reviewed annually as designated by 316 FSS/FSR. The Constitution and By-Laws must be reviewed every two years. Updates are required when there is a change in the purpose of this organization. All updates must be submitted to 316 FSS/FSR for review by 316 WG/JA.
- b. The President or Treasurer *(select one, or both the President and Treasurer) (the Treasurer and President cannot be the same person)* shall establish a system for the protection of organizations assets and ensure the liabilities do not exceed its income.
- c. Members do not have proprietary rights in the club's assets and income will not be accrued to individuals except through wages or salaries for employees of the *Name of PO*.
- d. The Secretary will forward one copy of all official meeting minutes and financial reports to the 316FSS/FSR.

ARTICLE VIII FINANCES

- a. The club's unobligated assets will not exceed \$ *_____* except for special onetime projects approved by the general membership.
- b. A majority of club members will appoint an accountant to conduct an annual financial review when annual gross revenues are \$100,000 but less than \$250,000. A Certified Public

"THIS IS A PRIVATE ORGANIZATION. IT IS NOT A PART OF THE DEPARTMENT OF DEFENSE OR ANY OF ITS COMPONENTS AND IT HAS NO GOVERNMENTAL STATUS."

Accountant will be appointed to conduct an annual audit when annual gross revenues are \$250,000 or more. **Name of PO** will pay for the CPA's services. If **Name of PO** has gross annual revenues of less than \$100,000, but more than \$5,000, it will provide an annual financial statement to the Force Support Resource Manager/Resource Management Flight Chief (FSS/FSR) no later than 20 days following the end of its fiscal year.

- c. All funds will be deposited in the **(name of bank)** and a financial statement will be reported and recorded in the official minutes of meetings on a timely basis. *(Describe what tools the PO will use for asset accountability and financial management.)*
- d. All expenditures, except for petty cash requirements, will be made by check. Checks amounting to and including \$ **_____** may be signed by the Treasurer. Checks exceeding \$ **_____** must be countersigned by the President or Vice President. *(Optional)*
- e. **Name of PO** shall be financed primarily through *(membership dues and fees, fundraising events, service charges, donations, etc.)*. *(Describe in detail how your PO will generate income and the mechanisms for doing so.)* All fundraiser requests will be routed through 316 FSS/FSR.
- f. **Name of PO** will maintain a budget detailing financial plans for annual operations. This budget will include income and expense projections for activities, capital purchase information, and comparisons of actual results to the projected budget.
- g. **Name of PO** will not engage in activities which compete with those of any Services activity, NAFI, or Army and Air Force Exchange Service operation on the installation, except as provided in DAFI 34106.
- h. **Name of PO** will not engage in onbase resale activities (including bake sales, car washes, etc.) unless specific written authorization is obtained from 316 FSS/FSR.

“THIS IS A PRIVATE ORGANIZATION. IT IS NOT A PART OF THE DEPARTMENT OF DEFENSE OR ANY OF ITS COMPONENTS AND IT HAS NO GOVERNMENTAL STATUS.”

- i. Name of PO will comply with all local, state, and federal laws. (Mandatory)

ARTICLE IX DISSOLUTION

When the **Name of PO** decides to dissolve or shut down, the PO will notify the FSS/CC/CL of the intent to dissolve the PO and prepare a time-phased action plan to do so. *(The board, officers, etc.)* shall, after paying or making provision for the payment of all the liabilities of the **Name of PO**, dispose of all the assets of the **Name of PO** in a manner compliant with the provisions of the Internal Revenue Code.

(The group may consider inserting one of the following additional sentences:) Any such assets not so disposed of shall be disposed of by a court of competent jurisdiction upon suitable proceeding. Any such assets not so disposed shall be donated to a USAF NAF or to the USAF as determined by the *(board, officers, etc)* in accordance with AFMAN 34-201 or AFI 51-506.

ARTICLE X AMENDMENTS

Amendments to this Constitution may be submitted by any member in good standing by *(describe how to submit amendments)*. At the earliest possible date, the proposed amendment will be presented to the general membership meeting. To be adopted, the amendment must be passed by a majority vote of the members present. The new Constitution shall be submitted for review and approval by the Installation Commander through the 316 FSS/FSR.

ARTICLE XI INSURANCE

Name of PO will maintain liability insurance unless the Installation Commander, or if delegated, 316 MSG/CC waives the requirement. Insurance waivers shall be submitted for re-evaluation annually. The absence of liability insurance places the members' personal assets immediately at risk in the event of PO liability. If the Installation Commander, or if delegated, the 316 MSG/CC approves an insurance waiver, the **Name of PO** may nevertheless be required to obtain liability insurance for specific events that involve a greater than negligible risk of injury or damage.

ARTICLE XII YOUTH PROTECTION & BACKGROUND CHECKS

The **Name of PO** will comply with DAFI 34106, paragraph 2.3.6, regarding background checks and youth protection requirements. Any employee or volunteer who has routine contact with children under the age of 18 in DoDoperated programs used to supplement or expand childcare or youth services will undergo required background checks in accordance with DoDI 1402.05, *Background Checks on Individuals in DoD Child Care Services Programs*.

The organization will maintain an internally managed and robust Youth Protection Training Program to ensure the safety and protection of minors participating in or benefiting from organizational activities.

“THIS IS A PRIVATE ORGANIZATION. IT IS NOT A PART OF THE DEPARTMENT OF DEFENSE OR ANY OF ITS COMPONENTS AND IT HAS NO GOVERNMENTAL STATUS.”

**ARTICLE XIII
GENERAL**

Upon approval by the Installation Commander or delegated authority, this Constitution becomes effective.

All print and electronic media must include the disclaimer: **“THIS IS A PRIVATE ORGANIZATION. IT IS NOT A PART OF THE DEPARTMENT OF DEFENSE OR ANY OF ITS COMPONENTS AND IT HAS NO GOVERNMENTAL STATUS.”**

CERTIFICATION OF CONSTITUTION

I certify this Constitution was approved by a majority vote of the membership on (date).

(Type name of President but sign after legal review is complete)
Please don't include rank in signature block...delete this line once it's signed

(Type name of Vice President but sign after legal review is complete)
Please don't include rank in signature block...delete this line once it's signed

(Type name of Secretary but sign after legal review is complete)
Please don't include rank in signature block...delete this line once it's signed

(Type name of Treasurer but sign after legal review is complete)
Please don't include rank in signature block...delete this line once it's signed

“THIS IS A PRIVATE ORGANIZATION. IT IS NOT A PART OF THE DEPARTMENT OF DEFENSE OR ANY OF ITS COMPONENTS AND IT HAS NO GOVERNMENTAL STATUS.”