

Private organizations are groups that operate on Maxwell AFB with the permission of the 42 Air Base Wing Commander (42 ABW/CC) or his delegee. Private organizations and unofficial activities operate on base pursuant to Air Force Instruction 34-223, *Private Organizations (PO) Program*. The following guidance is taken from AFI 34-223.

Section A – General

1. Private Organizations (POs) and unofficial activities are self-sustaining special interest groups that operate on base, set up by people acting exclusively outside the scope of any official capacity they may have in the federal government. POs and unofficial organizations are not federal entities and are not to be treated as such.

1.1. POs are those groups that operate on base with assets that exceed a monthly average of \$1,000 over a 3-month period. Approval is required for a PO to operate on base.

1.2. Unofficial activities are those groups that operate on base with assets that do not exceed a monthly average of \$1,000 over a 3-month period. (Examples of unofficial activities include coffee funds, flower funds, sunshine funds, and other small operations).

1.2.1. Although unofficial activities are not considered POs and do not require approval to operate on base, they must still comply with AFI 34-223.

1.2.2. Unofficial activities must still maintain financial records to ensure full accountability of amounts received and expended. (See Attachments 5 - 7).

1.2.3. Unofficial activities that exceed a monthly average of \$1,000 over a 3-month period must: (1) become a PO, (2) discontinue on-base operations, or (3) reduce its current assets below the \$1,000 threshold. If an unofficial activity exceeds the \$1,000 threshold, it must notify the 42 FSS/FSR immediately.

1.2.4. Unofficial activities may not conduct games of chance, lotteries, raffles, or other gambling-type activities under any circumstances.

Table 1. Private Organizations vs. Unofficial Activities

R U L E		A	B	C	D	E
		Assets	Approval for Operation?	Constitution & Bylaws Required?	Insurance Waiver Required?	Approval for Fundraiser?
1	Private Organization	Monthly average of more than \$1,000 over a 3-month period	Yes	Yes	Yes	Yes
2	Unofficial Activity	Monthly average of \$1,000 or less over a 3-month period	No	No	No	Yes

Section B – Responsibilities

2. **The 42 Mission Support Group Commander (42 MSG/CC)** authorizes the establishment and operation of a PO and takes action on all requests for fundraisers, as delegated by the 42 Air Base Wing Commander (42 ABW/CC).
3. **The 42 Force Support Squadron (42 FSS)** monitors and administers the PO Program and is located in Bldg 804, second floor. All questions regarding POs and/or fundraisers should be directed to 42 FSS PO monitor.
4. **The 42 Air Base Wing Legal Office (42 ABW/JA)** reviews (1) all requests to establish a PO, (2) all PO constitution, bylaws, and other similar documents, and (3) all fundraiser requests, and provides recommendations to the 42 MSG/CC.¹

Section C – Establishing a Private Organization

5. Private Organizations must make a positive contribution to the quality of life of base personnel. A PO's authority to operate may be withdrawn if the PO prejudices or discredits the United States Government, engages in activities that conflict with Government activities, or for any other reason or just cause, as determined by the 42 ABW/CC or delegated authority.
6. Requests for authorization to operate a PO will be submitted to the 42 FSS/FSR. All requests will be submitted for legal review by the 42 ABW/JA. The 42 MSG/CC is the final approval authority. The request must include the following:
 - 6.1. Request to Establish a Private Organization (Attachment 1);
 - 6.2. List of Officers (Attachment 2);
 - 6.3. Constitution, bylaws or other similar documents (see Attachment 3 for a template); and
 - 6.4. Proof of Insurance OR Insurance Waiver Request (Attachment 4).
7. **Naming a PO.** If the name of the PO uses the name or abbreviation of the DoD, Air Force organizational unit, or installation (e.g., includes USAF, 42 ABW, Maxwell AFB, etc.), the organization's status as a PO must be apparent and unambiguous by its name.
 - 7.1. If the PO name will use the name or abbreviation of the installation or organizational unit (e.g., Maxwell AFB Runners or 42 LRS Booster Club), the PO must obtain written approval from the 42 ABW/CC or delegated authority before using the name.

¹ The legal office is prohibited from providing legal advice to private organizations and unofficial activities. If you have a legal question pertaining to your PO or unofficial activity, please forward it to the 42 FSS/FSR.

7.2. If the PO name will use the name or abbreviation of the DoD or Air Force (e.g., USAF Booster Club), the PO's request must be routed through the AETC/A1S to HQ AFSVA/CDM.

8. **PO Constitution, Bylaws, and Other Similar Documents.** (See Attachment 3 for a template). The PO's documents must:

8.1. Address the nature, function, and objective of the PO.

8.1.1. POs may organize around a cultural or ethnic focus as long as they do not restrict their membership on the basis of culture or ethnicity.

8.1.2. Religiously oriented POs may be authorized to operate on the installation if:

8.1.2.1. No sign or insignia or other organizational identification is placed on or inside government facilities except when the organization's activities are in progress;

8.1.2.2. Membership is not restricted to members of the religion involved; and

8.1.2.3. Installation staff chaplain coordination is obtained.

8.2. Outline membership eligibility. POs may not discriminate on the basis of age, race, religion, color, national origin, disability, ethnic group, or gender.

8.3. Describe the PO's source(s) of income. POs must be self-sustaining, primarily through dues, contributions, service charges, fees, or special assessments of their members.

8.4. Provide certification to the 42 FSS/FSR indicating that all PO members have been notified and understand their personal financial liability for obligations of the PO, as provided by law.

8.5. Describe the responsibilities of PO officers for asset accountability, liability satisfaction, and sound financial and operational management.

8.5.1. Income must not accrue to individual members except through wages and salaries for PO employees or other payment for services rendered to the PO or military community. Any income will be derived primarily for offsetting expenses of operation.

8.6. Provide specific guidance on disposition of residual assets upon dissolution.

8.7. Be updated every two years or when there is a change in the purpose, function, or membership eligibility of the PO, whichever comes first.

- 8.8. If POs use the constitution, bylaws and/or similar documents from another organization (e.g., a nationally or internationally chartered organization, a sister organization, a parent organization, etc.), it must amend or supply an addendum to its documents to comply with the aforementioned requirements. If a PO refuses to amend its documents, it may not be approved to operate as a PO on Maxwell AFB.

Section D – Private Organization Operation

9. Private Organizations will conduct all of their activities and functions according to the following rules. Private Organizations:
- 9.1. Will not discriminate in hiring practices or membership policies on the basis of age, race, religion, color, national origin, disability, ethnic group, or gender.
- 9.2. Will ensure its members conduct all activities, including fundraisers, in their private personal capacities (i.e., not while on duty, not in uniform, etc.).
- 9.3. Will not use government resources (including government email, photocopiers, computers, etc.) unless specifically authorized by the installation commander or his/her delegee.
- 9.4. POs will not operate amusement machines, slot machines, or any other games of chance (e.g., bunko, bingo, etc.) except as authorized under AFI 34-223, paragraph 10.16. Alabama law has restrictive gambling laws. Any plan to conduct a game of chance must be reviewed before it is held.
- 9.5. Will not engage in any conduct that has the effect of advertising for, making referrals to, or encouraging use of any commercial business.
- 9.6. Will not haze or harass (either physically or mentally) as part of their initiation rites.
- 9.7. Will not accept financial assistance from a Nonappropriated Fund Instrumentality (NAFI) in the form of contributions, repairs, services, dividends, or donation of money or other assets.
- 9.8. Will not sell or serve alcoholic beverages under any circumstances.
- 9.9. Will prominently display the following disclaimer on all print and electronic media mentioning the PO's name confirming the PO is not part of the DoD: **THIS IS A PRIVATE ORGANIZATION. IT IS NOT A PART OF THE DEPARTMENT OF DEFENSE OR ANY OF ITS COMPONENTS AND IT HAS NOT GOVERNMENTAL STATUS.** This disclaimer must also be provided in verbal communications and public announcements.

10. Logistical Support. POs must furnish their own equipment, supplies, and other materials.

10.1. POs may be provided places on Maxwell AFB to conduct meetings of reasonable duration and frequency, but must reimburse for services (to include utilities) when it uses a facility or space on an other-than-occasional basis unless a separate directive or instruction authorizes non-reimbursable support.

10.2. POs must reimburse for any additional costs incurred by the Air Force resulting from such uses, e.g., incremental increases in maintenance and janitorial expenses.

Section E – Financial Management

11. POs must use budgets and financial statements as financial management tools. POs must prepare and maintain the following documents:

11.1. An income-and-expense statement either on an accrual or cash basis. The income and expense statement reflects monetary events that have occurred during a given period. (See sample at Attachment 5).

11.2. A balance sheet that accounts for total assets of the PO on a given date. (See sample at Attachment 6).

11.3. A budget reflecting projected activities (income & expenses) and capital purchases (equipment and property). The budget will establish financial objectives to generate sufficient income to cover planned expenses. (See sample at Attachment 7).

12. POs should consider bonding for its treasurer. The treasurer is in a sensitive position, especially if handling and controlling large amounts of cash. POs may make a bonding determination by weighing the cost of commercial fidelity insurance protection from a qualified underwriter against the potential dollar risk.

13. It is the PO's or unofficial activity's responsibility to obtain proper tax-exempt information and forms through the regional Internal Revenue Service office and the state tax authority, if applicable.

14. Audit Requirements. POs with certain levels of gross annual revenue must undergo audits and financial reviews at the PO's own expense.

Table 14. Audit Requirements

R U L E	If the PO's Gross Annual Revenues total	Financial Audit Required?	Other Requirements
1	\$5,000.01 - \$99,999.99	No	Must provide annual financial statement to 42 FSS/FSR NLT 20 days following end of PO's fiscal year
2	\$100,000.00 - \$249,999.99	Yes, by an accountant (CPA not required).	Accountant must provide written verification of the accounting data and other relevant information.
3	\$250,000.00 or more	Yes, by a CPA.	N/A

14.1. The audit (which generally provides more detailed information) and the financial review must verify the PO has:

14.1.1. A uniform system of accounting.

14.1.2. Consolidated reports of the accounting system into meaningful summaries.

14.1.3. Identified areas of weakness and plan(s) for corrective action.

14.2. POs must implement internal control procedures that ensure:

14.2.1. Adequate segregation of duties.

14.2.2. Proper procedures for authorizations.

14.2.3. Adequate documents and records.

14.2.4. Physical control over assets and records.

14.2.5. Independent checks on performance.

Section F – Fundraising

15. All fundraisers, whether conducted by a private organization or unofficial activity, requires prior approval from the 42 ABW/CC or his or her delegee. Route all fundraising requests through the 42 FSS/FSR. All fundraising requests must be submitted at least two weeks in advance of the scheduled event.

16. Private organizations and unofficial activities may only conduct up to two fundraisers per calendar quarter.

17. POs and unofficial activities will adhere to the following when conducting any fundraiser:

17.1. Will not conduct continuous resale activities; however, POs may sell unit or PO souvenirs or memorabilia to members of the unit/PO involved provided they receive authorization from AAFES or Services resale activities and the PO's constitution and bylaws authorize resale under these circumstances.

17.2. Will not engage in activities that duplicate or compete with activities of the Army and Air Force Exchange Services (AAFES) or Services Nonappropriated Fund Instrumentalities (NAFIs). If a PO desires to hold a fundraiser that would potentially compete with an AAFES or NAFI activity, it must first seek approval from the entity before submitting a fundraiser request.

17.3. Fundraisers may be limited during the Combined Federal Campaign (CFC) (traditionally held sometime between September – November) and the Air Force Assistance Fund (AFAF) (traditionally held sometime between February – March). Please contact the 42 FSS/FSR for more information.

17.4. Will not serve or sell alcoholic beverages to raise funds.

17.5. Will coordinate with the Military Public Health Office if food sales are involved.

17.6. Will obtain insurance commensurate with the risks involved with the fundraiser.

Section G – Donations

18. POs and unofficial activities:

18.1. May accept gifts and donations.

18.2. Will not solicit for gifts or donations on base. Off-base solicitations must clearly indicate that they are for the PO or unofficial activity and not for the base or any official part of the Air Force. You may solicit off-base solicitations for review to the 42 FSS/FSR.

18.3. Will not recognize the donor/gift publicly. Any recognition of the gift or donation can only be made to members of the PO or those present at an event benefitting from the donation/gift.

18.4. Will not engage in any action which makes it appear that the installation is endorsing or giving special treatment to the donor/givers involved.

Section H – Continuing Responsibilities of POs

19. An annual review meeting is required to be accomplished no later than 31 January of every year. At that time, all requirements for updating the PO documents must be accomplished. A representative from the PO must be present at this meeting to continue operating on Maxwell AFB. Submit the request at Attachment 9.

20. POs must provide the 42 FSS with the following documents, as applicable:
- 20.1. Documentation regarding use of any installation facility or land area;
 - 20.2. Financial statements (see Attachments 5-7 for samples);
 - 20.3. Copy of audit reports;
 - 20.4. Any requests for resale authorization;
 - 20.5. Minutes of PO meetings (see Attachment 9 for a sample);
 - 20.6. IRS tax identification number and tax exemption documentation;
 - 20.7. Proof of insurance or waiver of insurance (see attachment 4 for waiver request);
 - 20.8. Any requests for approvals of seal or insignia use; and
 - 20.9. Current list of officers or points of contact. (Attachment 2).

Section I – Dissolution

21. When a PO decides to dissolve or shut down, it will submit the form at Attachment 10 along with its time phased action plan to the 42 FSS/CC/CL through the 42 FSS/FSR.

POINTS OF CONTACT

Ms. Christina Baumayr
42 FSS/FSR
50 LeMay Plaza South
Bldg 804, Room 272NW
Maxwell AFB, AL 36112
Christina.Baumayr@maxwell.af.mil
(334) 953-1386

Mr. Joseph Dyson
Resource Manager
50 LeMay Plaza South
Bldg 804, Room 272NW
Maxwell AFB, AL 36112
Joseph.dyson@maxwell.af.mil
(334) 953-3667

Attachment 1
REQUEST TO ESTABLISH A PRIVATE ORGANIZATION

[Date]

MEMORANDUM FOR 42 FSS/FSR

FROM: [Name of Private Organization]

SUBJECT: Request to Establish a Private Organization on Maxwell AFB, AL

1. Request permission for [Name of Private Organization] to form a formal private organization on Maxwell AFB in accordance with the AFI 34-223.
2. All business will be conducted as outlined in the constitution and by-laws of the private organization. Attached is the required documentation necessary in establish a private organization.
3. Our list of officers, (proof of liability insurance) (request for waiver of insurance), and most recent financial statement is attached.

[PO Officer's Signature Block]

Attachments:

1. Current Officer Information
2. Request for Waiver of Insurance
3. Financial Statement

1st Ind, 42 FSS/FSR

MEMORANDUM FOR _____

Your informal private organization is approved/disapproved.

JOSEPH DYSON
42 FSS/FSR Resource Manager

Attachment 2
LIST OF OFFICERS AND POINTS OF CONTACT

[Date]

MEMORANDUM FOR 42 FSS/FSR

FROM [Name of PO]

SUBJECT: List of Officers and Points of Contact

Principal Purpose(s): To provide the 42d Force Support Squadron, Maxwell Air Force Base, AL, with statistical data about the officers of the private organization so that those members can be duly notified in a timely manner during emergencies, annual reviews, formal and informal inquiries or investigations and so they can be contacted by persons interested in becoming a member of the organization.

Routine Uses: See "Principal Purpose(s)"

Disclosure is Voluntary: The information is privileged and cannot be disclosed without your consent. You are not required to complete this form; however, you cannot serve as an officer if the information is not provided to the 42d Force Support Squadron. In addition, failure to disclose this information will preclude the inclusion of your private organization in any fundraising events.

CURRENT OFFICERS (Private Organization Only)

PRESIDENT: _____
(Typed Name/Duty Phone/Home Phone/Address or Box #/Signature)

VICE PRESIDENT: _____
(Typed Name/Duty Phone/Home Phone/Address or Box #/Signature)

SECRETARY: _____
(Typed Name/Duty Phone/Home Phone/Address or Box #/Signature)

TREASURER: _____
(Typed Name/Duty Phone/Home Phone/Address or Box #/Signature)

The above signatures indicate the Privacy Act Statement has been read and that the requested information is given for the above-stated purposes to the 42d Force Support Squadron.

[NOTE: Do NOT use government email addresses or duty phone numbers. All PO officers and members must be acting in their personal private capacities.]

Attachment 3

SAMPLE CONSTITUTION FOR PRIVATE ORGANIZATIONS

[NOTE: The following is a template to assist in creating a constitution for a private organization. Underlined items are mandatory and must be included verbatim, with all blanks completed, in the constitution. Non-underlined items are optional and may be modified according to the organization's particular needs and desires. Notes are shown in blue and provided to assist in creating the document and should be omitted in the final draft.]

THIS IS A PRIVATE ORGANIZATION. IT IS NOT A PART OF THE DEPARTMENT OF DEFENSE OR ANY OF ITS COMPONENTS AND IT HAS NOT GOVERNMENTAL STATUS.

ARTICLE I NAME AND AUTHORITY

Section 1. The name of this organization will be _____ and is established pursuant to the provisions of AFI 34-223, and in accordance with all applicable civil and military laws and regulations. Operation is contingent on compliance with the requirements and conditions of all applicable Air Force regulations.

Section 2. This is a self sustaining private organization and operates on Maxwell Air Force Base only with the written consent of the Installation Commander, 42nd Air Base Wing, or his or her delegee.

[NOTE: If the PO name contains the name or abbreviation of the DoD, an Air Force organizational unit, or installation, the PO must have written approval from the 42 ABW/CC before using the name. Route requests through the 42 FSS/FSR office.]

ARTICLE II PURPOSE

The purpose of this organization shall be _____. Its objectives are _____.

ARTICLE III MEMBERSHIP

Membership is strictly voluntary and will not be based on age, race, religion, color, national origin, disability, ethnic group, or gender.

Section 1. Active members: [describe criteria here]

Section 2. Associate members: [describe criteria here]

Section 3. Affiliate members: [describe criteria here]

Section 4: Honorary members: [describe criteria here]

Section 5: Any person wishing to join this organization will make an application at a regular membership meeting.

Section 6: Membership in this organization will be terminated:

- a. Upon request or PCS of the member concerned;
- b. If the member fails to meet financial responsibilities, such as dues being ___ months in arrears;
- c. Upon recommendation of the board of governors after a complete review of the circumstances and approval of the general membership;
- d. Upon failure to meet participation requirements and recommend of the board of governors with the approval of the general membership; or
- e. For any other valid reason when recommended by the board of governors and approved by the general membership.

[NOTE: If there are different classes of membership, they must be specified separately. If not, membership eligibility itself must be addressed.

Automatic membership of anyone is prohibited because membership must be voluntary.]

ARTICLE IV DUES AND FINANCES

Section 1. Dues (will) (will not) be paid by (active, affiliate, etc.) members.

Section 2. The dues shall be (specify amount and timeframe. E.g., \$20 per year) (established by the by laws of this constitution).

Section 3. Income will be derived from_____ . [E.g., dues, fundraisers, service charges, fees, souvenir sales, etc.]

Section 4. Income will not accrue to individual members except through wages and salaries for private organization employees or as payment for services rendered.

**ARTICLE V
INSURANCE AND FINANCIAL LIABILITY**

Section 1. [Name of PO] will maintain liability insurance and property damage insurance coverage commensurate with risk to protect against any claims or lawsuits that might arise from the commission or omission of acts by its members. Such coverage, when required, will expressly provide that neither the US government nor any Nonappropriated Fund Instrumentality will be liable for any claims or judgments against [name of PO] or its members. A copy of the insurance policy and all renewal policies will be forwarded to the 42 FSS/FSR.

or

Section 1. [Name of PO] will request a waiver of insurance subject to approval by the 42 ABW/CC or his or her delegee. [Name of PO] engages in activities such that the risk of liability is negligible. If [name of PO] engages in any activity that increases its risk of liability, it will forward notification of the activity to the 42 FSS/FSR. All members will be notified of the approved insurance waiver and that the absence of liability insurance places their personal assets immediately at risk in the event of [name of PO]'s liability.

and

Section 2. All members are jointly and severally liable for the obligations of [name of PO] and are liable under the laws of Alabama for organizational debts in the event the organization's assets are insufficient to discharge liabilities. Members will be notified of this obligation by [state how members will be notified].

Section 3. _____ [state name of individual, e.g., vice president] will provide certification to the 42 FSS/FSR that all members have been notified and understand their personal financial liability for obligations of [name of PO].

[NOTE: The members' understanding of their personal financial liability must be documented. This may be accomplished by having new members sign a statement of understanding when they join the PO; by having members indicate their understanding in a "sign-in" sheet at a meeting; obtaining signatures or emails from members that they have read and understand the PO's constitution and by laws; etc.]

**ARTICLE VI
OFFICERS AND ADMINISTRATION**

Section 1. The administration of this organization shall be conducted by a board of governors, constituted as follows: a president, vice-president, secretary, and treasurer. These officers shall perform the duties herein specifically provided for and also those specified by the by-laws and other such duties as are usually incident to their office.

Section 2. Terms of office.

- a. Each term of office shall be 6 months and begin on 1 January and 1 July.
- b. Officers' terms may be terminated prior to 31 December or 30 June for the following reasons:
 - (1) Permanent change of station or
 - (2) Resignation.
- c. If an officer leaves office before their term ends, [insert provisions for how the officer will temporarily be replaced].

Section 3. Elections.

- a. All members of the board of governors shall be elected at the second meeting in June and December from a slate submitted by a nominating committee at the first meeting in June and December. Nominations may be made from the floor. Elections require a majority vote of the votes cast. If a majority is not received by a candidate, a run-off vote shall be held for the top two candidates. Votes will be cast by secret ballot. Proxy votes will not be permitted.
- b. Members eligible for holding office must have at least 6 months remaining on station at the beginning of their term and must have been an active member for at least 3 months.
- c. Vacancies occurring in the office of the president shall be filled by special election. Other officers will be filled from the board of governors by appointment by the president for the remainder of the term. Should two or more board members vacate from the board, a special election will be held to fill the vacancies.

Section 5. Duties and powers of the board of governors.

- a. The board of governors shall meet when deemed necessary by the organization or the president. The presence of three-fourths of the board members is required to constitute a quorum. The action of the board of governors requires a majority vote before it is valid. Proxy votes will not be permitted.
- b. The board of governors has the authority to authorize expenditures of amounts not greater than \$50 dollars. Other expenditures require a majority vote of the members at any meeting.
- c. The board of governors will recommend policies, supervise programs, approve entertainment, rule on membership, except as specifically provided otherwise, enforce the constitution, and resolve grievances/complaints/suggestions submitted by members.
- d. The president shall preside over all meetings of the board of governors and general/special meetings of the membership. He/she shall call special meetings of the

membership, supervise elections, appoint committees as deemed necessary, prescribe their function, and appoint the committee chairperson.

e. The vice-president shall assume the duties of the president in the president's absence.

f. The secretary shall maintain written minutes of all meetings. Minutes shall be made available for review to any member.

g. The treasurer shall receive, deposit, disburse, maintain a record and account for all funds of the organization, and prepare the publication of all monthly statements of the financial status of the organization. A financial status report will be given to the membership at each general membership meeting.

h. The books of the treasurer will be reviewed at least 2 weeks prior to termination of office. The results of this review will reflect the new treasurer's acceptance of said books.

[NOTE: Most of the provisions in ARTICLE VI are provided as an example; duties of organization officials must be specified in the constitution.]

ARTICLE VII MEETINGS

Section 1. General membership meetings will be held _____. [E.g., the first and third Tuesday of every month.]

Section 2. Special membership meetings may be called at the discretion of the board of governors or must be called upon written petition of two-thirds of the active members.

Section 3. Public notices of special membership meetings must be given. Public notice will be given by emailing members two weeks in advance.

Section 4. A majority vote of the members present is required for passing a resolution, except as otherwise provided.

ARTICLE VIII DISSOLUTION

Section 1. [Name of PO] may be dissolved upon a ___[e.g., two thirds, majority, etc.] vote of [active, affiliate, etc.] members. [Name of PO] will submit a request for dissolution to the 42 FSS/FSR prior to dissolving.

Section 1. In case of dissolution, any funds in the treasury will be used to satisfy any outstanding debts, liabilities or obligations of [name of PO]. The residual balance, if any, will be disposed

of as determined by the members. Distribution of residual funds and other assets will not accrue to the benefit of any individual member of the membership as a whole.

Section 2. If, upon dissolution, liabilities exceed assets, the excess of liabilities over assets shall be paid by the members on a pro rata basis. For the purposes of this article, a member is defined as one whose name is carried on the roll of the active and associate members as of the date of notification of dissolution.

Section 3. Upon dissolution, [name of PO] will notify the 42 FSS/CC/CL of its intent to dissolve and PO and prepare a time-phased action plan to do so.

[NOTE: Although Section 2 is not mandatory, the PO should provide guidance on how liability will be divided if liabilities excess assets.]

ARTICLE IX AMENDMENTS

Section 1. This constitution will be updated every two years or when there is a change in the purpose, function, or membership eligibility of [name of PO], whichever comes first.

Section 2. This constitution may be amended at any scheduled meeting of the organization by two-thirds vote of the membership present provided that a written, printed or public notice of the proposed amendment(s) has been given to the membership at least 2 weeks prior to the date of the meeting. *All amendments are subject to final review by the installation commander or his/her delegee.*

ARTICLE X ADOPTION

This constitution was approved by a majority vote of the general membership of this organization on _____ [date].

[President's Name]
President, [Name of PO]

[NOTE: The signature block may include the member's rank and branch of service, if applicable, but must NOT include the member's duty title or official signature block. All members of the PO, including its officers, must be acting in their person, rather than official, capacities.]

**SAMPLE
BYLAWS FOR
PRIVATE ORGANIZATIONS**

THIS IS A PRIVATE ORGANIZATION. IT IS NOT A PART OF THE DEPARTMENT OF DEFENSE OR ANY OF ITS COMPONENTS AND IT HAS NOT GOVERNMENTAL STATUS.

[NOTE: The following is a list of what you may want to address in the bylaws. All provisions are provided as an example only.]

**ARTICLE I
DUTIES OF OFFICERS**

Section 1. President. The president shall have the usual powers of supervision and management, which pertain to the office of president and will perform the following duties:

- a. Preside at all meetings of the general membership.
- b. Appoint a vice-president.
- c. Appoint a chairperson for each committee.
- d. Be an ex-officio member of all committees.
- e. Countersign all minutes.
- f. Vote only in case of a tie in meetings of the general membership.
- g. To call special meetings.
- h. Retains copies of the Constitution and Bylaws.

Section 2. Vice-President. The vice-president shall perform the duties of the president/treasurer in their absence and shall act as assistant to the president and vote only in case of a tie in meetings of the general membership when performing duties of the president.

Section 3. Secretary. The secretary shall be the custodian of all records, conduct correspondence of this association, and shall have the following duties:

- a. Record and maintain a file of all minutes of meetings of the general membership.
- b. Maintain all records of the association other than financial records.
- c. Coordinate with a facility to provide a place to hold meetings and to provide

notification of meetings to all members.

d. Maintain a list of names of officers and executive committee.

e. Retain copies of Constitution and Bylaws and has them available at all meeting and will provide a copy to any active member for review upon request.

Section 4. Treasurer. The treasurer shall be the custodian of all financial records of this association and shall have the following duties:

- a. Countersign contracts executed by the president.
- b. Sign all checks.
- c. Receive and be responsible for all funds and assets of this association.
- d. Make authorized disbursements.
- e. Maintain necessary bank accounts.
- f. Maintain all financial records.
- g. Present a monthly financial report to the general membership.
- h. Present the books and financial records of this association for audit when directed by the general membership.
- i. Make the books and financial records of this association available for inspection and review when requested by the president.

ARTICLE II
ELECTION AND VOTING
[If not addressed in the constitution]

Section 1. Election of Officers. Election of officers will be held bi-annually at the regular monthly meetings in December and June, with new officers assuming their duties during the first regular meeting in the month of January and July. Voting will be by secret ballot and a majority of votes cast shall be sufficient to elect. Only members present at the meeting shall be entitled to vote.

Section 2. Nominations. Nominations will be made from the floor. Only those members present may be nominated for office unless an absent member had informed one of the present officers of member's willingness to serve in an elected position.

Section 3. Special Elections. Special elections will be held at a time and place designated by the president. At least 5 days notice of special election will be provided to all members in writing. At the special election meeting, nominations may be made from the floor. After

nominations have been closed, the membership will elect an officer for each vacancy in accordance with the constitution.

ARTICLE III DUES AND FEES

There shall be [specify amount, timeframe, tiers, etc. E.g., \$20 per year, \$5 per month for enlisted and \$10 per month for officers, etc.] (fees) (dues) required for membership in this organization.

ARTILCE IV STANDING COMMITTEES

Section 1. General. The president shall appoint standing committees for the period concurrent with his/her term of office. The president may from time to time appoint special committees as may be necessary to carry out the business of this association.

Section 2. Standing Committees. The president will appoint chairpersons of standing committees. The standing committees and their duties and responsibilities shall be as follows:

a. Fundraising Committee. The fund-raising committee will be responsible for gathering information and supervising upcoming fund-raising projects for this council.

b. _____

_____.

ARTICLE V FINANCES AND TAXES

An annual audit of all funds, moneys and assets will be conducted prior to the December election meeting. The President will appoint the auditors. A statement of the results of said audit shall be made available for inspection upon request. The auditor's report will be made at the annual meeting and will be subject to approval by the members.

ARTICLE VI AWARDS/GIFTS

Attachment 4
INSURANCE WAIVER REQUEST

[Date]

MEMORANDUM FOR 42 MSG/CC

FROM [Name of PO]

SUBJECT: Private Organization Request for Waiver for Liability Insurance

1. On behalf of the membership of [Name of PO], I request a waiver of the insurance requirements specified in AFI 34-223, Section C, paragraph 10.11.
2. In making this request, we realize our responsibility to maintain adequate insurance coverage commensurate with the risk posed to the general public and club membership. [Name of PO] normally engages in activities where the risk of liability is negligible.
3. Should [name of PO] engage in any activity outside of its normal day-to-day operations (e.g., fundraising, field trip/outing, outdoor event, etc.), it will submit notification to the 42 FSS/FSR at least two weeks prior to the planned activity for a determination on whether liability insurance is required.
4. All members of [name of PO] have been notified and are aware that claims against the organization for injury or damage caused by the organization's negligence can impose liability on each of them in the event the organization lacks insurance coverage or in the case where a claim exceeds any available coverage.
5. I understand the waiver for liability insurance request must be re-submitted annually.

(President' Signature Block)

1st Ind, 42 MSG/CC, [Date]

MEMORANDUM FOR [Name of PO]

Because the [Name of PO]'s activities are such that the risk of liability is negligible, I hereby approve the request and waive the requirement of insurance pursuant to AFI 34-223, para 10.11. The 42 ABW/CC or delegee, however, may still require liability insurance for specific events that involve a greater risk of injury or damage.

JOSEPH A. MILNER, Colonel, USAF
Commander, 42d Mission Support Group

**Attachment 5
SAMPLE MONTHLY
INCOME & EXPENSE STATEMENT**

[NAME OF PRIVATE ORGANIZATION]

Balance Sheet

[Month, Year]

	This Month	This Year To-Date
<u>Income</u>		
Membership Dues	\$	\$
Savings Account Interest		
Ways & Means		
Art Auction		
Special Fundraiser		
Other		
Miscellaneous		
Total Income & Receipts	\$	\$
<u>Expenses</u>		
Ways & Means	\$	\$
Art Auction		
Special Fundraiser		
Other		
Publicity		
Donations		
Scholarships		
Community Centers		
Air Force Village		
Awards		
Treasurer Salary		
Miscellaneous		
Total Expenses	\$	\$
Net Income/Loss	\$	\$

**Attachment 6
SAMPLE BALANCE SHEET**

[NAME OF PRIVATE ORGANIZATION]

Balance Sheet

[Month, Year]

	Prior Month Ending Balance	Last Month Ending Balance	This Month Increase/ Decrease
<u>Assets</u>			
Cash	\$	\$	\$
Checking			
Savings			
Accounts Receivable			
Dues			
Art Auction			
Special Fundraiser			
Prepaid Expenses			
Total Assets	\$	\$	\$
<u>Liabilities</u>			
Accounts Payable			
Art Auction			
Special Fundraiser			
Other			
Prepaid Revenues			
Total Liabilities	\$	\$	\$
Fund Equity (Net Worth)	\$	\$	\$

**Attachment 7
SAMPLE BUDGET**

[NAME OF PRIVATE ORGANIZATION]
PROPOSED BUDGET
[Date]

	Prior Year Actual	This Year Budget	Next Year Budge
<u>Income</u>			
Membership Dues	\$	\$	\$
Savings Account Interest			
Ways & Means			
Art Auction			
Special Fundraiser			
Other			
Donations			
Miscellaneous			
Total Income & Receipts	\$	\$	\$
<u>Expenses</u>			
Ways & Means			
Art Auction			
Special Fundraiser			
Other			
Donations			
Scholarships			
Community Charities			
Air Force Village			
Purchases			
Treasurer Salary			
Miscellaneous			
Total Income & Receipts	\$	\$	\$
Net Income/Loss	\$	\$	\$

Attachment 8
SAMPLE MEETING MINUTES

[NAME OF ORGANIZATION]

1. A (regular) (special) meeting of the [Name of Organization] was called to order by the president at [time] on [date].

2. Attendance:

a. Members present: (List president and then other officers of the club.)

b. Members absent: (list reason if known.)

c. Others present: (Club advisors, guests, etc.)

3. The club reviewed the minutes of [date of last meeting] and found that no corrections were necessary. (In case of corrections or additions, list each.)

4. The club reviewed and approved, subject to audit, the treasurer's report for the period ending_____. (Atch 1).

5. Old Business: (list business previously discussed, but not concluded: committee reports; out-of-session actions since last meeting, etc.)

6. New Business: (list review of pertinent correspondence, reports, and other items as required.)

7. The meeting adjourned at [time].

President/Type Name/ Signature

Secretary/Type Name/Signature

Attachment:
Financial Statement

Attachment 9
REQUEST FOR ANNUAL REVIEW

[Date]

FROM: [Name of Private Organization]

SUBJECT: Request for Annual Review of Private Organization (PO)

1. In accordance with AFI 34-223, I request the annual review of [Name of Private Organization]. Information to assist in your review is as follows:

- a. Number of members as of 31 Dec _____(year) is: _____
- b. Cash assets (checking and savings accounts, CDs, and cash on hand) as of 31 Dec:
- c. Current liabilities (bills owed to someone) as of 31 Dec: _____
- d. Gross annual income (total income received before expenses) from 1 Jan to 31 Dec:
- e. Type of audit or financial review conducted (circle one): CPA, Accountant, or internal.
- f. Name of reviewer (or firm):

- g. Constitution and Bylaws. (Attachment 1).
- h. Rules or charter. (Attachment 2).
- i. Financial statement(s) as of 31 Dec. (Attachment 3).
- j. Certified Public Accountant (CPA) audit (gross annual income over \$250,000) or accountant's financial review (gross annual income over \$100,000). (Attachment 4).
- k. Proof of insurance coverage/approved waiver of insurance requirement. (Attachment 5). (Include applicable phrase and attached applicable attachment **only if changes.**) **If your waiver of insurance is more than 1 year old, you must resubmit.**
- l. List of Current Officers. (Attachment 6).
- m. Meeting minutes. (Attachment 7).
- n. Copy of document according Internal Revenue Service Tax Exemption Status (**if applicable or if changed from previous submission**). (Attachment 8).

2. We understand we must submit this request for approval, with attachments, **no later than the 2nd Friday in January of each year.** If at any time we decide to discontinue as an organization, we will immediately file a notice of dissolution, according to AFI 34-223

[President Signature Block]

[Secretary Signature Block]

8 Attachments (check the ones that apply):

- 1. Constitution and By-laws
- 2. Rules or Charter
- 3. Financial Statement
- 4. CPA Audit Report
- 5. Insurance Coverage or Waiver
- 6. List of Officers
- 7. Meeting Minutes
- 8. IRS Tax Exemption Document
- 9. Other:

1st Ind, 42 FSS/FSR

Memorandum For _____

Approved / Disapproved

Mr. Joseph Dyson
42 FSS/FSR
Resource Manager

Attachment 10
REQUEST FOR DISSOLUTION

[Date]

MEMORANDUM FOR 42 FSS/FSR

FROM [Name of PO]

SUBJECT: Request for Dissolution of [Name of PO]

1. [Name of PO] no longer requests authority to operate as a private organization on Maxwell Air Force Base. At a general membership meeting held on _____, members voted to dissolve effective _____.
2. [State in this paragraph how all outstanding liabilities, if any, have been satisfied prior to dissolution. If any assets remain, clearly indicate how they will be disposed.]
3. Our organizational bank account at _____ will be closed effective _____.
4. The point of contact for this dissolution is _____, who can be contacted at _____. He/she will be available to answer any further questions concerning this request for dissolution.

Signature of Organization President

Attachment:
Time Phased Action Plan for Dissolution