

CONSTITUTION AND BY-LAWS

[Name of Private Organization]

CONSTITUTION

ARTICLE I – NAME AND PURPOSE

SECTION 1 – NAME: The name of this organization shall be the [Name of Private Organization].

SECTION 2 – PURPOSE: The purpose of the [Name of Private Organization] is to [State Purpose]. 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 II – GENERAL PROVISIONS

SECTION 1 – AUTHORITY: The [Name of Private Organization] is a private organization operating on Spangdahlem Air Base under the authority of DAFI 34-106, *Private Organizations Program*. It is a self-sustaining interest group operated by people outside the scope of any official position they may have with the Federal government, and it operates only with the written permission of the Installation Commander or their designee.

SECTION 2 – LIABILITIES: The liabilities of the [Name of Private Organization] are as follows:

a. **Obligation:** Obligations will be for the sole use and benefit of the [Name of Private Organization]. No individual may obligate the organization without approval from the executive committee. If an obligation is made without prior approval, the member will be held personally liable.

b. **Insolvency:** Members of the [Name of Private Organization] may become financially liable for the obligations and debts of the organization if its assets fail to meet its obligations and debts. Members are jointly and severally liable for the obligations and debts of the [Name of Private Organization].

c. **Updates:** The Constitution and By-laws will be updated every two years or when there is a change in the purpose, function, or membership eligibility of the PO, whichever comes first.

ARTICLE III – MEMBERSHIP

SECTION 1 – QUALIFICATIONS: Per DoDD 1020.02E, all service members are afforded equal opportunity in an environment free from harassment, including sexual harassment, and unlawful discrimination on the basis of race, color, national origin, religion, sex (including gender identity), or sexual orientation. In accordance with DAFI 34-106, *Private Organizations* may not discriminate in hiring practices or membership policies on the basis of age, race, religion, color, national origin, disability, ethnic group, or gender.

SECTION 2 – TYPES OF MEMBERSHIP: The [Name of Private Organization] will have only one type of membership: full membership with all privileges, obligations, and voting rights.

SECTION 3 – FEES AND DUES: Members of the [Name of Private Organization] shall pay annual dues in the amount of \$[Amount] to be paid to the Treasurer. *(Remove or edit if not applicable).*

ARTICLE IV – OFFICERS AND GOVERNING BODY

SECTION 1 – DESCRIPTION: The [Name of Private Organization] will be governed by an executive committee consisting of four elected officers: President, Vice-President, Secretary, and Treasurer. Officers will ensure the organization complies with all requirements of this Constitution. New officers will also consult the 52d Force Support Squadron PO Monitor (52 FSS/FSR) for guidance and training on local base requirements.

SECTION 2 – DUTIES OF THE PRESIDENT:

- a. Enforce the Constitution, By-laws, and all other rules of the organization.
- b. Preside over all meetings.
- c. Represent the organization at all functions requiring a representative.
- d. Act as Treasurer in their absence.
- e. Take responsibility for the disposition of any assets or discharge of liabilities in the event the organization is dissolved.

SECTION 3 – DUTIES OF THE VICE-PRESIDENT:

- a. Perform the duties of the President in their absence.
- b. Assume the duties of the President in the event of resignation or removal from office.

SECTION 4 – DUTIES OF THE TREASURER:

- a. Receive and disburse funds as directed by the voting membership and/or the executive committee.
- b. Collect funds and dues as required.
- c. Maintain the financial records and checking account of the organization.
- d. Present a financial summary at each membership meeting and a formal quarterly financial statement at each quarterly meeting.
- e. Act as Vice-President in their absence.

SECTION 5 – DUTIES OF THE SECRETARY:

- a. Record proceedings of all general, executive, and special meetings.
- b. Maintain membership lists.
- c. Distribute meeting minutes to all applicable members and 52 FSS/FSR.
- d. Make copies of the Constitution, By-laws, and minutes available to the membership.
- e. Count the votes in each election and announce the results.

ARTICLE V – MEETINGS

The executive committee shall meet monthly, at the request of a simple majority of the membership, or at the request of any executive committee member. A quorum shall exist if [Number] of the executive committee members are present. The general membership shall meet quarterly. The Secretary will record the minutes of each meeting.

ARTICLE VI – ACCOUNTING

SECTION 1 – RESPONSIBILITY: Officers of the [Name of Private Organization] are individually and collectively responsible for developing and maintaining policies to ensure asset accountability, liability satisfaction, and sound financial management. All members have been notified and understand their personal financial responsibility for the obligations of the organization. The organization will be entirely self-sustaining.

SECTION 2 – SOURCES OF INCOME: The primary sources of income will be [Describe sources: e.g., membership dues, donations, and proceeds from authorized fundraisers].

SECTION 3 – FINANCIAL STATEMENTS: The Treasurer will maintain a quarterly financial statement, present it for review at every quarterly meeting, and provide a copy to 52 FSS/FSR.

SECTION 4 – AUDIT REQUIREMENTS: The account will be audited prior to the installation of a new Treasurer or when deemed necessary by a simple majority vote. A disinterested party of two individuals will perform the audit. *(Note: Add local FSS revenue threshold reporting requirements here if applicable).*

SECTION 5 – PROPRIETARY RIGHTS: Members do not have proprietary rights in organization funds. Assets and income will not accrue to individual members except through payment for authorized services rendered.

SECTION 6 – SIGNING CHECKS: All checks will be co-signed by the Treasurer and one other elected officer.

SECTION 7 – GUIDANCE ON DRAG EVENTS: Per the DoD Joint Ethics Regulation (JER), the DoD will not host drag events at U.S. military installations or facilities, as it is not a suitable use of DoD resources. Furthermore, DoD funds are not authorized for use in support of any drag event, including those held off-base.

ARTICLE VII – ADOPTION AND AMENDMENTS

Approval of the Constitution and By-laws requires a two-thirds majority vote of all members. Suggested revisions may be submitted as new business at any scheduled meeting. This document is effective upon the signature of the President and the final approval of the Installation Commander or designee (52 MSG/CC).

ARTICLE VIII – DISSOLUTION

SECTION 1 – GENERAL PROVISIONS: In case of dissolution, written notice will be given to the 52 FSS/CC and 52 FSS/FSR. Remaining treasury funds will be used to satisfy any outstanding debts or liabilities. Any residual funds will be [Describe how funds will be distributed: e.g., donated to a 501(c)(3) charity determined by a majority vote of remaining members].

SECTION 2 – GROUNDS FOR DISSOLUTION: The organization may be dissolved by an affirmative vote of the members or by the direction of the Installation Commander or designee.

BY-LAWS

ARTICLE I – ELECTIONS

SECTION 1 – ELIGIBILITY: All members in good standing shall be eligible for election to any officer position.

SECTION 2 – NOMINATIONS: Elections will be held annually in [Month]. Nominations will be made at the open membership meeting prior to the election month. Nominees must give consent before elections are held.

SECTION 3 – PROCEDURE: Officers will be elected by a majority vote (over 50 percent) using secret written ballots. Absentee ballots must be requested in writing at least two weeks prior and turned in by Election Day. A quorum of two officers and six members must be present (including absentee ballots). If no candidate receives a majority, a run-off will be held between the top two candidates.

SECTION 4 – TERMS OF SERVICE: The term of office is one year, beginning on [Date]. Members eligible to hold office must have at least thirteen (13) months remaining on station at the beginning of the term.

SECTION 5 – VACANCIES & TERMINATION: Officers may be removed by a two-thirds vote of the current membership for improperly discharging duties. Resignations require 30 days' written notice; removals are effective immediately. In the event of a presidential vacancy, the Vice-President assumes the role. Other vacancies will be filled via special election.

ARTICLE II – VOTING

SECTION 1 – GENERAL PROVISIONS: All members have full voting rights. The President may not vote except in a tie or during an election. A simple majority of eligible members present is required for passage of any matter unless otherwise specified.

SECTION 2 – SPECIAL VOTING: A two-thirds majority is required for the removal of an officer for cause and the approval/revision of the Constitution and By-laws.

ARTICLE III – COMMITTEES

The executive committee may establish standing or special committees as needed to plan, organize, and execute specific projects. The President appoints the Chairperson, and remaining members are volunteers.

ARTICLE IV – INSURANCE COVERAGE

The [Name of Private Organization] will either maintain liability insurance or request an insurance waiver for approval by the 52 MSG/CC. If a waiver is approved, the 52 MSG/CC may still require specific event insurance for higher-risk activities. Waivers must be reevaluated annually. All members agree to hold harmless and indemnify the United States and all DoD service components, even if an insurance waiver is approved.

CERTIFICATION

This Constitution and By-laws were approved by a majority vote of the [Name of Private Organization] and become effective upon the final approval signature below.

[FIRST NAME M. LAST NAME]
President, [Name of Private Organization]

1st Indorsement, 52 MSG/CC

ACTION: [☐] APPROVED [☐] DISAPPROVED

TOMMY V. S. MARSHALL II, Colonel, USAF
Commander, 52d Mission Support Group

Date