

U.S. Army Garrison Stuttgart

Private Organizations

Policies and Procedural Handbook



Updated November 19, 2021

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PRIVATE ORGANIZATIONS - REGULATION SUMMARY

POs are self-sustaining, non-Federal entities that operate on installations only with the written consent of an authorized approval authority. The membership may determine specific functions and expenditures in compliance with governing regulations.

POs are not official organizations of the U.S. Government and are not entitled to any privileges granted to non-appropriated fund activities. Neither DA nor IMCOM-Europe or USAG Stuttgart will assume any liability for PO actions and/or debts. Members may be held personally liable in accordance to applicable host nation laws. DoD personnel acting in an official capacity may neither influence nor require any PO to support specific activities.

Neither Servicemembers nor civilian employees will be assigned to work for POs as an official duty. PO members act exclusively outside the scope of any official position they occupy in the U.S. Government or its instrumentalities. POs may neither duplicate nor compete with any Army or non-appropriated fund programs.

The operation of a PO primarily as a business venture solely to obtain savings by group purchases, or to increase the wealth of the PO or its members is not permitted except for authorized investment clubs.

The following regulations establish policy, procedures, and responsibilities for the operation of POs on Department of the Army (DA) installations in IMCOM-Europe and their fundraising activities:

Army Regulation (AR) 210-22, Private Organizations on Department of the Army Installations, 22 October 2001.

Army Regulation (AR) 215-1, Military Morale, Welfare, and Recreation Programs and Nonappropriated Fund Instrumentalities, 24 September 2010.

Army Regulation (AR) 405-80, Management of Title and Granting Use of Real Property, 10 October 1997.

Army Regulation (AR) 600-29, Fund-Raising Within the Department of the Army, 7 June 2010.

Army in Europe Regulation (AER) 210-22, Private Organizations: Private Organization and Fund Raising Policy, 13 August 2010.

Department of Defense Instruction (DoD Instruction) 1015.09, Professional U.S. Scouting Organization Operations at U.S. Military Installations Overseas, 19 January 2016.

DoD Instruction 1000.15, Procedures and Support for Non-Federal Entities Authorized to Operate on DoD Installations, 24 October 2008.

DoD Instruction 1015.09, Professional U.S. Scouting Organization Operations at U.S. Military Installations Overseas, 19 January 2016.

DoD 5500.07-R, Joint Ethics Regulation, Ethical Conduct and Ethical Guidance, with changes 1-7, 17 November 2011.

USAG Stuttgart Policy Letter #14, Private Organizations, 28 July 2021

PRIVATE ORGANIZATIONS - APPROVAL AUTHORITY

Requests from Private Organizations (POs) for approval to operate in the U.S. Army Garrison Stuttgart (USAG Stuttgart) installation must be submitted in writing according to the samples provided in this PO Handbook, AR 210-22 and AER 210-22.

In all U.S. Army Garrisons, there is one individual who has the duty of oversight for the POs in that community. In the USAG Stuttgart, the PO Coordinator is Andrea G. Stauffer who can be reached via e-mail: usarmy.stuttgart.imcom.mbx.private-org@mail.mil or sabine.stankevica2.naf@army.mil, by phone at DSN: 596-2622 or CIV: 09641-70-596-2622.

A PO wishing to operate in the USAG Stuttgart area will normally be granted approval by the Garrison Commander for two years. Military banking privileges may be granted only after a PO has received the approval to operate. The Garrison Commander can withdraw the approval at any time should the PO fail to comply with all published requirements. Complete requests for renewal will be submitted through the PO Coordinator at least 90 days before the expiration date of the current authorization in order to provide adequate time to process the renewal packet. The PO Coordinator has been instructed not to accept any paperwork from the PO until the full packet is ready for submission. The PO will keep a copy of the entire approved packet in a permanent file for audit purposes.

If a PO does not submit the complete renewal packet at least 90 days prior to the expiration date, a late waiver request must be submitted to the Garrison Commander through the PO Coordinator. The late waiver request form is located on page 46. The waiver must specifically state why the PO was not able to meet this imposed deadline. Once the late waiver is returned, if it is approved, the PO Coordinator will begin to process the packet for approval.

If a PO does not get their Approval to Operate approved prior to their expiration date, the Garrison Commander may revoke any approved space to operate. If that happens, the PO must clear any occupied space within 14 days of notification. Any items found in spaces after 14 days will be removed and disposed of IAW DoD and Army guidelines on unclaimed property.

PRIVATE ORGANIZATIONS - PRIVILEGES AND SERVICES

Banking Privileges:

Once a PO has been approved to operate, the PO Coordinator for USAG Stuttgart will provide an authorization letter for POs to present to the bank so that a bank account at the military banking facility can be opened.

Postal Support:

Overseas Military Postal Service (MPS) may be used. POs are not authorized to mail items as Official Government Mail.

Logistical Support and Services:

May be provided in accordance with applicable regulations and at the discretion of the Garrison Commander. If desired, PO's can submit a Space Assignment Request (See Form 4) through the PO Coordinator, to the Garrison Commander, requesting to be assigned space within the Garrison for use by the PO.

Direct Coordination:

Except as authorized by PO Coordinator, POs will not coordinate directly with Garrison elements for support. POs may not accept support from a Garrison element unless approved in advance by the Garrison Commander.

PROHIBITED ACTIONS

Use of Government Resources:

Private Organizations will not use DoD Services. This includes legal, audit, transportation, official government mail, printing, information management activities, clerical, financial, copying, management and procurement services.

Alcohol:

AR 210-22, paragraph 3-1d, states, Private Organizations will not engage in the distribution or sale of alcoholic beverages at any time.

PRIVATE ORGANIZATIONS - MEMBERSHIP ELIGIBILITY

Private Organization membership is usually restricted to members of the U.S. Forces, DA civilian employees, family members (dependents or members of the household of sponsors stationed in IMCOM-Europe), and U.S. Forces contract employees or employees of organizations granted status under Article 71, 72, or 73 of the Supplementary Agreement to the NATO Status of Forces Agreement (SOFA) (collectively referred to as members with SOFA status). At least 51% of the membership of a PO must hold SOFA status.

POs must always have an active membership category.

POs must have at least four executive officers who have defined and distinctive responsibilities within the organization. The president or the vice president of the PO must have SOFA status. POs must have a treasurer who is an elected officer or who serves as a member of its governing board. The treasurer cannot also be the president or vice president of the PO. The treasurer must be an active member and must have SOFA status if the PO has an account with a military banking facility.

No person because of race, religion, color, creed, sex, age, disability, or national origin shall be unlawfully denied membership, unlawfully excluded from participation, or otherwise subjected to unlawful discrimination by any PO.

Approval by the Garrison Commander for the operation of certain POs that restrict membership to one sex, when one or more of subparagraphs (a) through (c) below apply. (Examples include women's/men's sport clubs, women's/men's civic associations, and boy/girl scouting organizations).

1. The PO's purpose is philanthropic and, by tradition, its membership has been of one sex.
2. PO's purpose is to benefit one sex and its membership is composed of that sex.
3. The PO has a specific purpose and function that restricts membership of one sex, but also has a counterpart organization with the same purpose and function.

PRIVATE ORGANIZATIONS - FILING ESSENTIALS

Each PO maintains a permanent file that contains the following documents:

1. The original approval letter to operate in an USAREUR military community or a copy of the current bi-annual renewal authorization.
2. The last four years of financial records and audit reports, including corrective audit responses.
3. Meeting minutes for the last two years.
4. A copy of AR 210-22 and AER 210-22, AR 600-29, DoD 5500.07-R and USAG Stuttgart Policy Letter #14.
5. A copy of the organization's current Constitution and Bylaws, signed by the PO President to include any amendments or revisions. The Bylaws must indicate when the PO intends to hold meetings (weekly, monthly, quarterly).
6. A copy of the organization's current fidelity bonding and general liability policy.
7. A copy of the organization's approval (MOU, Lease or License to Use USAG Stuttgart Facilities) to use real property (if applicable).
8. Standard Operating Procedures for the organization's accounting system.
9. A copy of the current bank authorization letter issued by the USAG Stuttgart.
10. A current list of officers, to include their complete addresses, private phone numbers, and private, non-DoD e-mail addresses.
11. A copy of their approval letter, signed by the Garrison Commander, authorizing the PO's right to occupy any installation space (if applicable).
12. Scouting Organizations – A current list of the adult leadership and their Youth Protection Training Certificates and a copy of DoD Instructions 1015.09, 19 January 2016.

PRIVATE ORGANIZATIONS FIDELITY BONDING AND GENERAL LIABILITY INSURANCE

POs will provide proof, prior to approval or renewal, of both general liability insurance and fidelity bonding. All POs will obtain both fidelity bonding and general liability insurance, regardless of the amount of yearly income.

POs must purchase fidelity bonding from a commercial firm at their own expense. POs should bond members or employees handling significant amounts of cash for the PO. The level of fidelity bonding should be equal to the normal maximum amount of cash handled, so it is sufficient to provide full protection of assets. A copy of the fidelity bonding must be submitted to the approval authority. (AR 210-22, 3-2 (Insurance))

General liability insurance coverage must be obtained from a commercial firm and at the expense of the PO. The coverage must be adequate for protection against public liability claims, property damage claims, or other legal actions arising from PO activities. The coverage must protect from claims against PO members acting on behalf of the PO, or the operation of any equipment, apparatus, or device under the control and responsibility of the PO. A copy of the liability insurance must be submitted to the approval authority.

In those circumstances where a PO is provided either Liability or Bonding insurance by a National Organization, the proof of insurance documentation must, 1) identify by name the PO being insured, and 2) state that the PO is in "good standing" with the National Organization, and 3) provide all other insurance information that is applicable.

PRIVATE ORGANIZATIONS SPECIAL GUIDELINES FOR SCOUTING ORGANIZATIONS

As of 19 January 2016, Department of Defense Instruction (DoDI) 1015.09, clarified that Boy Scouts and Girl Scouts are approved to operate in Europe via Memorandum of Understanding (MOU) entered into pursuant to authority from DoD and EUCOM.

Qualified scouting organizations no longer will be required to submit individual articles of incorporation, written constitutions, charters, or articles of agreement to gain approval from the Garrison Commander to operate on the installation.

The IMCOM-Europe Legal Center has clarified that only the following is needed for approval to operate at the local level:

- a memorandum requesting to operate (or renew) as a PO at the local level
- an annual leadership POC list
- a copy of the biennial Scout Youth Protection Training Certificates for each leader
- Proof of liability and bonding insurance
- Request to occupy/renew space (if needed)
- and the License to Use USAG Stuttgart Facilities which will be signed by the Garrison Commander and the PO

Annual reporting requirements for scouting organizations will only include:

- Updated list of Leadership POCs
- Proof of liability and bonding insurance

Beyond these guidelines, Scouting Organizations will still be able to operate based on rules and guidelines pertained in the PO Handbook and in the Policy memo #14 signed by the Garrison Commander, which includes provisions for fundraising within the USAG Stuttgart footprint.

PRIVATE ORGANIZATIONS - ACCOUNTING INSTRUCTIONS

Private Organizations need to maintain adequate, accurate accounting records on assets, liabilities, net worth, and financial transactions. Electronic record keeping is permissible. POs should prepare a Standard Operating Procedure (SOP) describing the organization's accounting system and maintain it in a permanent file for reference and audit. As required by AR 210-22, paragraph 3-3, POs must be audited at their own expense every two (2) years and upon any change of treasurer.

A PO must maintain a financial ledger, journal, or book of accounts and supporting documents. These financial documents should include column headings that show income and disbursements of the PO. The ledger should be a permanent page record book or printed record from a computer program. All financial records should be marked to identify each financial year, and will start at the beginning of the PO's fiscal year, or immediately following an audit. Once initiated, the ledger will not be altered in any manner (for example, pages will not be removed). Business transactions made by the PO will be entered in the ledger as soon as they occur. The ledger must agree with the PO checkbook balance and reconciled bank statements at the close of each month's business (and before regular board meetings). Financial ledgers, supporting documents, audit reports and financial records must be kept on file for at least four calendar years and are subject to review by the approval authority.

The single-entry cash system may be used to make entries in the ledger, journal, or book of accounts. Under this system, income (cash or check) is considered earned at the time it is collected. Expenses are considered incurred at the time cash or checks are disbursed. Appropriate entries will be made in ink. Corrections need to be initialed. Periodic financial statements should be prepared from information in the financial records.

At a minimum, a welfare account and an administrative account should be considered. The welfare account should be used for charitable activities. The administrative account must be used for operational and administrative transactions of the PO. Checking accounts may be maintained with military banking facilities or a host nation bank.

POs that conduct any fundraising events should have the event finances reviewed by an appointed PO member who holds no office in the PO. The review will ensure all income and expenses have been accurately documented. The auditor or audit committee (of three members who hold no office within the organization) must send a written report of audit results to the PO President. The PO President will sign the audit and the audit must be submitted along with the Request for Renewal packet.

Collection sheets, canceled checks (or carbon copies of checks), vouchers, or receipts should support financial transactions involving the receipt or disbursement of funds.

Invoices and other related documents also should be included in the receipt and disbursement voucher file.

A voucher should be prepared each time money is deposited in the bank or a check is issued for an expense. One series of voucher numbers should be used for disbursement vouchers and a different series for recording receipts. Accounting entries should include the voucher number. The voucher should state the date the information is posted to the ledger and must be dated and signed. The bank deposit slip should be attached to the voucher when that entry is recorded. Similarly, an invoice or statement from the member or vendor will be attached to prove payment. Invoices or other related documents should be included in the receipt and disbursement voucher file.

Receipts should be issued for cash received. The amount will be recorded in the accounting records and the cash will be deposited in the PO bank account as soon as possible. Cash received should not be used to pay expenses before being deposited. Disbursements, other than small miscellaneous expenses, should be made using pre-numbered checks. If a Petty Cash Fund is authorized, it should be authorized in the PO Bylaws.

Each PO should prepare an annual budget in the same format as the financial statement. The actual results of each financial statement should be compared with the budget goals. Differences should be analyzed so the PO can assess its operation in comparison to its budget.

Other records needed to support the accounting of the PO books:

1. A checkbook
2. Canceled checks
3. Bank deposit slips
4. Approved meeting minutes
5. Monthly bank reconciliation statements
6. Financial statements
7. Previous audits
8. Bank statements

The treasurer should prepare and submit a treasurer's financial report to the governing body at least once a quarter. These reports should be prepared from the information in the POs ledger. This report should be discussed at PO meetings. The minutes should indicate whether the board, the members, or both, accept it. The treasurer should prepare the financial statements.

The PO should keep the original of the quarterly financial statement in a permanent file. Minutes of board meetings should show that the financial statement was reviewed, voted on, and accepted by the governing body. Meeting minutes should be included in

the treasurers' records. In the event of no meeting having been held, a memorandum reflecting such must be included. A signed copy of the financial statement should be given to the approval authority.

Bank statements should be reconciled each month. The reconciled statement should match the recorded balance in the ledger and the balance of the checkbook. The balance for the end of the month must match the treasurer's financial statement balance. The bank reconciliation statement may be completed on the back of the bank statement or on a separate form.

Voided checks should be recorded in the check register and the financial ledger, and retained in a check-retained copy file for two audits. The signature space, whether signed or unsigned, should be cut away and destroyed.

Fixed-asset records:

The property in possession of the PO should be controlled and reviewed periodically. The person responsible for control and review should prepare a fixed-asset (property) record according to the Constitution and Bylaws. Non-expendable property acquired by the PO should be maintained on a property record from the time it is acquired until disposal through sale, donation, or salvage. A separate property record should be maintained that lists the property belonging to the PO.

Instructions for preparing a fixed-asset record:

1. Name of PO
2. Date: Enter the date prepared
3. Date of acquisition
4. Description of the item
5. Quantity: Indicate the number of items on hand
6. Unit price
7. Total: Enter the total value of like items (across the columns)
8. Total amount
9. Printed signature block and signature of preparer: Enter the name of the person who prepared the record and have them sign over their signature block

PRIVATE ORGANIZATIONS - AUDIT INSTRUCTIONS

The auditor, or when authorized, the audit committee will perform the following duties:

1. Review the Financial Standard Operating Procedure of the PO.
2. A thorough check to ensure that all transactions are recorded and properly documented and accounts concurrently posted. This verifies the audit trail.
3. An inventory of PO owned property.
4. Verification that the quarterly financial statements are accurate and are issued to the approval authority as required.
5. An accounting of all cash on hand, reconciliation of bank statements, check of accounts receivable, and reconciliation of accounts payable and other liabilities.
6. A review of the minutes of meetings. Minutes of board meetings should show that the financial statement was reviewed, voted on, and accepted by the governing body
7. The PO President will provide the approval authority a copy of the audit. (See Appendix, Sample VIII for Audit Cover Letter)
8. If the decision is made to use a Certified Auditor who meets the qualifications stated in AR 210-22, 22 October 2001, page 13 in the Glossary. The Stuttgart Legal Office has defined a Certified Auditor as a Certified Public Accountant licensed by a State in the United States of America, who will conduct the audit in accordance with generally acceptable accounting principals. The report must include a copy of the auditor's current certification by the relevant State authority. Any auditor not meeting the qualifications will be adjudged by the Staff Judge Advocate (SJA) on an individual basis.

Any POs with annual total combined deposits in excess of \$50,000 must use a Qualified Auditor to perform their audit. A copy of the auditor's license must be submitted with the audit paperwork.

If, during an audit, deficiencies in accounting methods or funds control is noted, the Garrison Commander may either suspend the PO's Approval to Operate or may only approve a one year renewal.

PRIVATE ORGANIZATIONS - DISSOLUTION INSTRUCTIONS

The rules for dissolution of a PO are defined in Article VIII of the PO's Constitution. The orderly dissolution of a PO needs to be considered well in advance if membership becomes very low. A requirement for dissolution is a terminal audit. The audit of POs using single entry accounting allows the audit be done by three members who are not officers of the PO. If the PO lacks that number, then the audit needs to be done by a Commercial auditor. Complete documentation of the decision to dissolve and the steps followed during the dissolution can assist if the decision to dissolve is controversial.

Documenting these steps is critical:

1. A message was sent to all PO members announcing the meeting where dissolution of the PO will be discussed and voted on.
2. Attendance at the meeting and whether the number of attendees was sufficient to constitute a quorum.
3. Minutes indicating decisions were made on how and when the disposal of PO assets will be accomplished; how the terminal audit is done; and then that a motion to dissolve the PO was made and passed. The minutes should indicate the outcome of votes on each of these motions.

After all steps in the dissolution are completed, the PO President needs to provide the PO Coordinator:

1. A dated and signed statement of dissolution of the PO with the meeting minutes.
2. A copy of the receipt(s) issued by the organization to which the residual assets were transferred.
3. A copy of the bank statement showing the zero balance.
4. A copy of the complete terminal audit, to include any fixed assets and their disposition.

If a PO does not submit proper dissolution documentation and they do not turn in any paperwork to request a Renewal for Approval to Operate by their expiration date, the PO Coordinator will notify the Garrison Commander. The Garrison Commander has the authority to immediately terminate any agreement for space authorization and may dispose of any property located in the POs previously authorized space.

PRIVATE ORGANIZATIONS – INITIAL APPROVAL TO OPERATE INSTRUCTIONS

1. Requests for approval to operate a Private Organization in USAG Stuttgart must be submitted in writing. It is recommended that POs check with the PO Coordinator to ensure that the name chosen is legally acceptable and not already in use prior to obtaining bonding and liability. Approval to operate is generally granted for two years. It may be withdrawn at any time if the PO does not comply with the requirements set forth in this document or at the Commander's discretion. The PO Coordinator has been instructed not to accept any paperwork from the PO until the full packet is ready for submission.

2. First applications for approval must include the following:

- a. A memorandum requesting approval to operate as a PO. (See Appendix, Sample IV)
- b. One copy of the current PO constitution and bylaws or other chartering documentation, signed by the proper board members. (See Appendix, Sample II). The bylaws must state the frequency of the POs meetings. POs must use the template provided and must ensure all sections and statements are provided.
- c. A list of the PO's officers with their complete APO addresses, private telephone numbers, and private non-DoD e-mail addresses. If officers have not yet been elected, a memo stating that the PO will elect the officers after approval and that the PO agrees to provide that information to the PO Coordinator within 30 days of approval. See PO Handbook page 8 on rules concerning executive officers.
- d. Proof of liability insurance and bonding, or a statement from a parent organization indicating that its policy includes coverage for both liability and fidelity bonding covering the local organization.
- e. If the PO is an affiliated chapter of a nationally approved PO, a copy of the national Constitution, Bylaws, Charter, or Articles of Agreement must be attached to the request for approval to operate.
- f. A copy of the Youth Protection Training Certificates for all board members if the PO works with children.
- g. A signed affidavit, verified by the Stuttgart Legal Center reflecting the SOFA Status of membership. (AER 210-22, Sect II, Chap 4, a (1)). See Appendix, Form 3.
- h. A copy of the License to Use USAG Stuttgart Facilities Form (See Appendix, Form 6), signed by a representative of the PO.

- i. If PO is requesting space allocation, submit a request (See Appendix, Form 4), signed by a representative from the PO. If PO is requested to renew existing space allocated to them submit a request (See Appendix, Form 5), signed by a representative from the PO.

3. Completed paperwork can be submitted in person to the PO Coordinator located on Panzer Kaserne, Building 2915, 2nd Floor, room 231. If submitting physical documents, do NOT turn in original documents. They will not be returned to you. If you prefer to submit the documents via email, send them to usarmy.stuttgart.imcom.mbx.private-org@mail.mil. Due to file size, you may have to send multiple files. Ensure you label each file separately with the following naming convention: PO name_renewal letter or PO name_enclosure_1_Bylaws_and_constitution.

4. Upon approval, the PO must submit a Memorandum indicating the location of PO bank account(s) and the account number(s) and the list of officers with contact information if not submitted with the initial packet.

PRIVATE ORGANIZATIONS - BI-ANNUAL RENEWAL INSTRUCTIONS

1. Requests for approval to renew a Private Organization on a USAG Stuttgart installation will be submitted in writing.
2. Applications for renewal (every two years) must be sent at least 90 days prior to expiration date. Any revalidation request submitted less than 90 days prior to the expiration must first receive a written Late Submission Waiver from the USAG Stuttgart Garrison Commander (See Appendix, Form 1) submitted through the PO Coordinator. Once the waiver has been approved, the PO must submit the completed packet at once to the PO Coordinator. The Renewal Packet will include the following:
 - a. A memorandum requesting renewal to operate as a PO. (See Appendix, Sample V).
 - b. One copy of the current PO constitution and bylaws. If no changes have occurred, the PO must state this fact in the letter of request for renewal, if changes were made to the PO's constitution and bylaws a memo detailing those changes must be included. Regardless, the PO must provide a signed copy of the current year's constitution and bylaws. (See Appendix, Sample II). The bylaw must state the frequency of the POs meetings.
 - c. A current list of the PO's officers with their complete APO addresses, private telephone numbers, and private, non-DoD e-mail addresses. See PO Handbook page 8 on rules concerning executive officers.
 - d. Proof of insurance and bonding or a statement from a parent organization indicating that its policy covers the local organization.
 - e. A summary of the PO's key activities and fundraisers sponsored during the previous year.
 - f. A summary of any major changes in the PO or its operation (activities, objectives, organization, constitution, membership, etc.).
 - g. A copy of the minutes from the last 2 years meetings. (See Appendix, Sample III). If a meeting was not held in accordance with the frequency noted in the Bylaws, the PO must submit a memo in place of those minutes stating that a meeting was not held and why.
 - h. A copy of the latest audit report, either last 2 years or last change of treasurer and financial statements covering that entire period. (See pages 12-15 in the PO Handbook for details.)

- i. A signed affidavit, verified by the Stuttgart Legal Center reflecting the SOFA Status of membership. (AER 210-22, Sect II, Chap 4, a (1)). See Appendix, Form 3.
- j. The location and types of on-post bank accounts and the account numbers. If the PO is part of another charter organization, it must maintain its own separate bank account; there should be no co-mingling of accounts or monies.
- k. A copy of the Youth Protection Training Certificates for all board members of POs working with children.
- l. A copy of the License to Use USAG Stuttgart Facilities Form (See Appendix, Form 6), signed by a representative of the PO.
- m. A Request for Space Renewal document. If the PO has been granted space and is requesting to keep the space during the renewal period, this form must be included. (See Appendix, Form 5)

3. Completed paperwork can be submitted in person to the PO Coordinator located on Panzer Kaserne, Building 2915, 2nd Floor, room 231. If submitting physical documents, do NOT turn in originals documents. They will not be returned to you. If you prefer to submit the documents via email, send them to usarmy.stuttgart.imcom.mbx.private-org@mail.mil Due to file size, you may have to send multiple files. Ensure you label each file separately with the following naming convention: PO name_renewal letter or PO name_enlclosure_1_Bylaws_and_constitution.

4. If a local PO is an affiliated chapter of a nationally approved PO, a copy of the national Constitution, Bylaws, Charter, or Articles of Agreement must be attached to the request for approval to operate or to the request for bi-annual renewal if there have been changes during the last two years. If no changes have been made, these copies need not be included with the renewal request, but a statement indicating no change has occurred.

5. Approval to operate is generally granted for two years. It may be withdrawn at any time if the PO does not comply with the requirements of the current regulations, if it discriminates in membership on the basis of race, color, creed, sex, age, disability, or national origin, if it fails to comply with the Standard Operating Procedures set forth in this document, or at the Commander's discretion.

PRIVATE ORGANIZATIONS - ANNUAL REPORTING REQUIREMENTS

1. IAW AR 210-22, Chapter 2, page 2, in addition to information required when approval is requested, approved POs must supply the following documents annually:
 - a. Minutes of PO meetings
 - b. Financial Statements
 - c. Any major changes in PO activities (See AR 210-22 for details.)
 - d. Name, addresses and phone numbers of officers
 - e. A copy of the audit reports
 - f. An updated copy of the POs liability insurance and bonding
2. To reduce the possibility of missing any document updates, the USAG Stuttgart Garrison Commander has determined that these documents will be sent to the PO Coordinator from each PO during the month of January each year. The final due date for all documents is January 31.
3. Completed paperwork can be submitted in person to the PO Coordinator located on Panzer Kaserne, Building 2915, 2nd Floor, room 231. If submitting physical documents, do NOT turn in originals documents. They will not be returned to you. If you prefer to submit the documents via email, send them to usarmy.stuttgart.imcom.mbx.private-org@mail.mil Due to file size, you may have to send multiple files. Ensure you label each file separately with the following naming convention: PO name_insurance expiration Dec 2019.

Note: If your audit period is from July 2018 – July 2019, that document would be turned in during January 2020 timeframe.
4. The PO Coordinator will send out a reminder email during the month of December with a reminder email mid-December and at the beginning of January. Any organization that fails to comply with the annual reporting requirements will lose its Approval to Operate on February 28th of that year.

PRIVATE ORGANIZATIONS – FUNDRAISING/ DONATION INSTRUCTIONS

Guidelines concerning external fundraising or donation drive procedures are as follows:

1. Complete Fundraiser/Donation Drive Request signed by a PO Representative (See Appendix, Sample VI)
2. Regular fundraiser or donation drive requests must be submitted to the PO Coordinator at least 30 days prior to the event, or 30 days prior to any advertising or pre-event ticket sales. The event should not be advertised in any way until the organization has received approval for their event. If the PO is unable to meet the 30 day timeline they can submit a late waiver request indicating why the request could not be turned in on time (See Appendix, Form 2). Only one late waiver request will be accepted per PO, per fiscal year, based on guidance provided by the Garrison Commander. At no time will a request be granted if the event date is less than 10 days away.
3. Fundraisers approvals may take up to 30 days to approve once final paperwork is submitted. Plan accordingly.
4. Fundraisers needing any form of logistical support, such as space, equipment, etc., will require all documents to be submitted at least 60 calendar days prior to event date.
5. Fundraisers that will be conducted at any Exchange location, Family and MWR, DeCA, DODEA facility or the Panzer Firehouse, must have a facility use approval letter signed by the facility manager or school principal.
6. Fundraising is allowed per AR 210-22 on an occasional basis. USAG Stuttgart is defining occasional as not exceeding a total of two fundraising events per quarter. Requests that cover a continuous period of time will be seen as one event. If specific, individual, or recurring dates are cited, each date will be counted as a single fundraising event.
7. IAW AER 210-22, youth and school group organizations formed and operated in conjunction with the Department of Defense Dependents Schools (DODDS), under the administrative supervision of a DODDS faculty or staff member, who participate in DODDS events or activities on school grounds and during school activities, can receive approval to fundraise from the school principal. As long as everything is contained within school grounds, the fundraiser request and approval does not have to go through the PO Program Coordinator. If these entities want to hold a fundraiser on any other property, it must be submitted for approval to the PO Coordinator. The Garrison Commander has granted an exception to the above limit of two fundraisers per quarter for those types of organizations.
8. Fundraiser After Action reports (AARs) no longer have to be submitted!

9. To reduce paperwork and streamline the approval process, POs are encouraged to combine fundraiser requests of a similar nature, i.e. brat burn, bake sale, etc., on a single fundraiser request. Date, times and venues must be clearly defined. If there are conflicts with dates, time or venues, they can be identified and alternative choices taken prior to any other action being taken.
10. All contact with people approaching a site where fundraising is occurring must be of a respectful nature. No aggressive soliciting or hindering of patrons will occur at any time. Care should be taken to avoid the appearance that the Chain of Command is encouraging participation.
11. Fundraising at the Family and MWR Kelley Barracks Carwash will be approved under these conditions: 1) no soliciting at all of patrons desiring to wash their own cars, 2) two wash bays and a vacuum cleaner must be available for public use at all times during the entire fundraising event. For environmental reasons, the Kelley Car Wash is the only approved location for this type of fundraising event.
12. For fundraising events involving sales of prepared food, personnel participating in the fundraising event must be trained in Food Handling Procedures provided by the Preventative Medicine Department, Environmental Health, Landstuhl Regional Medical Center. At least two adults (18 or older) with current training must be listed on the fundraiser request and at least one adult with documented training must be on site handling the food items at all times. Their Food Handler's training must have occurred within the last twelve months prior to the event. Non-Compliance with this requirement will, when found during spot checks, result in immediate shut down of fundraiser, suspension of PO activities and disapproval of further fundraising events until trained personnel can be provided. Fundraiser Requests submitted for dates after a food handler's certification has expired will not be processed.
13. For special fundraisers with potential hazards, i.e. runs and other races, the approval authority reserves the right to determine the necessity and benefit to the Community.
14. Fundraisers taking place on a duty day, during duty hours require a statement in the Fundraiser Request, as to how that duty time will be covered, i.e. Donate a Lunch Hour, Leave or Pass (Passes cannot be authorized specifically for the purpose of fundraising.) or, in the case of civilians, flexing their time.

PRIVATE ORGANIZATIONS APPROVED FUNDRAISING LOCATIONS

Kelley Barracks

In front of the Commissary
Gazebo "A" between Bldg's 3305/06
Gazebo "B" between Bldg's 3308/09
Gazebo "C" across from Bldg. 3315
Gazebo "D" adjacent to Bldg. 3312
Gazebo "E" between Bldg's 3306/07
Exchange Shoppette
YS Sports Fields – **w/ YS Events**
Kelley Fitness Center – **w/ Events**

Robinson Barracks

In front of the Commissary
Community Center, Bldg. 151
YS Sports Fields – **w/YS Events**
Golf Course – **No Food Sales**
RB Elementary School

Patch Barracks

In front of the Commissary
In front of the Exchange Shoppette
Patch J-Mall
Grassy area adjacent to Post Office
Husky Field – **w/Events**
Patch Fitness Center – **w/Events**
DODEA Schools

Panzer Kaserne

In front of the Main Exchange
Panzer Fitness Center – **w/Events**
Sports Fields – **w/Events**
Bowling Center – **No Food Sales**
Stuttgart High School
Stuttgart Elementary School

Fundraising at facilities that belong to the Exchange, DeCA, Panzer Firehouse or Family and MWR require a Use of Facility Request approved and signed by the facility manager (see Sample VII). Fundraising activities at DODEA Schools require a Use of Facility Request approved and signed by that school's principal. All other locations on this page are scheduled through the PO Coordinator and do not require a Use of Facility Request Form.

PRIVATE ORGANIZATIONS - FUNDRAISER REQUEST FOR SPECIAL EVENTS INSTRUCTIONS

If the fundraising event involves a special event with potential hazards or other logistical support needed (i.e., baseball tournament, fun run) these items are needed in addition to the items listed for a regular fundraiser approval.

1. Risk Management Assessment Worksheet – reviewed by Safety and approved by Garrison Commander must be completed prior to the start of advertising of an event.
2. Detailed MED EVAC PLAN: Including Letter of Agreement MEDCOM, detailing amount of personnel for support and Letter of Agreement, listing exact amount of Emergency Vehicles and their type which will be supplied for support of the event.
3. Waiver of Liability Form, including printed name and signature, for all personnel participating in the Event (personnel working and community participants).
4. Special Event Fundraiser request packet (all items listed on this page) must be submitted no later than 60 days prior to any advertising of the event.

APPENDIX with SAMPLES

When using the Private Organization sample documents provided, Private Organizations should take care to do the following:

1. Remove the Heading indicating it is a sample document.
2. Change the letterhead of the sample document to the PO letterhead.
3. Change the items that are indicated in parentheses () and words typed in ***bold and italicized*** so they reflect the information from your PO. All other wording in the samples should not be changed. They represent the legal requirements that must be in each of the sample documents.

When using the Forms provided in the Appendix, do not alter the form – only fill out the spaces as indicated and submit to the PO Coordinator.

SAMPLE I - FINANCIAL SOP

NAME OF THE PRIVATE ORGANIZATION

1. PURPOSE: To define basic accounting principles and requirements of the PO.

2. REFERENCES: AR 210-22 and AER 210-22.

3. GENERAL: Adequate accounting records should be maintained on assets, liabilities, net worth, and financial transactions of the organization.

a. The PO maintains its financial records using a ***single/double entry*** accounting system.

b. Basic Accounting Record: The treasurer maintains the following records:

(1) A checking account at a banking facility.

(2) Pre-numbered checkbook.

(3) Monthly reconciled bank statements and cancelled checks.

(4) Pre-numbered receipt booklet for all cash receipts.

(5) Invoices and receipts for all cash payments.

(6) A book, journal, or electronic document reflecting the cash receipts and cash disbursements. A ledger will be a permanent paged record book.

(7) Audit reports.

(8) Financial Statements.

(9) Financial Standard Operating Procedure (SOP).

c. Cash Receipts: All cash receipts are recorded in the book and a pre-numbered receipt should be issued for all cash or checks received. The original is given to the member/customer and a copy of the receipt remains with the booklet. Cash received is deposited in the bank.

d. Cash Disbursement: Every disbursement needs to be supported by invoices/receipts and recorded in the book. Disbursements other than small miscellaneous expenses are made by pre-numbered checks. Checks will be signed by the Treasurer and co-signed by the President or Vice-President. A petty cash fund may be established for small miscellaneous expenses if authorized in the bylaws or

constitution. Under no circumstances should cash received be used to pay expenses before being deposited.

4. Audits:

a. An auditor qualified pursuant to AR 210-22, or, when authorized, an audit committee must audit an organization's accounting records biannually and upon change of treasurer.

b. The organization will retain audit reports and financial records for four years.

c. The PO President will furnish the approval authority a corrective action reply within 30 days after receipt of the audit.

5. POC is the undersigned at (***President's information***).

PO President's Signature
Name of the PO

SAMPLE II - LOCAL CONSTITUTION & BYLAWS

CONSTITUTION

ARTICLE I

NAME, LOCATION AND AUTHORITY

SECTION 1: The (**PO name**) shall operate under the jurisdiction of the Commander, U.S. Army Garrison Stuttgart, Unit 30401, APO AE 09107-0401, hereinafter referred to as the approval authority.

ARTICLE II

MANDATORY STATEMENTS

SECTION 1: (**PO Name**) is established in accordance with Army Reg (AR) 210-22 and Army in Europe Regulation (AE Reg) 210-22, Private Organization and Fundraising Policy, as mandated by IMCOM-Europe. The (**PO Name**) is not an instrumentality of the United States, will be self-sustaining, and may not receive financial assistance from the U.S. Army, appropriated (APF) or non-appropriated funds (NAF).

SECTION 2: (**PO Name**) operates and exists on a military installation only with the consent of the approval authority. This consent is contingent upon the organization's compliance with the requirements and conditions of AR 210-22 and AER 210-22. Failure to comply with cited policies will result in dissolution of the Private Organization (PO). The Approval Authority can revoke the PO's operating authority at any time.

SECTION 3: In no event will the Department of the Army, IMCOM-Europe, or any NAFI assume any liability for the organization's actions and/or debts.

SECTION 4: In accordance with host nation laws, all members may be personally liable to creditors if the assets of the PO are insufficient to discharge liabilities.

SECTION 5: The organization will not discriminate in membership on the basis of race, color, creed, religion, national origin, sex, or mental or physical handicap, and will not seek to deprive individuals of their civil rights.

SECTION 6: The organization will neither propagate extremist activities nor advocate violence against others or the violent overthrow of the U.S. government.

SECTION 7: The organization agrees to reimburse the Army for utility expenses and other expenses if incurred, unless use is incidental (would cost more to bill and collect than it cost to provide the utility).

ARTICLE III PURPOSE

SECTION 1: ***Identify clearly the purpose of the organization.***

SECTION 2: This organization will not engage in activities that compete with those of any appropriated or non-appropriated fund activities.

ARTICLE IV ACTIVITIES AND FUNDRAISING EVENTS

SECTION 1: ***List samples of activities supported or sponsored by this organization.***

SECTION 2: ***List samples of fundraisers that the organization will conduct.***

SECTION 3: The PO is aware of the U.S. Army Garrison Stuttgart Command Policy Letter #14, Private Organizations, and AER 210-22, 13 August 2010, and will conduct all fundraisers accordingly.

SECTION 4: ***Identify if the PO's activities are directed towards supporting quality of life or raising funds for charitable purposes.***

SECTION 5: ***Identify if the PO's activities are primarily conducted off post.***

ARTICLE V MEMBERSHIP

SECTION 1: At least 51% of the membership of the PO will be members of the U.S. Forces, the DoD civilian component, family members, retirees, and U.S. Forces contract employees or employees of organizations granted status under Article 71, 72 or 73 of the supplementary Agreement to the NATO Status of Forces Agreement (SOFA) (collectively referred to as members with SOFA status).

SECTION 2: ***Identify specific types of membership, qualifications for each type, application method, procedures for withdrawal of membership, and rules pertaining to guests.***

ARTICLE VI COMPOSITION OF THE GOVERNING BODY

SECTION 1: ***List the individuals forming the governing body, their titles, and corresponding duty descriptions for each. Define which Officers can act for the president.***

ARTICLE VII
ELECTION OF OFFICERS

SECTION 1: ***Specify frequency of elections and month(s) held.***

SECTION 2: ***Specify number of members that constitute a quorum for a valid election.***

SECTION 3: ***Specify procedures for absentee or proxy voting, if any.***

SECTION 4: ***Specify procedures for replacing officers who make permanent change of station (PCS) moves or who resign.***

SECTION 5: ***Describe procedures for appointment of advisors and honorary officers, if any.***

ARTICLE VIII
DISSOLUTION

SECTION 1: Dissolution of the organization may be accomplished by a majority vote of the general membership present at a regular or special meeting or by order of the approval authority.

SECTION 2: Upon dissolution of the organization, all material and real assets remaining after payment of all liabilities will be donated. ***The organization must indicate the name and address to which the organization's assets will be donated.***

SECTION 3: The Garrison PO Coordinator will be notified of the dissolution. Notice will include:

- a. A statement of dissolution dated and signed by the PO President.
- b. A copy of the complete terminal audit.
- c. A copy of the receipt(s) issued by the organization to which residual assets were transferred.
- d. A copy of the bank statement showing a zero balance.

ARTICLE IX
AMENDMENTS

SECTION 1: ***Specify the organization's procedures to amend the constitution and bylaws.***

SECTION 2: Amendments to the Constitution and Bylaws made throughout the year will be forwarded to the approval authority. The letter reporting amendments will be signed by the President and will indicate approval by the governing board or by vote of the general membership. New amendments will not conflict with AR 210-22 or AER 210-22.

ARTICLE X
RATIFICATION

This Constitution has been approved by a majority vote on (date).

President's Signature

Secretary's Signature

BYLAWS - Sample

ARTICLE I DUTIES OF OFFICERS

SECTION 1: ***Specify the duties of each officer. If the organization maintains an account with a military banking facility, include the following statement: “the treasurer must have SOFA status.”***

SECTION 2: Officers at the end of their term of office will ensure that all organization records are complete, including: checkbook, financial statements, meeting minutes, PO handbook, etc. These items will be handed off to the new board of governors/officers.

ARTICLE II ELECTIONS

SECTION 1: ***Specify when, where, and how elections are held and announced.***

SECTION 2: ***State the length of terms of office and procedures for replacing an incumbent if an office becomes vacant.***

ARTICLE III MEETINGS AND MEMBERSHIP NUMBERS

SECTION 1: ***Specify frequency, the possible location of the meetings, and the method of notification to the members.***

SECTION 2: Upon change of officers, an updated list that includes name, complete CMR address, private telephone numbers, and private, non-DoD e-mail addresses of all officers will be forwarded to the approval authority.

SECTION 3: A copy of all meeting minutes will be forwarded to the approval authority annually. The President will sign minutes. (AR 210-22, Chap 2-1., c (1) (a))

ARTICLE IV SPECIAL COMMITTEES

SECTION 1: ***Specify provisions of appointment, tenure, dissolution, and scope of responsibilities for any special committee.***

ARTICLE V EXPENDITURES

SECTION 1: Expenditures will be limited to those required to support the activities listed in the Constitution.

SECTION 2: ***Clearly describe the type of expenditures and any limits to amounts authorized. Additionally, state whether petty cash can be used and the method for using it. State who is authorized this use.***

ARTICLE VI INCOME

SECTION 1: ***Indicate the amount of dues, assessments, or other charges established. Describe the source of income (i.e. fundraising activities, etc.). IAW Para. 5-2, AR 210-22 POs are self-sustaining, primarily through dues, contributions, service charges, fees or special assessment of members; dues shall thus be the primary source of income and must be a minimum of 51% of the total income of the PO.***

SECTION 2: ***If annual dues are payable, define the policy on refunds in the event members leave the area for military reasons.***

ARTICLE VII FINANCIAL CONTROL

SECTION 1: ***State whether PO will use single entry or double entry accounting system to maintain the PO's financial records.***

SECTION 2: Accounting records will be maintained that reflect the assets, liabilities, net worth and financial transactions of the organization. A Financial Standard Operating Procedure (SOP) describing the accounting system will be prepared and maintained in a permanent file for reference and inspection purposes.

SECTION 3: Financial statements will be prepared every quarter. A copy of the approved financial statement, signed by the President, will be forwarded to the approval authority annually. The financial statement should consist of, at a minimum, the balance sheet, a profit and loss statement (income and profit), and fund equity statement/bank reconciliation. (AR 210-22, Chap 2-1c (a) (b))

ARTICLE VIII BONDING

SECTION 1: In accordance with AER 210-22, Section II, 4(c) (4), the PO will purchase fidelity bonding from a commercial firm, and will be procured at the PO's expense. The amount of fidelity bonding will be equal to the normal maximum amount of cash handled, and will be sufficient to provide full protection of assets.

SECTION 2: Copies of the current fidelity insurance will be submitted to the approval authority.

ARTICLE IX LIABILITY INSURANCE

SECTION 1: In accordance with AR 210-22, paragraph 3-2, the PO will obtain adequate insurance protection against public liability claims, property damage claims, or other legal actions arising from PO activities, one or more of the PO's members acting on its behalf, or the operation of any equipment, apparatus, or device under the control and responsibility of the PO.

SECTION 2: IAW AR 210-22, Sec II, Para c (4), proof of the current liability insurance will be submitted to the approval authority. Insurance will be obtained from commercial firms at the organization's expense. ***Note: organizations that are part of a national or worldwide organization should check with their appropriate headquarters, if the headquarters' insurance covers the local chapter.***

ARTICLE X AUDIT

SECTION 1: Auditors contracted by POs must comply with audit procedures and requirements in accordance with AER 210-22.

SECTION 2: ***State whether the PO uses a single-entry or double-entry accounting system and if the PO engages in resale or fundraising.***

SECTION 3: As required under AR 210-22, para 3-3, the organization will be audited at least once every 2 years or upon change of treasurer, regardless of the time elapsed since the last audit, at its own expense, by a qualified auditor, or a committee of three PO members who hold no office within the organization. The audit will, at a minimum, include:

a. A thorough check to ensure that all transactions are recorded and properly documented. This establishes an audit trail.

b. Inventory of organization owned property.

c. Verification that financial statements are accurate and are issued as required for review.

d. A cash count of all cash on hand, reconciliation of bank statements, check of accounts receivable, and reconciliation of accounts payable and other liabilities.

e. A review of the PO's Financial SOP.

SECTION 4: The auditor or committee will furnish the organization's President and the approval authority with a written report on the audit results. Copies of the audit reports will be submitted to the approval authority at the time of renewal.

SECTION 5: A corrective action reply, if needed, will be forwarded to the approval authority within 30 days after receipt of the audit by the organization's President.

SECTION 6: The organization will retain audit reports and financial records for at least four years.

SECTION 7: The organization will, when required, submit tax returns and other documentation to the host nation tax agency in accordance with AR 210-22, paragraph 3-4d.

ARTICLE XI DONATIONS/WELFARE CONTRIBUTIONS

SECTION 1: A listing of all donations/contributions made throughout the organizational year will be prepared and forwarded to the approval authority annually, together with the biannual audit report. The list will contain the name of the recipient organization, purpose of the donation, date donation was made, and dollar amount.

ARTICLE XII RESALE AND FUNDRAISING ACTIVITIES

SECTION 1: The organization will not engage in any fundraising or donation drive type activities without prior written approval from the approval authority or their designee. The written approval from the approval authority will be posted at the fundraising site during any activity.

SECTION 2: A letter requesting permission to conduct a fundraising or donation drive type event should be forwarded through the Private Organization Coordinator to the approval authority at least 30 days prior to the event. If fundraising or donation drive type events take place within the immediate vicinity of a DFMWR, Exchange, and DeCA facility or on the grounds of the facility, the PO will obtain written permission of the according facility manager. If pre-event ticket sales or advertising is required, the fundraiser request must be submitted at least 30 days prior to the date that the ticket sales or advertising is scheduled to begin.

SECTION 3: The AR 210-22, paragraph 3-1d, states, Private Organizations will not engage in the distribution or sale of alcoholic beverages at any time and thus, no alcohol will be part of any PO meeting, fundraiser or activity.

SECTION 4: Participation in fundraising or donation drive type activities will be limited to members of the US Forces, their family members, and members of the civilian component

of the US Forces and their family members who are authorized logistical support pursuant to IMCOM-Europe Regulation 600-700.

SECTION 5: The organization will specify risk management procedures when planning and carrying out activities for their organization to ensure the safety of all participants.

SECTION 6: The organization will make a statement as to how duty time will be accounted for on those days that are not official or training holidays or weekends.

ARTICLE XIII EMPLOYEES

SECTION 1: ***Include this article only if the organization employs individuals for the operation and administration of the organization. Specify their positions and their duties.***

SECTION 2: ***Specify policy and procedures applicable to employees must be explained (i.e., positions, hiring and termination, pay rates, cash awards, etc.).***

SECTION 3: ***A disclaimer that the organization is not a U.S. employer within the meaning of the United States Employment Tax Laws.***

ARTICLE XIV AFFILIATED CHAPTERS

SECTION 1: ***State whether the organization is an affiliated chapter of a PO whose national Constitution and Bylaws have been reviewed by DA.***

SECTION 2: ***If the organization is an affiliated chapter of a PO whose national Constitution and Bylaws have been reviewed by DA and are found to meet all requirements, a copy of the national Constitution, Bylaws, charter, or articles of agreement shall be attached to the request for approval to operate or request for bi-annual renewal.***

SECTION 3: ***If the organization is an affiliated chapter of a PO whose bylaws have been reviewed and approved by DA, the organization must submit a letter containing a statement of the chapter's standing with national headquarters, intended scope and substance of chapter's activities and a statement that the standard chapter bylaws prescribed by the national headquarters have been adopted without change. If any changes have been made, the changes must be reviewed and approved by the approval authority.***

ARTICLE XV RESCISSION

SECTION 1: The Constitution and Bylaws shall be effective immediately after approval by the organization and upon subsequent written approval by the approval authority.

SECTION 2: Upon approval of the Constitution and the Bylaws, all previously published Constitutions and Bylaws will be rescinded.

ARTICLE XVI RESTRICTIONS

SECTION 1: There is no official relationship between the organization's activities, official duties, and responsibilities of DoD personnel who are organization members or participants.

SECTION 2: The organization's Constitution and Bylaws must authorize all functions and expenditures. DoD personnel acting in an official capacity will not influence these choices.

SECTION 3: This organization was not created, operated, or administered by DoD personnel acting in an official capacity or on behalf of an official purpose to evade restrictions on expenditures of appropriated and/or non-appropriated funds.

SECTION 4: Except as authorized, this organization will not use for any improper purpose or in a manner that implies endorsement by any federal entity, or include in its title, logo, letterhead, name, seal, or acronym "DoD" or the name, abbreviation or seal of any military department, service or other federal entity. No member of or participant in the organization's activities will use their military or DoD title, logo, letterhead, name, seal or acronym in any manner in connection with the PO's activities.

SECTION 5: ***Additional regulations referred to in the organization's Constitution or Bylaws must be attached to the request for approval to operate or the request for bi-annual renewal with the relevant portions highlighted. List any such regulations here.***

ARTICLE XVII RATIFICATION

The Bylaws have been approved by a majority vote on (date).

President's Signature

Secretary's Signature

SAMPLE III - MEETING MINUTES

Private Organization Letterhead

1. State that the meeting was called to order. State what kind of meeting is being held (regular, special, etc.). State the date, time, and location of the meeting.
2. List the members present and whether or not there was a quorum.
3. The treasurer should submit a treasurer's financial report at least once per quarter. These reports should be discussed at board meetings and the minutes should reflect whether the board, the members, or both, accept it.
4. State that the minutes of the previous meeting were read and approved. Indicate the date of the last meeting.
5. State that the treasurer reports were discussed and whether or not the members and board approved or disapproved the reports.
6. State any old business using a separate paragraph of each subject discussed. State all motions made. Include the wording of each motion and state whether the motion was approved, failed, or tabled for action at a later time. Include any amendments.
7. State any new business using a separate paragraph of each subject discussed. State all motions made. Include the wording of each motion and state whether the motion was approved, failed, or tabled for action at a later time. Include any amendments.
8. State the date, time, and place of the next meeting.
9. State the time of adjournment.
10. POC is (_____) at (_____).

PO President's Signature
Name of the PO

SAMPLE IV – INITIAL APPROVAL TO OPERATE REQUEST

Private Organization Letterhead

Date

MEMORANDUM FOR Commander, U.S. Army Garrison Stuttgart, Attn: D, FMWR,
Private Organization Coordinator, Unit 30401, APO AE 09107-0401

SUBJECT: Request for Approval to Operate as a Private Organization (PO)

1. The (**Name of the PO**) requests approval to operate as a PO in U.S. Army Garrison Stuttgart, as authorized by AR 210-22 and AER 210-22. The included required documentation is as follows:

- a. One copy of the (**Name of the PO**) constitution and bylaws (Encl 1). The constitution and bylaws set forth the purpose(s) and activities of the PO.
- b. A list of officers of the (**Name of the PO**) to include their complete APO addresses, private telephone numbers, and private non-DoD e-mail addresses (Encl 2).
- c. Proof of liability insurance and bonding, or a statement from a parent organization indicating that its policy includes coverage for both liability and fidelity bonding covering the local organization (Encl 3).
- d. Copy of the Constitution/Bylaws of the (**Name of national organization**) if the PO is an affiliated chapter (Encl 4).
- e. An affidavit, approved by the Stuttgart Law Center, reflecting the SOFA Status of membership. (AER 210-22, Sect II, Chap 4, a (1)).
- f. A copy of the Youth Protection Training Certificates for all board members if the PO works with children.

f. A copy of the License to Use USAG Stuttgart Facilities Form (See Appendix, Sample IV), signed by a representative of the PO.

2. The (**Name of the PO**) is aware of the DoD and IMCOM-Europe policies on equal opportunity and will adhere to and enforce these policies.

3. Upon approval, the location and types of on-post bank accounts and account numbers will be submitted to the approval authority.

4. POC is the undersigned at (**President's information**).

3, 4 or 5 Encl

PO President's Signature
Name of the PO

SAMPLE V - BI-ANNUAL RENEWAL REQUEST

Private Organization Letterhead

Date

MEMORANDUM FOR Commander, U.S. Army Garrison Stuttgart, Attn: D, FMWR,
Private Organization Coordinator, Unit 30401, APO AE 09107-0401

SUBJECT: Request for Renewal of Approval to Operate as a Private Organization (PO)

1. The (***name of the PO***) requests renewal of its approval to operate as a PO in U.S. Army Garrison Stuttgart, as authorized by AR 210-22 and AER 210-22. The included documentation is as follows:

- a) One copy of the current (***name of the PO***) constitution and by-laws (Encl 1).
- b) A list of officers of the (***name of the PO***) to include their complete APO addresses, private telephone numbers, and private, non-DoD e-mail addresses (Encl 2).
- c) Proof of insurance and bonding, or a statement from a parent organization indicating that its policy includes coverage for both liability and fidelity bonding covering the local organization (Encl 3).
- d) A summary of the (***name of the PO***) key activities and fundraisers sponsored during the previous year (Encl 4).
- e) A detailed summary of any major changes in the PO or its operation (activities, objectives, organization, constitution/bylaws, etc.) (AR 210-22, Chap. 2-1, Para c (1) (c) (Encl 5).
- f) Copy of the Minutes of Meetings from the last 2 years (Encl 6).
- g) A copy of last 2 years, or change of Treasurer, audits and corrective action reply (Encl 7).
- h) A signed affidavit, approved by the Stuttgart Legal Center, stating the percentage of its members with SOFA status (Encl 8).
- i) Signed statement from the president of the PO stating the location of bank account(s) and account number(s) (Encl 9).
- j) A copy of the Youth Protection Training Certificates for all board members if the PO working with children.

- k) A Request for Space Renewal document if the PO has been granted space and is requesting to keep the space during the renewal period. (See Appendix, Sample XVIII)
 - l) A copy of the License to Use USAG Stuttgart Facilities Form (See Appendix, Sample IV), signed by a representative of the PO.
2. The (***name of the PO***) is aware of the DoD and IMCOM-Europe policies on equal opportunity and will adhere to and enforce these policies.
3. POC is the undersigned at (***President's information***).

9 or 10 Encl

PO President's Signature
Name of the PO

SAMPLE VI - FUNDRAISER / DONATION REQUEST

Private Organization Letterhead

Date

MEMORANDUM FOR Commander, U.S. Army Garrison Stuttgart, Attn: D, FMWR,
Private Organization Coordinator, Unit 30401, APO AE 09107-0401

SUBJECT: Request for (**indicate type of event**) fundraiser # (**indicate number for current calendar year**)

1. Request the (**name of PO**) be granted permission to conduct (**indicate the type of event**) in accordance with AER 210-22.

2. The following information is provided:

a. The **date, time, and location of the event. (If multiple events, repeat as necessary.)**

b. Clearly **state the purpose of conducting the fundraiser, and describe in detail how the fundraiser will be conducted.**

3. The following three persons will supervise the event:

a. Person – person with food handlers training within last 12 months if food is involved include their expiration date. Certification cannot expire prior to the event date.

b. Person – person with food handlers training within last 12 months if food is involved include their expiration date. Certification cannot expire prior to the event date.

c. Person

4. One person will be utilizing a cash box to collect the money. At the conclusion of the event, the money will be deposited in the (**name of PO**) bank account.

5. Risk Assessment: (**Describe in detail the risks associated with the fundraiser and the steps the PO will take to address them. Risks to be considered are as follows: food borne illnesses, traffic, personal injury, security due to large crowds, property damage, etc.**).

6. Point of contact is the undersigned (**President's information, or PO Officer**).

PO Officer's Name, Title and Signature

Name of the PO

SAMPLE VII – USE OF REAL PROPERTY REQUEST

Private Organization Letterhead

Date

MEMORANDUM THRU (**Facility Name, Facility Manager's Name**)

MEMORANDUM FOR Commander, U.S. Army Garrison Stuttgart, Attn: D, FMWR, Private Organizations Coordinator, Unit 30401, APO AE 09107-0401

SUBJECT: Request for Use of Army Real Property

1. The (**Name of PO**) requests the use of (**the name of the facility and/or specific area, building number, room number, etc.**) during the period (**dates and time**). The (**name of the facility or specific area**) will be used to conduct a (**type of event**).
2. The (**Name of PO**) understands that coordination with the facility manager does not constitute approval of the PO's event or the use of the real property. Coordination assures the Garrison Commander that the facility manager can support your request. Further, (**Name of PO**) will not start advertising this event until (**Name of PO**) receives Garrison Commander approval.
3. (**Name of PO**) agrees to enter into a license agreement with the Garrison Commander prior to utilizing Army real property.
4. POC is (_____) at (_____).

PO Officer's Name
Title in PO
Name of PO

Facility Manager Certification:

The support does not interfere with the performance of official duties and would in no way detract from readiness. _____ (Facility Manager initial)

The facility is able and willing to provide the same support to comparable events that meet the criteria of the Joint Ethics Regulation and are sponsored by other similar non-Federal entities _____. (Facility Manager initial)

The items the (**enter PO name**) are selling does not create a conflict nor are they considered in competition to products sold at this facility. _____ (Facility Manager initial)

Facility Manager's Name (Print)

Facility Manager's Signature

Date

SAMPLE VIII – AUDIT COVER LETTER

DATE

SUBJECT: Audit Report for (*Name of the PO*)

(*President's Name*),

(*Name of the PO*)

CMR _____ BOX _____

APO AE _____

TYPE OF AUDIT: Annual, Change of Treasurer, or Terminal

OPINION STATEMENT: The financial transactions of (*the name of the PO*) were examined for the period (*date to date*). The examination included verifications to determine if: all reconciled cash is on hand and in the bank, receivables and property inventory were accurate; operations, accounting, internal controls, required records and financial reports followed the procedure and guidelines contained in the Private Organizations Policies and Procedural Handbook. All records and reports were accurate/were not accurate (** *select one* **) and supported/not supported (** *select one* **) by valid documentation. In my opinion, subject to the comments and recommendations herein the attached financial statement fairly presents/does not present (** *select one* **) the financial position of the fund on specific date the accounting records and financial reports conform/do not conform (** *select one* **) with the guidelines in the U.S. Army Garrison Stuttgart Private Organizations Policies and Procedural Handbook.

COMMENTS AND RECOMMENDATIONS:

Auditor's Name and Signature

(If audit is conducted by a committee of three, please ensure that all three names and signatures appear on this sheet **)**

Audit has been reviewed by the PO President:

PO President's Name and Signature

Date

**FORM 1 – LATE SUBMISSION WAIVER
FOR BI-ANNUAL RENEWAL REQUEST**

Name of Private Organization:

Date

MEMORANDUM FOR Commander, U.S. Army Garrison Stuttgart, Attn: D, FMWR,
Private Organizations Coordinator, Unit 30401, APO AE 09107-0401

SUBJECT: Request for Waiver – Late Renewal/Revalidation Submission

1. _____ requests the USAG Stuttgart Garrison Commander's approval to submit a Renewal/Revalidation Request which is less than the 90 days required in USAG Stuttgart Command Policy letter # 14, Private Organizations.

2. The current operating expiration date is _____, which means it will expire _____ days from today.

3. The detailed reason this request is late is:

4. PO Representative Name: _____

PO Representative Phone Number: _____

Garrison Commander Decision:

_____ Approve late request _____
(Signature) (Date)

_____ Disapprove late request _____
(Signature) (Date)

MATTHEW T. ZIGLAR
COL, CA
Commanding

**FORM 2 - LATE SUBMISSION WAIVER
FOR FUNDRAISER REQUEST**

Name of Private Organization:

Date

MEMORANDUM FOR Family and MWR Director, U.S. Army Garrison Stuttgart, Attn:
FMWR, Private Organizations Coordinator, Unit 30401, APO AE 09107-0401

SUBJECT: Request for Waiver – Late Fundraiser/Donation Request Submission

1. _____ requests the Family and MWR Director's approval to submit a Fundraiser/Donation Request which is less than the 30 days required in USAG Stuttgart Command Policy letter # 14, Private Organizations.
2. The fundraiser is for a ____ Food ____ Non-Food fundraiser scheduled to take place at _____ on _____, which is ____ days from today.
3. The detailed reason this request is late is:
4. I understand that this is the ONLY late submission that can be submitted this fiscal year.
5. PO Representative Name: _____
PO Representative Phone Number: _____

Family and MWR Director Decision:

_____ Approve late request _____
(Signature) (Date)

_____ Disapprove late request _____
(Signature) (Date)

JOSEPH L. JOHNSON
Director, Family and MWR

FORM 3 – AFFIDAVIT FOR SOFA STATUS

Name of Private Organization: _____ Date: _____

_____ is confirming that _____ percentage of its members are covered under the SOFA Status.

I, _____, CERTIFY THAT THE ABOVE IS A TRUE AND CORRECT STATEMENT. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. I HAVE MADE THIS STATEMENT FREELY, WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

Signature Date

----- **To be filled out by the Legal Center Staff** -----

WITH THE UNITED STATES ARMED FORCES

AT STUTTGART, GERMANY

The foregoing instrument was acknowledged before me on _____ (date) by _____ (name).

I, the undersigned officer, do hereby certify that I am, on the date of this certificate, a person with the power described in Title 10 U.S.C. 1044a of the grade, branch of service, and organization stated below in the active service of the United States Armed Forces, or an authorized civilian attorney under Title 10 U.S.C. 1044a, and that by statute no seal is required on this certificate, under authority granted to me by Title 10 U.S.C. 1044a.

Name:

Signature:

Military Notary 10 U.S.C. § 1044a

FORM 4 – SPACE ASSIGNMENT REQUEST

Name of Private Organization: _____ Date: _____

MEMORANDUM FOR Garrison Commander, U.S. Army Garrison Stuttgart, Attn: D, FMWR,
Private Organizations Coordinator, Unit 30401, APO AE 09107-0401

SUBJECT: Request for Assignment of Space

1. _____ is requesting to be assigned space within the garrison to use for the exclusive purpose of storing equipment for our private organization. We understand that this space must be initially approved in writing by the Garrison Commander, can be revoked at any time due to mission requirements and is subject to inspection when requested. If the space is revoked, the PO has 14 days from notification to clear any occupied space. Any items found in the space after 14 days will be removed and disposed of IAW DoD and Army guidelines on unclaimed property. In addition, renewal of this space must be requested at the time of renewal of Approval to Operate

2. _____ agrees to assume responsibility for all equipment located in the space utilized during occupancy by _____. PO agrees to assume the cost of repair for any damage.

3. Any request for additional space or return of current space that is no longer needed will be prior coordinated only with DPW Real Property Section.

4. _____ is requesting: _____ square feet of space

Space on (number in priority order):

___ Patch Barracks ___ Kelley Barracks ___ Panzer Kaserne ___ Robinson Barracks

5. Name of PO Representative: _____

PO Representative Phone Number: _____

Space is available at:

Installation: _____ Bldg #: _____ Location: _____

Approval:

ANDREW OSBORN
DPW, Master Planning
USAG Stuttgart

KATHRYN E. MCNEELY
Deputy to the Commander

MATTHEW T. ZIGLAR
COL, CA
Commanding

FORM 5 – SPACE RENEWAL REQUEST

Name of Private Organization: _____ Date: _____

MEMORANDUM FOR Garrison Commander, U.S. Army Garrison Stuttgart, Attn: D, FMWR,
Private Organizations Coordinator, Unit 30401, APO AE 09107-0401

SUBJECT: Request for Renewal of Assigned Space

1. _____ is requesting approval to keep the current space assigned within the garrison to use for the exclusive purpose of storing equipment for our private organization. We understand that continued use of this space must be approved in writing by the Garrison Commander, can be revoked at any time due to mission requirements and is subject to inspection when requested. If the space is revoked, the PO has 14 days from notification to clear any occupied space. Any items found in the space after 14 days will be removed and disposed of IAW DoD and Army guidelines on unclaimed property.

2. _____ agrees to assume responsibility for all equipment located in the space utilized during occupancy by _____. We agree to assume the cost of repair for any damage.

3. Any requests for additional space or return of space that is no longer needed will be prior coordinated only with DPW Real Property Section.

4. _____ currently has approved space in the following areas:

Space on (number in priority order):

Installation Name: Bldg #: Room # (if app): Space is used for:

5. Name of PO Representative: _____

PO Representative Phone Number: _____

Approval:

ANDREW OSBORN
DPW, Master Planning
USAG Stuttgart

KATHRYN E. MCNEELY
Deputy to the Commander

MATTHEW T. ZIGLAR
COL, CA
Commanding

FORM 6 - LICENSE TO USE U.S. ARMY GARRISON STUTTGART FACILITIES

THE COMMANDER, U.S. ARMY GARRISON STUTTGART hereby grants to:

(NAME OF PO) (Licensee) a license (License), for occasional fundraising on the real property listed in the USAG Stuttgart Policy Memorandum #14 Enclosure. This revocable License is valid for 24 months and will be reviewed upon **(NAME OF PO)** annual reporting to the D, FMWR. Prior to each fundraiser, **(NAME OF PO)** is still required to obtain fundraiser approval from the D, FMWR, as well as facility-use approval from the facility manager.

This license is not subject to Title 10, United States Code, Section 2662.

THIS LICENSE is granted pursuant to Army Regulation (AR) 210-22, paragraph 5-3 d. (1), AR 405-80, paragraphs 2-13 & 4-33, and the Joint Ethics Regulation 3-211b., and is subject to the following conditions: That the exercise of the privileges hereby granted shall be under the general supervision and subject to the approval of the Garrison Commander having immediate jurisdiction over the property, hereinafter referred to as "the Commander" and is subject to such rules and regulation as may be prescribed by the Commander.

1. That any property of the United States Government, the Department of Defense, the United States Army, or U.S. Army Garrison Stuttgart (collectively the "Government") damaged or destroyed by the Licensee, incident to the exercise of the privileges herein granted shall be promptly repaired or replaced by the Licensee to the satisfaction of the Commander, or in lieu of such repair or replacement, the Licensee shall, if so required by the Commander, pay to the Government money in an amount sufficient to compensate for the loss sustained by the Government by reason of damage to or destruction of the Government's property.
2. That the Government shall not be responsible for damages to property or injuries to persons which may arise from or be incident to the exercise of the privileges herein granted, or for damages to the property of the Licensee, or for damages to the property or injuries to the person of the Licensee's officers, agents, servants, or employees or others who may be on said premises at their invitation or the invitation of any one of them, arising from Governmental activities on said premises, and the Licensee shall hold the Government harmless from any and all such claims.
3. That, upon the termination of this License, the Licensee shall, within such time as the Commander may designate, vacate the said premises, remove all the property of the Licensee therefrom, and restore the premises to a condition satisfactory to the Commander. If the Licensee shall fail or neglect to remove said property and so restore the premises, then, at the option of the Commander, said property shall

either become the property of the Government without compensation therefor, or the Commander may cause the property to be removed and the premises to be restored at the expense of the Licensee, and no claim for damages against the Government or its officers or agents shall be created by or made on account of such removal and restoration work.

4. That the Licensee shall neither transfer this license nor sublet the said premises or any part thereof, nor grant any interest, privilege, or license whatsoever in connection with this license without permission in writing from the Commander.
5. This License is granted without charge and may include utilities, in-place equipment, and janitorial services without charge, as long as the use is incidental to US Government use. However, the Government shall be under no obligation to furnish utilities or services.
6. By using the Property, licensee agrees to be bound by the foregoing terms and conditions and covenants that the Licensee bears sufficient insurance to cover any damage or injury that may result from the use of any Government property.

IN WITNESS WHEREOF I have hereunto set my hand as Commander, USAG Stuttgart this _____ day of _____, 20_____.

MATTHEW T. ZIGLAR
COL, CA
Commanding

THIS LICENSE, together with the provisions and conditions thereof, is hereby accepted this _____ day of _____, 20 _____.

Signature of Licensee (PO's) Agent:_____

Licensee (PO) Name:_____

DFMWR Annual Compliance Verification Year: 20 _____

DFMWR Signature/Print: _____