The following sample contains all basic provisions for establishing a private organization constitution. Items in bold print are mandatory statements which must be included verbatim in each private organization's constitution as shown below. The notes in brackets and in red should be deleted from your organization's version. Other items are statements which an organization may choose to include as shown below or change to fit their own particular objectives and desires. All articles and sections addressed in the example below must be addressed in the private organization's constitution. The word "organization" may be replaced with the name of the private organization where appropriate.

THE [INSERT ORGANIZATION NAME]
at
NELLIS AIR FORCE BASE, NEVADA

[Note: "Nellis AFB" cannot be part of the organization's name without prior approval of the Commander, 99th Mission Support Group. Refer to Paragraph 5.2.1 of DAFI 34-106 for additional name limitations. Generally, using a name that officially refers to your Group or Squadron will not meet Paragraph 5.2.1]

ARTICLE I
GENERAL PROVISIONS

Section 1. NAME AND AUTHORITY

1. The name of this organization will be _____ and shall operate pursuant to the provisions of DAFI 34-106 and in accordance with all applicable civil and military laws and regulations. Operation is contingent on compliance with the requirements and conditions of all applicable Air Force regulations. This Organization is not a Non-Appropriated Fund Instrumentality, nor is it entitled to the privileges and immunities of the Federal Government.

2. This is a _____ organization and operates on Nellis Air Force Base only with the written consent of the Commander, 99th Mission Support Group. [Note: Refer to Paragraph 2 of DAFI 34-106 for the definition of each type of organization]

Section 2. PURPOSE

The purpose of this organization shall be to _____. [Note: Refer to DAFI 34-106, paragraph 5.11.1. This section is very important to the constitution as a whole. You should be as thorough as possible because your constitution will be approved or disapproved based on this one section as will subsequent requests to raise funds consistent with the purpose. The standard for approval, set forth in DAFI 34-106, paragraph 2.4, is whether or not the installation commander "determines it will make a positive contribution to the lives of base personnel." Therefore, you must ensure that you show, in detail, how your private organization will benefit the community.] **This organization will not discriminate in hiring practices or membership policies on the basis of age, race, religion, color, national origin, disability, ethnic group, or gender.**

Section 3. BYLAWS

Bylaws shall be established or changed by the membership of the Organization. Individual Bylaws may be initiated, changed or eliminated by two-thirds (2/3) vote of the voting members at any meeting with two (2) weeks notice.

Section 4. LIABILITY AND INSURANCE

1. **All individual members of the organization are jointly and severally liable for the obligations of the organization.** [Note: This means that if the private organization incurs financial obligations that it cannot meet, each member could be liable in the member's individual capacity for the entire amount due.] **Each member of the Organization will be provided with a copy of this Constitution upon joining and will sign an acknowledgement that he/she has read the Constitution and understand its contents.** [Note: DAFI 34-106, para 5.12 requires notice to and an acknowledgement of understanding from each member of his/her joint and several liability]

2. The Organization will maintain liability and property damage insurance coverage commensurate with risk to protect against any claims or lawsuits, which might arise from the commission or omission of acts by its members when acting in any capacity for or in participating in any activities of the Organization in accordance with DAFI 34-106, paragraph 5.16. Such coverage, when required, must expressly provide that neither the U.S. Government nor any Non-appropriated Fund Instrumentality will be liable for any claims or judgments against the organization to its members. A copy of the insurance policy and all renewal policies will be forwarded to the 99th Force Support Squadron Private Organizations Monitor. The liability insurance policy for the Organization shall remain in effect unless the Board of Governors submits a waiver from the 99th Force Support Squadron Private Organizations Monitor for approval by the Commander, 99th Mission Support Group. Liability insurance may be waived if the risk of liability is negligible. Liability insurance waiver must be re-evaluated annually. (Per DAFI 34-106, para. 5.16) [Note: Approved Waivers of Insurance must be kept on file with the Private Organization Monitor]

Section 5. METHODS OF FINANCING
[Note: DAFI 34-106, para 5.11.1. requires the Organization to address the sources of income for the Organization]

1. Financial Accounting:

a. Annual Accounting: Finances shall be determined according to the calendar year of the organization, which shall run 1 January through 31 December.

b. Quarterly Reporting: The Organization shall internally file quarterly financial reports by the 15th day of each ending quarter. The Organization will submit these reports with its Annual report it submits to 99th Force Support Squadron Private Organizations Monitor.

c. **Annual Reporting: Per DAFI 34-106, paragraph 5.7.1., the Organization shall file annual financial reports on a calendar year rotation. Annual reports shall be submitted to 99th Force Support Squadron Private Organizations Monitor on the 31st day of January each year.**

d. Responsibility: The cost of all financial reviews/audits are the responsibility of this organization. Copies of these audits will be provided to the 99th Force Support Squadron Private Organizations Monitor within 15 calendar days of the completion of the report.

e. Checking Account: The Organization shall maintain a checking account in its name for the deposit and withdrawal of funds. Withdrawals shall only be for approved purposes and shall be upon the joint signature of any two officers as defined in Article II, Section 2.

f. Treasurer Turnover: The books of the treasurer will be reviewed at least two (2) weeks prior to termination of office. The results of this review will reflect the new treasurer's acceptance of said books. **A copy of the new treasurer's acceptance will be forwarded to the 99th Force Support Squadron Private Organizations Monitor within thirty (30) days of transfer of office.**

2. Monthly Dues: The dues for members shall be assessed monthly at the rate of two dollars ($2.00) per month to be collected monthly by the Treasurer, or twenty dollars ($20.00) per year, to be collected annually at each member's option. The Treasurer will be responsible for collection and deposit of all members' dues.

3. Fundraising: The Organization shall also conduct on-base fundraising activities, to include bake sales, to raise funds for various Organization functions. Community wide fundraisers must be approved by the general membership and the 99th Force Support Commander. **This private organization will not engage in any activity that duplicates or competes with any base FSS activity or NAFI, Including AAFES. We will not engage in conduct which has the effect of advertising for, making referrals to, or encouraging use of any commercial business concerns.**

4. Use of Council Funds: **All membership dues and fundraising profits of the Organization shall be used for expenses, programs, and special activities.** [Note: Be specific here. Some examples include purchasing trophies, club parties, donations, etc.] Authorization of expenditures exceeding $50.00 will be determined by a quorum of membership. **Individual members of the Organization CANNOT and WILL NOT accrue income from the Organization's funding.** [Note: DAFI 34-106, para 5.6.2 explicitly states that income will not accrue to individual members of the Organization.

ARTICLE II
OFFICERS AND GOVERNING BODY

Section 1. ADMINISTRATION

1. The administration of this organization shall be conducted by a Board of Governors (Board), constituted as follows: a President, Vice-President, Secretary, and Treasurer. These officers shall perform the duties herein specifically provided for and those specified by the Bylaws and other such duties as are usually incident to their office. All officers are responsible for notifying all members of their personal financial responsibility obligations to the PO, including responsibilities under ARTICLE V, Section 2.

2. The Board has the authority to authorize expenditures of amounts not greater than fifty ($50.00) dollars. Other expenditures require a majority vote of the voting members at any meeting. The Board shall oversee preparation of an annual budget and periodically review the budget with actual financial operations.

3. The Board will recommend policies, supervise programs, approve entertainment, rule on membership, except as specifically provided otherwise, enforce the Constitution, and take action to resolve all grievances, complaints and suggestion and take action to resolve all grievances, complaints and suggestions submitted by members.

Section 2. OFFICERS: POWERS AND DUTIES

[Note: While most language provided here serves only as an example, duties of your organization's officials must be specified in the Bylaw]

1. President: The President shall preside at all regular and special meeting of the organization, and of the Board, and shall perform the primary role that is parliamentarian. The president shall convene special meetings of the membership, supervise elections, appoint committees as deemed necessary, prescribe their function, and appoint the committee chairperson. The President will also be a signatory on the Organization bank account.

2. Vice-President: The Vice-President shall assume the duties of the President in the President's absence. The Vice-President will serve as an active, voting member of the Board. He/she will serve as an active, voting member of the Board. The Vice-President will also be a signatory on the Organization's bank account.

3. Secretary: The Secretary will serve as an active, voting member of the Board. He/she will prepare the minutes of each committee meeting and present the finalized minutes of each meeting to the President. The Secretary is responsible for ensuring the minutes of the meeting and agendas of each meeting are disseminated to the general membership. The Secretary will maintain files of correspondence generated by and for the Organization. The Secretary will be a signatory on the Organization's bank account.

4. Treasurer: The Treasurer will serve as an active, voting member of the Board. He/she will transact all banking and financial business of the Organization. The Treasurer is responsible for keeping accurate accounting books, reflecting all monetary transactions made on behalf of the Organization. All funds will be maintained in a checking account. The Treasurer prepares the publication of all monthly statements of the financial status of the organization and will present an updated status of Organization funds at each meeting. The Treasurer will be the primary signatory on the bank account. [Note: DAFI 34-106, para 4.4 requires that the Constitution describe the responsibility of the officers for asset accountability, sound financial and operational management]

Section 3. OFFICER ELECTIONS

1. Nominations: Nominations for Officers will be accepted via e-mail (with confirmation from the candidate), or from the floor during the meeting. [Note: Elections, in addition to all other organization activities, will be run in accordance with the Joint Ethics Regulation, DoD 5500.7-R, which states government resources, to include communications equipment, will be used for official use only. An e-mail nomination must not be sent or received on a government computer or using the government e-mail system]. Nominations will not be accepted unless the candidate is present and accepts the nomination, or the proposed nominee has previously given written acceptance of his/her nomination. All Board Members shall be elected at the second meeting in June and December from a slate submitted by a nominating committee at the first meeting in June and December.

2. Eligibility: Members eligible for holding office must have at least six (6) months remaining on station at the beginning of their term and must have been an active member for at least three (3) months. Members must also have access to the base installation.

3. Voting: Voting for Officers will be by secret ballot. Absentee ballots will be issued upon request not less than two weeks prior to the election. Absentee ballots must be turned in to the President or his/her designated individual by election day (MM/DD/YY). A majority (more than 50 percent) of the cast ballots is needed to be elected to an Officer position. If no candidate receives a majority of the votes cast, a run-off will be held between the top two (2) vote getters. Proxy votes will not be permitted. The President shall vote only in the event of a tie. [Note: The percentages are merely suggestions]

4. Terms of Office and Vacancies: Terms of officer are for one (1) year. Vacancies in elected positions occurring prior to the regularly scheduled election shall be filled by a majority vote of the membership present at the next General membership meeting or special membership meeting specifically called for that purpose and advertised for at least 15 calendar days before the meeting date. The term of office will begin 1 February of each year unless stated otherwise for the vote.

5. Officer Termination: Officers' terms may be terminated prior to 30 June or 31 December for the following reasons:

   a. Permanent change of station (PCS).

b. Resignation.

c. Seventy-five (75) percent of the voting members vote to remove the Officer for a cause.

Section 4. COMMITTEES

Standing committees may be established as the need arises to resolve problems or to conduct Organization activities. Membership on a committee shall be by appointment of the President with the concurrence of a simple majority of the voting members present at the General Membership meeting.

Section 5. MEMBERSHIP

1. General Membership: Membership is open to any member of the DoD Community affiliated with Nellis Air Force Base interested in the purpose and mission of the Organization. The Organization will not discriminate in membership policies on the basis of age, race, religion, color, national origin, disability, ethnic group, or gender of the proposed member. Only dues paying members in good standing (good standing shall be defined as not more than three months in arrears in the payment of their dues) may vote on issues requiring a quorum. [Note: Paragraph 5.3 of DAFI 34-106 states that private organizations may not discriminate in its membership policies. Members of the DoD Community include active duty military members, retirees, civilian employees, or dependents of active duty military members or retirees. It depends on the purpose of the organization (i.e., the Top 3) as to which members of the DoD Community would be eligible for membership]. Any person wishing to join this organization will make an application at a regular membership meeting. [Note: Although the rules for application are up to the PO, a member must take an application because of the Joint and Several provisions they undertake in Article I, Section 4. Members must be advised of this requirement]

2. Types of Membership:
[Note: If there are different classes of membership, they must be specified separately; if not, membership eligibility itself must be addressed]
The following sections outline the membership eligibility requirements for this organization.

a. Active members:

b. Associate members:

c. Affiliate members:

d. Honorary members:

3. Termination of Membership: **Membership shall be terminated when the member is no longer affiliated with the DoD community or no longer assigned to Nellis Air Force Base.** A member may also voluntarily submit a written withdrawal from membership in the Organization. Other bases for membership termination are:

a. If the member fails to meet financial responsibilities— _____ months in arrears on membership dues;

b. Upon recommendation of the Board of Governors after a complete review of the circumstances and approval of the general membership;

c. Failure to meet participation requirements and recommendation of the Board of Governors and approved by the general membership; or

d. For any other valid reason when recommended by the Board of Governors and approved by the general membership.

ARTICLE III
MEETINGS AND QUORUMS

[Note: The percentages within this Article serve only as suggestions]

Section 1. GENERAL MEETINGS

General meetings will be held on a monthly basis or as deemed appropriate by the President. Agenda items shall be received by the Secretary not later than four (4) days prior to each general meeting. Matters presented at the meetings shall be decided by a majority vote of the members present.

Section 2. SPECIAL MEETINGS

1. Annual Meetings: The President shall hold an annual planning meeting in the month of _____ for the purpose of reviewing the Constitution and Bylaws, establishing a calendar of upcoming events, holding election of Officers, and establishing/reviewing goals and objectives for the upcoming calendar year. The annual planning meeting shall be attended by all members.

2. Other Meetings: The President may also call special meetings as he/she deems necessary or as requested by the Installation Commander or designee.

3. Voting: Constitution and Bylaw changes require two-thirds (2/3) of the vote of the members present. Officer elections are decided by a majority vote. All other matters are decided by a majority (more than fifty (50) percent) vote. Proxy votes will not be permitted.

Section 3. QUORUM

1. Routine Business: At least fifty (50) percent of the voting membership and one Officer will constitute a quorum for the purposes of conducting routine business. Unless the matter at hand pertains to Constitution and Bylaw changes or Officer Elections, the matter is considered routine business regardless of whether the meeting is a General or Special Meeting.

2. Constitution & Officer Elections: A quorum of two-thirds of the membership and one Officer is required for Constitution and Bylaw changes and Officer Elections.

ARTICLE IV
ADOPTION AND AMENDMENTS

Section 1. ADOPTION

DAFI 34-106, para 4.1. requires the Constitution to be updated every two years or when there is a change in purpose, whichever comes first.

This Constitution becomes effective upon adoption by an affirmative vote by majority of the general membership, review of United Stated Air Force Warfare Center Judge Advocate, and final approval of 99th Mission Support

Group Commander or designee. [Note: The membership should vote on the Constitution before the document is sent for review and approval. There should be information in the file from the Organization that the membership has approved the Constitution when it is sent to 99 MSG/CC or designee for final approval]

Section 2. AMENDMENTS

1. The Constitution and Bylaws may be amended at any scheduled meeting of the organization by two-thirds (2/3) vote of the membership present and eligible to vote, provided that a written, printed or public notice of the proposed amendment has been given to the membership at least two (2) weeks prior to the date of the meeting.

2. Amendments to the Constitution can be proposed by the board of governors or by written petition of two-thirds (2/3) of the membership at any meeting.

3. All amendments to this Constitution are subject to final approval of 99th Mission Support Group Commander or designee.

4. Conflicts of any provision of the Constitution or Bylaws with existing military directives will be changed administratively subject to the final review of the Commander, 99th Mission Support Group.

ARTICLE V
DISSOLUTION

[Note: Information in this Article complies with the requirements found in paragraphs 4.3.3., 4.5 and 12 of DAFI 34-106]

Section 1. NOTICE OF DISSOLUTION

This Organization will notify 99th Force Support Squadron Private Organizations Monitor of its intent to dissolve and prepare a time-phased action plan to do so.

Section 2. FINANCIAL RESOLUTE

In case of dissolution of the Organization, any funds in the treasury after satisfaction of any outstanding debts, liabilities or obligations will be donated to _____. [Note: You must specify who will receive any funds left in the treasury after all debts are satisfied (e.g., base youth activities program, local charities, etc.)]. **Disposal of other assets shall be determined by the membership. Distribution of residual funds and other assets will not accrue to the benefit of any individual member of the membership as a whole. However, if outstanding debts of the organization remain upon dissolution, the members of the organization are jointly and severally liable for such debts. For the purpose of this Section, a member is defined as one whose name is carried on the roll of the active and associate members as of the date of notification.**

Section 3. ORDERED DISSOLUTION

1. In the event that a Non-Appropriated Fund Instrumentality fills the need for which this Private Organization is established, this Organization will be dissolved by direction of the Commander, 99th Mission Support Group. Under those circumstances, all financial transactions of dissolution would be concluded separately and apart from the operation of any activity established as a Non-Appropriated Fund Instrumentality.

2. The Commander, 99th Mission Support Group, has the authority to dissolve this organization in the event that there are no members present or in the best interest of the United States Air Force.

*****DO NOT INCLUDE RANK ON ANY PRIVATE ORGANIZATION DOCUMENTS*****

CERTIFICATION

I certify the information in this constitution is true to the best of my knowledge. _____
(Date)

_____ _____
NAME PRESIDENT NAME VICE-PRESIDENT

_____ _____
NAME SECRETARY NAME TREASURER