



DEPARTMENT OF THE NAVY
COMMANDER, FLEET ACTIVITIES YOKOSUKA
PSC 473 BOX 1
FPO AP 96349

CFAYINST 5760.5G
N00J
5 Sep 2023

COMFLEACT YOKOSUKA INSTRUCTION 5760.5G

From: Commander, Fleet Activities Yokosuka

Subj: RECOGNITION AND OPERATION OF NON-FEDERAL ENTITIES

Ref: (a) DoD Instruction 1000.15 of 24 October 2008
(b) DoD Directive 1000.26E of 2 February 2007
(c) DoD 5500.7-R, Joint Ethics Regulation (JER) of August 1993
(d) CNICINST 11000.1A
(e) OPNAVINST 1754.5C
(f) FLEACT Yokosuka Family Housing Handbook
(g) SECNAVINST 5870.7A

Encl: (1) Sample Request for Recognition
(2) By-laws Sample Sections and Contents
(3) Standard Financial Procedures
(4) Income Ledger Template
(5) Expense Ledger Template
(6) Annual Financial Statement and Audit Report
(7) Sample Audit Letter #1 – All Transactions Satisfactory
(8) Sample Audit Letter #2 – Some Discrepancies in Transactions Noted
(9) Present List of Officers
(10) Liability Clause
(11) Fundraising Request Form
(12) Deposit Submission Form

1. Purpose. To issue policy governing Non-Federal Entities (NFE) onboard Fleet Activities (FLEACT) Yokosuka per references (a) through (g) and enclosures (1) through (12). This instruction applies to all NFEs conducting activities onboard FLEACT Yokosuka except where otherwise provided for by-law, regulation, or as noted within this instruction.

2. Cancellation. CFAYINST 5760.5F. This instruction has been completely revised and must be read in its entirety.

3. Background

a. Non-Federal Entities. NFEs are self-sustaining organizations that are not official components of the federal government. Membership of these organizations consists of individuals acting exclusively outside the scope of any official capacity as officers, employees,

or agents of the federal government. Types of NFEs include, but are not limited to, Petty Officer Associations, spouse clubs, the United Service Organization (USO), fraternal organizations, colleges, school districts, and businesses.

b. History. FLEACT Yokosuka has long recognized the important role NFEs have in improving the quality of life for Sailors, civilian employees, and their families. NFEs provide opportunities for recreation, socialization, education, and professional development within the FLEACT Yokosuka community. In many cases, NFEs also enhance *esprit de corps* and provide additional support to the warfighter.

4. Policy

a. Guidelines

(1) NFEs who unlawfully discriminate or deny membership because of race, color, creed, sex, sexual orientation, age, disability, or national origin will not be permitted to conduct activities onboard FLEACT Yokosuka.

(2) NFEs may conduct activities onboard FLEACT Yokosuka only after first receiving written approval from Commander, FLEACT Yokosuka and only if their activities are consistent with good order and discipline and enhance the quality of life on the base.

(3) NFEs must be financially self-sustaining organizations. Neither Department of Defense (DoD) components nor non-appropriated fund (NAF) instrumentalities may provide financial assistance to NFEs.

(4) Per references (b) and (d), if any logistical support is provided to any NFE by FLEACT Yokosuka, such logistical support must not hinder any Department of the Navy (DON) or DoD command's military mission or detract from readiness.

(5) No NFE may receive preferential treatment. Certain NFEs, however, have authorization for unique support. These include groups such as the USO, the American National Red Cross, certain banks and credit unions, labor organizations, and certain youth organizations. Enclosure (3) of reference (a) provides a list of these organizations, as well as the statutory basis for their support.

(6) Activities of NFEs covered by this instruction may not in any way prejudice or discredit the DON/DoD.

(7) Activities conducted by the NFE may not violate the laws of the United States or Japan.

(8) NFEs may not use "Morale, Welfare, and Recreation" or "MWR" as part of the organization's name.

5. Approval Process for NFEs

a. Required documentation. All NFEs must secure Commander, FLEACT Yokosuka's approval prior to operating onboard FLEACT Yokosuka. A request to operate will include the following:

(1) Request for recognition. (See sample: Enclosure (1)).

(2) Charter. A written charter, constitution, by-laws, or equivalent document. (See sample: Enclosure (2)). Except as provided in reference (e), no person acting in an official capacity as officers, employees, or agents of the federal government may sign or issue a charter that serves as the legal basis for any NFE. The charter must address:

(a) Name of organization.

(b) Mission/objectives.

(c) National or other organization affiliations.

(d) Non-discrimination clause.

(e) Meetings.

(f) Dues and financial support.

(g) Financial policy.

(h) Disposition of property and funds upon dissolution. The NFE will specifically name another recognized NFE or non-profit organization to donate all remaining assets to upon dissolution or disestablishment

(i) A satisfactory description of the NFE's management responsibilities. The description should indicate who is responsible for accounting for the NFE's assets, satisfying liabilities, and disposing of any residual assets upon the organization's dissolution.

(j) All Family Readiness Groups (FRG) are required to have the Commanding Officer of their respective command sign the by-laws, in addition to the President and Treasurer.

(k) Per reference (a), a certification indicating that the organization's members understand they may be held personally liable if the NFE's assets are insufficient to discharge its liabilities.

(3) List of Officers. All NFEs must elect or appoint, at a minimum, four (4) officers, to include a President and a Treasurer. Per reference (e), FRGs are only required to have two (2) officers, a President and a Treasurer, but four (4) are preferred.

(4) Insurance and Liability. Pursuant to reference (a), a NFE will possess adequate insurance to protect against claims that may result from its activities. Commander, FLEACT Yokosuka may, in his or her discretion, waive the insurance requirement in cases where the organization's activities present a negligible risk of harm to the base community. In no case may FLEACT Yokosuka or any DON/DoD component assume liability for the activities of a NFE. All NFEs must complete and return enclosure (10) as part of their request for recognition.

(5) Property removal. An agreement to remove and, if applicable, dispose of any NFE property from the base in the event permission to operate is revoked or the NFE dissolves.

(6) Background checks. Per enclosure (2) of reference (a), proof that a favorable background check has been completed for any employees and volunteers having continued contact with children under the age of 18.

(7) Annual Audit. Annually, during the month of January, each NFE must audit its financial records. The audit must be conducted by an audit board, which must consist of three members of the organization over the age of 18, excluding elected officers. Enclosure (6) must be used in preparing the audit and must be forwarded to FLEACT Yokosuka Office of the Staff Judge Advocate (SJA) Office no later than 15 February of each year. The audit may also be conducted by a qualified outside source at the organization's expense. The audit must cover the entire previous calendar year (1 January to 31 December). For those organizations that operate according to the school year, the annual audits will be due no later than 31 July of each year and cover the period of 1 July to 30 June. The name of the organization listed on enclosure (6) must match the formal name in the organization's bylaws.

(a) NFEs that generate either gross income or gross expenses greater than \$150,000.00 on an annual basis must submit an audit completed by a Certified Public Accountant.

(b) When the audit is satisfactorily complete, the audit team will assure that enclosure (6) is correctly filled out and signed. Enclosure (6) will be submitted with the following:

1. A letter from the audit team stating its findings, including a list of procedural or other discrepancies found during the audit, along with the organization's plan to prevent such discrepancies in the future. (See samples: enclosures (7) and (8)).

2. A list of the names, mailing addresses, email addresses, telephone numbers, and Projected Rotation Dates of all elected officers who were in office at the calendar year end. If new officers have been elected, they should be listed separately. A specific point of contact for questions regarding the audit will be designated, typically the Treasurer. (See sample: Enclosure (9)).

3. A copy of the NFE's itemized income and expense ledger used in filling out the Annual Financial Statement and Audit Report. (See samples: enclosures (4), (5), and (6)).

(c) Additionally, an audit will be conducted whenever a change of any of the officers having access to the organization's bank account is made or the NFE is dissolved.

(d) American Red Cross, Navy Marine Corps Relief Society and United Service Organization are exempt from the audit requirement of this instruction.

b. Term of approval. Permission to operate onboard FLEACT Yokosuka will ordinarily be valid for one year.

c. Exception for activities of limited scope. Per reference (a), certain unofficial activities conducted on installations require no formal authorization because of the limited scope of the activities. Examples of such activities include coffee funds, flower funds, and similar small, informal activities. Such activities are therefore not generally subject to this instruction.

d. Exception for NFEs chartered off-base. NFEs who are chartered off-base and conduct most of their activities off-base may occasionally request permission for an isolated event. In such cases, Commander, FLEACT Yokosuka may waive the documentation requirements of this instruction on a case-by-case basis.

6. Training

a. All members of each NFE elected or appointed as Treasurers, or any such name given to the member who is responsible for the organization's finances, will obtain financial training from FLEACT Yokosuka Fleet and Family Support Center within 60 days of assuming the role.

b. If individuals serve as a NFE's Treasurer, or similar role, longer than 12 months, they are required to take the financial training at least once per year.

7. Activities of NFEs on-base

a. Compliance with federal, host nation, and local law. NFEs must comply with all applicable federal, host nation, and local law. NFEs are responsible for determining their legal obligations under relevant fire and safety codes, environmental laws and regulations, tax law, and any applicable licensing, certification, or registration mandated by any local foreign authorities.

b. Appearance of endorsement. NFE activities may not create the appearance that:

(1) The NFE is an official part of FLEACT Yokosuka, DON, or DoD.

(2) The NFE is officially endorsed by FLEACT Yokosuka or any DON/DoD component.

(3) The NFE receives preferential treatment from FLEACT Yokosuka or any DON/DoD component.

c. Use of command names, seals, or logos. Except as provided in reference (e), use of command names, seals or logos will be per reference (g). NFEs may not use seals, logos, or insignia of commands on any letterhead, correspondence, or titles.

d. Disclaimer. Per DoD policy, NFEs whose name suggests a connection to DoD must prominently display the following disclaimer on all organizational print and electronic media: “THIS IS A NON-FEDERAL ENTITY. IT IS NOT A PART OF THE DEPARTMENT OF DEFENSE OR ANY OF ITS COMPONENTS AND IT HAS NO GOVERNMENTAL STATUS.”

8. Fundraising. Event-by-event approval of fundraising events held inside the confines of a related-command facility is not required. For example, a school-related NFE is not required to obtain approval on an event-by-event basis from the SJA Office to sell items out of a common area of the school. All NFEs are responsible for working with the facility at which they will conduct the fundraising. Commanding Officers of ships and shore tenant units at FLEACT Yokosuka may approve fundraising requests for NFEs that request to conduct fundraising events within their command spaces provided those events comply with references (a) and (b) and this instruction. External on-base fundraising (External Fundraising) is defined as a NFE conducting fundraising outside the associated command’s non-federal workplace and/or targeting personnel outside the associated command. All NFEs will request approval from Commander, FLEACT Yokosuka prior to conducting External Fundraising using enclosure (11).

a. Permission of Commander, FLEACT Yokosuka. Per reference (b), NFEs must get Commander, FLEACT Yokosuka’s permission prior to conducting External Fundraising. Only officially-recognized NFEs that are in good standing may conduct External Fundraising onboard FLEACT Yokosuka. The following External Fundraising guidelines will be adhered to:

(1) Written requests must be submitted to the SJA Office no earlier than a month and no later than two weeks prior to the event to allow for proper coordination and approval. Requests to hold a bazaar may be submitted up to two months in advance of the event.

(2) Requests must contain a specific description of the goods or services involved.

(3) Requests must indicate the date and/or period of time when the proposed activity will take place.

(4) Requests must include the proposed location of the fundraising activity. Normally, External Fundraising is only allowed in areas controlled by the Navy Exchange (NEX) Japan District, FLEACT Yokosuka MWR, or the Defense Commissary Agency (DeCA). Under no circumstances may recognized NFEs conduct fundraising in or around the FLEACT Yokosuka housing areas (e.g. door-to-door).

(5) Requests for occasional sales for fundraising purposes are permitted; however, sales onboard FLEACT Yokosuka should not occur on a frequent or continuing basis. Organizations will only be permitted to submit a maximum of four fundraisers per month. Exceptions to this maximum may be granted by the SJA Office in unusual circumstances.

(6) Requests must indicate the method and location of advertising. NFEs are prohibited from advertising for their fundraisers in or around areas controlled by the NEX or the Department of Defense Education Activity (DoDEA). Advertising will be permitted in Military Family Housing, provided the organization has received prior approval from the Yokosuka Housing Office. Organizations are invited to contact the FLEACT Yokosuka Public Affairs Office (PAO) to discuss viable alternate means of advertising prior to submitting their request. Banners for bazaars are only permitted at the location of the event.

(7) All External Fundraising requests must be made using enclosure (11).

(8) Organizations wishing to hold a fundraising event on school property must inquire with DoDEA. Any NFE receiving approval to conduct such an event must submit the DoDEA facility request form with the fundraiser request.

(9) The Deposit Submission Form, enclosure (12), must be completed for every fundraising event and kept by the Treasurer along with the deposit slip/receipt received from the bank.

(10) NFEs may not engage in off-base sales of goods or services. Exceptions may be made by Commander, FLEACT Yokosuka on an event-by-event basis.

(11) Foods or materials received through the military postal system may not be sold or transferred by NFEs during concession sales. Additionally, NFEs must comply with Japanese laws and customs regulations. Resale of goods purchased from the NEX or DeCA to persons not otherwise entitled to use those facilities is prohibited.

(12) NFEs may not impose a fee or other charge on clientele for parking, admission, viewing, or entrance to an exhibit or demonstration.

(13) NFEs may not charge a fee for photographs of event attendees wearing military gear, holding or being in or near military equipment, or being in the company of military personnel.

(14) Government vehicles will not be used by NFEs under any circumstances.

(15) Military personnel may not participate in fundraising activities in their official military capacity. In particular, military personnel should not fundraise while wearing the military uniform.

(16) Personnel conducting fundraising activities will ensure compliance with all applicable regulations, cleanliness of the facility or area requested, and appropriate decorum

throughout the event. Good order must be observed by all personnel participating in any type of fundraising event.

b. Food Sales. Before any External Fundraising event involving the preparation and sale of food or food handling, the organization must obtain a certificate from the United States Naval Hospital (NAVHOSP) Yokosuka Preventive Medicine Department. A copy of said certificate must accompany every fundraising request involving the sale of food. Furthermore, an application for a Temporary Food Establishment must be reviewed and approved by NAVHOSP Yokosuka Preventative Medicine.

c. Prohibited Activities

(1) Per reference (b), DoD employees and military members may not participate in gambling while on federally-owned or leased property, including buildings or grounds, while on duty or present for duty on such property. Therefore, NFEs are not authorized to conduct bingo, raffles, or any form of gambling which includes the collection of money and the distribution of a prize by chance onboard FLEACT Yokosuka.

(2) Per reference (f), garage/yard sales are not permitted onboard FLEACT Yokosuka.

(3) Commander, FLEACT Yokosuka retains the ability to disapprove other types of activity on a case-by-case basis.

d. Proceeds. All proceeds of fundraising must accrue to the NFE. No private party or member of the NFE may retain proceeds from any fundraising activity. Funds belonging to the NFE and deposited in the NFE's bank account will not be mixed with or deposited in the same account as funds derived from NAF instrumentalities, such as MWR Unit Recreation Funds.

e. Scheduling and clean-up. Each NFE is solely responsible for requesting approval to hold a fundraising event from the related command facility and for confirming that there are no conflicts with other fundraising. Moreover, NFEs are solely responsible for ensuring proper clean-up in the area of the fundraiser or within 100 feet of the facility grounds if the fundraising is conducted outdoors.

f. Bulk sales. Bulk sales of food and beverage items are not permitted. Bulk sales include any sale of food or beverage items not intended for immediate consumption. All beverage containers must be opened upon sale.

g. Concession sales. Concession sales at large events are common fundraising activities in which NFEs may be permitted to engage. All individual fundraising requests or applications should be sent to the coordinating entity of the event. The coordinating entity, such as FLEACT Yokosuka MWR, will coordinate with the SJA Office regarding organizational compliance and resolution of any fundraising issues.

h. Competition with base activities. NFE fundraising activities may not compete with the NEX, any MWR activities, or any other appropriated or NAF activity on the installation.

i. Competition with the Combined Federal Campaign (CFC). The CFC exists to reduce disruption in the federal workplace by consolidating fundraising efforts into one yearly event. Accordingly, Commander, FLEACT Yokosuka will ensure NFE fundraising efforts do not disrupt the work environment or compete with the CFC for donations.

j. Fundraising in the workplace. NFE fundraising activities may not occur in the workplace. Commander, FLEACT Yokosuka has the authority to determine which areas of the base are considered “outside the workplace” for fundraising purposes.

k. Alcohol. NFEs may not sell or furnish alcohol to persons onboard FLEACT Yokosuka as part of any fundraising activity or otherwise.

9. Command support to NFEs

a. Logistical support. NFEs are responsible for furnishing their own equipment, supplies, and other resources. Unless provided by statute, they have no specific entitlement to logistical support from the DON/DoD. At Commander, FLEACT Yokosuka’s discretion, however, NFEs may occasionally receive support in the form of space for meetings and other occasional events, or limited use of command resources. Any such support must be consistent with the seven factors set forth in reference (c), section 3-211. Notable among those factors, Commander, FLEACT Yokosuka must be able and willing to provide the same level of support to comparable events of similar NFEs.

b. Personnel support

(1) Neither Navy members nor civilian employees may be assigned to work for NFEs as an official duty. Navy members or civilian employees may, however, be assigned as official liaisons to represent DON/DoD interests to NFEs per reference (b).

(2) Navy members or civilian employees participating in NFE activities must be on off-duty time or in a liberty status unless specifically authorized by law or regulation.

(3) Neither Navy members nor civilian employees may show favoritism toward one NFE over another when acting in an official capacity.

(4) Participation or membership in a NFE is a personal decision. Subordinates may not be coerced, forced, or influenced to join or take part in the activities of a NFE. Neither may subordinates be asked to explain a decision not to join or take part in the activities of a NFE.

(5) Navy commands will take action to preclude unauthorized expenditures of appropriated funds, commissary surcharge, or non-appropriated funds in support of NFEs.

10. SJA Office

a. The SJA Office is the program coordinator for all NFEs onboard FLEACT Yokosuka. The SJA Office will perform the following duties:

- (1) Accept applications for NFEs and ensure their compliance with this instruction.
- (2) Review NFE bylaws and charters to verify they contain all necessary sections and information.
- (3) Receive yearly audits from each NFE.
- (4) Maintain an active record of all recognized NFEs with an up-to-date listing of officers.

b. Only recognized NFEs will be allowed to utilize checking accounts at local military banking facilities and be authorized space to conduct organizational meetings and fundraising activities per reference (b).

11. Disestablishment and Dissolution. When a NFE is disestablished or dissolved, a letter must be submitted to Commander, FLEACT Yokosuka, via the SJA Office indicating that all liabilities have been liquidated and any checking or saving accounts associated with the organization have been closed.

a. The letter must be accompanied by a dissolution audit which will be conducted per this instruction. If leftover funds are donated to a charity or other entity named in the NFE's bylaws, a copy of the cashier's check effecting the donation must be provided with the audit. Within ten calendar days of dissolution, all financial records and supporting documents (See enclosure (3)) must be submitted to the SJA Office with the final dissolution audit (enclosure (6)).

b. Any remaining assets such as cash, equipment or facilities, which are not donated to the charity named in the bylaws, will be distributed/donated to FLEACT Yokosuka MWR in coordination with the SJA Office.

12. Violators. Any NFE organization found to be in violation of this instruction is subject to immediate dissolution. First time violations will typically result in a warning being given to the organization or preclusion of participation in fundraising activities; any subsequent violation may result in the dissolution of the organization. Once dissolved, the organization is ineligible for reformation for a period of time as determined by Commander, FLEACT Yokosuka. This time period will ordinarily be no less than ninety (90) days. In addition, any individual found to be engaged in NFE activities in violation of this instruction may be subject to administrative and/or disciplinary action.

13. Records Management. Records created as a result of this instruction, regardless of media or format, must be managed per Secretary of the Navy Manual 5201.1 of September 2019.

14. Review and Effective Date. Per OPNAVINST 5215.17A, FLEACT Yokosuka SJA will review this instruction annually on the anniversary of its effective date to ensure applicability, currency, and consistency with Federal, DoD, SECNAV, and Navy policy and statutory authority using OPNAV 5215/40 (Review of Instruction). This instruction will automatically expire ten years after effective date unless reissued or canceled prior to the anniversary date, or an extension has been granted.

15. Forms. The forms may be obtained from FLEACT Yokosuka SJA.



L. D. SOBOL

Releasability and distribution:

This instruction is cleared for public release and is available electronically only via CNIC Gateway CFAY website <https://g2.cnic.navy.mil/Directives/Documents/Forms/RegionInstallation.aspx?FilterField1=Region0&FilterValue1=CNRJ&FilterField2=Installation0&FilterValue2=CFAYOKOSUKAJA>

CFAYINST 5760.5G
5 Sep 2023

SAMPLE REQUEST FOR RECOGNITION

From: (Elected head of organization)
To: Commander, Fleet Activities Yokosuka
Via: Office of the Staff Judge Advocate, Fleet Activities Yokosuka

Subj: NON-FEDERAL ENTITY REQUEST FOR RECOGNITION

Ref: (a) CFAYINST 5760.5G

Encl: (1) By-laws
(2) List of Officers
(3) Liability Clause

1. Per reference (a), enclosures (1) through (3) are submitted for approval and recognition of (INSERT NAME OF NON-FEDERAL ENTITY).

(Type Name and Signature)
Address
Telephone Number

Enclosure (1)

BY-LAWS SAMPLE SECTIONS AND CONTENTS

ARTICLE I: NAME

The name of this organization is _____. This organization is established pursuant to the provisions of CFAYINST 5760.5G, and per applicable U.S. laws and regulations.

ARTICLE II: PURPOSE

The mission of the _____ is to promote friendly relations between American and Japanese families and friends and to promote intercultural understanding.

This mission will be accomplished by:

- 1- Raising money to fund cultural exchange meetings between U.S. and Japanese friendship groups.
- 2- Raising awareness and understanding of Japanese traditions and culture amongst American citizens.
- 3- Etc.

ARTICLE III: NATIONAL AFFILIATIONS:

If your organization is a Chapter of a National Organization, it should clearly be stated in this section on your by-laws.

ARTICLE IV: OFFICERS AND OFFICER RESPONSIBILITIES/ROLE:

The roles and responsibilities of EACH officer should clearly be laid out in this section.

PRESIDENT: The roles and duties or responsibilities should be CLEARLY stated. For example:

The President is the chief of operations for the organization. The duties of the President will be:

- To preside over all meetings.
- To act as the spokesperson for the organization.
- To be responsible for implementation of all policies and programs of the organization.
- To coordinate the work of the officers and committees in order for the mission to be achieved.
- To appoint committee chairpersons.
- To serve as acting Treasurer in the absence of the Treasurer.
- To appoint three members to perform the annual audit, referred to as the “audit board.”

- To ensure all approved resolutions of the association are carried out.

VICE PRESIDENT: The roles and duties or responsibilities should be CLEARLY stated. For example:

The Vice President is responsible for supporting the President's authority as the duly-elected chief of operations. The duties of the Vice President will be:

- To preside at all meetings of the association in the absence of the President.
- If for any reason the office of the President becomes vacant, to assume all duties of the President until the vacancy is filled.

SECRETARY: The roles and duties or responsibilities should be CLEARLY stated. For example:

The duties of the Secretary are to perform and maintain all record keeping functions. The duties of the Secretary will be:

- To maintain a roll of all members, and to ascertain the qualifications of all new members.
- To maintain an attendance record at all functions and meetings.
- To keep the minutes of all association meetings and distribute to all members of the association.
- To have available at each meeting and to each new member, a copy of the association's by-laws.
- To send out dues notices.
- To perform such other duties as deemed necessary and incidental to the office of the Secretary.

TREASURER: The roles and duties or responsibilities should be CLEARLY stated. For example:

The duties of the Treasurer are to prepare and maintain all records or financial transactions of the organization. The duties of the Treasurer will be:

- To maintain a roster of members in good standing.
- To collect membership dues.
- To maintain a full and accurate account of ALL financial transactions (to include but are not limited to, bank statements, deposits forms with deposit slips attached, copies of checks, all monthly income and expenditures).
- To maintain fund accounts and balances according to the approved budget.
- To make disbursements per the approved budget, as authorized by the organization.
- To retain accurate supporting documents.

- To prepare the annual financial statement.
- To organize cash boxes for fundraising activities in amounts and denominations requested by the activity chairperson and approved by the board.
- To submit yearly audit and all required documents per CFAYINST 5760.5G to Office of the Staff Judge Advocate, Fleet Activities Yokosuka by 15 February each year.

ARTICLE V: MEMBERSHIP

This section should address how individuals can become members of the private organization. For example, if there are age limits to your association or specific affiliation to a command, these stipulations should be clearly identified in this section. Will there be a limit to the number of members your organization will have?

This section should also address compliance with the non-discrimination policy.

ARTICLE VI: MEETINGS

When and where the meetings will take place should be addressed here. How will members of the private organization be made aware of a scheduled meeting?

If special (or not previously scheduled) meetings are called for, how will members be notified of the meeting?

Is there a maximum amount of days between your meetings?

ARTICLE VII: DUES AND FINANCIAL SUPPORT

This article shall address how the private organization will collect membership dues, if applicable, throughout the year. Will the dues be paid on an annual basis or bi-annual basis? How much will the dues be for each member? Will there be different dollar amounts for membership depending on certain criteria?

This section should also address other ways in which the organization will be supported financially. For example, if the organization holds a yearly bazaar to generate a large portion of the organization's funds, the by-laws should address these proposed activities.

ARTICLE VIII: FINANCIAL POLICY

This section of the by-laws should clearly state what your financial policy will be for your organization. The types of bank accounts you will have (savings or checking or both), the type of accounting system the organization will maintain, the petty cash policy, the internal control policy and the responsibility of yearly audits should all be clearly defined in this section.

ARTICLE IX: PERSONAL LIABILITY

All by-laws should have a section that covers your liability. It should be known that each organization is responsible for all debts of or claims against the organization.

ARTICLE X: DISPOSITION

This section of the by-laws should state how it is determined when the organization is going to be dissolved.

Additionally, if there are outstanding liabilities which assets do not cover, how will those be paid? If the organization has funds remaining, how will they be spent? What charitable organization will the funds be donated to? Bylaws must name an actual recognized organization.

For Example:

- The dissolution of this organization will occur by 1) the order of Commander, Fleet Activities Yokosuka, or 2) by written agreement of two-thirds of the membership.
- In the event that assets are insufficient to discharge all liabilities, the entire membership will equally share in covering the liabilities.
- In the event of dissolution of the club for any reason, all assets of the club after payment of outstanding debts shall be donated to Navy and Marine Corps Relief Society.
- Unused checks on all bank accounts shall be destroyed. Any bank cards shall also be destroyed.
- The President and Treasurer will ensure that a dissolution audit is conducted and forwarded to Office of the Staff Judge Advocate, FLEACT Yokosuka within ten days of dissolution.

STANDARD FINANCIAL PROCEDURES

1. The following minimum procedures are required for the handling of activity funds and should be applied to ensure proper accountability and to facilitate activity audits:

a. For all cash income that is not properly handled through a cash register, a duplicate cash receipt form should be used (except for cake sales, hot dog sales, etc.). This form should provide the name of individual from which cash is received, his or her signature, date, amount and for what purpose the cash is being received. A copy goes to the payee and a copy is maintained in the activity's cash receipt file. The cash receipt forms are to be pre-numbered serially and each must be available for audit.

b. All income must be deposited intact and the deposit slip retained by the activity. Deposits should be made no later than by the first Saturday after the cash/checks are received. The enclosure (12) must be completed for every fundraiser at the conclusion of each fundraising day. The enclosure (12) will be kept by the Treasurer along with the deposit slip/receipt received from the bank.

c. On-hand cash funds should never be allowed to accumulate over \$100. On-hand cash funds are to be maintained using an internal log. The log must clearly show the cash balance on-hand at any time. This internal log will be reviewed during external audits.

d. All expenditures of funds should be made by check. Checks made out to CASH or for BEARER should be avoided. The only exception to this is when making a purchase by yen and dollars must be converted. Ensure a sales slip, invoice, receipt, etc. is retained to substantiate all expenditures of activity's funds. Each should be annotated with the check number and the date payment was made.

e. Payments made between private organizations should be made specifically to the organization and never directly to a board member or organization member.

f. Reconcile all bank statements when received, utilizing the reverse side of statement to list outstanding check (number and amount) and deposits not credited.

g. Use a financial ledger (itemized log, financial statement) to record all financial transactions. See enclosures (4) and (5) for template.

INCOME LEDGER TEMPLATE

ITEMIZED TRANSACTION LOG

INCOME	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
Sales													
Cake Sales		\$100.00						\$100.00					\$200.00
X'mas Party												\$1,500.00	\$1,500.00
Donations													
Mr. A				\$500.00									\$500.00
Dues													
Membership						\$100.00							\$100.00
Interest													
YFCU	\$2.00	\$2.00	\$2.00	\$2.00	\$2.00	\$2.00	\$2.00	\$2.00	\$2.00	\$2.00	\$2.00	\$2.00	\$24.00
Fundraising													
Car Wash			\$100.00						\$100.00				\$200.00
Other													
Total	\$2.00	\$102.00	\$102.00	\$502.00	\$2.00	\$102.00	\$2.00	\$102.00	\$102.00	\$2.00	\$2.00	\$1,502.00	\$2,524.00

EXPENSE LEDGER TEMPLATE

ITEMIZED TRANSACTION LOG

EXPENSES	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
Materials/Supplies													
Stationery				\$50.00						\$50.00			\$100.00
Equipment													
Fax Machine						\$400.00							\$400.00
Activities													
X'mas Party												\$1,500.00	\$1,500.00
Donations													
KHS												\$500.00	\$500.00
Service Charge													
YFCU									\$10.00				\$10.00
Other													
Total	\$0.00	\$0.00	\$0.00	\$50.00	\$0.00	\$400.00	\$0.00	\$0.00	\$10.00	\$50.00	\$0.00	\$2,000.00	\$2,510.00

5 Sep 2023

ANNUAL FINANCIAL STATEMENT AND AUDIT REPORT

From:	NAME OF NFE AS IT APPEARS IN BY-LAWS:		
To:	Commander, Fleet Activities Yokosuka (Office of the Staff Judge Advocate)		
Subj:	NON-FEDERAL ENTITY REPORT		
REASON FOR AUDIT: <input type="checkbox"/> Annual / <input type="checkbox"/> Dissolution / <input type="checkbox"/> Change in Board Member <input type="checkbox"/> Other _____		DATE AUDIT COVERS: _____ to _____	
Audit Report Balance Sheet			
Assets:		Liabilities:	
Cash on Hand:		Bills Owed:	
Savings Account:		Other (List by Category):	
Checking Account:			
Club Property:			
Other (List by Category):			
Total Assets:	A	Total Liabilities:	B
Net Worth:		A – B	
Income Statement			
Income:		Expenses:	
Sales:		Materials/ Supplies:	
Donations:		Equipment:	
Dues:		Goodwill:	
Interest:		Activities:	
Other (List by Category):		Donations:	
		Service Charge:	
		Other (List by Category):	
Total Income:	C	Total Expenses:	D
Net Income / Loss:		C – D	
The above categories are examples. Other categories may be used that are more applicable to the organization. Your forwarding letter should list any discrepancies found during the audit.			
AUDIT MEMBERS (Cannot be an Officer of the NFE)			
1	2	3	
Name: _____ (Print / Sign)	Name: _____ (Print / Sign)	Name: _____ (Print / Sign)	
TREASURER			
Name _____ (Print / Sign)	Date: _____	Phone Number: _____	
PRESIDENT			
Name _____ (Print / Sign)	Date: _____	Phone Number: _____	

SAMPLE AUDIT LETTER #1 – ALL TRANSACTIONS SATISFACTORY

Organizational Name (or Letterhead)
Mailing Address

Date of Letter

To: Office of the Staff Judge Advocate
Commander, Fleet Activities Yokosuka
PSC 473 Box 1
FPO AP 96349

Date Audit Conducted: _____

The below-named members of the audit team reviewed the records of our organization on the date indicated above and found that the transactions satisfactorily adhered to our bylaws, and any other regulations or policies that govern our organization.

We certify that to the best of our knowledge and ability, the amounts shown on the NON-FEDERAL ENTITY REPORT – form CFAY 5760/2 (Rev. 7-20) are an accurate and a truthful representation of our organization’s finances.

Audit Team:

_____	_____
Printed Name	Signature
_____	_____
Printed Name	Signature
_____	_____
Printed Name	Signature

SAMPLE AUDIT LETTER #2 – SOME DISCREPANCIES IN TRANSACTIONS NOTED

Non-federal Entity (NFE) Name (or Letterhead)
Mailing Address

Date of Letter

To: Office of the Staff Judge Advocate
Commander, Fleet Activities Yokosuka
PSC 473 Box 1
FPO AP 96349

Date Audit Conducted: _____

The below-named members of the audit team reviewed the records of our organization on the date indicated above and found that the transactions satisfactorily adhered to our bylaws, and any other regulations or policies that govern our organization, with the following exceptions:

- 1.
- 2.
- 3.

Our organization is taking the following corrective actions:

- 1.
- 2.
- 3.

We certify that to the best of our knowledge and ability, the amounts shown on the PRIVATE ORGANIZATION AUDIT REPORT – form CFAY 5760/2 (Rev. 7-20) are an accurate and a truthful representation of our organization's finances.

Audit Team:

_____	_____
Printed Name	Signature
_____	_____
Printed Name	Signature
_____	_____
Printed Name	Signature

PRESENT LIST OF OFFICERS

Date: _____

NAME OF NON-FEDERAL ENTITY (NFE):

1. PRESENT LIST OF OFFICERS:

President: _____ Phone: _____

Email: _____ PRD: _____

Vice- President: _____ Phone: _____

Email: _____ PRD: _____

Treasurer: _____ Phone: _____

Email: _____ PRD: _____

Secretary: _____ Phone: _____

Email: _____ PRD: _____

2. POINT OF CONTACT: (Someone other than a board member)

Name: _____

Mailing Address: _____

Phone: _____

Email: _____

PRD: _____

3. Date of last election: _____

Date of next election: _____

LIABILITY CLAUSE

NAME OF NON-FEDERAL ENTITY (NFE): _____

Neither Commander, Fleet Activities (FLEACT) Yokosuka, nor any other agency of the U.S. Government will incur any obligations of the NFE. Also, neither Commander, FLEACT Yokosuka, nor any other agency of the U.S. Government will assume responsibility for any accident or injury occurring in connection with the activities of any NFE. Adequate insurance must be secured in order to protect against public liability and property damage claims or other legal actions that may arise as a result of activities of the NFE or of one or more of its members acting in its behalf. Since there is no direct vested interest of the Federal Government or any of its instrumentalities in the assets of a NFE, the direct protection of organizational assets, such as through fidelity of fire insurance is the responsibility of each organization's membership.

PRESIDENT

PRINT: _____ SIGN: _____

DATE: _____ PRD: _____

VICE-PRESIDENT

PRINT: _____ SIGN: _____

DATE: _____ PRD: _____

SECRETARY

PRINT: _____ SIGN: _____

DATE: _____ PRD: _____

TREASURER

PRINT: _____ SIGN: _____

DATE: _____ PRD: _____

FUNDRAISING REQUEST FORM

DATE: ____/____/____

From: _____ (NAME OF REQUESTER)
To: Office of the Staff Judge Advocate (SJA), Fleet Activities (FLEACT) Yokosuka
Subj: FUNDRAISING REQUEST

_____ requests **legal review** to conduct the following:
(NFE)

EVENT: _____

LOCATION: _____

DATE(s): _____

TIME(S): _____

REQUESTER'S EMAIL ADDRESS: _____

REQUESTER'S ADDRESS: _____

CONTACT NUMBER: _____

ITEMS TO BE SOLD OR FUNDRAISING ACTIVITY: _____

PLEASE READ THE FOLLOWING

Requests must be submitted to the FLEACT Yokosuka, Office of the SJA **NO EARLIER THAN A MONTH**, and **NO LATER THAN TWO WEEKS** prior to the event. Requests for bazaars may be submitted two months in advance. All fundraiser requests must be submitted in person by one of the organization's elected officers.

FLEACT Yokosuka Office of the SJA provides legal review of the event ensuring private organizations are in good standing and fundraising activities do not contravene service regulations and international law. NFEs must contact the appropriate personnel at the requested location to make the necessary arrangements for the use of their facility and schedule the specific date(s) and time(s) requested. **Personnel conducting fundraising activities will ensure compliance with applicable regulations, cleanliness of the facility or area requested and appropriate decorum throughout the event. Final approval to hold any fundraising activity is at their discretion and should not be confused with legal review of the proposed event.**

PRINT NAME: _____

SIGN: _____ DATE: _____

(Name of Private Organization)

DEPOSIT SUBMISSION FORM

If event is a multi-day event, use a separate form for each day.

NAME OF PERSON RESPONSIBLE FOR DEPOSIT:	TOTAL AMOUNT SUBMITTED:
PHONE NUMBER:	DATE COLLECTED:
EVENT OR DESCRIPTION OF SOURCE:	DATE TURNED OVER TO TREASURER:
CASH COUNT VERIFIED BY: (Signature #1)	PRINTED NAME:
CASH COUNT VERIFIED BY: (Signature #2)	PRINTED NAME:

Please fill in the following information for your deposit or attach a spreadsheet with the same information.

CASH	QUANTITY	TOTAL
\$20.00		
\$10.00		
\$5.00		
\$1.00		
\$0.25		
\$0.10		
\$0.05		
\$0.01		
Total Cash:		

NAME OF PAYOR	CHECK #	AMOUNT
Total Checks:		

I hereby certify that this deposit represents the total received by our organization on this day and for this event.

(Print Name)

(Signature)

(Date)

Accepted by: (Treasurer)

Date Accepted:
