

USAREC Regulation 360-12

Army Public Affairs

Unit Membership in Non-Federal Entities

**Headquarters
United States Army Recruiting Command
1307 3rd Avenue
Fort Knox, Kentucky 40121-2725
22 June 2010**

UNCLASSIFIED

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***USAREC Regulation 360-12**

Effective 30 June 2010

Army Public Affairs

Unit Membership in Non-Federal Entities

For the Commander:

SANFORD P. ARTMAN
Colonel, GS
Chief of Staff

Official:

JOSEPH P. BONANO
Assistant Chief of Staff, G6

History. This publishes a revised regulation, which is effective 30 June 2010.

Summary. This regulation prescribes policies and procedures governing U.S. Army Recruiting Command unit membership in non-Federal entities at Government expense in furtherance of recruiting mis-

sion purposes.

Applicability. This regulation is applicable to all elements of this command.

Proponent and exception authority.

The proponent of this regulation is the Assistant Chief of Staff, G7/9. The proponent has the authority to approve exceptions to this regulation that are consistent with controlling law and regulation. Proponent may delegate the approval authority, in writing, to a division chief within the proponent agency in the grade of GS-12 or 13.

Army management control process.

This regulation contains management control provisions in accordance with AR 11-

2, but does not identify key management controls that must be evaluated.

Supplementation. Supplementation of this regulation is prohibited.

Suggested improvements. Users are invited to send comments and suggested improvements on DA Form 2028 (Recommended Changes to Publications and Blank Forms) directly to HQ USAREC, ATTN: RCMEO-O, 1307 3rd Avenue, Fort Knox, KY 40121-2725.

Distribution. This publication is available in electronic media only and is intended for command distribution level C.

*This regulation supersedes USAREC Regulation 360-12, dated 31 March 2004.

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Glossary

1. Purpose

This regulation prescribes policies and procedures governing U.S. Army Recruiting Command (USAREC) unit membership in non-Federal entities at Government expense in furtherance of recruiting mission purposes.

2. References

Required and related publications and prescribed forms are listed in appendix A.

3. Explanation of abbreviations and terms

Abbreviations and special terms used in this regulation are explained in the glossary.

4. Policy

a. Section 5946, title 5, United States Code (5 USC 5946), precludes the use of appropriated funds to pay a membership fee or dues of any military person or civilian employee of the Government except as authorized by express statutory authority. Thus, none of the appropriated funds provided to this command, including funds for reimbursement of recruiters for out-of-pocket expenses, can be used to pay for memberships in non-Federal entities in the name of or for the benefit of any individual.

b. The Comptroller General of the United States has held that 5 USC 5946 does not prohibit a Federal agency from joining a society or association in its own name, so long as the primary benefit of the membership accrues to the agency and the agency determines that its membership in a particular organization is necessary to carry out its functions (volume 61, Decision of the Comptroller General, 1982, p. 541).

c. USAREC unit membership in non-Federal entities, as defined in the glossary, will be procured in the name of the Army for a recruiting station, company, battalion, or brigade. Memberships in non-Federal entities will be utilized as a vehicle to place USAREC personnel in contact with important members of the community in which they work. People such as businesspersons, teachers, doctors, lawyers, religious leaders, and others from various local activities are prime examples. These memberships provide opportunities for USAREC members to concentrate contacts with centers of influence and enhance their position within the community. These individuals serve to place USAREC personnel in contact with prospects.

d. The use of appropriated funds for membership in a non-Federal entity that excludes persons from its membership or functions because of race, color, or national origin is prohibited.

e. For non-Federal entities that limit membership based on gender, consult Headquarters, U.S. Army Recruiting Command (HQ USAREC), G7/9, Public Affairs Division, for guidance on whether such membership is authorized. The Staff Judge Advocate (SJA) will provide guidance to HQ USAREC, G7/9, Public Affairs Division, in making such determination.

f. Commanders at all levels must realize that membership in associations in the name of the USAREC unit commits the participating USAREC representative to support that association. Commanders and participants must constantly assess whether the value of time spent by recruiters attending non-Federal entity activities might be spent more productively in other areas of mission accomplishment. See appendix B for restrictions on participation in activities of a non-Federal entity.

g. If membership in a non-Federal entity is procured in the name of the USAREC unit, it is the Army which is to be represented, not the individual recruiter. Therefore, the USAREC unit member must avoid:

- (1) Honorary memberships.
- (2) Allowing the use of the name of the Army to imply sponsorship of any association.
- (3) Participation in the management and control of any association by accepting an office in the association.
- (4) Participation in the policy-making of non-Federal entities, particularly in such a manner as to suggest compliance by the recruiting element represented or by Department of the Army.

h. No membership will be taken in a politically active organization.

i. When doubt exists as to the appropriateness of procuring a non-Federal entity membership, HQ USAREC, G7/9, Public Affairs Division, will be contacted for approval before the membership is purchased. The SJA will provide guidance to the G7/9, Public Affairs Division, in making such determinations.

j. Only one USAREC unit membership may be purchased per branch or chapter of each local organization.

5. Responsibilities

a. The Assistant Chief of Staff, G7/9, is assigned overall responsibility for the non-Federal entity membership pro-

gram within the command.

b. The Assistant Chief of Staff, G4/8, is responsible for providing appropriate guidance for subordinate elements as to procedures for procurement of memberships.

c. Brigade commanders are responsible for monitoring the non-Federal entities membership program within their commands.

d. Battalion commanders will review and approve all non-Federal entity memberships procured within their commands.

e. Brigade and battalion advertising and public affairs (APA) will monitor and track this program. USAREC Form 1197 (Request for Unit Membership in Non-Federal Entity) (fig 1) will be forwarded to them for review and recommendation for commander approval. USAREC Form 1198 (Membership Log) (fig 2) will be used to track unit memberships at brigades and battalions.

6. Procedures

a. Fiscal.

(1) Resource requirements for non-Federal entity memberships will be budgeted for in Planning, Programming Budget Execution System and specific dollar guidance will be provided in the budget guidance.

(2) Funds allocated may be spent as deemed appropriate by the commander so long as funds are available. Within the funds available, a recruiting element may join more than one association in the name of the Army, but may not purchase more than one membership in the same organization, branch, or chapter of an association.

(3) Expenditure for non-Federal entity memberships will be charged against program 331711.26, element of resource 252G or 26RB, and accounting processing code **SQ, if purchased with a Government convenience check or Government purchase card (GPC). Under no circumstances will advertising funds or recruiter expense allowance (out-of-pocket) be used for memberships in non-Federal entities.

(4) Memberships must be obtained exclusive of meals, and the individual members representing the recruiting element may request reimbursement as out-of-pocket expenses for meals. Meal expenses must be under the per diem rate for the area and should show good judgment.

(5) Membership fees cannot cover additional benefits, such as participation in health clubs, that can be separated from the basic membership cost.

b. Procurement. The brigade or battalion GPC holder, subject to appropriate approval and fund availability, will contract memberships under \$2,500. The membership fees will be paid by the GPC or convenience check. Brigades and battalions will submit purchase requests to their supporting contracting offices for all memberships over \$2,500. The authority cited on the purchase request should read USAREC Reg 360-12.

c. Membership requests. Units requesting memberships will submit USAREC Form 1197 through the chain of command to the battalion or brigade APA office. The battalion or brigade APA office will forward the request to the brigade or battalion commander with a recommendation for approval or disapproval. The brigade or battalion commander will approve or disapprove the request. Requests for memberships at HQ USAREC will be submitted to the G7/9, Public Affairs Division, to be forwarded for Commanding General approval.

d. Recordkeeping and reporting. Records of unit memberships will be maintained on USAREC Form 1198. Reports will be submitted through APA channels to HQ USAREC, G7/9, Public Affairs Division, on a quarterly basis. Reports are due by the 15th of the month following the end of the quarter.

REQUEST FOR UNIT MEMBERSHIP IN NON-FEDERAL ENTITY (For use of this form see USAREC Reg 360-12)			
1. UNIT REQUESTING MEMBERSHIP: Liberty Recruiting Company			2. RSID: 4G4
3. UNIT POINT OF CONTACT: CPT Alexander		4. TELEPHONE (include area code): (816) 792-8724	
5. NAME OF ORGANIZATION OR ASSOCIATION: Liberty Area Chamber of Commerce			
6. TYPE OF ASSOCIATION: <input checked="" type="checkbox"/> Chamber of Commerce <input type="checkbox"/> Hispanic Chamber <input type="checkbox"/> Military/Veterans <input type="checkbox"/> Education <input type="checkbox"/> Medical <input type="checkbox"/> Other _____			
7. MEMBERSHIP:			
a. <input type="checkbox"/> New <input checked="" type="checkbox"/> Renewal	b. Term: 1 Year	c. Cost: \$195.00	
8. BENEFITS OF MEMBERSHIP (If this is a renewal, please indicate past return on investment for this membership): Recruiters both attend meetings and make presentations to the organization. Recruiters made four presentations in FY09. They are involved in fairs, events, dinners, and banquets. Attending these functions has resulted in initiating a PaYS discussion with the incoming police chief that eventually led to a PaYS signing. We've also been asked to serve on the Junior Achievement Board of Directors (which is firmly embedded in many of my high schools and is hosting a back to school breakfast for all local school officials in early September).			
9. FOR RENEWALS ONLY:			
a. Attend Meetings? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	b. Leads: 3	c. COIs: 14	
10. ORGANIZATION OR ASSOCIATION POINT OF CONTACT:			
a. Name: Mr. Smith	b. Address: 9 South Leonard, Liberty, MO 64068		
c. Telephone (include area code): (816) 781-5200	d. E-mail: info@libertychamber.com		
11. BATTALION ADVERTISING AND PUBLIC AFFAIRS (APA) STAFF RECOMMENDATION: <input checked="" type="checkbox"/> Approve <input type="checkbox"/> Disapprove			
12. APA REMARKS: Received 23 Nov 09.			
13. FOR BRIGADE OR BATTALION ACTION:			
a. Commander: <input checked="" type="checkbox"/> Approve <input type="checkbox"/> Disapprove	b. Signature:	c. Date: 1 Dec 2009	
14. FOR BRIGADE OR BATTALION APA USE ONLY AFTER APPROVAL:			
a. <input checked="" type="checkbox"/> Paid	b. Date Paid: 9 Dec 2009	c. Method of Payment: <input checked="" type="checkbox"/> Visa <input type="checkbox"/> Check	d. Date Membership Expires: 1 Jan 2011

USAREC Form 1197, Rev 1 Jun 2009

PREVIOUS EDITIONS ARE OBSOLETE

V2.10

Figure 1. Sample of a completed USAREC Form 1197

FY 2010												
MEMBERSHIP LOG (For use of this form see USAREC Reg 360-12)												
QTR	RSID	MEMBERSHIP NAME	PURCHASE DATE	TERM	COST	ATTEND MEETINGS		RESULTS OF MEMBERSHIP		COMMENTS	RENEWAL FROM PREVIOUS FY?	
						Y	N	COIs	Leads		Y	N
1Q	5K7	Greater Mankato Growth, Inc.	15 Oct 09	1 Yr.	\$332.00	<input checked="" type="checkbox"/>	<input type="checkbox"/>	15	9	Renews 6/26/10	<input checked="" type="checkbox"/>	<input type="checkbox"/>
1Q	5K2J	Jamestown Area Chamber of Commerce	15 Oct 09	1 Yr.	\$199.00	<input checked="" type="checkbox"/>	<input type="checkbox"/>				<input type="checkbox"/>	<input checked="" type="checkbox"/>
2Q	5K1	St. Paul Chamber of Commerce	29 Jan 10	1 Yr.	\$405.00	<input checked="" type="checkbox"/>	<input type="checkbox"/>				<input type="checkbox"/>	<input checked="" type="checkbox"/>
2Q	5K2E	Fargo-Moorhead Chamber of Commerce	29 Jan 10	1 Yr.	\$268.00	<input checked="" type="checkbox"/>	<input type="checkbox"/>	5	25	Renews 1/1/11	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2Q	5K2V	Sioux Falls Chamber of Commerce	18 Feb 10	1 Yr.	\$160.00	<input checked="" type="checkbox"/>	<input type="checkbox"/>	150	75	Very supportive. Generated several new COIs, gained access to schools.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>				<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>				<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>				<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>				<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>				<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>				<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>				<input type="checkbox"/>	<input type="checkbox"/>

USAREC Form 1198, Rev 1 Jun 2009

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V3.10

Figure 2. Sample of a completed USAREC Form 1198

Appendix A References

Section I Required Publication

AR 360-1

The Army Public Affairs Program. (Cited in paras B-1c, B-2c, and B-3.)

Section II Related Publications

DOD 5500.7-R

Joint Ethics Regulation (JER).

5 USC 5946

Membership fees; expenses of attendance at meetings; limitations.

61 DCG 541 (1982)

Matter of: Payment of Agency's Membership Fees in Private Organization.

Section III Prescribed Forms

USAREC Form 1197

Request for Unit Membership in Non-Federal Entity. (Prescribed in paras 5e and 6c.)

USAREC Form 1198

Membership Log. (Prescribed in paras 5e and 6d.)

Section IV Referenced Forms

There are no entries for this section.

Appendix B Restrictions on Participation in Activities of Non-Federal Entities

B-1. Army participation in events or activities of non-Federal entities must:

- a. Benefit the accomplishment of authorized activities of that military unit, such as recruiting.
- b. Not support or appear to endorse the goals of any particular person, group, commercial venture, corporation (profit or nonprofit); religious, sectarian, or ideological group or movement; fraternal organization; or political organization.
- c. Not otherwise be selective, that is, provide support the Army could or would not provide to other similar entities upon request. (See AR 360-1, paras 3-1 and 3-2.)

B-2. The prohibition against supporting the goals of certain organizations applies to the use of military personnel, transportation, equipment, and facilities as well as membership. However, these limitations do not preclude Army participation in events such as:

- a. Widely publicized community events and activities of common interest and benefit of a nonsectarian nature, which are open to all, such as a 4th of July concert, even if held in a church or lodge. Avoid situations that may promote a

private purpose.

b. When the program is clearly patriotic or educational in nature, or is in support of recruiting programs.

c. Special care must be used that shopping malls or centers are used only when the program is directly related to recruiting activities, the program is not advertised or does not appear to promote that mall, center, or a particular business, and use of these facilities is impartial. (See AR 360-1, para 3-2.)

B-3. Note that Army personnel, including members of the Future Soldier Training Program, will not be used in roles such as ushers, guards, parking lot attendants, or in demeaning or inappropriate capacities to support unofficial programs conducted off military installations. (AR 360-1, para 3-2.)

B-4. When questions arise on whether participation in a non-Federal entity is permissible, consult the servicing brigade APA office, which will in turn consult with the brigade judge advocate or HQ USAREC, G7/9, Public Affairs Division and the SJA.

Glossary

Section I Abbreviations

APA

advertising and public affairs

GPC

Government purchase card

HQUSAREC

Headquarters, U.S. Army Recruiting Command

SJA

Staff Judge Advocate

USAREC

U.S. Army Recruiting Command

Section II Terms

non-Federal entity

This is a general term which includes (but is not limited to) non-Government or private societies, associations, and organizations.

Note: For the purpose of this regulation, the term “non-Federal entity” does not include religious groups, sectarian groups, fraternal organizations, and quasi-religious or ideological movements or organizations. See detailed guidance at appendix B.

USAREC unit membership

A USAREC unit membership is one in which the USAREC unit holds the membership but where the unit commander or a person he or she designates serves to represent the unit’s interest or presence at activities.

USAREC

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