



UNIFORMED SERVICES UNIVERSITY OF THE HEALTH SCIENCES

Office of the President
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September 19, 2022

SUBJECT: Private Organizations at the Uniformed Services University of the Health Sciences

Instruction 1005

(VPE)

ABSTRACT

This Instruction assigns responsibilities and prescribes procedures for authorization and operation of private organizations at the Uniformed Services University of the Health Sciences (USU).

A. Reissuance and Purpose. This Instruction reissues USU Instruction 1005 (*Reference (a)*) and assigns responsibilities for authorization and review of the activities of private organizations at USU.

B. References. *See Enclosure 1.*

C. Applicability. This Instruction applies to private organizations authorized by Department of Defense Instruction (DoDI) 1000.15 (*Reference (b)*) to operate on Department of Defense (DoD) installations. Provisions of this Instruction do not apply to non-appropriated fund instrumentalities and other officially recognized Federal Government fund entities, nor to private organizations merely using USU meeting facilities on an occasional or one time basis.

D. Policy. It is USU policy that:

1. All private organizations that seek to operate in USU facilities or wish to petition to use the title, acronym, or logo of USU shall:

a. Have the prior written consent of the President, USU, as documented by USU Form 1002 (*See Enclosure 2*).

b. Be assigned an organization number upon approval to conduct its affairs at USU. The organization number will be used in all future correspondence.

c. Ensure that a list of officers is on file with the Office of External Affairs (EA).

d. Not utilize in their title or letterhead, the name, seal, or abbreviation of the Department of Defense, military departments, or military service.

e. Not prejudice or discredit USU or the Government by their activities.

f. Not engage in activities that compete with those of any non-appropriated activities on the installation.

g. Provide equal opportunity and comply with applicable labor standards for employment.

h. Not limit membership based on race, color, creed, sex, age, disability, or national origin, although cultural or ethnic organizations may be permitted subject to certain conditions.

i. Have adequate insurance where appropriate.

j. Comply with applicable laws governing comparable private sector activities.

k. Document management responsibilities, including accountability for assets.

l. Provide that individuals, other than employees and those who render services, may not profit from participation.

m. Be self-sustaining, primarily through dues, contributions, service charges, or special assessments of members.

n. Ensure all fundraising activities are approved in advance using the most recent "Request to Hold Fundraising Event" form available on the USU/OGC website. To ensure appropriate staffing and coordination an organization should begin staffing the request at least 3 weeks before the event. If the event includes the sale of food and/or beverages, the organization must coordinate the event with the Cafeteria (or any other authorized food/beverage vendor that may be established) and obtain evidence of the coordination. The sale and/or service of alcohol beverages by a private organization is generally prohibited. All fundraisers must follow the instructions found in *Enclosure 3, Attachment 3*, of this instruction.

o. Not engage in resale activities, except thrift shop sales of clothing and used merchandise and occasional "sales" for fund raising purposes.

p. Use their income primarily to offset expenses, which may include competitive awards or charitable contributions.

q. Pay for any additional security, logistical, and cleaning personnel required to support meetings, after-hours functions, etc.

2. Personal and professional participation in private organizations by DoD employees is governed by DoD 5500.7-R (*Reference (d)*) and DoDD 1344.10 (*Reference (c)*).

3. The organizations utilizing USU meeting facilities shall abide by the provisions of USU Instruction 5110 (*Reference (e)*), including arranging for extra security, logistical, and cleaning personnel required to support their meetings, after-hours functions, etc.

E. Logistical Support and Services.

1. Non-Federal entities are not entitled to DoD support. However, support may be provided when it is consistent with and supportive of the USU mission. Such support may only be provided when it can be offered with the capability of USU without detriment to the University's ability to fulfill its primary mission. Support to Private Organizations will only be provided to the extent authorized by *Reference (d)* and applicable law.

a. Type 1 - Federally sanctioned private organizations provide important services to the DoD family and thereby receives certain support, both reimbursable and non-reimbursable, from USU.

b. Type 2 - Affiliated private organizations and Type 3 - Independent private organizations, are provided support by USU as described below.

2. The nature of the activities conducted by most private organizations associated with USU should normally require only enough space in which to conduct organizational meetings. If the use of the space, to include Government-owned portable equipment in place, utilities, and janitorial supplies, is occasional and only incidental to other uses of the facility, and provided its use entails no added maintenance expenses, reimbursement is not required. However, if the private organization has exclusive use of the facility or space on a full-time basis, an out-grant document is required under the authority of USU. Reimbursement for any space occupied, to include utilities, maintenance, and other support services, will be determined in accordance with policies prescribed by USU.

3. Private organizations are responsible for furnishing or procuring equipment, supplies, and other materials at their own expense. However, Government-owned equipment may be loaned to a private organization physically located at USU within the limitations imposed by mission, availability, and statutory authority for such utilization. Neither appropriated nor non-appropriated funds will be used to repair or otherwise restore equipment that has been used on a temporary or loan basis by tenant private organizations since such costs should be properly borne by the user.

4. Alcoholic beverages will not be served/consumed on USU property without the express written authority of the President, USU or designee.

F. Responsibilities.

1. The President, USU shall maintain cognizance over all private organizations authorized to operate at USU.

2. The Office of General Counsel (OGC) reviews agreements between USU and private organizations as well as fundraising requests.

3. The Brigade Commander (BDE CO) ensures that uniformed members segregate military duties from acts with private organizations. Uniforms should not be worn when engaging in private organization activity.

4. The Vice President, External Affairs (VPE) shall approve, if appropriate, agreements with private organizations requesting approval to operate at USU.

5. The Director, Office of University Affairs (OUA) shall:

- a. Maintain a list of currently approved private organizations and their officers;
- b. Conduct a periodic review of private organizations at USU; and
- c. Coordinate private organization requests for approval to operate at USU.

6. The Associate Dean, Student Affairs (School of Medicine (SoM)) shall:

- a. Maintain information on medical student private organizations;
- b. Provide information on student private organizations to the Office of External Affairs (OEA); and
- c. Provide, to OEA, student organization requests for approval to operate at USU.

7. Officers of Approved Private Organizations shall submit and update information required for approval/continued approval.

G. Procedures. *See Enclosure 3.*

H. Effective Date. This Instruction is effective immediately.


Jonathan Woodson, MD, MSS. FACS
President

Enclosures:

- 1. References
- 2. USU Form 1002, "Agreement Between USU and Independent Organization"
- 3. Procedures

Attachment:

Club Sports and Club Sports Responsibility Form

REFERENCES

- (a) USU Instruction 1005, "Private Organizations at USU," dated November 17, 2010 (hereby canceled).
- (b) DoD Instruction 1000.15, "Private Organizations on DoD Installations," dated October 24, 2008.
- (c) DoD Directive 1344.10, Political Activities by Members of the Armed Forces, dated February 19, 2008.
- (d) DoD 5500-7.R, "Joint Ethics Regulation (JER)," dated August 2013.
- (e) USU Instruction 5110, "Use of Uniformed Services University of the Health Sciences Facilities," dated October 23, 2017 (Or as amended).

**AGREEMENT BETWEEN USU AND AN INDEPENDENT ORGANIZATION
(OFFICE OF PRIMARY RESPONSIBILITY: V.P. FOR EXTERNAL AFFAIRS)**

1. THIS AGREEMENT is between the Uniformed Services University of the Health Sciences (the University), an agency of the Department of Defense, and the below-named independent private organization (the organization).

a. Name and address of organization:

b. Function and objectives of the organization:

c. Eligibility for membership in the organization:

d. Management responsibilities (including financial accountability) are handled by:

2. Without necessarily approving or disapproving the goals or activities of particular organizations, the University recognizes that the availability of a wide range of opportunities for the students, faculty, and staff tends to enhance the University environment.

3. The organization is not an agent, servant, or employee of the University and nothing in this agreement is to be interpreted as making the organization an agent, servant, or employee. The University is not liable for any of the organization's contracts, torts, or other acts or omissions. The organization will not hold itself out as being part of, controlled by, or acting on behalf of the University and will take affirmative steps in all of its dealings with third parties to explain its relationship with the University. Neither the organization nor any of its members or officers are protected by the University's or the United States insurance policies or self-insurance plans. All members of the organization understand that, absent incorporation, individual members of the organization are liable if the assets of the organization are insufficient to meet the liabilities.

4. The University agrees to permit the use of its facilities by certain independent private organizations subject to the policies and procedures of the University applicable to such facilities. This includes paying for additional security, logistical, and cleaning personnel required to support meetings, after-hours functions, etc.

5. The organization is self-sustaining, primarily through dues, contributions, service charges, fees, or special assessments of members and the members understand that there can be no financial assistance to the organization from appropriated or non-appropriated funds of the U.S. Fundraising and membership drives are governed by DoD 5500.7-R (*Reference (d)*).

6. The organization normally will not utilize the University's name as part of the organization's name but may do so with the prior written consent of the President. However, the University invites the use of its name to identify the location of the organization (for example, "the XYZ Club at USU"). The organization will not use any marks, symbols, logos, mottos, or indicia of the University without the express written consent of the President, USU.

7. The organization must prominently display the following disclaimer on all print and electronic media mentioning the entity's name confirming that the entity is not a part of the Department of Defense: "THIS IS A NON-FEDERAL ENTITY. IT IS NOT A PART OF THE DEPARTMENT OF DEFENSE OR ANY OF ITS COMPONENTS AND IT DOES NOT HAVE GOVERNMENTAL STATUS." This disclaimer must also be provided in appropriate oral communications and public announcement when the name of the entity is used.

8. The organization agrees to comply with the policies and directives set out in this Instruction, DoD Directive 1000.15 (*Reference (b)*), as well as any applicable laws of the state of Maryland.

9. A copy of the organization's constitution, by-laws, charter, articles of agreement, or other authorization documents which delineate the nature, function, and objectives of the organization is attached.

10. By written notice, either party may at any time cancel this agreement with or without good cause.

11. Failure of the University to enforce any of the provisions of this Agreement will not be construed as a waiver of that provision or any other breach thereof.

Signature and Title of Authorized Officer

Date

Approved:

1. _____
Associate Dean, Student Affairs, School of Medicine
(if applicable)

Date

2. _____
Brigade Commander (if applicable)

Date

3. _____
Office of External Affairs

Date _____

4. _____
Office of the General Council

Date _____

5. _____
President, USU

Date _____

Organization Number (assigned by Office of Educational Affairs (OEA))

PROCEDURES

1. Organizations wishing to operate in USU facilities will submit their applications for approval to operate at USU to the Office of the VPE. The application will detail all required information for determining approved activities as listed in USU Form 1002.
2. The USU Office of Student Affairs (OSA) will be responsible for the distribution and receipt of USU Form 1002 for military student organizations at USU. The OSA will be responsible for maintaining a list of current organizations, and the officers and members of these organizations. OSA may promulgate its own operating instruction in order to accomplish this task. This information will be provided to the Director, (OEA), including all completed USU Form 1002's requiring approval by the President, USU. Once the President has signed the Form 1002 the Director, OEA, will assign the organization a number and establish and maintain a record of the organization. The Director, OEA, will provide a copy of the completed Form 1002 to the organization's point of contact.
3. For those private organizations at USU that have been identified as Club Sports and engage in physical competition (i.e., baseball, ice hockey, etc.) an additional form must be completed before approval is granted. This form will be made available through the BDE.
4. Fundraising by private organizations includes any activity involving requesting or collecting donations, including tangible items (clothes, food, toys, etc.). All private organizations must get approval from the USU Office of External Affairs prior to conducting any fundraising activity at USU. Requests should be made at least three weeks prior to the planned fundraiser. The following requirements apply to fundraising at USU:
 - a. A maximum of two fundraisers per quarter, but no more than four fundraisers per calendar year may be conducted. Separate requests must be submitted for each fundraiser.
 - b. Private organizations are responsible for furnishing their own equipment, supplies, and other resources. Private organizations may not hang signs except in designated areas.
 - c. All fundraising activities will publicly display the purpose of the fundraising event.
 - d. Fundraisers will only be held in public areas. Currently, areas designated as public are:
 - 1) Hall of Flags
 - 2) Student Lounge
 - 3) Area immediately adjacent to the coffee kiosk in Building C
 - e. Fundraisers may not be held for either partisan or non-partisan political activities.

f. Fundraisers will only be conducted by USU recognized private organizations constituted under this regulation and all proceeds must be used to benefit the USU/ DoD community. This is generally considered “for us, by us” fundraising. Raising money/ taking collections for outside organizations or charities is strictly prohibited. Fundraisers/ collections in conjunction with larger DoD/ Service efforts (i.e. Toys for Tots, Air Force Coat Drive, etc.) may be allowed, but only after receiving initial approval from BDE CO. Final approval for all fundraising activity must still be received by the Office of External Affairs.

5. In accordance with federal law, regulation and DoDD1344.10, (*Reference (c)*) there are certain political activities that military members may participate versus must not participate. The prohibitions found within these rules, includes involvement as a member of a private organization. Even activities not expressly prohibited may be contrary to the spirit and intent of the rules. It is imperative to ward off the direct, indirect or implied association of the DoD with political activities.

CLUB SPORTS

1. A "Club Sport" is defined as an organization which is student run and made up of entirely USU students, faculty, and staff whose primary purpose is competition in intra-collegiate, interservice, interclub, or intramural athletic competition, and whose athletic purpose makes the group substantially different from other pre-existing clubs. The membership of the club must be at least 51% USU students. An organization which meets this definition will for the purpose of this attachment be referred to as a Club Sport.
2. The Club Sport must complete an Intramural Recreational Sports Injury Report Form for any injury that occurs during a club sport activity that requires some sort of medical attention.
3. The Club Sport must provide the Brigade Commander and Associate Dean, Student Affairs with a copy of the club schedule at the beginning of each semester or as soon as practicable.
4. This schedule will include official matches as well as practice times and the location where practices are held.
5. The Club Sport must file current information in the Office of the Brigade Commander. This information includes a Summary of the USU's Relationship with the Club Sport and Release of Liability signed by each club members, a list of the addresses and telephone numbers of the current club officers, and a copy of the club constitution or by-laws.
6. The Club Sport understands and agrees that USU does not assume any responsibility for any injuries to anyone in connection with club activities, whether resulting from club practice or competition, travel or other activities, and that USU will not provide payment for medical care, or provide life or accident insurance coverage for students or others engaged in club activities other than that provided to the students as members of the Uniformed Services of the United States. Each club is advised to purchase liability insurance to cover the club, its officers and members with respect to claims by participants, spectators, or others resulting from club activities not covered by medical care rendered as a result of military service.
7. An organization that meets the definition of a Club Sport will be able to use the publicity network set up by USU and will receive certain priority in reserving USU athletic space.

Reviewed by the University Brigade Commander:

(Authorized Agent)

**CLUB SPORTS
RESPONSIBILITY**

The _____ located at the Uniformed Services University of the Health Sciences (USU) represents that it is not connected with USU or the United States Government, but only uses the facilities of USU as a meeting area for its activities. USU serves only to allow the _____ to publicize its activities and meet in its facilities and in no way represents, or acts as agent for, the _____ or other suppliers of services connected with the _____. USU is not liable for any injury, damage, loss, accident, or other irregularity which may be caused by the negligence or default of any company, organization, or person engaged in carrying out or performing any of the services in connection with and including _____. Additionally, responsibility is not accepted for losses or expenses due to sickness, weather, or other such causes. The _____ also reserves the right to decline to accept any person or to require any participant to withdraw from the Club at any time, when such action is determined by the _____ to be in the best interests of the health, safety, and general welfare of the participant and the _____ membership.

The participant understands that engaging in the activities of this organization can be dangerous and should only be undertaken with a full appreciation of the risks involved including, but not limited to serious bodily injury.

As a condition to the acceptance of participation, each participant must agree to, and sign, the statement set forth:

The undersigned has read this document and recognizes and accepts any risks thereof. The undersigned also understands and hereby agrees for and on behalf of himself/herself, his/her dependents, heirs, executors, administrators, and assigns to abide by the conditions set forth under responsibility, above, and to release and hold harmless the Uniformed Services University of the Health Sciences and the United States of America and any of their officers, agents, licensees, or representatives from any and all liability for delays, injuries, or death, or for the loss of or damage to, his/her property occurring during any portion of, or in relation to, activities or operations of the _____.

PARTICIPANT

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