DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
3000 MARINE CORPS PENTAGON
WASHINGTON, DC 20350-3000

MCO 7040.11A
P&R

4 AUG 2008

MARINE CORPS ORDER 7040.11A

From: Commandant of the Marine Corps
To: Distribution List

Subj: MARINE CORPS BIRTHDAY BALL FUNDING

Ref: (a) MARINE CORPS MANUAL
(b) 10 U.S.C. § 5042
(c) 5 C.F.R. Part 2635
(d) NAVSO P-6034
(e) DOD Instruction 1015.15 "Establishment, Management and Control of Non-Appropriated Fund Instrumentalities and Financial Management of Supporting Resources," October 31, 2007
(f) DOD Directive 4500.36, "Management, Acquisition, and Use of Motor Vehicles," August 3, 2004
(g) DOD Directive 4500.56, "DOD Policy on the Use of Government Aircraft and Air Travel," March 2, 1997
(h) DOD 5500.7-R, "Joint Ethics Regulation (JER)," March 23, 2006
(i) SECNAVINST 4001.2H
(j) MCO P5600.31G
(k) MCO P5800.16A
(l) MCO P1700.27B

1. Situation. Provide updated fiscal policy governing the Marine Corps Birthday Ball official ceremonies and social events. This guidance will ensure that all funding sources and fund uses are legitimate, necessary, and reasonable.

2. Cancellation. MCO 7040.11.

3. Mission. This Order provides information, guidance, and procedures concerning the funding of Marine Corps Birthday Balls. This Order applies to all Birthday Balls (Command, Officer, Officer/Staff Noncommissioned Officer (SNCO) and Enlisted Marine Balls), except for the Headquarters, Marine Corps (HQMC) Ball. The HQMC Ball has been designated by the Commandant of the Marine Corps (CMC) as the official Ball of the Marine Corps, and is therefore not subject to this Order.

DISTRIBUTION STATEMENT A: Approved for public release, distribution is unlimited.

4. Execution

a. Commander's Intent

(1) On November 10, 1775, the Second Continental Congress resolved to raise two battalions of Marines. Congress commissioned thirty-one year old Samuel Nicholas, a well-known Philadelphian, as captain of the fledgling force of Continental Marines. Nicholas raised two battalions of Marines as directed and began the long illustrious history of the United States Marine Corps as outlined in reference (a). The founding of our Marine Corps has been celebrated with a Birthday Ball every year since 1925. That said, the observance of the Marine Corps Birthday must not impose an excessive financial burden on commands. The guidance in this Order is intended to ensure suitable observances of the Birthday of the Marine Corps and that funding sources and uses are legitimate, necessary and reasonable in accordance with references (a) through (l). The Birthday Ball offers an unparalleled opportunity for Marines to participate in Marine Corps traditions and tell the Marine Corps story to influential community and civic leaders.

(2) The Ball is a two-tiered event. One tier is the official ceremony and the other tier is the social event (e.g., dinner and dancing).

(a) The Official Ceremony (tier one). The official ceremonial portion of the Birthday Ball is an official function of the United States Marine Corps (USMC) that supports the mission and responsibility of the Marine Corps per reference (b). The official ceremony may be supported with appropriated funds (APF) subject to guidance in this Order.

(b) The Social Event (tier two). The social event of the Ball includes the dinner, refreshments, favors, music, and other social activities. The social event is considered a Marine Corps Community Services (MCCS) Morale, Welfare, and Recreation (MWR) Category A event per reference (l) and therefore may selectively be supported with APF and NAF within local resources. The social event may be supported through fundraising activities conducted in accordance with references (h) and (l).

b. Concept of Operations

(1) The official ceremony portion (tier one) of the Ball is an official Marine Corps function that includes the color guard, Marine Corps Band (for official ceremonial music only), historical pageant, reading of General Lejeune's order, the CMC's message, and the Guest of Honor's remarks. APF assets are authorized for the following expenses in support of the official ceremony:

(a) Security.

(b) Official transportation.

(c) Photography of the official ceremony.

(d) Printing and publications supporting only the official ceremony.

(e) Audio/visual support for the official ceremony.

(2) The social event portion of the Ball includes the dinner, refreshments, favors, entertainment, and other social activities. These functions shall be supported primarily through ticket sales though they may also be supported by unsolicited donations, unit fundraising events, and nonappropriated funds (NAF), if available and appropriate. As stated above, the non-ceremonial, social portion of the Ball is considered a MCCS MWR Category A event, as defined within reference (l), and therefore may selectively be supported by APF and NAF within local resources. For MCCS, the Ball support may be an annual, planned, and budgeted expense approved by the Commander.

(3) The following APF support policy is established for expenses that are related jointly to the official ceremony and the social event and are deemed to be valid MWR Category A expenses that are supportable with APF:

(a) Guest of Honor (GOH), Civilian. APF may not be used to fund the messing, billeting, and transportation expenses for a non-active duty Guest of Honor (or their spouse). Support for a non-active duty GOH and spouse will be provided by ticket sales that may be supplemented by NAF funding, if available.

(b) Guest of Honor (GOH), General Officers Commands are encouraged to invite a General Officer to attend the Birthday Ball as the GOH. Attendance by Marine Corps General Officers will help in celebrating the founding of our Corps, give junior Marines a chance to interact with senior leaders, and may help increase the participation of local civic leaders. Host commands must make every effort to invite a local General Officer as a GOH before reaching out to non-local General Officers. Because of high demand for speakers and limited TAD funds, requests for funds for non-local General Officers will be evaluated on a case-by-case basis through HQMC Public Affairs (CMC (PAC)). Those Balls that are in support of community outreach with a community relations or diplomatic benefit will be given preference. TAD funds are available through CMC (PAC) for active duty and reserve General Officers. Reserve officers may not mobilize solely to attend the Marine Corps Birthday Ball. Requests for General Officer spousal travel must be approved by the Assistant Commandant of the Marine Corps (ACMC), except where approval authority has been separately delegated. HQMC funding is not available for the Aide-de-Camp to accompany the General Officer, nor is funding available for retired General Officers. OCONUS requests are discouraged because of the additional costs incurred. Invitations from OCONUS activities will be reviewed on a case-by-case basis. The following procedure is required for non-local General Officer GOH invitations and travel:

1. Host command invites the prospective General Officer.

2. Aide/secretary provides the following information and a copy of the formal letter of invitation to CMC (PAC) before, but no later than 30 September with the following information:

a. Date and location of the Ball.

b. Full name of the General Officer and spouse (if participating), and mode of transportation (military air or commercial air).

c. Whether the spouse is invited, and if so, whether the spouse is attending (spouses do not rate per diem).

d. Estimated number of attendees.

e. The community relations/diplomatic

benefit served by the GO's attendance shall be identified and demonstrated.

f. List of civic leaders likely to attend.

g. Other community events in which the General Officer plans to participate.

h. Any other General Officers participating in the Ball.

i. Estimated TAD cost.

j. Detailed itinerary.

3. Per references (d) through (g), spousal travel will only be approved where the travel is in the national interest because of a diplomatic or public relations benefit to the United States which requires the spouses presence in a non-participatory role. All invitational travel orders (ITOs) for spouses accompanying the General Officer will be prepared by CMC (PAC).

4. Requests for Ball related travel, including spousal travel, will be forwarded to the ACMC for approval, except where approval authority has been separately delegated. If the ACMC approves the request, CMC (PAC) will notify the aide/secretary and request actual costs for travel. No RSVPs should be made until ACMC has rendered a decision.

5. CMC (PAC) will provide TAD orders to General Officers located at HQMC only; accounting data will be provided for General Officers outside of HQMC.

6. After completion of travel and the General Officer has settled the travel claim through the disbursing office, provide CMC (PAC) with copies of the TAD orders and travel voucher summary of expense sheet from disbursing. CMC (PAC) fax number is commercial (703) 614-2358 or DSN 224-2358. Funding for General Officers Birthday Ball attendance is limited; therefore, requests received earlier have an increased chance for support.

(c) Photographs. Using APF for official photographer to capture the official ceremony portion of the Ball, to include command chronology type photographs of Guest of Honor, VIPs and

command personnel, is authorized. Any additional use of APF for photography is prohibited. APF may not be used to pay for commercial photographers to capture Marines and their guests' private memories of the Ball.

(d) Printing and Publication. APF may be used for printed matter for the official ceremony portion of the Ball only (Programs for the official birthday ceremony menus and invitations are also supportable) in accordance with reference (f), Enclosure (4), which authorizes the purchase of printed matter for the social MWR Category A portion of the Ball. APF shall not be used to fund other printing expenditures (e.g., name cards, seating charts, etc.) for the social portion of the Ball.

(e) Transportation. Paragraphs 2003.2C and 2006.3 of reference (f) allow the use of garrison mobile equipment (GME) in support of unit or installation Marine Corps Birthday ceremonies. APF funded GME transportation for participants, attendees, and guests to the official ceremony, is authorized. NAF assets can be used to supplement this transportation to the social portion of the Ball, if required and available.

(f) Contracts. Only warranted Contracting Officers may enter into contracts on behalf of the United States Marine Corps. Command Birthday Ball representatives may not sign contracts between a vendor, or other service provider and the "USMC" or subordinate units. Doing so could result in an unauthorized commitment and/or personal liability for the contract price. Prior to entering into a contract to support the Marine Corps Birthday Ball, commands shall contact their Regional Contracting Office or Command Legal Counsel.

(g) Fundraising. Fundraising for the Marine Corps Birthday Ball must be conducted in accordance with references (c), (h), and (l). The three main areas of Birthday Ball fundraising concern are solicitation, endorsement, and off-base fundraising activities. On-base fundraisers conducted "by, for, and amongst" service members, in accordance with Section 3-210(a)(6) of reference (h), are authorized. Fundraising should not take Government employees away from their official duties nor distract from unit readiness. DOD employees, both uniformed and civilian, shall not solicit funds from outside sources or endorse the fundraising efforts of non-Federal entities. Off-base fundraising for the Marine Corps Birthday Ball shall not be conducted in uniform, or in any part of the uniform, and must be conducted in the participant's private capacity. For off-base

fundraising, no signs shall be displayed that indicate the fundraiser is for the USMC or a unit of the USMC. Commercial sponsorship of the Birthday Ball may only be conducted by MCCS personnel under the MCCS Commercial Sponsorship Program and only at the discretion of the MCCS Director. In accordance with reference (l), all money generated through fundraising events should be turned in to and accounted for by the MCCS NAFI for the benefit of the unit. Contact your local MCCS representative for assistance. Prior to conducting any fundraising activities, commands shall contact their Command Legal Counsel or Staff Judge Advocate for guidance.

(h) Safety. Commanders will take all appropriate action to ensure the safety of their Marines attending the Ball celebration.

c. Gifts. Gifts from outside entities may only be accepted in accordance with references (c), (h), (i), and (k). Except as provided by references (h) and (i), gifts from prohibited sources (e.g. government contractors, military associations, local businesses, etc) may not be accepted. Prior to accepting any gift from an outside entity, commands must consult and obtain a written legal opinion from their Command Legal Counsel or Staff Judge Advocate.

d. Other Birthday Ball Support

(1) Recorded Music. Traditional Birthday Ball music can be downloaded from the Marine Corps' website at www.marineband.usmc.mil.

(2) Requests for a DVD of the Commandant of the Marine Corps (CMC) birthday message for Marine Corps units should be directed to the nearest combat visual information support center (CVISC).

(3) To obtain a signed copy of the Commandant's written Birthday message on letterhead stationary, submit a written request to Public Affairs (PAC), Headquarters Marine Corps by 30 September. The CMC written message can be found on the Marine Corps Official Website.

5. Administration and Logistics. The observance of the Birthday of the Marine Corps is a time-honored and solemn event, combined with the opportunity at the Ball for Marines to celebrate their heritage as Marines. Every thought and effort surrounding it is to be conducted with an emphasis on the

highest degree of propriety. Under no circumstances should the official nature of this observance be used to cloak or defray private expenses that are solely those of the attendees at the social portion of the Birthday celebration. All ambiguities must be resolved in favor of references supporting those policies and to avoid any appearance of impropriety. Close coordination between Commanders, MCCS Directors, Command Legal Counsel, and Staff Judge Advocate is recommended and highly encouraged. Specific questions not addressed in this Order may be addressed to CMC, Programs and Resources Department (RFR).

6. Command and Signal

a. Command. This Order is applicable to the Marine Corps Total Force.

b. Signal. Questions concerning Birthday Ball funding should be directed to the local Staff Judge Advocate. This Order is effective the date signed.

D. D. THIESSEN
Deputy Commandant for
Programs and Resources

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