

Incorporated by act of Congress



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MARINE CORPS LEAGUE
National Headquarters

703-207-9588

To: Chief Operating Officer, Marine Corps League
From: PNC Wendell W. Webb
Date: 25 March 2021
Subject: Proposed By-Law Change

In accordance with **ARTICLE XI Section 1100 National Bylaws Amendments**, I am submitting the following changes to **ARTICLE X, Subsidiary Organizations, Section 1005**.

Current:

Section 1000. Authority

a. All subsidiary organizations which function and operate directly or indirectly under the Congressional Charter and name of the MCL are subject to the authority, supervision, direction, control, and discipline of the MCL.

b. Such organizations and groups will:

(1) Adopt bylaws compatible and consistent with the bylaws and administrative procedures of the MCL.

(2) Incorporating.

(a) If said incorporation identifies themselves by name with the Marine Corps League and acknowledges their accountability to the Marine Corps League, they shall incorporate if not already done so, or

(b) If such organizations and groups do not identify themselves by name with the Marine Corps League and acknowledge their accountability to the Marine Corps League, said corporation shall immediately amend their incorporation and submit the proposed amended incorporation to the National Judge Advocate of the Marine Corps League for review, consideration, and approval.

c. If a subsidiary or subordinate organization should have any complaints, grievances and/or charges against a Marine Corps League member, Detachment, or Department, they must follow their appropriate chain of command that will refer it to the Marine Corps League for adjudication. It must be referred in writing via certified mail to the National Judge Advocate for appropriate action.

Section 1005. Employment Identification Number [EIN] and Incorporation

a. **EIN**. Each subsidiary organization group in addition to its incorporation, shall obtain and maintain its own EIN under the MCL's Group Exemption Code "0955" under IRS Code 501c(4), within six months from the charter date. The exception is that the Marine Corps League Foundation must maintain its EIN as a 501c(3).

b. **Incorporation**. Any of the foregoing which engage in services or business in their respective state or commonwealth either for profit or non-profit, or which use the name of the MCL, will be incorporated within one year from the charter date unless their state or commonwealth requires incorporation to be completed within a shorter time period.

Proposed Change:

Section 1005. Employment Identification Number [EIN] and Incorporation

- a. **EIN**. Each subsidiary organization group in addition to its incorporation, shall obtain and maintain its own EIN under the MCL's Group Exemption Code "0955" under IRS Code 501c(4), within six months from the charter date. The exception is that the Marine Corps League Foundation must maintain its EIN as a 501c(3). **If for any reason any subsidiary does not maintain good standing with the Fed IRS as determined by the Fed IRS Database (EOBMF) and receives a Letter of Revocation, that subsidiary shall cease to be in Good Standing effective as of that date on the letter or the Fed IRS Database (EOBMF). All operations as a non-profit shall cease and the subsidiary shall not receive any compensation, or voting privileges at National Headquarters conferences and conventions until such time their status is returned to normal status.**
- b. **Incorporation**. Any of the foregoing which engage in services or business in their respective state or commonwealth either for profit or non-profit, or which use the name of the MCL, will be incorporated within one year from the charter date unless their state or commonwealth requires incorporation to be completed within a shorter time period. **If for any reason any subsidiary does not maintain good standing with the state or commonwealth incorporation as determined by the Secretary of State Database and receives a Letter of Revocation, that subsidiary shall cease to be in Good Standing effective as of that date on the letter or the state or commonwealth. All operations as a non-profit shall cease and the subsidiary shall not receive any compensation, or voting privileges at National Headquarters conferences and conventions until such time their status is returned to normal status.**

Rationale:

Clarification of a requirements for subsidiary organizations in the Marine Corps to be in good standing as part of the Parent Organization Family "0955". Subsidiary organization includes Department, Detachments, MODD, Auxiliary, Fleas and any organization brought into existence that belong to the Parent Organization family. All subsidiary organizations must be in compliance with the Federal IRS and Incorporation in their State or Commonwealth, otherwise the whole organization is put into a risk potential for Legal actions against the Marine Corps League and all of it subsidiary organizations.

Respectfully Submitted,

Wendell W. Webb

Wendell W. Webb
Past National Commandant
Marine Corps League