



Department of North Carolina

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31 March 2025

To: Marine Corps League National COO Bob Borka
From: William E. Brown, MCL Life Member #60939

Subj: Proposed Amendment to the National Administrative Procedures, Chapter Six, Section 6045

In accordance with the National Bylaws Article XI, Sections 1120, and National Administrative Procedures Section 10020 the following is submitted for consideration by the body assembled at the 2025 National Convention.

CURRENT LANGUAGE:

Section 6045 Charter Suspension, Revocation

- A. The charter of a detachment may be suspended or revoked for:
1. The persistent failure to maintain a minimum of fifteen (15) regular members in good standing.
 2. The persistent failure to promptly forward funds due to the National body.
 3. Acts and conduct bringing the MCL into public disrespect.
 4. Willful violation of NBL & NAP.
 5. The violation of federal, state, or municipal laws or ordinances.
 6. Other activities detrimental to the good name of the MCL.

B. The suspension or revocation of charters may be consummated by a department board of trustees and/or the National BOT and shall be implemented in accordance with the provisions of the NBL & NAP in a manner considerate of the well-being and good name of all concerned.

C. When a detachment charter is suspended or revoked, the board of trustees of the jurisdictional department, or where a department is non-existent, the jurisdictional Division National Vice Commandant shall upon written authorization of the National Commandant, certified by the NED/COO, assume custody of such detachment's assets and liabilities. The board of trustees of the jurisdictional department shall, within the limits of such assets, satisfy the liabilities of the detachment in question. However, if a jurisdictional department is non-existent, the responsibility for satisfying the outstanding liabilities shall devolve to the National BOT upon receiving, from the jurisdictional Division National Vice Commandant, such assets and liabilities which are in his custody.

D. The detachment properties and assets will be held by the department for a period of one (1) year or until a new detachment is formed. Should a new detachment be formed during that period, and the new detachment retains the old detachment name, ALL properties and assets will be returned. After the one (1) year, the properties and assets will revert to the department. The charter will be returned to National Office and placed in the archives. All assets

will then become the property of the department. All ceremonial rifles must be accounted for per issuing regulations (Title 10, US Code 2572), either physically or through police/fire reports.

E. The department would ensure the current membership in good standing, suspended members, as well as delinquent members still held on the National Rolls of the detachment would be distributed to the closest detachments pending the approval of the accepting detachment. The accepting detachment would have 30 calendar days to approve member(s). Once approved, the members in question will have 30 calendar days to decline the transfer at which point the transfer will be approved or, if declined by either party, the member(s) will then be moved to the National Members at Large roster. If the current department's charter is under suspension or revocation, the National Office along with the Division National Vice Commandant would ensure these transfers take place in accordance with this subsection. (Rev 2023)

PROPOSED LANGUAGE (Revisions in RED):

Section 6045 Charter Suspension, Revocation

- A. The charter of a detachment may be suspended or revoked for:
1. The persistent failure to maintain a minimum of fifteen (15) regular members in good standing.
 2. The persistent failure to promptly forward funds due to the National body.
 3. Acts and conduct bringing the MCL into public disrespect.
 4. Willful violation of NBL & NAP.
 5. The violation of federal, state, or municipal laws or ordinances.
 6. Other activities detrimental to the good name of the MCL.

B. The suspension or revocation of charters may be consummated by a department board of trustees and/or the National BOT and shall be implemented in accordance with the provisions of the NBL & NAP in a manner considerate of the well-being and good name of all concerned.

C. **Suspension.** When a detachment charter is suspended, the board of trustees of the jurisdictional department, or where a department is non-existent, the jurisdictional Division National Vice Commandant (governing jurisdictional body) shall upon written authorization of the National Commandant, certified by the NED/COO, assume custody of such detachment's assets and liabilities. When a detachment chart is suspended, the suspension will be for a specified period, typically beginning at sixty (60) or ninety (90) days and not to exceed one hundred-eighty (180) days depending upon the severity of the problem(s) experienced by the detachment. The removal of the suspension can be shorter if appropriate corrective actions occur. Checkpoints on the progress should occur at 30-day increments. At the end of the suspension period, the situation will be evaluated, the suspension may be removed, extended or subject to revocation of the charter. During the ensuing period, the suspended detachment will not be a detachment "in-good-standing" and thus be:

1. Barred from conducting any membership meetings other than for the purpose of curing the deficiencies outlined in the suspension letter and coming into compliance as stipulated with the suspension notice
2. Barred from accepting any new members into the Detachment either as new joins or by way of transfer
3. Barred from conducting any fundraising activities under the name or logo of the Marine Corps League.

4. Barred from registering delegates or alternates as representatives of the detachment at a Department meeting/convention, Division meeting/conference, or National conference/convention.

5. This does not preclude any members in good standing from attending said meetings/conventions/conferences in exercising their individual rights and privileges to speak, vote, make nominations, run for elected Department officer positions, accept appointments to Department officer positions, present resolutions, etc. unless they are suspended under NAP Section 9090 due to a pending Chapter 9 hearing.

6. The detachment cannot function as a Marine Corps League organization. All elected and appointed officers' authority is also suspended with specific exceptions.

a. Paymasters (Adjutant/Paymasters) can receive payment of annual current member dues and with the assistance of the governing jurisdictional body forward them to preclude existing members becoming "not in good standing". Additionally, Paymasters (Adjutant/Paymasters) and Detachment Commandant may perform and submit PLM Audits as well as deposit dividends received from life memberships.

b. Chaplains should comply and report Notification of Death to the jurisdictional department Chaplain, as required in NAP Section 7010 and perform such duties required in arranging appropriate military honors for deceased members.

7. Members in good standing that are dual members of other detachment(s) may continue to participate in League activities of the dual member detachment.

8. The detachment charter while under suspension is surrendered to and retained by the Department, and all detachment funds and property will remain in the custody of and the responsibility of the detachment, but no disbursement of funds will be permitted except when authorized by the governing jurisdictional body.

9. As is the case when forming a detachment, a detachment with a suspended charter should conduct meetings following the same format as the League *Ritual* but with a member of the governing jurisdictional body in attendance with the charter. Minutes should be taken to show what action is being taken toward resolving the matters causing the suspension, planned actions and a timeline to implement them, as well as consideration of realignment of detachment elected/appointed officers and chairpersons, if needed. Minutes should also be retained by the Detachment Adjutant/Adjutant Paymaster for historical purposes for the detachment.

a. Members that hold an elected or appointed office at Department, Division, or National level in the League (to include the Military Order of the Devil Dog) may continue to serve in or be nominated to, elected or appointed and serve in those positions. Similarly, all those Regular members in good standing would be eligible for nomination, election or appointment to those positions.

b. Members may attend social activities and events where a Marine Corps League presence is the norm but cannot in any instance represent the detachment whose charter has been suspended. This precludes any form of presentations, scholarships, conducting raffles, fundraising and such – the detachment while without a charter is as if it does not exist.

d. The wearing of the Marine Corps League Uniform at funerals is considered appropriate, but without reference to the detachment under suspension.

D. Revocation. When a detachment charter is revoked, the board of trustees of the jurisdictional department, or where a department is non-existent, the jurisdictional Division National Vice Commandant shall upon written authorization of the National Commandant, certified by the NED/COO, assume custody of such detachment's assets and liabilities. The board of trustees of the jurisdictional department shall, within the limits of such assets, satisfy the liabilities of the detachment in question. However, if a jurisdictional department is non-existent, the responsibility for satisfying the outstanding liabilities shall devolve to the National BOT upon receiving, from the jurisdictional Division National Vice Commandant, such assets and liabilities which are in his custody.

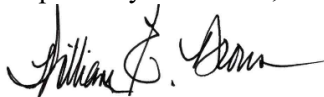
E. The detachment properties and assets will be held by the department for a period of one (1) year or until a new detachment is formed. Should a new detachment be formed during that period, and the new detachment retains the old detachment name, ALL properties and assets will be returned. After one (1) year, the properties and assets will revert to the department. The charter will be returned to the National Office and placed in the archives. All assets will then become the property of the department. All ceremonial rifles must be accounted for per issuing regulations (Title 10, US Code 2572), either physically or through police/fire reports.

F. **The department will conduct an audit to determine if members are living. If members are found deceased, the department will perform procedures as found in Section 7010 of this document.** The department would ensure the current membership in good standing, suspended members, as well as delinquent members still held on the National Rolls of the detachment would be distributed to the closest detachments pending the approval of the accepting detachment. The accepting detachment would have 30 calendar days **from receipt of the transfer request** to approve member(s). Once approved, the members in question will have 30 calendar days to decline the transfer at which point the transfer will be approved or, if declined by either party, the member(s) will then be moved to the National Members at Large roster. If the current department's charter is under suspension or revocation, the National Office along with the Division National Vice Commandant would ensure these transfers take place in accordance with this subsection.

CHANGE RATIONALE:

1. At present the NBL & NAP do not provide specific guidance as to what happens to members who are in good standing within the League when their detachment charter is suspended. There is no discernable difference as to how suspensions and revocations of charters are handled, what the detachment can and cannot do as it pertains to League operations. Members who contribute positively to the detachment are clueless to the reasons their detachment charter has been suspended deserve some answers as to their rights as members in good standing.
2. As with forming detachments, meetings should have format and structure as established in the Guidebook for Detachments with minutes captured to show activity taken recover the suspended charter but with a department BOT member present with the charter. We shouldn't lose focus of the need to record activities and plans of actions and progress made.
3. Although the detachment is prevented from doing their normal activities, some things require that a few exceptions are made, such as acceptance of member dues when the annual expiration will likely occur before the suspension is removed, receiving PLM dividends and conducting PLM Audits
4. Certain actions must be accomplished upon the death of a detachment member as prescribed in NAP Section 7010. Member rights should be clearly stated for every situation where a detachment charter is suspended. This crisis needs to be better defined than it presently is.
5. Transfers: As for the time needed for the member to potentially transfer to another detachment, some detachments have decided to forego meetings in the summer months and others that do not meet in the holiday seasons. As such, the members do not have a guarantee that the closest or most practical detachment for them can meet the meeting timeframe to approve their transfer since it requires the receiving detachment's membership to approve or reject the transfer. At least 60 days would be more practical considering that the receiving detachment must have the transfer document in hand to consider the member for transfer.

Respectfully Submitted,



William E. "Bill" Brown
Department of North Carolina Judge Advocate
Past Commandant, Air, Land NC Detachment 1257 Life Member