



UNITED STATES MARINE CORPS
MARINE CORPS BASE
QUANTICO, VIRGINIA 22134-5001

MCBO 1610.2A
B 37
04 OCT 2001

MARINE CORPS BASE ORDER 1610.2A w/ch1

From: Commanding General
To: Distribution List

Subj: PERSONAL CHECKS

Ref: (a) UCMJ, art. 123
(b) UCMJ, art. 123a
(c) UCMJ, art. 134
(d) Code of Virginia, 18.2-181 (NOTAL)
(e) Code of Virginia, 18.2-183 (NOTAL)
(f) MCO P5512.11B
(g) MCO P4066.17
(h) MCO 7220.49A
(i) DoD FMR Vol 7A
(j) 10 U.S.C. 6032 (NOTAL)

Encl: (1) Format for Report of Worthless Personal Checks
(2) Privacy Act Statement

1. Purpose. To promulgate check-cashing policies for appropriated and nonappropriated fund activities, and to establish reporting and collecting procedures for dishonored and forged checks.

2. Cancellation. MCBO 1610.2.

3. Definitions. For purposes of this order the following definitions are provided.

- a. Draw/Make - writing and signing a check.
- b. Drawer/Maker - one who writes and signs the check as the payor.
- c. Endorser - one who signs their name on the back of the check.
- d. Endorsement - the act of a payee in writing their name on the back of the check.
- e. Payee - the person to whom the check is written.

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f. Personal Check - an individual's own check drawn on his own account.

g. Second Party - a check made payable by the endorser to the party who presents the check.

h. Presenter - one who presents the check to be cashed or used as payment.

4. Information. Reference (a) establishes forgery as a military offense. References (b) and (c) establish that writing or presenting a check without sufficient funds is a military offense under a variety of circumstances. Reference (d) provides that in the Commonwealth of Virginia, any person who, with the intent to defraud, shall draw and present any check knowing at the time the drawer does not have sufficient funds in the bank for payment of the check shall be guilty of larceny. Under reference (e) such notice must be made in writing.

5. Policy. The acceptance of personal checks in payment of obligations and the cashing of personal checks are conveniences extended as a privilege to patrons of appropriated and nonappropriated fund activities. This privilege will be suspended or revoked if abused by patrons. All patrons are responsible for having sufficient funds in their checking accounts to cover the checks they issue, for promptly redeeming any checks returned as dishonored, and for payment of service charges added by the activity. Patrons will be provided a reasonable opportunity for making voluntary restitution for dishonored checks. Every effort will be made to collect payment for a check that is returned as dishonored by a bank. Such efforts will include, where necessary, legal action or checking pay for the amount due.

6. Acceptance of Personal Checks and Service for Returned Checks

a. All activities will require all presenters of personal and second party checks, except officers in uniform, to be identified by Armed Forces (military and dependent) identification cards as prescribed by reference (f), and/or Federal employment identification. *and staff non-commissioned officers*

b. Every personal check accepted at an appropriated or nonappropriated fund activity shall show legibly on the front of the check the following:

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(1) Sponsor as a Drawer/Maker/Endorser

(a) Full name (first name, middle initial, last name)

(b) Rank or Rate (i.e. Col, SSgt, LCpl)

(c) Branch of Service and specify active duty or retired, example, USMC/AD or USMC/Ret.

(d) Sponsor's Social Security Number (SSN). If different, explain the relationship to the sponsor (wife, son, daughter, etc.) on the check.

(e) Complete military address of sponsor's unit and telephone number.

(f) Complete residential address and home telephone number.

(2) Family Member or person other than the sponsor as a Drawer/Maker/Endorser. Everything listed above in paragraph 6b(1) **plus** the family member's social security number (wife, daughter, husband, son, etc.).

c. Checks to nonappropriated fund activities shall be made out to MCCS 0120 for payment for services, goods, preexisting obligations, or for cash and only for the exact amount of the transaction. However, make checks payable to the appropriate NAFI, i.e. Marine Corps Marathon.

(1) MCCS activities are authorized to cash checks at certain activities up to \$50.00 per day, per family.

(2) The Cash Office located in the Marine Corps Exchange (main exchange) may cash personal checks up to \$200.00 per day, per family. If the husband and wife are both active/reserve/retired duty members then they each may cash \$200.00 per day. Second party checks can only be cashed at the main exchange cash office. The cash office supervisor (main exchange) may cash personal checks in excess of \$200.00 as he/she determines appropriate.

d. Employees of activities accepting personal checks shall place their initials in the upper left hand corner of the check and on the back of the check with the register number and date received.

e. There will be a service charge for all returned checks. This service charge is in addition to any fees charged by the activity and

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the service charge imposed on the drawer by the bank for processing the returned item(s) i.e., the commercial banking institute charges a \$X.00 service charge to the MCCS 0120. For example, the reimbursement charge would consist of a \$7.25 bank charge plus the \$25.00 service charge for a total of \$32.25 as prescribed by reference (g). If it is proven that the returned check was the result of a banking institution's error, the service charge imposed may be revoked after the MCCS Comptroller has conducted a review.

7. Suspension of Personal Check-Cashing Privileges

a. The presenter's check cashing privileges will be immediately suspended, per reference (g), on receipt of a dishonored check. If the drawer is a military family member, the sponsor's check cashing privileges will also be suspended at that time. If the amount of check(s) and service charges are paid in full within 15 days after notification suspension may be lifted.

b. A 6-month suspension established by reference (g) will be invoked for any patron who:

(1) Issues two or more dishonored checks in a 15-day time frame after being placed twice on the dishonored checks list during the preceding year.

(2) Issues four or more dishonored checks within a 12-month period.

(3) Takes longer than 30 days to pay off a dishonored check and where the involuntary Pay Adjustment Authorization (PAA) has been done to collect on a dishonored check.

c. A one year suspension established by reference (g) for any patron who:

(1) Issues a check drawn on a nonexistent or closed account.

(2) Issues a check to either himself or another person.

(3) Has been on a 6-month suspension prior to writing a dishonored check.

d. Revocation will be established for patrons who:

(1) Are convicted of forgery, larceny, etc..

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(2) Fail to make restitution on dishonored check(s). Account must be written off and turned over to a collection agency for full payment.

(3) Are reported as a deserter by the unit diary by any branch of service.

(4) Account must be written off and turned over to a collection agency for full payment.

8. Appeals. Suspension of personal check cashing privileges may be appealed in writing to the Commanding General, Marine Corps Base (B 37), 3250 Catlin Ave, Quantico, VA 22134 via the chain of command, within 30 days of notification or suspension of privileges. Restoration of privileges will be the subject of separate correspondence.

9. Forgery. When forgery is suspected, the head of the activity to which the check was returned will notify the Security Officer/Manager. However, the activity head will make no attempt to have the check redeemed unless the case is returned from the Security Office/Manager for collection. If a case of forgery was found, the report of the investigation will be forwarded to the appropriate organizational commander in the case of military personnel or to the Staff Judge Advocate (SJA) in the case of civilian personnel. If no forgery is found, the case will be returned to the head of the activity for correction per paragraph 10 below.

10. Action

a. Activity Heads

(1) When a check is returned from a bank, immediately notify by telephone and mail the drawer or endorser of the check, and the military sponsor if the check was made by a dependent. The notice shall include the name of the person given such notice and the exact date provided. The notice will state that only cash, money order, or certified check will be used to make the redemption.

(2) If the whereabouts of the presenter is known, a written notification of a dishonored check will be mailed (certified/registered) to the presenter within one day following the return of the check from the bank. If the check is not paid within 5 days of the presenter being notified of the returned check, a second notice will be mailed via regular mail to the presenter of the check. If the presenter is military, a copy of the second letter will be mailed

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to that servicemember's Commanding Officer. If the dishonored check has not been redeemed after 30 days of receipt of written notice, the following action will be taken:

(a) If the whereabouts is known of the presenter, appropriated and nonappropriated fund activity heads shall submit a written request to the SJA requesting that a complaint be filed with a civilian court in each case involving a civilian. Cases should be designated as nonprosecutable immediately upon determination by the activity head that the presenter cannot be contacted.

(b) If the whereabouts is not known of the presenter, the dishonored check will be written off and turned over to a collection agency for full payment.

(c) In addition, the following action will be taken:

1 Military Personnel. Where the check was drawn by a member of the Armed Forces (Active and Reserve), the Commanding Officer is requested to counsel the member concerning the debt incurred and the provisions of this order. In the event of transfer, the copy will be sent to the individual's new Commanding Officer.

2 Retired Personnel. If pay checkage is required, a DD Form 139, PAA will be mailed to Defense Finance Accounting Service, Code FR, Cleveland Center, Cleveland, OH 44199-1126.

3 MCCS Employees. Where the check was drawn by a MCCS employee, a copy of the written notice will be forwarded to the activity head of the individual for appropriate action, a copy will also be put into the employee(s) personnel file. If amount due is not collected within one pay period, the total amount due will be collected from the employee(s) pay.

4 Civil Service Employees. Where the check was presented by civil service employee(s), a copy of the written notice will be sent to the activity head of the individual for appropriate action, a copy will also be put into the employee(s) personnel file. If amount due is not collected within 30 days of receipt of notice then the total amount due will be collected from the employee(s) pay.

5 Dependents of Active Duty, Reservists, and Retired Military Personnel. Where the check was drawn by a dependent of an active duty servicemember, reservist or a retiree, a copy of the notification letter will be furnished to the sponsor of the dependent who has drawn the dishonored check. If the sponsor is a member of

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the Armed Forces on active duty and the check was drawn by a dependent for necessities, such as food, clothing, or medical care (see code of Virginia 55-37, 1950, as amended), the sponsor will be subject to suspension of check-cashing privileges if the dependent is negligent in resuming a dishonored check.

(3) Failure by the presenter of the check to redeem the check within 5 days after receipt of the notice will subject the drawer on the check to the referral of a charge of violation of references (b) and (c). Drawing a check without sufficient funds will be grounds for filing a criminal complaint for violation of reference (d) (issuing bad checks) in the appropriate civilian court.

(4) Personal second-party checks tendered to an activity by a person other than the drawer will not be accepted, if the drawer is on the Dishonored Personal Checklist.

(5) Personal second-party checks tendered to an activity by a person other than the drawer will meet the requirements per paragraph 6b of this Order. In the event a personal second-party check is returned by a bank for insufficient funds, no account, or account closed, the endorser will be responsible for making restitution to the activity, and when applicable, pay the assessed service charge.

(6) Active duty, reservists, and retired military Marine members are subject to involuntary pay checkage for checks issued to commissaries as well as nonappropriated fund activities as outlined in reference (h).

b. Appropriated and Nonappropriated Fund Activity Heads. The Head, Finance Branch, MCCS Division (MCCS 0120) may request checkage of a Marines' pay account to satisfy a dishonored check only when Nonappropriated Fund Instrumentality (NAFI) collection efforts have been exhausted and failed to result in voluntary liquidation of the debt. The request must certify that the Marine has been notified in writing as required by references (h) and (i); i.e., notice of the nature and amount of debt, of the intent to collect from current pay if the debt is not paid within 30 days, or if a mutually agreeable repayment schedule is not established, that the Marine could inspect and copy related records and has an opportunity for review of the remaining uncollected at the time of separation would be collected from final pay and allowances. For active duty and, reserve Marines, the request must also certify that the Marine's Commanding Officer has been notified to assist with the collection of the debt. To request pay account checkage:

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(1) Prepare a DD Form 139, Pay Adjustment Authorization (PAA), for the amount of the check(s) and any applicable service charge or other charges as provided in NAFI regulations. The notification statement must be on the PAA. If an active duty or reserve Marine is scheduled to be discharged within 30 days, include the following statement on the PAA: "The Marine is scheduled to separate on (date). Notification to the CO is waived."

(2) Attach to the PAA a copy of both sides of the dishonored check(s) and a copy of the particular signed consent agreement (the existence of such agreement does not alter the requirement for the notification discussed above).

(3) For active duty and reserve service members forward the PAA and NAVCOMPT Form 2277 to the Finance Officer, Comptroller Division, MCB Quantico, 2034 Barnett Avenue, Quantico, VA 22134.

(4) For retired service members forward the PAA to the Defense Finance and Accounting Service, Code FR, Cleveland Center, Cleveland, OH 44199-1126.

c. Finance Officer, Comptroller Division

(1) Input properly prepared PAA's for active duty Marines as pay account checkage per references (h) and (i).

(2) Notify the Marine of the reason for the pay checkage.

(3) Forward PAA and NAVCOMPT Form 2277 to DFAS-Kansas City for reimbursement.

(4) Return improperly completed PAA's and any accompanying documents to the originator with an explanation for the reason for return. Example of reasons for return are: PAA does not contain required certification, copies of the dishonored checks are not attached, there is an indication that the check was not written by the member identified on the PAA, or the Marine has been separated or is otherwise in a nonpay status. In the case of separated Marines, include the Marines' mailing address (if available) to enable the Head, Finance Branch, MCCS Division to pursue further collection.

(5) As authorized by reference (j), PAA's from Marine Corps exchanges governing Marines who are discharged, who desert, or who are sentenced to prison will be processed as provided in subparagraph 10b(1) through (4) above as appropriate.

(6) In the case of PAA's issued by non-Marine Corps NAFI's follow the procedures as indicated in subparagraphs 10c(1) through

(4) above, provided that the PAA contains a certification that the due process requirements of references (h) and (i) have been met.

d. Head, Finance Branch, MCCA Division

(1) Prepare a monthly report for appropriated and nonappropriated fund activity heads and organizational commanders listing individuals whose personal check-cashing privileges have been suspended. This report will be an update of the previous month's report with additions indicated. Those individuals whose privileges have been permanently revoked will be deleted from the list after a period of 3 years, except for those who have been permanently revoked for forgery.

(2) Notify those individuals whose check-cashing privileges have been withdrawn.

e. Commanding Officers

(1) Unit Commanding Officers are authorized to issue a temporary suspension of check-cashing privileges to avoid further financial complications of an individual.

(2) Advise their military personnel that no check cashing will be accepted 2 weeks prior to the servicemember's EAS/ECC date or any servicemember due to be discharged for any reason.

(3) Request ensure their military personnel complete their checkout with the Finance Officer, Comptroller Division (first floor) and the Head, Finance Branch, MCCA Division (second floor). Both offices are located in Little Hall, Bldg. 2034.

(4) Give widest dissemination of the contents of this order.

f. Check-Cashing Facilities. Heads of check cashing activities will post a sign at the check-cashing point, that informs individuals of the Command Policy concerning the use of information provided on the check. An example of this sign is provided in enclosure (2).



D. L. WRIGHT
Chief of Staff

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UNITED STATES MARINE CORPS
MARINE CORPS BASE
QUANTICO, VIRGINIA 22134-5001

MCBO 1610.2A Ch 1
B 37

24 JAN 2002

MARINE CORPS BASE ORDER 1610.2A Ch 1

From: Commanding General
To: Distribution List

Subj: PERSONAL CHECKS

1. Purpose. To transmit a pen change to the basic Order.
2. Action. Page 2, paragraph 6a, line 2, add "and staff non-commissioned officers" behind "except officers."
3. Filing Instructions. File this change transmittal immediately following the signature page of the basic Order.


D. L. WRIGHT
Chief of Staff

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FORMAT FOR REPORT OF WORTHLESS PERSONAL CHECKS

From: (Activity Head)

To: Organization Commander

Subj: REPORT OF WORTHLESS PERSONAL CHECKS FOR THE MONTH OF _____

Ref: (a) MCBO 1610.2A

1. Per the reference, the following report of worthless personal checks received at this activity is submitted:

a. Name of maker (or endorser and/or military sponsor):

(1) Social Security Number:

(2) Organization:

(3) Date of check:

(4) Amount:

(5) Date of return:

(6) Reason for return:

(7) Date of telephone notification:

(8) Date of written notification:

(9) Date redeemed:

(10) Remarks:

b. (Repeat above).

Name and Signature

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PRIVACY ACT STATEMENT

AUTHORIZATION

5 U.S.C. 301, 18 U.S.C. SECTION 13,
"10 U.S.C. SECTION 901 ET. SEG."

PRINCIPAL PURPOSE

The solicited information is intended to be used to notify individuals whose checks have been dishonored and to compile a list of those individuals whose checks have been dishonored and those whose check-cashing privileges have been revoked.

ROUTINE USES

The routine use of the dishonored check list and the revoked check-cashing privileges list is to protect the activity from unnecessary losses, to advise Commanding Officers when bad check offenses are committed by a patron, and to notify Commanding Officers of personnel who are not authorized to cash checks. The information may be provided to Federal, state, and local law enforcement officials.

DISCLOSED

Disclosure is voluntary. Failure to provide the information will result in this activity's refusal to cash your check.