



## UNITED STATES MARINE CORPS

MARINE CORPS BASE  
PSC BOX 20004  
CAMP LEJEUNE, NORTH CAROLINA 28542-0004

BO 5830.7D  
MCCS

**JUN 07 2006**

### BASE ORDER 5830.7D

From: Commanding Officer  
To: Distribution List

Subj: INVESTIGATION OF MISSING, LOST, STOLEN, OR DAMAGED MARINE  
CORPS COMMUNITY SERVICES (MCCS) PROPERTY

Ref: (a) MCO P4400.150 (NOTAL)  
(b) JAGMAN (NOTAL)

Encl: (1) Report of Lost or Damaged MCCS Property  
(2) Certificate of Counsel

1. Situation. This Order publishes procedures for the conduct of investigations concerning missing, lost, stolen, or damaged MCCS property on charge to unit/organization/MCCS activities Responsible Officers (RO's).

2. Cancellation. BO 5830.7C.

3. Mission

a. Summary of Revision. This Order has been revised and should be reviewed in its entirety.

b. Information. Paragraph 6001 of reference (a) requires that missing, lost, stolen, or damaged property belonging to or in the custody of the Marine Corps be made the subject of an investigation as prescribed in Chapter II of reference (b) if the cause of the condition is unknown, if an investigation is required to relieve an individual of responsibility, or to determine responsibility. Accountability for MCCS property items issued through the MCCS Property Control Section remains with Marine Corps Base. However, MCCS Property accounts are found within both organic and tenant commands and the RO's are members of those commands. This Order establishes that the responsibility for convening or waiving any required investigation lies with the RO's Commanding Officer/MCCS Division Director, regardless of major command. It also modifies the routing of completed reports of investigation or waiver to

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require Commanding Officers/MCCS Division Directors to forward them to the Commanding Officer, Marine Corps Base, (Director, Marine Corps Community Services, Chief Financial Officer) so that they may be endorsed with accounting entry instructions.

c. Policy. The Commanding Officer/MCCS Division Director of the RO will initiate investigative action into the circumstances surrounding missing, lost, stolen, or damaged MCCS property.

d. Exceptions

(1) Investigative action is not required when it is the opinion of the Commanding Officer/MCCS Division Director that no negligence is indicated in the loss of or damage to the property or for reasons known to the Commanding Officer/MCCS Division Director; that no negligence nor responsibility can be determined; and, an investigation under those conditions would constitute an unnecessary administrative burden. Also investigative action is not usually required when an individual accepts responsibility for the loss or damage of MCCS property and voluntarily offers to replace in-kind or cash reimbursement.

(2) All MCCS property to be dropped and not subject to investigation may be placed on a Certificate of Disposition (CofD). The document should show a valid reason such as missing, lost, or damaged. The CofD should contain a statement that investigation is waived per BO 5830.7D and that no carelessness or negligence on part of any individual charged with responsibility for the item can be determined and that an investigation would impose an unnecessary administrative burden. Items that have been reported stolen to the Provost Marshal's Office (PMO) will be put on a CofD and a copy of the report attached. The RO and the Commanding Officer/MCCS Division Director must sign the CofD.

e. Contents of Reports of Investigation. The report of investigation submitted by an investigating officer must contain a specific opinion as to fault or negligence per paragraphs 6000.4 and 6006.4a of reference (a) and a specific recommendation to hold or not hold an individual responsible.

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#### 4. Execution

a. Responsible Officers. Using enclosure (1), unit/organization/MCCS activity RO's will report all cases of missing, lost, or damaged MCCS property to their Commanding Officer/MCCS Division Director within 48 hours of discovery/notification. Prepare all required documents if investigation is waived. All losses involving suspected theft will be reported to PMO.

b. Unit/Organization Commanding Officer/MCCS Division Director will:

(1) Convene an investigation to determine the circumstances of the loss or damage by appointing an officer, Staff Noncommissioned Officer or civilian employee to conduct the inquiry and submit the required reports.

(2) If the investigation is waived, direct the RO to submit a CofD as outlined in paragraph 3c(2). Attach a copy of the PMO report for all suspected thefts.

(3) Ensure that the RO for the missing, lost, or damaged property is counseled on voluntary replacement in kind or cash reimbursement per paragraph 6011 of reference (a) and that enclosure (2) is completed and attached to the investigation or CofD and waiver of investigation.

c. Replacement-In-Kind. When an individual elects to replace an item in kind, the replacement item will be of equivalent quality and value and procured at the individual's own expense. The replacement item will be turned into the MCCS Property Control Section to adjust property records as necessary.

d. Cash Reimbursement. All cash reimbursements will be made to MCCS Chief Financial Officer who in turn will make distribution as to Appropriated Funds or Nonappropriated Funds.

e. Investigating Officer. The investigation will be conducted per Chapter 6, reference (a) and Chapter 2, reference (b).

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f. Commanding Officers/MCCS Division Directors. Commanding Officers/MCCS Division Directors will review all investigations and be specific in their endorsements regarding approvals or disapprovals of facts, opinions and recommendations made by the investigating officer. The endorsement must also include any administrative or disciplinary action taken. Marine Corps Base Commanding Officers/MCCS Division Directors will forward their completed reports through their Chain of Command to the Commanding Officer, Marine Corps Base, (Director, Marine Corps Community Services, Chief Financial Officer) via the Staff Judge Advocate. Commanding Officers within II Marine Expeditionary Force, 2d Marine Division, 2d Marine Logistics Group and Naval Hospital should route their completed reports to the Commanding Officer, Marine Corps Base (Director, Marine Corps Community Services, Chief Financial Officer) through their Chain of Command via their:

- (1) Assistant Chief of Staff, G-1
- (2) Staff Judge Advocate
- (3) Commanding General

g. Director, Marine Corps Community Services (Chief Financial Officer). The Director, MCCS will review and forward all investigations and waivers of investigations for missing or damaged MCCS property to the MCCS Property Control Section for action. The Director, MCCS will also request an investigation or approve any waiver of investigation for MCCS property missing or damaged signed for any MCCS Division Director that is assigned as an RO.

h. Commanding Officer (CO), Headquarters and Support Battalion, Marine Corps Base. The CO will appoint investigating officers to conduct such investigations as may be required by the Director, MCCS for missing or damaged property on the accounts of RO's assigned to or employed by Marine Corps Community Services.

i. Provost Marshal, Marine Corps Base. The Provost Marshal is responsible for providing assistance as required with suspected theft of MCCS property. Copy of the report will be forwarded to the Commanding Officer/MCCS Division Director.

5. Administration and Logistics. This Order has been coordinated with and concurred in by the Commanding Officers, II Marine Expeditionary Force, 2d Marine Division, 2d Marine Logistics Group, and II MEF Augmentation Command Element, and Commanding Officers, Marine Corps Air Station (MCAS), New River, Naval Hospital, and Naval Dental Center and Coast Guard Special Missions Training Center (SMTC).

6. Command and Signal

a. Signal. This Order is effective the date signed.

b. Command. This Order is applicable to Marine Corps Base, Camp Lejeune.

  
W. A. MEIER  
By direction

DISTRIBUTION: A

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

BO 5830.7E

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REPORT OF LOST OR DAMAGED MCCS PROPERTY

From:

Name	Rank/Grade	SSN	Unit
To: Commanding Officer/MCCS Division Director			
Subj: MISSING/LOST/DAMAGED MCCS PROPERTY			
Ref: (a) BO 5830.7D			

1. As required by the reference, the following items that I have charged to me are missing/lost/damaged:

MCCS NUMBER	DESCRIPTION	COST

2. Provide complete and detailed circumstances surrounding the reason(s) for the lost/damaged items (attach additional sheets if needed):

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\_\_\_\_\_  
Signature

Copy to:  
MCCS Property Control Section

ENCLOSURE (1)

CERTIFICATE OF COUNSEL

From: \_\_\_\_\_  
To: Commanding Officer/MCCS Division Director  
Subj: CERTIFICATION OF COUNSEL  
Ref: (a) MCO P4400.150E  
(b) BO 5830.7D

1. As required by references (a) and (b), I certify that a disinterested party not in my Chain of Command has counseled me and I acknowledge that:

a. There is no administrative process requiring replacement in-kind or reimbursement for lost, missing, stolen, or damaged property on charge to me.

b. If negligence is involved, action may be taken to require reimbursement for lost, missing, stolen, or damaged property on charge to me.

c. Any offer for replacement in-kind or cash reimbursement must be done freely and voluntarily.

d. Voluntary offer for replacement in-kind or cash reimbursement is not a relief for wrongful acts.

e. Voluntary offer for replacement in-kind or cash reimbursement for lost, missing, stolen, or damaged property will be considered a free act of personal reasons and will not imply admission of responsibility, fault, or negligence for any purpose.

f. Have the right to consult with a Judge Advocate prior to any replacement in-kind or cash reimbursement.

2. I **DO/DO NOT** waive my right to counsel by a Judge Advocate.

3. I **DO/DO NOT** accept responsibility for the missing, lost, stolen, or damaged property on charge to me.

4. I **DO/DO NOT** desire to replace in-kind or cash reimbursement for the lost, missing, stolen, or damaged property on charge to me.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Counselor Signature

ENCLOSURE (2)