



UNITED STATES MARINE CORPS  
MARINE CORPS RECRUIT DEPOT/EASTERN RECRUITING REGION  
PO BOX 19001  
PARRIS ISLAND SOUTH CAROLINA 29905-9001

IN REPLY REFER TO:  
DepO 4200.5  
RCO  
1 8 JUL 2019

DEPOT ORDER 4200.5

From: Commanding General  
To: Distribution List

Subj: UNAUTHORIZED COMMITMENT (UAC) RESPONSIBILITY AND PREVENTION

Ref: (a) Federal Acquisition Regulation (FAR)  
(b) Navy Marine Corps Acquisition Regulation Supplement (NMCARS)  
Subpart 5201.602-3  
(c) Marine Corps Acquisition Policy and Procedures (MAPP)

1. Situation. Commanders are responsible for ensuring military and civilian personnel assigned to their activity are aware of and comply with applicable laws, regulations, and procedures. Commanders must prevent Marines and civilian employees from taking any action beyond their authority, which could be construed as a promise to obligate the Government or that constitutes an expenditure of public funds, resulting in UACs. Only formally warranted United States Marine Corps Contracting Officers or Government Purchase Card (GPC) holders are authorized to obligate funds on behalf of the Government up to their level of warrant or cardholder's appointment letter. Agreements or commitments made by Government employees who are not contracting officers or GPC holders are considered UACs.

2. Mission. The purpose of this order is to publish policies and procedures for effective prevention and ratification of UACs.

3. Execution

a. Commander's Intent and Concept of Operations

(1) Commander's Intent. The number of UACs will be reduced to zero and personnel involved with government funds are trained on proper procurement procedures.

(2) Concept of Operations. UACs could result in a violation of the Anti-deficiency Act, which is punishable by law. Commanders are responsible for the training of Marines and civilians under their charge to ensure UACs are prevented.

b. Tasks

(1) Commanders (District, Regiment, Recruiting Station and Battalion)

(a) Support all requests for information from the Regional Contracting Office (RCO).

(b) Review and provide endorsement to individual's Declaration of Facts statement, make recommendation to ratify or not ratify the UAC, recommend/implement required disciplinary action, and certify that funding was available at the time of the UAC and is currently available.

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(c) Provide a complete ratification package to RCO for review and staffing to the Commanding General (CG).

(d) Ensure all personnel are trained in the proper procedures for procuring supplies and services, and that procurement training is incorporated into each command's annual training plan. Training will include a review of the UAC Training Video and UAC Training Presentation available on the SharePoint sites, available in coordinating instructions.

(2) Regional Contracting Office

(a) Serve as primary point of contact when a perceived UAC is identified. Interface with the individual committing action, individual's commander or civilian equivalent, contractor involved in action, resource manager in charge of funds, legal, and the first General Officer in the individual's chain of command.

(b) Draft Determination and Findings (D&F) and include in the ratification package for staffing.

(c) Staff ratification package through Legal Counsel to the CG.

(d) Issue formal notification to contractor, individual, and individual's commander, if disapproved.

(e) Provide training on UAC's as requested by Commanders.

(3) Lowcountry Counsel

(a) Review ratification package for legal sufficiency and provide advice on recommendation.

(b) Assist in procurement/UAC training.

(4) Individual Alleged to Have Committed Unauthorized Act

(a) Support all requests for information from the RCO.

(b) In accordance with reference (c), prepares and submits a Declaration of Facts statement, via the chain of command, to the CG explaining all pertinent facts and circumstances surrounding the UAC with supporting documents and records.

(c) May be held financially responsible for the entire dollar amount of the UAC and may be subject to disciplinary action.

c. Coordinating Instructions

(1) Training for Eastern Recruiting Region personnel is available at:

<https://mcrportal.marines.usmc.mil/ERR/RCO/Policy/Forms/AllItems.aspx?RootFolder=%2FERR%2FRCO%2FPolicy%2FUnauthorized%20Commitments&FolderCTID=0x012000874D45F145977745A4CFB1AA598EAC43&View=%7B5B837933%2D7151%2D4294%2D9CC3%2D1F84B100F483%7D>

(2) Training for Marine Corps Recruit Depot Parris Island (MCRD PI) personnel is available at:

<https://eis.usmc.mil/sites/mcrdpi/depotoperations/rco/SitePages/Home.aspx?RootFolder=%2Fsites%2Fmcrdpi%2Fdepotoperations%2Frco%2FShared%20Documents%2FUn>

authorized%20Commitments%20Presentation&FolderCTID=0x012000741810EA274BBD42B  
D43896D2ABFA741&View=%7B07EBD916%2D36BC%2D44A7%2D952C%2DFB0D67AD3A76%7D

4. Administration and Logistics

a. Commanders shall ensure all personnel under their charge and performing purchasing functions, or requesting purchasing/contracting support functions become familiar with this order.

b. Under certain limited circumstances in accordance with references (a) & (b), ratification of unauthorized commitments is permitted by the Director, RCO after receiving recommendations to ratify from the CG. Ratification of an unauthorized commitment does not preclude disciplinary action against the person responsible.

c. Individuals found to have committed an UAC may be subject to the following adverse actions:

(1) Active duty Marine

- (a) Restitution of Government Funds
- (b) Written Counseling/Nonpunitive Letter of Caution
- (c) Formal Reprimand (Page 11 Entry)
- (d) Nonjudicial Punishment (NJP)
- (e) Relief from Duties
- (f) Court Martial

(2) Civilian Employee

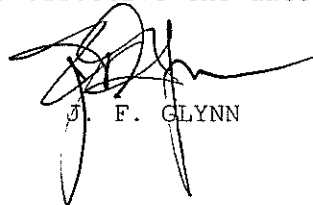
- (a) Restitution of Government Funds
- (b) Written Reprimand
- (c) Up to 30-day Suspension
- (d) Removal

d. Legal advice should be obtained in cases of nonratifiable commitments.

5. Command and Signal

a. Command. This order is applicable to all units within Eastern Recruiting Region and MCRD PI.

b. Signal. This order is effective the date signed.

  
J. F. GLYNN

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