DEPARTMENT OF THE NAVY
NAVAL HISTORY AND HERITAGE COMMAND
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NHHCINST 1710.1
NMD
21 Jun 22

NAVAL HISTORY AND HERITAGE COMMAND INSTRUCTION 1710.1

From: Director, Naval History and Heritage Command

Subj: MUSEUM EVENTS

Ref: (a) DOD Joint Ethics Regulation, DOD 5500.7R Section 3-210
(b) SECNAVINST 7042.7K
(c) OPNAVINST 1700.7
(d) OPNAVINST 5350.4D
(e) USNAINST 11100.7B
(f) Section 2852 of the Military Construction Authorization Act for Fiscal Year 2006 (division B of Public Law 109–163; 119 Stat. 3530)

1. General

a. This policy sets forth the requirements for use of facilities within Navy Museums to host events in accordance with references (a) through (f). This instruction does not apply to the use of Navy Museums by organizations otherwise appropriately licensed under reference (f), while leasing the Navy Museums under that authority. For purposes of this instruction "Navy Museums" includes the museum itself, adjacent grounds, and parking lots of federally owned and controlled facilities. The use of the U.S. Naval Academy Museum (Preble Hall) is governed under reference (e).

b. Navy Museums and/or their supporting 501 (c) (3) non-profit foundations/associations that have existing leases or licenses entered into pursuant to reference (f), or existing Memoranda of Agreement/Understanding (MOA/MOU) with their respective installation shall comply with the terms of that lease, license, or MOA/MOU and any conflicts with this instruction shall be resolved in accordance with the lease, license, or MOA/MOU.

c. Navy Museums, including their facilities, adjacent grounds, and parking lots, exist to support the mission of the Naval History and Heritage Command (NHHC) and the U.S. Navy. As a general matter, Navy Museums, or a portion thereof, may be used to support official and unofficial events, as regulation and scheduling permits, on a first come, first served basis, and at the discretion and written approval of, the respective Museum Director. Such events, when approved in accordance with this instruction, may occur either during the museum's posted hours of operation, or outside of posted hours, at the discretion of the Museum Director.

d. Any organization or individual seeking to hold or sponsor an event ("Sponsor") shall submit a written request to the respective Museum Director at least fourteen days in advance of the date requested in order to permit appropriate review and the identification and coordination

of appropriate personnel staffing, including the submission of necessary Overtime/Compensatory Time (OT/CT) requests to NHHC headquarters. Sponsors shall be informed, at the time of their request, that any modification or cancellation of their event, once approved, is subject to disapproval or penalty as described herein. Requested modifications made within fourteen days of the approved event that require additional personnel beyond those originally planned, shall be denied. Cancellations occurring less then twenty-four hours prior to an approved event shall result in disqualification from holding/sponsoring future events for at least twelve months from the date of the cancelled event.

e. Conduct of patrons and liability for damage to the facility shall be the responsibility of the event sponsor. Generally, attendee conduct shall adhere to existing Navy Museum conduct guidelines and/or any MOA/MOU with the respective installation. Failure to comply may result in criminal or civil charges, monetary compensation or the organization or individual being prohibited from booking further events.

f. A copy of this instruction, initialed on each page by the Sponsor or their legally authorized representative shall be attached to each event request form as an acknowledgement that terms and conditions of the event request form and this instruction are understood, and expressly agreed to by the Sponsor, without reservation. In addition to initialing each page, the initials of the Sponsor or their legally authorized representative, shall be placed directly adjacent to paragraph 9.b. of this instruction. Failure to so initial will be deemed an incomplete request and it will be denied until/unless corrected.

2. Types of Events

a. Official events. Ceremonies and other events that have been approved by the Commanding Officer, Director, or Officer-in-Charge of the requesting command or Department of Defense organization as "official" may be held at Navy Museums. These events include changes of command, command-sponsored retirements, and promotion ceremonies. Other events supported by, or authorized to be supported by, appropriated funds, including Official Representation Funds (ORF) are considered official events.

b. Unofficial events. Events that are not supported by or authorized to be supported by, appropriated funds are considered unofficial events. The Museum's associated 501 (c) (3) supporting Foundation may assess a user fee on an event Sponsor for use of the museum to host unofficial events, if authorized under their respective license or MOA/MOU, as appropriate.

c. Prohibited events. Certain events may not be held in Navy Museums at any time. They include, but are not limited to:

(1) Fundraising events, except those permitted by Section 3-211b of the DOD Joint

(2) Ethics Regulation

(3) Funerals

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(4) Political Activities. This includes, but is not limited to any event wherein a sitting politician or a candidate campaigning for public office is a guest at the event.

(5) Events restricted by other federal, state or local statutes or regulations

(6) Support of commercial activities of any kind including distribution of any material, advertising or sale of any item to the public or event attendees.

(7) Gambling or games of chance, to include raffles

(8) Religious programs

(9) Events for controversial organizations or organizations that discriminate based on race, creed, color, sex, national origin, age or condition of handicap.

(10) Activities that are not appropriate to associate with the Department of Defense, the U.S. Navy or NHHC. Appropriateness is left to the discretion of the Museum Director.

(11) Use that presents an unfair competition with commercial sources; i.e., hotels, banquet halls, convention centers, etc.

(12) Events that exceed the Museum's capability to support and/or that adversely impact the Museum's mission, as determined by the Museum Director.

(13) Events that charge admission and/or are not open to the general public.

(14) Events that charge event attendees for use of Museum-owned equipment or Museum-provided services.

(15) Activities presenting a risk to damage to facilities, exhibits or artifacts, including, but not limited to compromising security and safety, and events that would negatively alter temperature, humidity, light levels, etc. for the proper stewardship of Navy-owned artifacts.

3. Staffing

a. The Museum Director will provide personnel support only as permitted in accordance with the Joint Ethics Regulations and other applicable law and regulation. Museum staffing support to an event shall be limited to safeguarding of Museum facilities, exhibits, and the timely opening and closing of the Museum. Requests for Museum personnel support beyond such minimal levels shall be reviewed by the respective Museum Director, and must be approved, with counsel concurrence, prior to the event. Overtime requests are discouraged but, if needed, shall be submitted in accordance with paragraph 1(e). All such requests shall be evaluated in light of overall benefit to the Navy after consideration of potential overtime costs. The necessity for overtime expenditure may, on its own, be grounds for denial of the event, in its

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entirety. Because of the sensitive environment required for museums and the significant value of artifacts contained therein, only federally employed Museum staff members are authorized to open, close and monitor Navy Museums. This responsibility cannot be transferred or delegated.

b. The Museum will not provide staff to unload, set up, tear down or load equipment, escort guests or actively participate in scheduled events. The organization or individual sponsoring the event must provide the staff required for the successful execution of their event.

4. Catering and Alcohol

a. All food service, bar service and catering must be provided and served by the local Morale, Welfare and Recreation (MWR) caterer unless the event is sponsored by the Museum's supporting 501 (c) (3), in which case, food service, bar service, and catering shall be in accordance with the applicable governing MOA/MOU. Catering negotiations and costs are the sole responsibility of the organization or individual sponsoring the event. All catering arrangements must be approved by the Museum Director and attached to the user request form. All alcohol service shall comply with applicable Navy regulations. The Museum Director shall have sole discretion as to the location within the facility for any alcohol service and may limit the amount of alcohol service as necessary.

b. All catering equipment rental, décor, entertainment and any other services provided by outside vendors will be contracted for and paid for by the organization or individual sponsoring the event. Navy Museums shall not be responsible for lost, stolen or damaged equipment or décor provided by outside vendors or the user. Timing for the delivery and set up of catering equipment, décor and entertainment shall be coordinated with the Navy Museum. The event sponsor is required to clean up after all events within one and a half hours of the completion of the event unless prior arrangements have been made in writing with the Museum Director. Any materials left behind are subject to disposal.

5. Media. Museum Director shall be notified a minimum of 72 hours in advance of and approve all notifications and invitations to the media by an organization or individual sponsoring an event. In the event that the media has the potential to be transmitted outside of the local area, the Museum Director shall notify NHHC Communications and Outreach Division (COD) soonest in order to receive guidance and/or support.

6. Speakers. The Museum must approve all speakers for all non-official events. The following information must be provided in writing for approval; name, background, organization, topic, and relevance to the organization or individual sponsoring the event. Because all speakers are subject to approval, the requesting organization or individual should request this approval as part of the facility use request and prior to the announcement of the speaker, to the maximum extent possible. In the event the speaker or topic is controversial or has the potential to discredit the Navy, the Museum Director has final authority to accept or deny such after consultation with NHHC COD, Office of Counsel and the Navy Museums Division (NMD).

7. Use of Museum Equipment. Equipment owned and operated by the Museum, including, but not limited to: chairs, tables, public address systems, audio-visual equipment, ceremonial bullets

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and carpeting, etc., may be provided by the Museum for use by the requestor with the written permission of the Museum Director, after appropriate legal review. Museum staff will provide an overview of operation of museum equipment if needed.

8. Relationships between Navy Museums, NHHC Headquarters and Local Commands/Installations

a. Whenever the Museum Director approves an after-hours event, the Museum Director will inform the installation Commanding Officer (if the museum is on, or adjacent to, an installation) to ensure there are no issues associated with the Museum's hosting of the event.

b. Clearance of non-DOD identification holding individuals through local command/installation security office for base access is the responsibility of the requesting organization or individual.

c. Museum Directors shall inform NMD and their local command/installation as soon as practicable if an elected official, especially at the National level, is expected to attend, so that notification to the Navy Office of Legislative Affairs (OLA) may be made. Museum Directors are reminded, however, that Museum facilities may not be used for campaign events and any indication that such an event is intended shall be immediately brought to NHHC Leadership attention through the Director, NMD.

d. Events involving fund raising by a 501 (c) (3) or other organizations shall be coordinated with the NHHC Office of Counsel through the Museum Director and NMD.

e. Events that may present a significant security risk or effort shall be coordinated through the NHHC Security Officer and the local command/installation security office.

9. Release of Liability

a. The respective installation, region, Commander, Naval Installations Command (CNIC), Naval History and Heritage Command and Navy Museums shall not be bound by any contracts, promises, expectations or decisions made by third party entities aboard any Navy installation unless, express, explicit authorization is made by the respective Commanding Officer or Higher.

b. By submitting a request and attaching thereto a copy of this instruction, initialed on each page by the Sponsor or legally authorized representative, the Sponsoring/requesting , organization expressly agrees that:

(1) Sponsor releases the United States, its officers, employees, agents and contractors from liability for death or injury to persons on or in the relevant Museum during the conduct of the event approved in accordance with this instruction.

(2) Sponsor agrees, to the extent allowed by law, to release and hold the United States, its officers, employees, agents and contractors harmless from, and to indemnify and defend them against any and all suits, actions and claims of any kind whatsoever, including costs and attorney

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fees, which may arise from or be the result of any approved Museum use or the items provided by the using organization, its employees, agents or contractors.

(3) The Sponsor shall indemnify and save harmless the United States, its officers, employees, agents and contractors from, and defend it and them against, all liability under the Federal Tort Claims Act (28 U.S.C. §§ 2671 and 2680) or otherwise, for death or injury to all persons, or loss or damage to the property of all persons resulting from its use of the relevant Museum.

10. Review and effective date. Per OPNAVINST 5215.17A, Deputy Director for Museums will review this instruction annually around the anniversary of its issuance date to ensure applicability, currency and consistency with Federal, Department of Defense, Secretary of the Navy and Navy policy and statutory authorities using OPNAV 5215/40. This instruction will be in effect for five years, unless revised or cancelled in the interim, and will be reissued by the 5-year anniversary date if it is still required, unless it meets one of the exceptions in OPNAVINST 5215.17A, paragraph 9. Otherwise, it will be processed for cancellation as soon as the need for cancellation is known in accordance with OPNAV Manual 5215.1.

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