



DEPARTMENT OF THE ARMY
U.S. ARMY INSTALLATION MANAGEMENT COMMAND-PACIFIC
HEADQUARTERS, UNITED STATES ARMY GARRISON, HAWAII
745 WRIGHT AVENUE, BUILDING 107, WHEELER ARMY AIRFIELD
SCHOFIELD BARRACKS, HAWAII 96857-5000

AMIM-HWG-ZA

10 Nov 22

MEMORANDUM FOR All Military Personnel, Family Members and Department of Defense (DoD) Civilian Employees within U.S. Army Garrison, Hawaii (USAG-HI) Installations

SUBJECT: Policy Memorandum USAG-HI 29, Personal Commercial Solicitation

1. References.

- a. Department of Defense Instruction (DoDI) 1344.07, Personal Commercial Solicitation on DoD Installations, 30 Mar 06.
- b. AR 190-24, Armed Forces Disciplinary Control Boards and Off-Installation Liaison and Operations, 27 Jul 06.
- c. AR 210-7, Personal Commercial Solicitation on Army Installations, 11 May 21.
- d. U.S. Army Hawaii Regulation 1, U.S. Army Hawaii Standards and Discipline, 01 Sep 20.

2. Purpose. This memorandum provides a consistent policy regarding all personal commercial solicitation activities. The Commercial Solicitation program is to protect Department of the Army military and civilian personnel from fraudulent or unethical business practices. Commanders at all levels must ensure all individuals and agents have permission to solicit on post, and they know the rules and forbidden practices outlined in Army Regulation (AR) 210-7, paragraphs 2-1 and 2-9.

3. Scope.

- a. The policies in this memorandum apply to all military and civilian personnel and their Family members within USAG-HI installations, to include on- and off-post government controlled housing areas.
- b. These policies also apply to individuals or firms desiring to conduct business or advertise their products or event on property controlled by USAG-HI, to include on- and off-post controlled housing areas.

4. Exclusions. This policy does not apply to:

- a. Individuals (military, civilian or Family members) who sell personal property which may be advertised through the Directorate of Family and Morale, Welfare and Recreation (DFMWR), Commercial Sponsorship and Advertising program or other approved media.

b. Individuals and/or companies delivering products on USAG-HI installations that were requested by individuals working or residing on the installation.

c. Individuals participating in authorized yard sale activities.

d. Authorized sales and fundraising activities by private organizations, units, Soldier and Family Readiness Groups (SFRGs), or schools.

e. Individuals seeking to provide bagging and carryout services at the Defense Commissary Agency (DeCA) located on Schofield Barracks.

f. Individuals providing authorized Family Child Care (FCC).

g. Solicitors or vendors who desire to meet with Army Contracting (procurement) Office representatives or its nonappropriated fund activities to sell or deliver day to day goods and services through established contracting and procurement channels.

h. Solicitors or vendors demonstrating products or services for the Hawaii Exchange Army Air Force Exchange Service (AAFES) or Defense Commissary Agency (DeCA) through established contracts and procurement channels.

5. Commercial solicitation policy.

a. No agent (anyone who solicits, advertises goods, services, products or events) will be allowed to conduct solicitation within USAG-HI installations without first obtaining authorization from the Garrison Commander or appointed designee.

b. USAG-HI will establish a monitoring program for agents to enter the installations for the purpose of soliciting business on the installation. The decision of the Garrison Commander or appointed designee to authorize, deny or revoke solicitation privileges is final.

c. The Garrison Commander or designee may deny or revoke a permit if it is in the best interest of the command. The grounds for taking these actions include, but are not limited to, the following:

(1) Making false statements on the Commercial Solicitation Permit Application.

(2) Engaging in any act in violation of the law, any act in violation of Army or USAG-HI regulations or policy, or any act that threatens the safety and security of the installation.

d. Agents whose requests for commercial solicitation privileges are denied or revoked may appeal in writing to the Garrison Commander.

e. Agents or Representatives (anyone who solicits, advertises goods, products or events) must have an authorization letter from the Garrison Commander. Agents and

representatives in possession of an authorization letter will not solicit in any barracks, unit dayrooms, dining facilities, door-to-door or to any large captive audience (See AR 210-7, paragraph 2-9).

f. Distribution or posting of flyers, business cards, promotional materials, etc., anywhere on USAG-HI installations is prohibited except for authorized paid advertising through the DFMWR or other approved media.

g. Unapproved advertisement will be removed at the discretion of the DFMWR or any installation agency when discovered. Return of removed advertisement is at the discretion of the approval officials. Wrongful placement may result in loss of privileges.

h. All approved advertisement must contain a disclaimer indication the event is not endorsed by the Department of Defense, Department of the Army or USAG-HI. In addition, a liability disclaimer must be visible based upon the nature of the event.

i. All commercial solicitation requests will be reviewed to ensure that there is no duplication or competition of retail sales or services that are available through the installation's officially sanctioned commerce, programs, or services.

j. Commercial solicitation will only be permitted by individuals who have successfully received clearance from the Directorate of Emergency Services (DES) and Criminal Investigation Division (CID) after the completion of a background check. Any derogatory or negative findings may result in the denial of a commercial solicitation permit.

k. All commercial solicitation permit requests are subject to a legal review by the Staff Judge Advocate (SJA) office.

l. Agents applying for a commercial solicitation permit who are active duty military members are required to have approval to conduct a business from their Battalion Commander.

m. Agents applying for a commercial solicitation permit who are civilians must be sponsored by an authorized individual holding a valid Department of Defense military identification card. Sponsor will be held personally liable for any actions of the individual being sponsored. Any misconduct may be cause for immediate termination of the approved permit.

n. Private organizations and units may not sponsor other private organizations or individuals for commercial solicitation permits.

o. Solicitation during Private Events and Functions.

(1) All agents wishing to solicit or advertise any goods, services, products or events at private events located on USAG-HI installations must have a solicitation permit and be sponsored by an authorized individual. This includes house-party demonstrations wherein

an agent has been invited to demonstrate, advertise, sell, or otherwise solicit services and/or commodities at a residence located in installation housing where the resident has invited the agent and other guests.

(2) Solicitation requests must include a sponsorship statement by the authorized individual.

6. Prohibited solicitation practices. The following solicitation practices are prohibited on USAG-HI installations, per AR 210-7, paragraph 2-8f:

- a. Solicitation during enlistment or induction ceremonies
- b. Solicitation of mass, group, or captive audiences.
- c. Making appointments with or soliciting personnel in an "on-duty" status.
- d. Soliciting without an appointment in housing or barracks areas.
- e. Soliciting door to door.
- f. Use of official identification (ID) cards by retired, United States Army Reserve (USAR) personnel, or government service employees to gain access to USAG-HI installations to solicit.
- g. Offering false, unfair, improper, or deceptive inducement to purchase or trade.
- h. Offering rebates to promote transactions or to eliminate competition.
- i. Use of any manipulative, deceptive, or fraudulent practice, including misleading advertisement or sales literature.
- j. Any oral or written representations to suggest or appear that the Army sponsors or endorses the company, its agents, or the item offered.
- k. Commercial solicitation by an active duty member of another member junior in rank or grade at any time, on or off the installation.
- l. Entry into any restricted area.
- m. Improper use of assigned desk space for appointments or desk signs displaying the name of the company or product.
- n. Procuring, attempting to procure, or supply roster listings of DoD personnel for purposes of commercial solicitation; except for release granted in accordance with DoDI1344.07, paragraph 6.4.5.

o. Use of the "Daily Bulletin" or any other notice, official or unofficial, announcing the presence of an agent and his or her availability.

p. Distribution of literature other than to the person being interviewed.

q. Wearing of name tags that include the name of the company or product.

r. Offering of financial or other favors to other personnel to help or encourage sales transactions.

s. Improper use of any installation facilities as a showroom or store room, unless specifically authorized.

t. Advertisement citing addresses or telephone numbers of commercial sales activities conducted on the installation.

7. Additional prohibitions for insurance agents. These additional solicitation practices are prohibited by insurance agents, per AR 210-7, paragraph 3-2c:

a. The use of commercial insurance agent as a participant in any military-sponsored education or orientation program.

b. The designation or announcement of any agent as "Battalion Insurance Advisor," "Unit Insurance Counselor," or similar quasi-official titles.

c. Allotment forms. Under no circumstances will agents selling insurance or securities have allotment forms in their possession or attempt to coordinate the administrative processing of such forms. For personnel in grades E-1, E-2, and E-3, at least seven days should elapse between the signing of a life insurance application or contract and the certification of an allotment.

8. Commercial Solicitation Permit Procedures.

a. The Directorate of Family and MWR is the designated agency for monitoring and controlling commercial solicitation permits.

b. Agents requesting solicitation permits must, at a minimum, submit the following:

(1) Completed Commercial Solicitation – Permit Application (Enclosure 1).

(2) Applicable sponsorship statements or approval documents.

(3) Letter of intent (Sample – Enclosure 2).

(4) Business information (catalogs, brochures, pamphlet, handouts, picture, etc.).

(5) Copy of a valid Hawaii State General Excise Tax (GET) License (required by the state of Hawaii).

(6) Insurance License Number and/or Business Registration Number (if applicable).

(7) Background check permission/release forms (Enclosure 3).

c. Life insurance products and securities content prerequisites. Those soliciting life insurance products and/or securities on USAG-HI installations must meet the life insurance products and securities content prerequisites, per DoDI 1344.07, paragraph 6.2.1.

d. Insurance and securities businesses must provide documentary evidence that the company and its agents meet the licensing requirements of the State of Hawaii, in addition to other applicable regulatory requirements (Federal, county, or municipal). The business must also identify each of its agents by name. The business shall submit the request to, and contact the Business and Nonprofit Liaison at 808-656-0104 to schedule a mandatory solicitation briefing. If the request is approved, the business will receive a letter signed by the Directorate of Family and MWR as the representative for the Garrison Commander. A copy of the approval memorandum must be in the possession of any agent soliciting on post. Requests for solicitation will be valid for one year and must be renewed annually.

e. Additional requirements. The president or vice president of the agent's company must file a letter of application with the Garrison Commander, through the Business and Nonprofit Liaison, signed by the president or vice president. The letter must include the following:

(1) The states in which the company is licensed.

(2) The name, complete address, and telephone number of each agent who will solicit, the state in which they are licensed, a statement of the agent's past employment, and the details of the licenses.

(3) The policies and their form numbers offered for purchase.

(4) That the privilege of soliciting is not currently suspended by any military departments.

(5) None of the agents named in the letter are currently suspended from any Armed Forces installation.

(6) The company assumes full responsibility for its agent's failure to comply with Army and USAG-HI regulations.

9. Penalties for false applications. Those who knowingly or willfully falsify applications to solicit on USAG-HI installations may be subject to fine and/or imprisonment in violation of

18 USC 1001 and possible revocation of the company's solicitation privileges and/or debarment from USAG-HI installations.

10. Prior to soliciting on USAG-HI installations, solicitors will complete all prerequisite requirements and schedule an appointment with the designated Business and Nonprofit representative to submit their completed solicitation permit packet. Incomplete packets will be returned without further processing.

a. All complete packages will be reviewed and coordinated as follows:

(1) Requests will be coordinated with installation agencies to ensure that there is no duplication or competition of retail sales or services that are available through the installation's officially sanctioned commerce, programs, or services (e.g., The Exchange-AAFES, DFMWR).

(2) Requests will be processed with DES and CID for the completion of an Army Law Enforcement Reporting and Tracking System (ALERTS) and Centralized Operations Police Suite (COPS) for records check, which includes a review of the installation debarment records for each applicant.

(3) A request for legal review will be initiated by the Business and Nonprofit Liaison and completed by SJA.

(4) A review of Better Business Bureau records will be conducted.

b. Denied requests for commercial solicitation permits will be notified in writing and the applicant will be given the opportunity to appeal in writing to the Garrison Commander.

c. Requestors will be notified of approved commercial solicitation permits in writing. Approved permits will be valid for the following times:

(1) Approved commercial solicitation permits for individuals participating in a private event or function will be valid for a period of one year. However, these permits are limited specifically to participation in the specified event or function as identified in the submitted sponsorship statement.

(2) Approved solicitation permits for agents offering insurance or financial service will be valid for a period of one year and must be renewed annually.

11. Penalties for noncompliance. Those who violate or continue to disregard Army and USAG-HI solicitation policy, may have their solicitation privileges suspended and/or be barred from the installation by the Garrison Commander. In addition, the Armed Forces Disciplinary Control Board (AFDCB) may investigate complaints that off post business establishments are conducting fraudulent, misleading, or deceptive practices.

12. Procedures for these actions are outlined in AR 210-7 and AR 190-24, Armed

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Forces Disciplinary Control Boards and Off-Installation Liaison and Operations. All military personnel, Family members, and retirees are first encouraged to seek assistance from the Business and Nonprofit Liaison. They may also seek help from the Installation Legal Office at (808) 655-8607, if they have additional questions or concerns.

13. This policy supersedes Policy Memorandum USAG-HI 29, SAB, 08 Mar 21 and remains in effect until rescinded or superseded in writing.

14. Point of Contact. For home-based business applicants, commercial solicitation or agents, contact the Business and Nonprofit Liaison at the Directorate of Family and MWR at, 808-656-0104 or usarmy.wheeler.imcom-pacific.mbx.business-liaison@army.mil.

Encls
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STEVEN MCGUNEGLE
COL, AR
Commanding

Enclosure 1, Page 1 of 2

Application for Commercial Solicitation Permit U.S. Army Garrison Hawaii (USAG-HI)		
<p>DATA REQUIRED by the PRIVACY ACT of 1974. Authority: Title 5 USC 552a; Title 10, USC 3013. Purpose(s): The requested information will be used by the Senior Commander or their designee to determine whether or not to grant this request. PRIVACY ACT INFORMATION AUTHORITY: 10 U.S. Code 3013 (b), Authority of the Secretary of the Army. PRINCIPAL PURPOSE: The purpose for requesting personal information is to verify identification of the applicant for a commercial solicitation permit to conduct business on U.S. Army Garrison, Hawaii. ROUTINE USES: Information provided may be used to determine suitability of applicants desiring a personal commercial solicitation permit on U.S. Army Hawaii Installations as well as for other lawful purposes including law enforcement and litigation.</p>		
PART I - BUSINESS/ COMPANY INFORMATION		
Name of Business/ Company	Name of Owner/ President or VP	Telephone Number
Business Address (No P.O. Box)	Email	
Hawaii State General Excise Tax (GETax) License	Hawaii State Business Registration (BREG)	Insurance Number
Briefly describe the business activity:		
PART II - AGENT/ REPRESENTATIVE INFORMATION		
Name (Last, First, MI)	Address	Telephone Number
Military ID Card Holder Yes <input type="checkbox"/> No <input type="checkbox"/>	Military ID Expiration Date	Email
Branch SELECT	Military Status Active Duty <input type="checkbox"/> Spouse <input type="checkbox"/> Dependent <input type="checkbox"/> Reserves <input type="checkbox"/> Retired <input type="checkbox"/>	
If Civilian, Identification Card (ID):	ID Expiration Date	GETax Number
PART III - SPONSORSHIP		
<p>STATEMENT OF UNDERSTANDING: THIS CERTIFICATION CONCERNS A MATTER WITHIN THE JURISDICTION OF AN AGENCY OF THE UNITED STATES AND MAKING OF FALSE, FICTITIOUS, OR FRAUDULENT CERTIFICATION MAY RENDER THE MAKER SUBJECT TO PROSECUTION UNDER TITLE 18, UNITED STATES CODE, SECTION 1001. I UNDERSTAND THAT AS THE SPONSOR, I AM RESPONSIBLE FOR THE ACTIONS OF THE ABOVE NAMED INDIVIDUAL. REPORTS OF MISCONDUCT MAY BE CAUSE FOR IMMEDIATE TERMINATION OF THIS AUTHORIZATION. I ALSO UNDERSTAND IF THE PERMIT IS NO LONGER NEEDED AND HAS NOT EXPIRED, I WILL RETRIEVE THE PERMIT AND TURN IT OVER TO THE COMMERCIAL SOLICITATION CONTROL OFFICER.</p>		
Sponsor's Name	Rank	Telephone Number
Address	Unit/Commander's Name	Email
Sponsor's Signature: _____ Date: _____		

Enclosure 1, Continued 2 of 2

PART IV - ACKNOWLEDGEMENT	
<p>The following rules are written to ensure that a Commercial Solicitation Business does not negatively affect the safety, community tranquility, or the good order and discipline of an Army installation. The business owner/agent acknowledges the following conditions:</p>	
<input type="checkbox"/>	I have read and understand AR 210-7 Personal Commercial Solicitation on Army Installations.
<input type="checkbox"/>	I am responsible for any damages to third parties arising of my business on USAG-HI Installations.
<input type="checkbox"/>	I understand and acknowledge that any violation or noncompliance with Army or Installation regulations may result in the withdrawal of my privilege of personal commercial solicitation on USAG-HI Installations.
<input type="checkbox"/>	I understand that if an individual in grades E-1 to E-4 is being solicited, the solicitation is restricted to specific times and locations as designated by the commander.
<input type="checkbox"/>	I will provide each person solicited with a Personal Commercial Solicitation Evaluation form (DD Form 2885) and will instruct the individual to return the form to the Commercial Solicitation Officer if they so desire.
<input type="checkbox"/>	I declare that I am not an employee of any Federal agency or activity and that my sole source of compensation will be from personal commercial solicitation.
<input type="checkbox"/>	INSURANCE AGENTS. I will leave a completed DA Form 2056 (Commercial Insurance Solicitation Record) with each person applying for insurance and with the unit officer or counselor. I will include in the "Remarks" section any information pertinent to the application. I will include any restriction statement unless such restrictions are clearly indicated on the face of the policy.
<input type="checkbox"/>	CIVILIANS. I understand, acknowledge and agree that if sponsorship is withdrawn, at any time, for any reason, my permit to conduct business on USAG-HI installations will be revoked and I will cease any and all business immediately. Upon revocation, I will surrender my permit to my sponsor or to the Commercial Solicitation Control Officer.
<input type="checkbox"/>	I will provide information to be used to obtain background information through local records checks with the Centralized Operations Police.
<p>Business/ Company or Agent: I certify that the above statements are true and that I have read and will abide by the rules above and any additional guidance contained within the Policy Memorandum, USAG-HI-29, Personal Commercial Solicitation, MMMMDDYYY (pending).</p>	
Business Owner or President Signature: _____	Date: _____
Agent or Representative Signature: _____	Date: _____
PART V - Installation Approval Authority	
<p>I have reviewed the above application for Commercial Solicitation permit and I have decided to: SELECT _____ : (Select One) Expiration Date: _____</p>	
<p>FIRST M. LAST NAME Rank, Branch Commanding</p>	

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Enclosure 2

SAMPLE
LETTERHEAD OF COMPANY/
NAME/ ADDRESS/EMAIL/PHONE #

To Whom It May Concern,

This letter is to request the Garrison Commander's permission for ABC (Business Name) to operate on United States Army Garrison, Hawaii. ABC Mission is organization whose mission is to

Our organization understands that neither the installation nor Government will have any liability ABC's (Business Name) actions or debts and that the Garrison Commander may revoke any privileges at any time.

Explain type of business and how it is conducted/ operated on-post to include how you advertise.

Your consideration is greatly appreciated and we look forward to hearing from you soon.

Sincerely,

Mr./Ms.Robert Smith
President/Position

Enclosure 3

RELEASE/CONSENT STATEMENT		
PRIVACY ACT STATEMENT		
<p>AUTHORITY: 42 USC 13041, 10 USC 3013 AND AR 190-45</p> <p>PRINCIPAL PURPOSE: The provided information will be used to obtain background information through local records checks within the Centralized Operations Police Suite (COPS) and Criminal Justice Information System (CJIS).</p> <p>ROUTINE USES: To initiate background check requirements of the statute.</p> <p>DISCLOSURE: Providing information is voluntary. Failure to provide information may result in disapproval of employment/volunteer status with USAG-HI agencies/units.</p>		
EMPLOYEE/VOLUNTEER STATEMENT		
<p>I, (Please print full name) _____, hereby consent to the release of my records and/or information about me contained in any records maintained by the Directorate of Emergency Services (DES) to (requesting Agency/Unit)_DFMWR_, (installation)____ USAG-HI_____ for the purpose of potential employment or volunteering for the Unit/Agency.</p>		
Applicant's Name (Last, First MI.):		
Applicant's Alias/Maiden Name(s):		
Social Security Number:	Date of Birth:	Place of Birth (City, State/Country):
Local Address:		
Home phone number:	Business phone number:	Date:
Applicant's Signature:		

All request will be scanned in to .pdf format and will be sent to the DES point of contact via Army encrypted email and Public Key Infrastructure (PKI) encryption to ensure security of personally identifiable information (PII).

DES FM 3, Feb 14