



DEPARTMENT OF THE ARMY
UNITED STATES ARMY INSTALLATION MANAGEMENT COMMAND
HEADQUARTERS, U.S. ARMY GARRISON-YONGSAN
UNIT 15333
APO AP 96205-5333

29 JUL 2014

IMYN-MWR

UNITED STATES ARMY GARRISON-YONGSAN (USAG-Y) POLICY LETTER 1-4

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Personal Commercial Solicitation on USAG-Y Installations

1. **REFERENCES:**

a. AR 210 -7 (Personal Commercial Solicitation on Army Installations), 18 October 2007.

b. DoD 5500.7-R (Joint Ethics Regulation (JER), 30 August 1993).

c. DoDI 1344.07 (Personal Commercial Solicitation on DoD Installations), 30 March 2006.

d. DoD 4525.6-M (Department of Defense Postal Manual), 15 August 2002.

2. **PURPOSE:** This policy establishes procedures for the conduct of commercial solicitation and private business transactions to include sale of goods, products, and services, on United States Army Garrison-Yongsan (USAG-Y) Area II installations.

3. **APPLICABILITY:** This policy applies to all DOD personnel, Family members, agencies, and other individuals, on or off-post, seeking to conduct commercial activity or solicit the sale of products, goods, or services, on USAG-Y. This does not apply to:

a. Commercial companies providing services under contract on USAG-Y when authorized by the Commander, USAG-Y.

b. An individual who sells his/her own personal property or privately owned dwelling (i.e., home appliances or goods) on an occasional basis.

c. Approved Private Organizations (PO) cannot engage in commercial solicitation other than fund-raising, which is governed by USAG-Y Fund-Raising Policy Letter.

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d. Jobs performed by school age children on an occasional or part-time basis such as lawn mowing, snow shoveling, or similar activities.

4. **COMMERCIAL SOLICITATION (PRIVATE BUSINESS)**: Individuals or agencies seeking to conduct commercial solicitation on USAG-Y to include government housing areas, must submit a written request to the Commander, USAG-Y. The request must include the following:

a. Description of products, goods, or services to be sold, to include the individual or agency name, address, non-government phone number, and non-government e-mail.

b. Documentation of registration or licenses, if applicable.

c. General description of fees or charges for goods or services to be rendered.

5. **PERSONAL SOLICITATION OF GOODS OR SERVICES INCLUDES, BUT IS NOT LIMITED TO:**

a. Independent consultants.

b. Individuals offering private lessons (e.g., guitar, self-defense, dance, etc.).

c. Individuals selling goods or services (e.g., entertainment services, custom-made items, etc.).

6. **RESPONSIBILITIES:**

a. The Commander, USAG-Y or her designee will approve or deny commercial solicitation permits and commercial advertising.

b. The Area II Solicitation Officer Coordinator (ASOC), Director, Family, Morale, Welfare, and Recreation (DFMWR) will oversee control of commercial solicitation and selling practices on USAG-Y installations on behalf of the Commander, USAG-Y and perform the following:

(1) Examine credentials and applications of individuals desiring to conduct commercial solicitation and sales activities, and determine the eligibility for permits.

(2) Coordinate permit requests (with recommendations) with the Commander, USAG-Y (or designee). Permits will be valid for one year. It is the responsibility of permit holders to renew their permits before the expiration date.

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(3) Maintain a file of sellers/agents/companies with approved permits.

7. **SOLICITATION PRACTICES**. Prohibited solicitation practices include, but are not limited to:

a. Door-to-door solicitation or selling, solicitation in restricted area or entry into any unauthorized area.

b. Solicitation of "mass," "group," or "captive" audiences; i.e., where attendance is not voluntary

c. Making appointments with or soliciting military or DOD Civilian personnel during their normally scheduled duty hours.

d. Use of official military identification cards or vehicle decals by active duty, retired or reserve members of the military services to gain access to Army installations for the purpose of soliciting.

e. Offering false, unfair, improper, or deceptive inducements to purchase or trade and offering rebates to promote transactions or to eliminate competition (credit union interest funds to borrowers are not considered a prohibited rebate).

f. Use of any manipulative, deceptive, or fraudulent device, scheme, or artifice, including misleading advertising and sales literature.

g. Any oral or written representations which suggest or appear that the Department of the Army or the Department of Defense sponsors or endorses the company or its agents, or the goods, services, and commodities offered for sale.

h. Solicitation by a DOD employee of another DOD employee who is junior in rank, grade, or position, or to the family members of such junior personnel within their chain of command, at any time, on or off the military installation.

i. Assignment of desk space for interviews, except for specific, prearranged appointments. During appointments, the agent must not display signs announcing the name of the company or product affiliation.

j. Use of the "Daily Bulletin" marquees, newsletter, web page, or any other notice, official or unofficial, announcing the presence of an agent and his/her availability.

k. Wearing of nametags that include the name of the company or product that the agent represents.

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l. Offering financial benefits, valuables, or desirable favors to military or civilian personnel to help or encourage sales transactions. This does not include advertising material for prospective purchasers (e.g., pens, pencils, wallets, notebooks, or items normally with a value of \$1 or less).

m. Use of any portion of installation facilities to include quarters, as a showroom or store for the sale of goods or services, except as specifically authorized by regulations governing the operations of exchanges, commissaries, nonappropriated fund instrumentalities, and private organizations. This prohibition does not apply to normal home enterprises that are properly authorized by USAG-Y.

n. Advertisements citing addresses or telephone numbers of commercial sales activities conducted on the installation.

o. Soliciting without an appointment in areas used for housing or processing transient personnel, or soliciting in barracks areas used as quarters.

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

q. The sale, distribution, or vending of food or drink for human consumption that has been prepared in the kitchen of a private home or other unlicensed facility, unless such food or drink is accompanied by a prominently placed sign identifying the food as "Prepared in a Private Home [or listing other location if applicable]."

8. **BUSINESS ENTERPRISES IN U.S. GOVERNMENT QUARTERS**. Private businesses in government quarters are authorized under limited circumstances. Government housing will not be altered to accommodate private business endeavors unless authorized by the Commander, USAG-Y. The following practices are prohibited:

a. Use of any portion of quarters as a showroom or store for the sale of goods.

b. Businesses that compete with AAFES or Morale, Welfare, and Recreation activities.

c. Sale of commercial items:

(1) Purchasing of goods at AAFES retail operations or the Commissary in connection with private business. If handicrafts were to be sold in home based businesses, materials to be used for the handicrafts must not be obtained from AAFES retail operations or the Commissary. Using materials obtained from the local economy for this purpose is not prohibited.

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(2) Use of the Military Postal System (MPS) for the transportation of goods for sale or resale.

(a) Materials to be used or sold in home based businesses may not be obtained through the MPS. Obtaining such materials from other than MPS (e.g., through commercial, Korean mail systems, purchased in the local economy) is not prohibited.

(b) For sales or services that are customarily conducted in a domestic setting and do not compete with the installation's official commerce (such as AAFES); e.g., a "party" hosted by an authorized home based business representative, customers must place orders personally and directly with Internet commercial retailers. Home based business representatives are prohibited from placing orders on behalf of customers through MPS, or have items sent to the representatives themselves for resale or transfer to customers.

9. **COMMERCIAL ADVERTISEMENT**. Only commercial speech and advertisements approved by the Garrison Commander or his/her designee are permitted on USAG-Y. This prohibition includes, but is not limited to, flyers, posters, banners, product literature, vehicle wraps, and similar advertisements, for the purpose of solicitation. Advertisements placed on or in vehicles on USAG-Y are regulated by, and must be approved to the same extent as, all other commercial speech and advertisements on USAG-Y. The Directorate of Family, Morale, Welfare and Recreation can provide information on locations approved to advertise the occasional sale of personal property, and how to obtain approval for other commercial advertisements.

10. The proponent for this policy is DFMWR, USAG-Y, Financial Management Branch, at DSN 723-8670. This policy memorandum will remain in effect until superseded or rescinded.

11. This policy memorandum supersedes United States Army Garrison-Yongsan Policy Letter #1-4, IMKO-ZA, 3 Apr 13, Subject: Personal Commercial Solicitation and Home Based Businesses on United States Army Garrison-Yongsan Installations.


MARIA P. EOFF
COL, LG
Commanding

Distribution:

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