

POLICY OR PRECEDENT

(XVIII Abn Corps and Ft Bragg Memo 25-50)

1. SUBJECT Commercial Solicitation on Fort Bragg		2. MASTER POLICY NO. 40
3. ORIGINATOR IMSE-BRG-MWA	4. PHONE NUMBER 396-2507	5. DATE ESTABLISHED 18 August 2008

6. SYNOPSIS: (if more space is needed, use reverse side.)

a. This is the installation policy pertaining to solicitation on Fort Bragg. This permanent policy will not expire until rescinded.

b. Regulations. Commercial Solicitation on Fort Bragg is governed by Army Regulation (AR) 190-24, Armed Forces Disciplinary Control Boards and Off-Installation Liaison and Operations, 27 July 2006; AR 210-7, Personal Commercial Solicitation on Army Installations, 18 October 2007; AR 420-1, Army Facilities Management, 12 February 2008, and directives of the Installation Commander or his designee. Solicitation is a privilege, not a right. Department of Defense (DOD) policy prohibits the endorsement or appearance of endorsement of any product, service, or sponsor. Any type of visual aid/signage to be used on the Installation must be in accordance with (IAW) the Installation Design Guide (IDG) through the Directorate of Public Works (DPW).

c. Purpose. The purpose of Fort Bragg's 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 that all individuals and agents have permission to solicit on post, and that they know the rules and the forbidden solicitation practices outlined in AR 210-7, paragraphs 2-1 and 2-9.

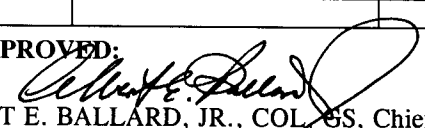
d. Definitions.

(1) Door-to-door solicitation is defined as a sales method whereby an agent proceeds randomly or selectively from household to household without setting a specific prior appointment or receiving an invitation.

(2) Solicitation is defined as the conduct of any private business, including insurance and securities sales, whether initiated by the buyer or seller.

(3) Unauthorized solicitation on Fort Bragg is the uninvited attempt to sell goods or services on the installation by any person not specifically authorized by the installation to solicit, or the employment of prohibited practices as defined in paragraph "h" of this policy.

(Continued)

7. TYPE POLICY <input type="checkbox"/> NEW <input checked="" type="checkbox"/> CHANGE <input type="checkbox"/> REVOCATION	8. IDENTIFY POLICY AFFECTED This policy supersedes Master Policy No. 40, dated 4 April 2005.																							
	9. LAST REVIEWED																							
	<table border="1"> <thead> <tr> <th>DATE</th> <th>REVIEWING OFFICER</th> <th>ORGANIZATION</th> <th>INITIALS</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> </tbody> </table>	DATE	REVIEWING OFFICER	ORGANIZATION	INITIALS																	10. APPROVED:  ALBERT E. BALLARD, JR., COL, GS, Chief of Staff-Task Force Bragg		
	DATE	REVIEWING OFFICER	ORGANIZATION	INITIALS																				
11. DIRECTIVE ON WHICH BASED (Show date, subject, and origin.) AR 210-7, AR 420-1, and FB Regulation 190-1, Bars from Entry Onto Fort Bragg and Camp MacKall, 8 May 2007																								
12. DISTRIBUTION Electronic Media Only (EMO)		13. DATE PUBLISHED AUG 29 2008																						

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(4) Buyer is defined as DOD personnel to include all active duty Soldiers, civilian employees, contractors, and Family members.

e. Installation Solicitation Officer (ISO). The Garrison Commander (GC) has approval authority over commercial solicitation on Fort Bragg. The ISO, who works under the Fort Bragg Morale, Welfare and Recreation (MWR), is the GC's designated point of contact for administering the solicitation program on Fort Bragg. The ISO briefs business entities and commanders concerning the installation solicitation policy; ensures business entities have the necessary approval from the GC's representative prior to soliciting on Fort Bragg, receives, and processes complaints concerning unauthorized solicitation practices.

f. Application to solicit. Before any individual or agent can solicit or sell goods or services on Fort Bragg, the individual, group, chief agent, or company officer must request in writing authorization to solicit. As part of the request, the business must provide documentary evidence that the company and its agents meet the licensing requirements of North Carolina, 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 the ISO, and contact the ISO at 396-2507 to schedule a mandatory solicitation briefing. If the request is approved, the business will receive a letter signed by the Director of MWR as the representative for the GC. A copy of this memorandum must be in the possession of any agent soliciting on-post. Requests for solicitation will be good for one year and must be renewed annually.

(1) Additional requirements. The president or vice president of the agent's company must file a letter of application with the GC, through the ISO, signed by the president or vice president. The letter must include the following:

- (a) The states in which the company is licensed.
- (b) The name, complete address, and telephone number of each agent who will solicit, the states in which they are licensed, a statement of the agent's past employment, and the details of the licenses.
- (c) The policies and their form numbers offered for purchase.
- (d) That the privilege of soliciting is not currently suspended by any military departments.
- (e) That none of the agents named in the letter are currently suspended from any Armed Forces installation.
- (f) The company assumes full responsibility for its agent's failure to comply with Army and Fort Bragg regulations.

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(2) Penalties for false applications. Those who knowingly or willfully falsify applications to solicit on Fort Bragg 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 barred from Fort Bragg.

g. Life insurance products and securities content prerequisites. Those soliciting life insurance products and/or securities on Fort Bragg must meet the life insurance products and securities content prerequisites, per DOD Directive 1344.7.

h. Prohibited solicitation practices. The following solicitation practices are prohibited on Fort Bragg, per AR 210-7, paragraph 2-8f:

- (1) Solicitation during enlistment or induction ceremonies.
- (2) Solicitation of mass, group, or captive audiences.
- (3) Making appointments with or soliciting personnel in an "on-duty" status.
- (4) Soliciting without an appointment in housing or barracks areas.
- (5) Soliciting door-to-door.
- (6) Use of official identification (ID) cards by retired, United States Army Reserve (USAR) personnel, or government service employees to gain access to Fort Bragg to solicit.
- (7) Offering false, unfair, improper, or deceptive inducement to purchase or trade.
- (8) Offering rebates to promote transactions or to eliminate competition.
- (9) Use of any manipulative, deceptive, or fraudulent device, including misleading advertising or sales literature.
- (10) Any oral or written representations to suggest or appear that the Army sponsors or endorses the company, its agents, or the item offered.
- (11) Commercial solicitation by an active duty member of another member junior in rank or grade at any time, on or off the installation.
- (12) Entry into any restricted area.
- (13) Improper use of assigned desk space for appointments or desk signs displaying the name of the company or the product.

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(14) Procuring, attempting to procure, or supply roster listings of DOD personnel for purposes of commercial solicitation; except for releases granted IAW DOD Directive 5400.7.

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

(16) Distribution of literature other than to the person being interviewed.

(17) Wearing of name tags that include the name of the company or product.

(18) Offering of financial or other favors to other personnel to help or encourage sales transactions.

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

(20) Advertisements citing addresses or telephone numbers of commercial sales activities conducted on the installation.

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

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

(2) The designation or announcement of any agent as "Battalion Insurance Advisor," "Unit Insurance Counselor," "Servicemen's Group Life Insurance (SGLI) Conversion Consultant," or similar quasi-official titles.

j. 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.

k. Solicitation in family housing. Subject to the foregoing, Fort Bragg Family housing residents and Soldiers living in the barracks may invite sales representatives or delivery persons to their place of residence. However, sales personnel may not use the invitation to make other contact or attempt to sell to other individuals. Salespersons must be invited and may not solicit door-to-door. In addition to Family quarters, an agent may interview prospective purchasers in accordance with AR 210-7.

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1. Permissible solicitation. Solicitors must set a specific appointment with the client. The solicitor and prospective client may meet in Family quarters or in other areas designated by the installation commander.

m. Authorized businesses in Family housing. On-post quarters residents desiring to engage in ventures, such as beauty products, must submit a written request through the Fort Bragg Picerne Military Housing Neighborhood Management Office. Approval is normally granted if the business is not disruptive to community tranquility, harmony among neighbors, or safety, and is of a type of business normally acceptable for operation from a home in the civilian community. Compliance with the provisions of DOD Directive 5500.7-R, Joint Ethics Regulation, which prohibits solicited sales to subordinates, must be a condition for granting approval to conduct commercial activities in family quarters. Approved businesses operating from government quarters must comply with all solicitation regulations; State and Federal laws; DOD Directive 1344.7; AR 420-1, Army Facilities Management; and Fort Bragg Picerne Resident Responsibility Guide. Engaging in other commercial ventures is not permitted. Requests by quarter's occupants to provide goods and services offered by the Army and Air Force Exchange Systems (AAFES) or MWR activities will be denied if they are considered in competition with AAFES or MWR goods/services.

n. Solicitation and other mediums. Non-DOD and Off-Installation non-profits must request advertising through MWR marketing. Advertising in media such as newspaper, radio, telephone, and direct mail is unrestricted. Department of Defense agencies, activities and officially sanctioned private organizations must adhere to the following when requesting to advertise on the installation using banners/flyers and/or display boards.

(1) Banners.

(a) Approval authority for banner placement is limited to the Solicitation Office at Army Community Service.

(b) Any banners displayed on Fort Bragg must be 5 feet wide by 3 feet high, IAW with the DPW Installation Design Guide (IDG). See ISO for authorized placement locations on Fort Bragg.

(c) Under no circumstances will banners be placed on the overpass on All American. Hanging a banner from the overpass may result in a major fine imposed on Fort Bragg by the state.

(d) All banners will be placed no more than 10 days prior to the event or registration period and will be removed within 24 hours of the conclusion of the event.

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(e) Unapproved or expired banners will be removed at the discretion of the Solicitation Office or any installation agency when discovered. Return of removed banners is at the discretion of the approval officials. Wrongful placement may result in loss of privileges.

(f) One space at each of the banner locations will be for military specific (i.e., 82nd Re-Up, Special Forces (SF) recruiting, USAR/NG recruiting etc.) The banner must be changed every calendar month to keep a fresh look for maximum impact. No unit will have two consecutive months of use if a "waiting list" has been compiled.

(2) Display Boards (DB).

(a) Approval authority for display boards, which have replaced sandwich boards are limited to the Solicitation Office at Army Community Service.

(b) See ISO for placement locations for all display boards on Fort Bragg.

(c) Boards will be posted no more than 10 days prior to the event and will be removed within 24 hours of its conclusion.

(d) Unapproved or expired boards will be removed at the discretion of the Solicitation Office or any installation agency when discovered. Return of removed boards is at the discretion of the approval officials. Wrongful placement may result in loss of privileges.

(e) No holes will be dug and no stakes, poles or such will break the grounds/soil on the installation without DPW prior approval.

(f) One space at each of the display board locations will be for military specific (i.e., 82nd Re-Up, SF recruiting, USAR/NG recruiting, etc.) The display boards must be changed every calendar month to keep a fresh look for maximum impact. No unit will have two consecutive months of use if a "waiting list" has been compiled.

(3) Flyers/Posters.

(a) Approval authority for flyers/posters is limited to the Solicitation Office at Army Community Service.

(b) All flyers/posters must contain the following:

- A disclaimer indicating that the event is not endorsed by the Department of Defense, Department of the Army or Fort Bragg.
- A liability disclaimer based upon the nature of the event.

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(c) Upon approval, the Solicitation Office will issue a letter of approval and attach a copy of the approved item.

(d) Approved items may be displayed/distributed at appropriate facilities on the installation (i.e., gyms, library, etc.) All approvals issued by the Solicitation Office are contingent upon concurrence by the manager of each facility.

(e) Residents are required to contact Picerne prior to posting yard sale flyers to determine current regulations and requirements.

(f) Approved flyers/posters will be displayed no more than 10 days prior to the event and will be removed within 24 hours from its conclusion.

o. Army Contracting Office. This policy does not apply to solicitors or vendors who desire to meet with Army Contracting (procurement) Office representatives or its non-appropriated fund activities to sell or deliver day-to-day goods and services through established contracting and procurement channels.

p. Army Air Force Exchange Service. The general managers of AAFES and Commissary facilities are responsible for solicitor and vendor demonstrations in their areas of operation.

q. Penalties for non-compliance. Those who violate or continue to disregard Army and Fort Bragg solicitation policies and Fort Bragg IDG, may have their solicitation privileges suspended and/or be barred from the installation by the GC. In addition, the Armed Forces Disciplinary Control Board (AFDCB) may investigate complaints that off-post business establishments are conducting fraudulent, misleading, or deceptive practices. Procedures for these actions are outlined in AR 210-7; XVIII Airborne Corps and Fort Bragg Regulation 190-1, Bars from Entry onto Fort Bragg and Camp MacKall; and AR 190-24, Armed 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 ISO. They may also seek help from the XVIII Airborne Corps Legal Assistance Office at 396-6113 or the 82nd Airborne Division Legal Assistance Office at 432-0195, if they have additional questions or concerns.

r. This Master Policy Letter No. 40 supersedes any written or verbal agreements made for any type of solicitation on Fort Bragg.