

INFORMATION PAPER

ATZR-J

2 June 2009

SUBJECT: Solicitation Privileges on the Installation

PURPOSE: To provide guidance on requirements to run an in-home business on Fort Sill

FACTS:

1. Overview. To conduct an in-home business on Fort Sill, a person must obtain permission from Picerne Military Housing and the Fort Sill Solicitation Permit Office (SPO). First, pursuant to the leasing contracts with Picerne, a resident must request in writing permission from Picerne before engaging in any commercial activities from an on-post home. Second, to solicit on behalf of any private business on post requires a solicitation permit from the SPO. To request permission from Picerne, call (580) 581-2100. To obtain a solicitation permit contact Ms. Cheryl Foster at the SPO, Building 4700, North Mow-Way Road, or at (580) 442-3113. You must have both the written permission of Picerne and a solicitation permit to conduct an in-home business on Fort Sill. Such businesses include the sale of cosmetics (such as Avon or Mary Kay), home products (such as Tupperware), and performing services like a beauty salon or childcare.

2. Army Regulations and Guidelines. Two regulations implement the Army rules concerning solicitations on Army Posts. First, AR 210-7, Personal Commercial Solicitation on Army Installations, dated 18 October 2007, implements DOD Instruction 1344.07, *Personal Commercial Solicitation on DoD Installations*. Second, Fort Sill has implemented supplemental solicitation rules in U.S. Army Field Artillery Center and Fort Sill Regulation (USAFACFS) 210-4, *Personal Commercial Affairs*. Army Regulation 210-7 directs Garrison Commanders to decide what constitutes appropriate solicitation on an Army Post. Accordingly, the written request to the SPO must include the following:

a. A list of all employees of the company as well as contact information for each employee including a valid address and telephone number;

b. A list of the products and services the company intends to sell;

c. An attestation that the products and services sold on the installation will comply with these regulations; and,

d. An attestation that the company assumes full responsibility for its agents complying with AR 210-7 and Fort Sill 210-4.¹

¹ This information paper does not address the sale of insurance products and securities. A much more in-depth list of policies and procedures governs the sale of insurance products and securities.

ATZR-J

SUBJECT: Solicitation Privileges on the Installation

3. Fort Sill Regulations and Guidelines. USAFACFS Regulation 210-4 provides additional instruction on prohibited solicitation practices. Common forbidden practices include:

- a. Soliciting mass, group, or captive audiences;
- b. Making appointments with or soliciting of military personnel who are in an on-duty status;
- c. Soliciting without an appointment in areas used for housing or processing;
- d. Door-to-Door solicitation without a local exception;
- e. Commercial solicitation by a DoD employee of another DoD employee who is junior in rank, grade, or position. (This includes the respective spouses and family members of the DoD employees);
- f. Distribution of advertisement or literature in any location on an installation, including housing areas, without permission;
- g. Obtaining or attempting to obtain (and/or supplying) roster listings of DA personnel through unauthorized persons;
- h. Offering to give financial benefits or other valuable consideration in order to facilitate solicitation or sales transactions;
- i. Possessing or attempting to possess any supplies of direct deposit forms or any other form or device used by military departments to direct a Soldier's pay to a third party; and,
- j. Use of any manipulative, deceptive, or fraudulent device, scheme, or artifice, including misleading advertising and sales literature.

4. Picerne Military Housing. In-home businesses are common on all military installations. If the business operates from government quarters, the resident must first obtain permission from Picerne Military Housing, then request a Solicitation Permit. According to the Fort Sill Resident Responsibility Guide, "Residents wishing to engage in ventures such as childcare, the sale of home or beauty products, or conduct fund raising events must submit a written request to the Neighborhood Management Office." Picerne's Old Cavalry Post Management Office is located at 1164 Lester Road and may be contacted at (580) 581-2140. Picerne's Southern Plains Management Office is located at 5434 Rossbach Road and may be contacted at (580) 581-2142.

5. Prohibitions Based on Rank. In-home business owners must also exercise caution in to whom they solicit. Department of Defense personnel must not personally solicit or make sales to DoD personnel who are junior in rank or grade. This does not preclude the junior ranking person from approaching the senior person and requesting the solicitation or sale.

ATZR-J

SUBJECT: Solicitation Privileges on the Installation

6. Improper Solicitations. USAFACFS Reg. 210-4 includes a process to report rule violations regarding on post solicitations. Report solicitation complaints to the Fort Sill Solicitation Permit Office. Additionally, consumers may use DD Form 2885.² This form provides a means to supervise solicitation activities on the installation and must be provided during every initial appointment or solicitation. Once the Solicitation Permit Office receives a complaint or allegation, it investigates the complaint and determines whether a violation has occurred. The Solicitation Office then reports the results of their investigation to the Garrison Commander and also provides a recommendation for a course of action. The Garrison Commander then determines if sufficient cause supports that a violation occurred and the proper remedy.

7. The POC for this information paper is the Administrative Law Division, Office of the Staff Judge Advocate, at (580) 442-0984.

Approved by COL Stuart W. Risch

² The DD Form 2885 is the "Personal Commercial Solicitation Evaluation." This is a voluntary evaluation used to evaluate the experience with the sales representative that provides the Soldier or family member the evaluation form. The responses on the form may be anonymous. The responses are used to help the command ensure that the sales representatives conduct themselves fairly and according to the policies outlined in DoD Instruction 1344.07 and AR 210-7.