



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

IMHW-ZA

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

SUBJECT: Policy Memorandum USAG-HI-48, Home-Based Business (HBB)

1. References.

a. IMCOM Policy Memorandum 215-1-14, IMCOM Garrison Home-Based Business Implementation Guidance, 08 Jan 20.

b. Department of Defense Instruction (DoDI) 1344.07, Personal Commercial Solicitation on DoD Installations, 30 Mar 06.

c. Army Directive (AD) 2018-29, Non-Federal Entity Competition with Appropriated and Nonappropriated Fund Activities on Army Installations, 17 Dec 18.

d. Memorandum, Under Secretary of Defense for Personnel and Readiness, Non-Federal Entity Competition with Appropriated and Non-appropriated Fund Activities on DoD Installations, 26 Sep 18.

e. Army Regulation (AR) 210-7, Personal Commercial Solicitation on Army Installations, 18 Oct 07.

f. Technical Bulletin Medical (TB MED) 530, Tri-Service Food Code, 01 Mar 19.

g. Policy memorandum USAG-HI-13, Animal Control Policy, 15 Aug 19.

h. Island Palm Community (IPC) Resident Guide, 24 Sep 19.

2. Purpose. To establish the policy and procedures to use in the administration of all Home-Based Businesses (HBB) operating on USAG-HI installations. HBBs are Non-Federal Entities (NFE) owned or operated by authorized residents on USAG-HI installations and are subject to regulations and supervision.

3. Scope. This policy institutes and reinforces the following:

- a. The approval authority to operate a HBB on the installation is the Senior Commander (SC) or, when delegated, the Garrison Commander (GC).
- b. This policy applies to all Active Duty, Family Members, Civilian and Retirees residing on USAG-HI installations, to include on-post and off-post government controlled housing areas.
- c. Individuals seeking to conduct a HBB or advertise their products / services on any property controlled by USAG-HI, to include on-post housing, must do so adhering to regulated standards.
- d. All HBB applicants are responsible for completing the application process, which includes obtaining permission, licenses (if applicable), and liability insurance.

4. Exclusions. This policy does not apply to:

- a. Personnel desiring to provide childcare in on-post housing. Those individuals must register, receive training, complete background checks, undergo home inspections, and receive certification by the installation Child and Youth Services (CYS) office as part of the Family Child Care (FCC) provider program.
- b. Individuals who reside in family housing located on USAG-HI installations that work remotely out of their residence and who lawfully operate their own business exclusively through online means are not considered HBBs and do not require approval. Examples of these types of businesses include but are not limited to:

- (1) Etsy and eBay
- (2) Bookkeeping and tax preparation
- (3) Personal training & pet sitting (when conducted outside the home)
- (4) Photography, graphic design, and advertising services
- (5) Tutoring and music instruction
- (6) Housecleaning and lawn care

- c. Individuals and/or companies delivering products on USAG-HI installations as requested by individuals working or residing on the installation, such as deliveries of food, laundry, newspapers, and related services to personal residences on the installation.
- d. Residents participating in authorized yard sale activities.

e. 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.

5. Home-Based Business policy.

a. Residents operating a HBB in Government housing on USAG-HI installations must have a letter of authorization from the GC, (See Enclosure 1).

b. The GC will exercise oversight authority and monitor HBBs operating on U.S. Army Hawaii installations.

c. The GC may deny or revoke a HBB permit if it is in the best interest of the command. Revocation grounds include, but are not limited to:

(1) Making false statements on the HBB Packet.

(2) Engaging in any act in violation of the law, Army or USAG regulations or policy, or any act threatening the health, safety or security of the installation or installation personnel. Must be in compliance with city, State or Federal agency, or department with applicable license, laws, codes, regulations, and/or requirements.

d. HBB applicants whose requests or privileges are denied/revoked may appeal in writing to the GC.

e. Distribution of or posting flyers, business cards, promotional materials, etc., anywhere on USAG-HI installations is prohibited except for authorized paid advertising through the Directorate of Family and Morale, Welfare and Recreation (DFMWR).

f. 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 approving official. Wrongful placement may result in loss of privileges.

g. Approved advertisements must contain disclaimers indicating the activities of the HBB is not endorsed by the Department of Defense, Department of the Army or USAG-HI. All HBBs must post a similar disclaimer, clearly visible, at the site where HBB sales/commercial activity takes place.

h. All HBB requests are subject to a legal review by the Staff Judge Advocate (SJA) office.

i. Active duty members applying for a HBB permit are required to have approval to conduct a business from their Unit Commander.

j. Requester will be notified of approved permits in writing within 60 days of HBB packet submission.

k. Approved permits will be valid for a period of one year from date of approval. Renewals must be submitted at least 60 days prior to expiration to ensure uninterrupted service.

6. Home-Based Business in government housing.

a. Prior to operating a HBB in Government-owned or leased quarters, individuals must submit an application to the office designated by the applicant's community housing manager, (See Enclosure 2).

b. HBB owners may require minor modifications to their housing unit to facilitate successful operation of their business. The HBB owner will bear the costs of such modifications except when the requested modifications match the upgrades required for meeting current safety or building codes. If required, the HBB owner will bear the cost for restoring the housing unit to its original configuration. Any planned modification to a housing unit to conduct a HBB activity must be approved in advance by the Housing Office.

c. HBBs may not encumber more than 25 percent of a home's gross floor area. Parts or materials related to the HBB shall be screened from public view and will be limited to the interior of the structure or the side and rear yards of the property.

d. HBBs signage is limited to what can be displayed in a single window from the inside and may not be illuminated.

e. Customer may only patronize a HBB between the hours of 0600 and 2000.

f. Noise, vibrations, or odors shall not be detectable beyond the property line.

g. Solicitation during Private Events and Functions held in a DFMWR Facility require a copy of the authorization letter from GC and a vendor agreement permit , (See Enclosure 3).

h. IPC residents operating pet grooming and/or pet sitting within their home must comply with the Policy Memorandum, USAG-HI-13, Animal Control Policy and IPC Resident Guide.

7. Prohibited practices.

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

- (1) Solicitation during any large (captive) audience such as enlistment or induction ceremonies.
- (2) Making appointments, promoting a HBB, or soliciting personnel while on-duty in any capacity (verbal, e-mail, etc.)
- (3) Soliciting in a Government workplace, unit dayroom, dining facility, or barracks areas.
- (4) Soliciting door to door.
- (5) Use of official government identification (ID) cards by retired, United States Army Reserve (USAR) personnel or government service employees to gain access to USAG-HI installations to solicit.
- (6) Use of any manipulative, deceptive, or fraudulent practice, including misleading advertisement or sales literature.
- (7) Any oral or written representations to suggest or appear that the Army sponsors or endorses any HBB, its agents, or any item offered.
- (8) Improper use of official workspace for appointments, business cards, or desk signs displaying the name of any HBB company or product.
- (9) Procuring, attempting to procure, or supplying roster listings of DoD personnel for purposes of commercial solicitation except for releases granted in accordance with DoD Directive 5400.7.
- (10) Use of Government e-mail or communication channels, the "Daily Bulletin" or any other notice, official or unofficial, announcing the presence of a HBB or advertising its products outside of authorized paid advertising methods.

b. Any business requesting to process food or drinks to the public are not authorized by the Tri-Service Food Code (TB MED 530) in coordination with the U.S. Food and Drug Administration Food Code. The Tri-Service Food Code defines a food establishment as an operation that:

- (1) Stores, prepares, packages, serves, sells food directly to the customer, or otherwise provides food for human consumption.

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(2) Relinquishes possession of food to a customer directly, or indirectly through a delivery service such as home delivery or restaurant takeout orders.

(3) Home-prepared foods, are only authorized in support of noncommercial special events such as organizational cookouts, bake sales, unit or chapel suppers, and similar events.

8. HBBs applicants will complete all prerequisite requirements on the checklist, (See Enclosure 4) and schedule an appointment with the designated Business and Nonprofit Liaison. Incomplete packets will be returned without further processing.

9. Penalties for noncompliance. Those who violate or continue to disregard the Army and USAG-HI HBB policy, may have their HBB privileges suspended and/or be barred from the installation by the Garrison Commander.

10. Military personnel, Family members, Civilians and Retirees with questions about the HBB process are encouraged to seek assistance from the Business and Nonprofit Liaison. Assistance is also available through the Installation Legal Assistance Office or Housing Community Office.

11. Point of Contact. Proponent for this policy is the MWR Business and Nonprofit Liaison at, (808) 656-0104 or www.usarmy.wheeler.imcom-pacific.mbx.business-liaison.

Encls 4
as

DANIEL MISIGOY
COL, LG
Commanding

DISTRIBUTION
Electronic Media

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HEADQUARTERS, UNITED STATES ARMY GARRISON, HAWAII
745 WRIGHT AVENUE, BLDG 107, WHEELER ARMY AIRFIELD,
SCHOFIELD BARRACKS, HAWAII 96857-5000

Date: Expires One Year

Office of the Garrison Commander

HBB Applicant
123 Lane
Schofield Barracks, HI 96786

Dear HBB Applicant

This letter is in response to your Home Based Business request to operate ABC Company on United States Army Garrison- Hawaii (USAG-HI).

Your request to provide this service on USAG-HI has been carefully reviewed. I am happy to inform you that your application has been approved for one year from the date of this letter with the following stipulations:

Compliance with all Federal and State of Hawaii regulations and laws is required. The exercise of the privileges herein granted shall constitute acceptance and full responsibility of the foregoing conditions of this permit which must be in your possession to conduct business on USAG-HI. The Garrison Commander has the right to revoke permission to conduct business on USAG-HI at any time.

If you have any questions, you may contact Business and Nonprofit Liaison, at usarmy.wheeler.id-pacific.mbx.business-liaison@mail.mil or (808) 656-0104.

Sincerely,

NAME
Colonel, U.S. Army
Commanding

Enclosure 1

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Application for Home-Based Business Permit U.S. Army Garrison-Hawaii (USAG-HI)					
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.					
Home-Based Business Owner					
Name (Last, First, MI)		Name of Business		Telephone Number	
Address of Proposed Business:		Email Address:			
Previously Approved/ Name of Installation (If Previously Approved):				YES	NO
Briefly describe the proposed business activity:					
General Excise Tax (GETax) Number: _____					
<p>The following rules are written to ensure that a HBB does not negatively affect the safety, community tranquility, or the good order and discipline of an Army installation. The business owner acknowledges that the following conditions must be met:</p> <ul style="list-style-type: none"> <input type="checkbox"/> The HBB owner must obtain the requisite permissions, licenses (if applicable), and liability insurance prior to opening/operating. <input type="checkbox"/> The HBB owner is responsible for any damages to third parties arising from the conduct of their business. <input type="checkbox"/> HBB owners providing child care must register with the installation Child, Youth and School Services office as part of the Family Child Care (FCC) provider system. <input type="checkbox"/> The HBB owner is required to comply with and is subject to inspection by the appropriate city, county, state or federal agency, office or department for compliance with applicable laws, codes, regulations and requirements. <input type="checkbox"/> The residential character of the property shall be maintained. The HBB may not occupy more than 25 percent of the home's gross floor area. <p>Parts or materials related to the HBB shall be screened from public view and will be limited to the interior of the structure or the side and rear yards of the property. Signage is limited to what can be displayed in a single window from the inside and may not be illuminated.</p> <ul style="list-style-type: none"> <input type="checkbox"/> Customers may only patronize a HBB between the hours of 0600 and 2000. <input type="checkbox"/> Noise, vibrations, or odors shall not be detectable beyond the property line. <input type="checkbox"/> The HBB owner residing in privatized on-post housing must obtain an acknowledgement to operate in writing from the housing community manager, before submitting a request to the Senior or Garrison Commander. 					
<p>Home-Based Business Owner: I certify that the above statements are true and that I have read and will abide by the rules above any additional guidance contained within the installation's HBB policy letter.</p> <p>Signature: _____ Date: _____</p>					
Installation Coordination					
Directorate / Office	Building	Telephone #	Status	Initial	Date
Directorate, Family, Morale, Welfare and Recreation	547	656-0104/0129	Application Pick-up		
IPC Community Manager			Acknowledge		
Directorate, Family, Morale, Welfare and Recreation	547	656-0104/0129	Application Turn-in		
Judge Advocate General (Legal Review)	25TH ID		No Legal Objection	Legally Insufficient	
Installation Approval Authority					
<p>I have reviewed the above application for HBB permit and I have decided to Approve / Disapprove (Select One)</p> <div style="text-align: right; margin-top: 20px;"> <p style="margin: 0;">DANIEL MISIGOY</p> <p style="margin: 0;">COL, LG</p> <p style="margin: 0;">Commanding</p> </div> <p>Valid for One Year/ Expiration Date: _____</p> <p style="font-size: x-small;">(1 years from date of signature unless otherwise indicated)</p>					

USAGH-HI FORM 2 JUN 2020

Enclosure 2

COMMERCIAL VENDOR AGREEMENT
Home-based Business at Approved
Private Nonprofit Sponsored Events on the Installations

The following rules will govern space(s) at approved private nonprofit sponsored events on United States Army Garrison, Hawaii.

1. The contractor shall pay the Installation Morale, Welfare and Recreation Fund (IMWRF) an annual non-refundable flat fee includes a six-foot table, covered with a tablecloth, two chairs and the ability to participate in an approved private nonprofit sponsored events.

Options for Events:

- | | |
|----------------|----------|
| a. One Event | \$45.00 |
| b. Five Events | \$75.00 |
| c. Ten Events | \$150.00 |

2. The Contractor is responsible to provide all labor, materials, equipment, merchandise, supplies and support necessary to present a commercial exhibition and is also responsible to install and dismantle exhibit.

3. The Contractor must have a General Excise Tax Number (GET).

4. Contractor must be in place during the open hours of the event (event specific). Contractor is responsible for cleanup of their area and must remove all items and materials when leaving. All waste material must be taken to the dumpster provided.

5. Solicitation of business and the selling of merchandise are allowed within the exhibitor's own space of those goods handled or manufactured by the contractor. Solicitation of business by others within the space is not authorized.

6. The Contractor is not authorized to sublet in whole or in part his space to any other exhibitor unless authorized by the Director of Family and Morale, Welfare and Recreation or his/her authorized representative.

7. Electrical and plumbing facilities are not available at Contractor's spaces.

8. The IMWRF reserves the right to restrict an exhibit that might be considered objectionable under USAG-HI standards for on-post conduct, attire, or acceptable materials for sale. This restriction includes articles, conduct, dress of models, printed materials or other items. Violation of any restriction herein will, at the discretion of the IMWRF, REQUIRES EXPULSION FROM THE AREA.

9. The USAG-HI IMWRF will not be responsible for theft, damage, or loss of sales. Income derived from sales at the event is not subject to any commission. They remain the property of the Contractor.

10. The registration agreement cannot be changed, altered, modified or otherwise transferred by either party without written consent of the parties, and will not be considered a joint venture nor partnership between contractor and the IMWRF.

11. Contractors are responsible for all taxes, whether excise, income or any other levies relating to income from the event:

STATEMENT OF LIABILITY: I agree to release and hold harmless the USAG-HI, Community and Family Activities, Nonappropriated Fund Support Division and the United States Government from any liabilities for any injuries, damages, or losses incurred by me or my property, caused by government negligence, while being present on, entering into, and leaving the premises designated as Schofield Barracks for the purpose of participating in the approved private nonprofit sponsored event(s). This release is binding on my heirs, executors and assigns. In addition, I agree to indemnify the U.S. Government for any damages I cause while participating in said event.

12. We the undersigned, have read, understand, and agree to the proceeding articles.

FOR THE CONTRACTOR:

Select Event:

- ☐ (1) Event for \$45.00
☐ (5) Events for \$75.00
☐ (10) Events for \$150.00

FOR THE NAFI:_____
Signature of Contractor_____
Signature of NAFI Representative_____
Type or Print Name_____
Type or Print Name_____
Address_____
Business & Nonprofit Liaison_____
Phone Number

350 Eastman Rd. Bldg. 547 WAAF
 Schofield Barracks, HI 96857
 Address

General Excise Tax Number

(808) 656-0104
 Phone Number

HBB Permit Number_____
Date Signed_____
Date Signed_____
Vendor Contract Number

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HOME-BASED BUSINESS- CHECKLIST

- ☐ NAME: _____
- ☐ BUSINESS NAME: _____
- ☐ COMPLETED APPLICATION (including community managers signature sponsor's information, signature, initials and date)
- ☐ BUSINESS INFORMATION (catalogs, brochures, pamphlets, handouts, pictures, website link, etc.)
- ☐ GENERAL EXCISE TAX LICENSE VERIFIED
- ☐ REGISTRATION: Department of Commerce & Consumer Affairs (DCCA)
- ☐ INSURANCE LICENSE (if applicable)
- ☐ CERTIFICATES or LICENSE (if applicable)
- ☐ MILITARY ID VERIFIED

NOTES: _____

HBB_Checklist 2020_v1

Enclosure 4