



UNITED STATES MARINE CORPS

MARINE CORPS BASE
PSC BOX 20004
CAMP LEJEUNE, NORTH CAROLINA 28452-0004

BO 5370.4H

PERS

SEP 13 2005

BASE ORDER 5370.4H

From: Commanding General
To: Distribution List

Subj: REGULATIONS GOVERNING THE CONDUCT OF BUSINESS
TRANSACTIONS ABOARD MARINE CORPS BASE, CAMP LEJEUNE,
NORTH CAROLINA

Ref: (a) 5 C.F.R. 2635.802
(b) 10 U.S.C 973
(c) BO 1741.1G
(d) BO 11101.39G
(e) BO 10110.12B
(f) DoD Dir 5500.7-R (NOTAL)
(g) BO 5760.3N

Encl: (1) Sample Affidavit

1. Situation. To set forth instructions relative to the employment of active duty personnel and for the rules of conduct and procedures governing the conduct of business transactions aboard this Base by civilian and military personnel, in accordance with references (a) through (e). This Order does not apply to fundraising by private organizations such as the Officer's Wives Club (OWC). Fundraising by private organizations on this Base is regulated by references (f) and (g).

2. Cancellation. BO 5370.4G.

3. Mission

a. Civilian Employment of Active Duty Military Personnel. References (a) and (b) promulgate information and regulations applicable to civilian employment of Marine Corps personnel and other military personnel assigned to, attached to, or serving with Marine Corps units during periods of duty, leave, and liberty. Prior to engaging in or accepting civilian employment, military personnel will ensure that such employment or endeavor is not in violation of the regulations contained in the references and this Order.

SEP 13 2005

b. Summary of Revision. This Order contains a significant number of changes and should be reviewed in its entirety.

4. Execution

a. Procedures for Obtaining Authority to Conduct Business Transactions

(1) A Letter of Authorization is the instrument hereby established to control and identify personnel conducting business transactions on this Base. It is for identification purposes only and does not endorse the bearer or his product or service in any way. A photograph of the bearer will be attached to all Letters of Authorization. Letters of Authorization are issued by the Base Military Personnel Officer/ID Card Center as approval, of the Commanding General in each case. A Letter of Authorization will be issued by this Command when a petitioning business firm has met the criteria established by this Order and has presented a sworn statement containing the required information shown in the enclosure. The president or vice-president of the company concerned will sign the sworn statement.

(2) A Letter of Authorization, once issued, is subject to being withdrawn by the Government without recourse.

(3) Letters petitioning the right to conduct business aboard this Base, when the business involved is in competition with products or services sold or provided by Marine Corps Community Services, will be referred to the Assistant Chief of Staff, Marine Corps Community Services (MCCS) for screening prior to issuance of a Letter of Authorization.

b. Soliciting Prohibited, Including Retired/Reserve Members. The use of Base automobile decals or official identification cards by all-personnel, including, retired or reserve members of the Armed Forces to gain access to this Base for the purpose of soliciting is prohibited, except as otherwise authorized in writing.

c. Refusal to Honor a Request to Conduct Business Aboard this Base. Salespersons may be refused solicitation privileges aboard this Base if the item or service is reasonably available from other sources aboard this installation.

SEP 13 2005

d. Personnel Required to Have Letters of Authorization.

The following personnel must have a valid Letter of Authorization issued by the Base Military Personnel Officer in order to conduct business aboard this Base:

(1) Military family members residing on Base who receive any privilege, favor, gift, or emolument for any assistance offered to any businessman, salesperson, solicitor, or agent in their business with any personnel or activity of this Base.

(2) Civilian salespersons, including military family members, representing businesses legally operated for profit. The Sale of newspapers, books, magazines, periodicals, and encyclopedias aboard the Base falls under the cognizance of the Marine Corps Exchange Officer and the Public Affairs Officer.

(3) Salespersons of correspondence courses. Requisites for approval are contained in paragraph 4g(1).

(4) Civilian insurance agents and investment salespersons. A letter in accordance with reference (a) and an approved certification by the Base Insurance Officer, in lieu of the sworn statement contained in the enclosure, is required before the Base Military Personnel Officer may issue a Letter of Authorization.

(5) Insurance adjusters and investigators.

(6) Commercial quarters cleaning agencies will follow the procedures contained in reference (d) in order to obtain permission to operate aboard this Base.

(7) Civilian subsistence vendors delivering to other than appropriated or non-appropriated fund activities, to include married and bachelor quarters will follow the procedures contained in reference (e) in order to obtain permission to operate aboard this Base.

(8) All other persons soliciting on Base.

e. Base Areas Requiring Additional Clearance. In addition to the Letter of Authorization described above, per reference (e) the following requirements exist for conducting business in certain areas aboard this Base as indicated below:

2d Marine Division Areas

Letter of Authorization
issued by the Regimental
and Battalion Adjutants.

2d FSSG Areas

Letter of Authorization
issued by 2d FSSG Adjutant.

Camp Geiger Area

Letter of Authorization
issued by the Area
Commander.

Camp Johnson/Montford Point Area

Letter of Authorization
issued by Area Commander.
Check in with the Area
Administrative Assistant,
Bldg. M-131, during
working hours; the Area
Officer of the Day, Bldg.
M-131, after working hours.

Courthouse Bay Area

Letter of Authorization
issued by Area Commander.
Check in with the Area
Commander. Also, check in
with the Commanding Officer
of 2d Assault Amphibious
Battalion if his personnel
are to be contacted.

Naval Hospital

Check in with the
Administrative Assistant to
the Director of
Administrative Services
during normal working
hours. No additional
letter required.

Industrial Area

Check in with individual's
Commanding Officer during
normal working hours. No
additional letter required.

Stone Bay Area

Check in with the Area
Commander. No additional
letter required.

SEP 13 2005

f. Instances Where Letters of Authorization are not Required. Letters of Authorization are not required for the following personnel to conduct business aboard this Base:

(1) Civilian merchants and their agents, not included in paragraph 4d, who legally operate a private business for profit and desire to enter the Base to deliver or install a previously ordered product, to perform a previously ordered service, or to conduct business with appropriated and non-appropriated fund activities.

(2) Persons engaged in business, who by their agreement or otherwise are authorized on the Base (e.g., tenants of the Midway Park and Tarawa Terrace Shopping Centers, Western Union, banks, etc.)

(3) Occasional babysitters.

g. Tenure of Letters of Authorization. Except as indicated below, all Letters of Authorization will be valid for one year, and must be renewed if the persons concerned desire to continue to conduct business aboard this Base:

(1) Salespersons of correspondence courses - valid for 90 days. "Authorization will be issued on an equitable basis among all qualified correspondence course salespersons desiring to conduct business aboard the Base. Not more than three correspondence course salespersons will be permitted aboard this Base at any one time. Prior to considering applications of correspondence course salespersons, the Base Education Services Officer will be presented, by the interested party with an affidavit as shown in the enclosure. The Base Education Services Officer will make a recommendation to the Base Military Personnel Officer whether or not the individual should be authorized to conduct business aboard Camp Lejeune." No correspondence course salesperson authorized to conduct business aboard Base shall permit Camp Lejeune military personnel to sign a contract until prospective customer presents written certification from the Base Education Services Officer that the individual has been counseled on their educational benefits.

SEP 13 2005

(2) Insurance agents and investment persons-expires the second anniversary of its date of issue or the date the agent's North Carolina insurance or securities license expires or is revoked, whichever occurs first.

(3) Insurance adjusters - valid for one year.

h. Repossession of personal property

(1) All persons seeking to serve any kind of legal process, execute court orders, or repossess personal property, if otherwise authorized, will conduct their activities solely at the Base Civil Process Office, except as otherwise directed by the Commanding General, Marine Corps Base, Camp Lejeune.

(2) Civilian law enforcement officials authorized by applicable North Carolina law will be permitted, upon proper request, to enter Marine Corps Base, Camp Lejeune to serve civil processes for the purpose of execution and levy on personnel property.

(3) Court orders of repossession (writs of possession, and Claim and Delivery) will be served on the individual in the same manner as other civil processes.

(4) Military Police will accompany the Sheriff when property is repossessed aboard Camp Lejeune, North Carolina.

(5) Self-help repossession of secured property located aboard Camp Lejeune is strictly prohibited.

(6) Secured creditors and/or their agents may enter Camp Lejeune for the purpose of effecting a voluntary repossession of secured collateral only if, after default, the debtor has given the creditor written permission to communicate information regarding the debt to third persons and subject to strict compliance with the following paragraphs.

(7) Creditors who have received authorization to contact third parties in accordance with applicable state law and the preceding paragraphs and who wish to effect a voluntary repossession of secured property will notify the Chief Legal Assistance Attorney in writing, enclosing an original authorization from the debtor. "The Chief Legal Assistance

SEP 13 2005

Attorney will in turn contact the individual in possession of the property, to inform that person of the receipt of a creditor's request.

(a) The individual whose property is subject to repossession will be offered an opportunity to consult with counsel concerning the consequences of voluntary repossession.

(b) If the individual elects to refuse voluntary repossession, or declines the offer of legal assistance, the person seeking repossession will be advised in writing that repossession will not be permitted without a court order in accordance with applicable State law and paragraphs 5(a) through (c) above.

(c) Under no circumstances will creditors or their agents enter Marine Corps Base, Camp Lejeune for the purpose of contacting individual debtors or any third party for the purpose of collecting debts or effecting repossession except as provided in paragraph 5(f) above.

(d) The owner of property being repossessed will be afforded the opportunity to remove personal property, not the subject of the repossession action, from the property that is being repossessed.

(e) A knowing violation of the above described repossession policy may result in appropriate administrative and/or criminal action.

i. Rules of Conduct

(1) Remuneration in the form of gifts of any description will not be made to or accepted by military or civilian personnel employed by the Department of the Navy or U.S. Marine Corps. Unethical practices, such as those involving rebates, or elimination of full compensation, will not be permitted.

(2) Peddling is prohibited on this Base except by the specific authority of the Commanding General.

SEP 1 3 2005

(3) Personal soliciting, which includes house-to-house, individual-to-individual, and organization-to-organization soliciting, anywhere on Base, is prohibited. Commercial agents, including those of loan, finance, insurance, and investment companies are not permitted to address or attend meetings, classes or mass formations, or any other assembly of Navy or Marine Corps personnel. It is immaterial that such assembly is for other purposes and that the agent's appearance is incidental. The prohibition does not apply to presentations that encourage thrift, sound financial planning, and financial responsibility, when conducted by representatives of approved nonprofit military associations not underwritten by a commercial insurance company, or by representative of approved banks or credit unions, as long as the presentations are conducted with the prior written approval from the Commanding General, Marine Corps Base, Camp Lejeune. The exception in paragraph 6 of reference (a) allows meetings of private, non-profit tax-exempt organizations composed of active and retired members of the Uniformed Services; however, provides that such meetings are not to be used as a subterfuge for solicitation.

(4) The customary and authorized method of solicitation for individuals and forms will be through the United States mail service. "If an individual replies to such a communication, the matter then becomes a private business transaction. It shall be the responsibility of the salesperson to provide adequate proof that they have been invited to call on an individual on a particular date at a particular time.

(5) Persons authorized to conduct business on this base, (business not being in the acknowledge interest of the government) will not:

(a) Enter or visit family housing except by request, appointment, or prearrangement.

(b) Enter any storeroom, squad room, and bachelor enlisted quarters except in an area designated as a place of meeting, and then only after first securing permission from the appropriate area commander. Each time a person authorized to conduct business aboard this Base desires to transact business in a particular area, they will first obtain clearance from the area commander concerned.

SEP 13 2005

(c) Transact business when it interferes with military duty. Normally, the hours of military duty are 0800-1630, Monday through Friday. During these hours, appointments will not be made unless the area commander has approved the appointment in their area.

(d) Conduct any type of commercial business with basic trainees, students under instruction, or personnel in separation processing, without the prior approval of the appropriate area commander.

5. Administration and Logistics. The Base Military Personnel Officer shall:

a. Ensure that requests for Letters of Authorization are submitted in accordance with the provisions of this Order. When concurrence must be obtained from a staff officer/cognizant activity head (e.g., Base Education Services Officer in the case of correspondence course salespersons) ensure that such concurrence has been obtained. The Base Military Personnel Officer is delegated the authority to issue Letters of Authorization in routine cases.

b. Conduct a local records check to determine whether an applicant or any employee has a derogatory background. Personnel with a derogatory background will not be permitted access to the Base.

c. In doubtful cases, such as one where an appropriate staff officer or cognizant activity head does not concur, applications for Letters of Authorization will be forwarded to the Commanding General, Marine Corps Base, for final determination. In cases where the Commanding General approves the application, the Base Military Personnel Officer will issue a Letter of Authorization. In those cases where the Commanding General disapproves the application, the Base Military Personnel Officer will notify the individual concerned of the denial of his request and the reason(s) thereof.

d. Ensure that each individual issued a Letter of Authorization has been properly apprised of the limitations and restrictions placed on the conduct of his/her particular business; and that the rules and conduct, as contained in paragraph 4(i) above are adhered to. Further that he/she executes a signed statement to this effect. The Base Military Personnel Officer will retain this signed statement on file for a period of two years.

SEP 13 2005

e. Area commanders and activity heads will regulate the conduct of salespersons, agents, and businesspersons within their area of responsibility.

f. Unit commanders will:

(1) Post copy of this Order on all unit bulletin boards.

(2) Promulgate pertinent portions of this directive and reference (a) to members of their units throughout the year (e.g., as a subject to be covered in the unit's Information Program).

g. Military personnel and Base residents discovering dealers, tradespersons, peddlers, or agents in the act of transacting business without proper identification issued in accordance with paragraph 4 above, or otherwise violating these regulations, especially the rules of conduct, will immediately report to the Base Provost Marshal's Office (451-2555) or the nearest Military Policeman. It will be helpful if individuals making this type of report are able to physically describe the person involved and provide information concerning the color, make, model, year, license plate number, etc., of the vehicle of the person involved.

h. This Order has been coordinated with and concurred in by the Commanding Generals, II Marine Expeditionary Force, 2d Marine Division, 2d Force Service Support Group, and the Commanding Officer, Naval Hospital.

6. Command and Signal

a. Signal. This Order is effective the date signed.

b. Command. This Order is applicable to the Marine Corps Base, Camp Lejeune.


W. A. MEIER
Chief of Staff

DISTRIBUTION: A

SEP 13 2005

SAMPLE AFFIDAVIT

STATE OF NEW YORK)
)
COUNTY OF NEW YORK)

I, Joseph E. Doe, being duly sworn, depose state:

(1) That I am an officer of the XYZ Products, Inc., to wit, Vice President.

(2) That I reside at Drury Lane, New Vernon, NJ

(3) That this affidavit is made for the purpose of complying with the Base regulation for soliciting on the area known as Marine Corps Base, Camp Lejeune, NC.

(4) That this affidavit is for the business located at the below address:

XYZ Products, Inc.
1116 Western Boulevard
Jacksonville, NC

(5) That the following is an Authorized Representative:

Mr. Dow H. Jones
14 Lake Drive
Wilmington, NC (919) 555-1212

(6) That the following is a general list and description of items that XYZ Products, Inc. intends to sell:

(7) That XYZ Products, Inc., agrees to assume responsibility with respect to business transactions performed by Mr. Dow H. Jones in connection with and arising directly out of the sale of XYZ merchandise to customers residing on Marine Corps Base, Camp Lejeune, NC.

ENCLOSURE (1)

SEP 13 2005

SAMPLE AFFIDAVIT

(8) That XYZ Products, Inc., will guarantee that, where merchandise is ordered by a customer holding written receipt issued by an Authorized Representative, the merchandise so ordered shall be delivered to the customer.

(9) If for any reason whatsoever, an XYZ product is not found satisfactory, it will be willingly exchanged or the full purchase price refunded upon its return to our Authorized Representative or us.

(10) That XYZ Products Inc., is in compliance with all applicable Federal, State (North Carolina), the State of incorporation, and local laws to be able to conduct its business in the City of Jacksonville, Onslow County, North Carolina.

(11) That XYZ Products, Inc., will not contest jurisdiction of North Carolina Courts on any claim arising out of a contract resulting from the company's commercial activities aboard Marine Corps Base, Camp Lejeune, North Carolina.

JOSEPH E. DOE
Vice President

ENCLOSURE (1)