



**COMMANDER, U.S. PACIFIC COMMAND
(USPACOM)
CAMP H.M. SMITH, HAWAII 96861-4028**

USPACOMINST 0102.2
J131
11 May 09

USPACOM INSTRUCTION 0102.2

Subj: SALE OF LIFE INSURANCE AND SECURITIES ON OVERSEAS
MILITARY INSTALLATIONS IN U.S. PACIFIC COMMAND
(USPACOM)

Ref: (a) DODI 1344.07, Personal Commercial Solicitation on DOD
Installations

Encl: (1) Definitions
(2) Application Procedures
(3) USPACOM Form 102 (04/09)

1. Purpose. To set policies and procedures governing sale of life insurance and securities on Department of Defense (DOD) overseas military installations within the USPACOM area of responsibility (AOR). This instruction is completely revised and should be read in its entirety.

2. Cancellation. USCINCPACINST 1740.1Q, Sale of Life Insurance and Mutual Funds on Military Installations in United States Pacific Command.

3. Applicability. Applies to life insurance agents and securities representatives authorized to sell approved products on DOD overseas military installations within the USPACOM AOR, and all senior area commanders and installation commanders in the USPACOM AOR.

4. Definitions. See enclosure (1).

5. Policy.

a. It is DOD policy to safeguard and promote the welfare of DOD personnel as consumers by establishing a uniform approach to the conduct of all personal commercial solicitation and sales to them by dealers and their agents. For those individuals and their companies that fail to follow this policy, the opportunity to solicit on military installations may be limited or denied as appropriate.

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b. Only USPACOM accredited and authorized agents representing registered and approved DOD insurers and authorized security sales agents registered with applicable security associations are identified to have commercial solicitation privileges on overseas DOD installations within the USPACOM AOR.

6. Responsibilities.

a. Headquarters (HQ) USPACOM Director for Manpower, Personnel and Administration (J1):

(1) Sets policy and procedures governing commercial solicitation of life insurance and sales of securities for the overseas USPACOM AOR.

(2) Reviews investigations and takes appropriate action when:

(a) A Senior Area Commander cannot resolve the complaint.

(b) When a company or agent desires an appeal to a senior area commander's decision.

b. HQ USPACOM Overseas Insurance Accreditation Program Manager (J131):

(1) Processes new and renewal applications to determine accreditation approval of agents for commercial solicitation privileges to sell life insurance or securities within the USPACOM AOR.

(2) Provides updated Accreditation List of agents to Senior Area Commanders and installation commanders in the USPACOM AOR by 15 October, based on annually registered and DOD-approved insurers.

(3) Provides all agent status changes reflected on Accreditation List to senior area commanders, for distribution to installation commanders in the USPACOM AOR when appropriate.

c. HQ USPACOM Staff Judge Advocate (J06) reviews and provides legal advice concerning commercial solicitation of life insurance and sale of securities in USPACOM AOR.

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d. Senior Area Commanders establish regional area policies and procedures to administer and control commercial solicitations per reference (a) and distribute updates of the Accreditation List and pertinent program information to installation commanders in their respective regional area.

e. Installation Commanders:

(1) Establish installation policies and procedures to administer and control life insurance sales and sales of securities in accordance with installation access policies.

(2) Set written installation procedures for solicitation of life insurance and sale of securities, per this instruction and reference (a).

(3) Designate an Installation Solicitation Officer (ISO).

(4) Investigate and resolve complaints of unauthorized solicitation. Immediately inform the Military Department concerned of any denial, suspension, withdrawal or reinstatement of an agent or company's solicitation privileges in accordance with reference (a). Report same to Senior Area Commander and HQ USPACOM J1.

f. Installation Solicitation Officers (ISOs):

(1) Provide installation application procedures, this instruction, and reference (a) to potential solicitors and DOD members.

(2) Confirm agents are on the current USPACOM Accreditation List and only authorize solicitation privileges, at command level, to agents that are listed.

(3) Ensure agents follow requirements in reference (a) to provide Personal Commercial Solicitation Evaluation forms (DD2885, 04/06) to solicited personnel during the initial appointment, and provide written reminder regarding availability of free legal advice prior to accepting a financial commitment from solicited personnel.

g. Companies:

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(1) Are responsible for their agents' conduct and compliance with procedures established in installation policy and procedures, this instruction, and reference (a).

(2) Provide HQ USPACOM/J131, Overseas Insurance Accreditation Program Manager, Box 64017, Camp H.M. Smith, HI 96861-4017, an annual list indicating the names of accredited overseas agents/representatives and the country(ies) within the AOR in which they are authorized to work. List will be provided no later than 1 October.

(3) Provide HQ USPACOM J131 a letter of release within two weeks of an agent terminating employment. The agent accreditation ends upon termination with a company. The letter of release will indicate whether the agent was released "with" or "without" prejudice.

(4) Provide proper documentation listed in enclosure (2) to HQ USPACOM J131 for an agent's accreditation.

h. Agents must possess a current state license or obtain a waiver from HQ USPACOM and must comply with installation policies and procedures, this instruction, and reference (a). Agents may represent multiple companies if multiple representation is in the best interest of DOD personnel and all companies agree (in writing). Agents must request a waiver from HQ USPACOM, J131/Overseas Insurance Accreditation Program Manager, Box 64017, Camp H.M. Smith, HI 96861-4017. The waiver must fully justify how multiple representations are in the best interests of DOD personnel.

i. DOD personnel may conduct business on a DOD installation only with HQ USPACOM accredited and authorized agents.

7. Procedures.

a. Agents are required to register for accreditation approval from HQ USPACOM, J131/Overseas Insurance Accreditation Program Manager, in order to solicit life insurance on DOD installations in a country within USPACOM AOR. Enclosure (2) of this instruction outlines the application procedures.

b. Sale of Securities. According to reference (a), all securities representatives must apply for permission to solicit to the commander of the installation on which they desire to solicit the sale of securities. All sales of securities must

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comply and be registered with the Securities and Exchange Commission.

8. Grounds for Denial, Suspension or Withdrawal of Privileges. Installation commanders may deny permission for an agent to sell on their installation under grounds outlined in paragraph 6.5 of reference (a). Installation commanders must notify the Military Department concerned, Senior Area Commander and HQ USPACOM J1 when taking such action. Only HQ USPACOM J1 may deny, suspend, or withdraw an agent's accreditation for the USPACOM AOR.

9. Prohibited Agent and Company Activities. HQ USPACOM prohibits practices outlined in paragraph 6.4 of reference (a).

10. Complaints.

a. DOD personnel, companies, and agents may submit complaints to installation commanders or ISOs.

b. Installation commanders will notify the agent of each complaint and seek immediate resolution. Installation commanders send all complaints, by registered mail, to the agent's company for action. Companies have 15 working days to take action to resolve the complaint. An agent sends their rebuttal to their company and the installation commander involved.

c. Installation commanders investigate complaints according to this instruction and reference (a). They are directed to submit results to the appropriate Senior Area Commander. Results explain corrective action and include recommendations to prevent recurring problems.

d. Senior Area Commanders review complaints if they cannot be resolved at the installation commander level, or if an agent or company desires to appeal an installation commander's decision. Agents or companies must submit rebuttals within 30 calendar days.

e. Senior Area Commanders review unresolved investigations and appeals. They are directed to submit results to HQ USPACOM J1, Box 64017, Camp H. M. Smith, HI 96861-4017. Results explain corrective action and include recommendations to prevent recurring problems.

f. HQ USPACOM J1 reviews complaints if they cannot be resolved at the Senior Area Commander level, or if an agent or

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company desires to appeal a Senior Area Commander's decision. Agents or companies must submit rebuttals within 30 days. HQ USPACOM J1 forwards results to the agent, company, senior area commander, and installation commander involved.

g. When unauthorized actions occur by insurance agents or securities representatives:

(1) Installation commanders may suspend an agent's on-post privileges during an investigation.

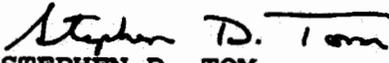
(2) Installation commanders promptly inform the agent and company, Military Department, Senior Area Commander and HQ USPACOM J1 of any suspension. Suspensions will be for a specific time, normally not more than one year. Installation commanders must justify suspensions lasting more than one year.

(3) HQ USPACOM J1 may deny, suspend, or revoke accreditation for solicitation in the USPACOM AOR based on the circumstances of the particular case. HQ USPACOM J1 considers the nature and frequency of practices identified in paragraphs 8 and 9 above.

(4) Agents and companies suspended by USPACOM J1 cannot sell on DOD installations in USPACOM. When suspension period expires, an agent or company may reapply for accreditation and authorization to solicit.

11. Forms.

a. USPACOM Form 102 (04/09) is required when processing an agent's request for accreditation. Use and reproduction of enclosure (3) is authorized.


STEPHEN D. TOM
Major General, U.S. Army
Chief of Staff

Distribution: (USPACOMINST 0902.1)
List IIB1, 2

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DEFINITIONS

Accreditation. The privilege granted by HQ USPACOM (J1) allowing agents to sell in USPACOM AOR.

Agent. An individual who receives remuneration as a sales person or whose remuneration is dependent on volume of sales of a product or products.

Authorization. The privilege granted by the installation commander allowing agents to sell on their installation.

Commercial Business Solicitation. A practice in which an agent, representative, broker, salesman, or dealer offers services or goods for sale. A sale does not solely constitute "solicitation." An attempt to conduct business, including telephonic or in person contact, making an appointment, distributing business cards, asking personnel if they want to review their personal finances or military benefits, explaining investments of insurance with the intent to sell the same, also falls within this definition.

Consumer. A person who buys goods or services.

DOD Installation. For the purposes of this Instruction, any Federally owned, leased, or operated base, reservation, post, camp, building, or other facility to which DOD personnel are assigned for duty, including barracks, transient housing, and family quarters.

DOD Personnel. All active duty officers (commissioned and warrant) and enlisted members of the military Services and all civilian employees, including non-appropriated fund employees and special Government employees of all offices, agencies, and departments carrying on functions on a DOD installation.

Installation Commander. The senior officer in charge, responsible for, or in command of any DOD installation.

Insurer. An entity licensed by the appropriate department to engage in the business of insurance.

National Association of Security Dealers (NASD). An association of over-the-counter brokers/dealers. This association establishes standards and ethical behavior for security brokers/dealers.

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Senior Area Commander. Senior United States military officer in a country.

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APPLICATION PROCEDURES

1. Insurance agents must provide the following documentation to USPACOM J1 to be accredited:

a. Complete USPACOM Form 102 (04/09), enclosure (3). If the agent's address in the AOR is not established, note in item 16 (remarks) and submit as soon as available. Block 12 and 13 includes name and address of stateside employer and certifies one-year stateside experience within the last five years.

b. General Agent Only. A letter signed by a company president or vice president appointing a "general agent" representing the company in the AOR. Appointment for a general agent can be for a new accreditation or replacement of an existing accredited agent in USPACOM. New general agents must meet the same requirements for accreditation as an insurance agent. Format letter is provided on page 2-3.

c. Notarized company letter seeking life insurance agent accreditation and accepting responsibility for an agent's activities in company transactions. The company's president, vice president, or designated representative must sign this letter. See page 2-4 for letter format.

d. A certified photocopy of an agent's current insurance license. An agent must possess a current license from a state in the United States, the District of Columbia, or U.S. trust territory, unless a waiver is obtained per paragraph e of this enclosure.

e. If applicable, a request for a waiver of the requirement to possess a current state insurance license may be submitted. See page 2-5 for letter format. Waivers will only be granted when the issuing state's basis for denial of a license is the agent's overseas residency. Requests for waivers must include certified copies of the agent's previous license and the state documentation denying the agent's license request.

f. When an agent seeks accreditation with a new company, the agent must have his former employers provide a letter stating whether release was "with" or "without prejudice."

2. Securities sales agents must provide the following documentation to be accredited:

a. USPACOM Form 102 (04/09), enclosure (3).

Enclosure (2)

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b. Certified copy of current license.

c. Notarized letter from company seeking agent accreditation and accepting responsibility for agent's activities in company transactions. Company president or vice president signs this letter.

3. Submit life insurance accreditation request to USPACOM, J1/Overseas Insurance Accreditation Program Manager, Box 64017, Camp H. M. Smith, HI 96861-4017 no later than 45 days prior to expected employment.

4. Submit requests for securities sale privilege to the appropriate installation commander.

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GENERAL AGENT DESIGNATION SAMPLE LETTER
(On Company Letterhead)

FOR AGENTS ALREADY ON THE USPACOM ACCREDITATION LIST

USPACOM

J1/Overseas Insurance Accreditation Program Manger
Box 64017
Camp H. M. Smith, HI 96861-4017

Appoint (individual's name) as general agent for (name of company). (Individual's name) is replacing (former general agent). (Individual's name) is currently listed on the United States Pacific Command list of accredited agents. Therefore, the only change will be in his/her status from agent to general agent.

Sincerely,

Signature of company president
vice president

(Notary Statement, Signature and Seal)

FOR AGENTS NOT CURRENTLY ON THE USPACOM ACCREDITATION LIST:

USPACOM

J1/Overseas Insurance Accreditation Program Manger
Box 64017
Camp H. M. Smith, HI 96861-4017

Appoint (individual's name) as general agent for (name of company). (Individual's name) is replacing (former general agent). (Individual's name) is not on the USPACOM Accreditation List. All applicable accreditation documents are enclosed.

Sincerely,

Signature of company president
vice president

(Notary Statement, Signature and Seal)

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LIFE INSURANCE SAMPLE LETTER
(On Company Letterhead)

USPACOM
J1/Overseas Insurance Accreditation Program Manager
Box 64017
Camp H. M. Smith, HI 96861-4017

Request United States Pacific Command accreditation for (name of agent) to solicit life insurance for (name of company) within United States Pacific Command Area of Responsibility in (name of country).

I allow (name of agent) to act as a soliciting agent for this company, and assume full responsibility for his/her activities in company transactions. This agent will sell products for (name of company) and none other.

(Name of company) policies conform to the standards prescribed in Department of Defense Directive 1344.07 and USPACOMINST 0102.2.

Any policies containing restrictive clauses or provisions limiting liability with respect to war, geographic limitations, or military duties will plainly show the inclusion of such restrictions on the face of the policy by a clearly visible rubber stamp marking.

Sincerely,

Signature of company president,
vice president, or
designated representative

Enclosure(s)
(Certified copy of license)
(USPACOM Form 102 (04/09))

(Notary Statement, Signature and Seal)

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WAIVER REQUEST FOR STATE INSURANCE LICENSE SAMPLE LETTER
(On Company Letterhead)

USPACOM
J1/Overseas Insurance Accreditation Program Manager
Box 64017
Camp H. M. Smith, HI 96861-4017

Request a waiver for the requirement of a current state license for (agent's name) under the provisions contained in Department of Defense Instruction 1344.07 and USPACOMINST 0102.2.

(Agent's name) continuously resides and sells life insurance in (name of country) and, through no fault of his/her own, forfeited his/her eligibility for a state license.

Enclosed is a copy of the old license and a certified statement from the (state's name) Insurance Commissioner attesting to that fact.

Sincerely,

Signature of company president,
vice president or
designated representative.

Enclosure(s)
(Certified copy of expired license)
(Certified Insurance Commissioner's statement)

(Notary Statement, Signature and Seal)

**APPLICATION FOR U.S. PACIFIC COMMAND COMMERCIAL SOLICITATION ACCREDITATION
LIFE INSURANCE/MUTUAL FUNDS
(USPACOM INSTRUCTION 0102.02)**

Initial application Annual reissue
Category (check all that apply)
 (1) General agent (2) Life insurance agent (3) Transfer agent (4) Registered principal
 (5) Registered representative (6) Associated only for insurance/mutual funds/variable products
 (7) Associated with broker/dealer
Application for (check all that apply)
 (1) Life Insurance (2) Life Insurance/mutual funds/variable products
 (3) Life Insurance for more than one insurance company products (4) Securities

Privacy Act Statement

AUTHORITY: Section 6311 of Title 5, U.S.C.
PRINCIPAL PURPOSE: Authorizes collection of this information. The primary use of this information by management is to process application.
ROUTINE USE: Additional disclosures may be: to a State Insurance Commissioner for verification, or to a Federal, State, or local law enforcement agency when knowledge of a violation or possible violation of civil or criminal law; to a Federal agency when conducting an investigation for employment or security reasons.
DISCLOSURE: Furnishing the information on this form is voluntary, but failure to do so may result in disapproval of this request.

Applicant Information

1. Last name _____ 2. First name _____ 3. Middle initial _____
4. Date of Birth _____ (month/day/year) 5. Place of Birth _____ (City, State, Country)
6. Home Address in the Pacific _____
6 (a). Home phone _____
7. SSN _____ 8. Citizenship _____ 9. Passport Number _____ 10. Country of Issuance _____

11. Former residences (last five years) City, State and Country _____ Dates (month, year)
From _____ To _____

Employer Information

12. Current Employer/Company Name _____ 12 (a). Supervisor _____
13. Business Address in the Pacific _____ 6 (a). Business phone _____

14. Dates, places, and company where you were employed for at least one year of successful life insurance underwriting in United States, District of Columbia, or its territories within last five (5) years.

15. Have you ever been discharged or forced to resign from any position for misconduct or unsatisfactory service?
No _____ Yes _____ (If yes, explain it in remarks section)
16. Military service (indicate service number, date of separation, type of discharge, present status)

17. Remarks (For additional space, use reverse)

18. Date _____ 19. Signature of Applicant _____