



DEPARTMENT OF THE NAVY  
COMMANDER NAVY INSTALLATIONS COMMAND  
716 SICARD STREET SE SUITE 100  
WASHINGTON NAVY YARD DC 20374-5140

CNICINST 1752.1A  
N00J  
18 Mar 2024

CNIC INSTRUCTION 1752.1A

From: Commander, Navy Installations Command

Subj: POLICY FOR SEX OFFENDER TRACKING, ASSIGNMENT, AND INSTALLATION  
ACCESS RESTRICTIONS

Ref: (a) SECNAV Memo, Policy for Sex Offender Tracking and Assignment and Access  
Restrictions within the Department of the Navy, of 7 Oct 08  
(b) OPNAVINST 1752.3A  
(c) Sex Offender Registration and Notification Act of 2006 (SORNA), Title 42 U.S.C.  
§§ 16911 - 16929  
(d) Department of Justice, Office of the Attorney General, The National Guidelines for  
Sex Offender Registration and Notification of 2 Jul 08 (Pages 38030-38070 of  
Volume 73, Number 128, Federal Register)  
(e) U.S. Navy Regulations (1990)  
(f) Title 18 U.S.C. § 1382  
(g) SECNAV Memo, Delegation of Authority to Issue Debarment Letters, of 11 Jun 08  
(h) CNIC M-11103.3

Encl: (1) Definitions  
(2) Waiver Requests

1. Purpose. To implement policy outlined in references (a) and (b), and to define the roles and responsibilities for controlling access to Navy installations and Navy owned or leased military housing or Public-Private Venture (PPV) housing by sex offenders.

2. Cancellation. CNICINST 1752.1.

3. Significant Changes. Reference (b) requires registered sex offenders be prohibited access to Navy installations and housing. Competent authorities may waive the access restrictions. This instruction implements this policy. Additionally, this instruction defines the process for barring sex offenders, explains the waivers and appeals process from such determination, and defines the competent authority for making waiver and appeal determinations.

4. Background

a. References (a) and (b) established the Navy's policy on sex offenders, requiring Region Commanders (REGCOMs) and Installation Commanding Officers (COs) to prohibit registered sex offender (RSO) access to Navy facilities and Navy owned, leased or PPV housing. A sex

18 Mar 2024

offender is defined as any individual convicted of a criminal offense who is required to register as a sex offender per references (c) and (d) (see enclosure (1) for further details). The authority for the CO to bar individuals from an installation is derived from the authorities outlined in references (e) and (f).

b. Enclosure (1) provides terms and definitions as they apply to this instruction. Enclosure (2) provides guidelines for waivers and appeals.

## 5. Policy

a. To the maximum extent permitted by law or otherwise waived by competent authority (as defined by this instruction), RSOs are to be identified and prohibited from accessing Navy installations and facilities.

b. As established in references (a) and (b), except where prohibited by law or otherwise waived by competent authority (as defined in this instruction), RSOs must not occupy Navy owned, leased, or PPV housing.

c. Installation COs and REGCOMs must issue debarment or restricted access letters to RSOs that are narrowly tailored. For example, a civilian employee who is an RSO may be barred from all areas of the installation with the exception of his or her workplace. In order to insure debarment letters for RSOs are narrowly tailored, Installation COs and REGCOMs will coordinate with servicing legal counsel prior to issuance of debarment letters.

d. This instruction also applies to all Military Sealift Command (MSC) mariners whether shipboard or in transit to a MSC assignment.

## 6. Responsibilities

a. Commander, Navy Installations Command (CNIC) is responsible for:

(1) Issuing world-wide debarment letters for RSOs per reference (g).

(2) Acting on appeals from REGCOM debarment waiver decisions.

b. REGCOMs are responsible for:

(1) Utilizing the guidelines outlined in enclosure (2) when considering waivers for installation access.

(2) Ensuring Region instructions are in compliance with references (a) and (b) and this instruction.

(3) Ensuring the Region N1, N3 and N9 are notified of all identified sex offenders.

(4) Ensuring the parent command and servicing Human Resource Office

(HRO)/Human Resources Service Center (HRSC) are notified of all civilian employees identified as sex offenders.

(5) Maintaining bar orders and waivers issued by the Region for personnel identified as sex offenders.

c. Installation COs are responsible for:

(1) Adhering to the guidelines outlined in enclosure (2) when considering waivers for base access.

(2) Ensuring local instructions are in compliance with references (a) and (b) and this instruction.

(3) Ensuring the installation N1, N3 and N9 are notified of all identified sex offenders.

(4) Implementing reference (h), by ensuring Navy Housing Offices are screening applicants using CNIC Form 11103/1, which requires self-disclosure of any sex offender who will reside with the sponsor in the Navy-owned, leased, or PPV housing.

(5) Reviewing collective bargaining agreements (CBA) to determine the appropriate action, if any, required by the CBA to implement this instruction.

(6) Ensuring the parent command and servicing HRO/HRSC are notified of all civilian employees identified as sex offenders.

(7) Initiating and maintaining a record of all installation bar orders for all personnel identified as sex offenders.

d. CNIC, Force Judge Advocate (FJA) Office is responsible for maintaining a record of all Navy-wide RSO debarment letters issued by CNIC.

## 7. Action

a. REGCOMs:

(1) Act on requests from installation COs who request a sex offender be debarred from more than one installation within the region.

(2) Act on requests for appeal of debarment decision waivers within 14 days of receipt.

(3) Provide the servicing HRO/HRSC a copy of all bar orders issued to civilian personnel.

(4) Notify the applicable contractor and government contracting representative if the identified sex offender is a contract employee.

(5) Per reference (a), ensure Navy personnel who are convicted of a sex offense while on active duty or in a Reserve status, and who are not punitively discharged by a court-martial, are processed for administrative separation.

(6) Ensure installation access for military retirees identified as sex offenders, but only for the limited purpose of visiting military medical treatment facilities, Veteran's Administration Offices, commissaries, and Navy Exchanges.

(7) Adjudicate installation bar order appeals per enclosure (2) of this instruction after consultation with a Staff Judge Advocate (SJA) and/or general counsel.

(8) In instances where the REGCOM desires a registered sex offender should be restricted from accessing installations outside the region, forward a request to CNIC to issue a Navy-wide debarment letter.

b. Installation COs:

(1) Issue narrowly tailored installation debarment orders to RSOs.

(2) When deemed appropriate, forward requests to debar sex offenders from more than one installation to the cognizant REGCOM.

(3) As the competent authority (as defined in this instruction), acting on waiver requests from debarred sex offenders

(4) Forward appeals to waiver request decisions to the cognizant REGCOM within 14 days of receipt.

(5) Maintain a list of MSC mariners who have been designated sex offenders as defined by this instruction before a MSC ship enters the installation port. Installation access will be denied to MSC mariners designated as sex offenders.

(6) Consult with the installation SJA and/or general counsel prior to issuing a bar order. In the case of civilian employee or contractor registered sex offenders, Installation COs must consult with an OGC attorney to mitigate the implications of civilian personnel law.

(7) Upload all bar orders into the Combined Law Enforcement Operations Center and update status of individual profile to sex offender into the Defense Biometric Identification System (DBIDS).

(8) Provide the servicing HRO/HRSC a copy of all bar orders issued to civilian personnel.

(9) Notify the applicable contractor and government contracting representative if the identified sex offender is a contract employee.

(10) Ensure Navy personnel identified as sex offenders while on active duty or in a reserve status, and who are not punitively discharged, are processed for administrative separation.

(11) Ensure installation access for military retirees who are identified sex offenders, but only for the limited purpose of visiting military medical treatment facilities, Veteran's Administration Offices, commissaries, and Navy Exchanges.

(12) Adjudicate waiver requests per enclosure (2) of this instruction after consultation with a SJA and/or general counsel.

#### 8. Records Management

a. Records created as a result of this instruction, regardless of format or media, must be maintained and dispositioned per the records disposition schedules located on the Department of the Navy Assistant for Administration, Directives and Records Management Division portal page at <https://portal.secnave.navy.mil/orgs/DUSNM/DONAA/DRM/Records-and-Information-Management/Approved%20Record%20Schedules/Forms/AllItems.aspx>.

b. For questions concerning the management of records related to this instruction [notice, change transmittal] or the records disposition schedules, please contact the local records manager or the OPNAV Records Management Program (DNS-16).

9. Review and Effective Date. Per OPNAVINST 5215.17A, CNIC (N00J) will review this instruction annually on the anniversary of its effective date to ensure applicability, currency, and consistency with Federal, Department of Defense, Secretary of the Navy, and Navy policy and statutory authority using OPNAV 5215/40, Review of Instruction. This instruction will be in effect for 10 years unless revised or cancelled in the interim and will be reissued by the 10-year anniversary date if it still required, unless it meets one of the exceptions in OPNAVINST 5215.17A, paragraph 9. Otherwise, if the instruction is no longer required, it will be processed for cancellation as soon as the need for cancellation is known following the guidance in OPNAV Manual 5215.1 of May 2016.

CNICINST 1752.1A  
18 Mar 2024

10. Forms or Information Management Control. CNIC Form 11103/1 may be accessed via Department of the Navy Housing Web site, <https://ffr.cnic.navy.mil/Navy-Housing/Forms-Policy-Resources/> or on the CNIC Gateway 2.0 at <https://g2.cnic.navy.mil/Directives/CNIC%20Forms/Forms/AllItems.aspx>.



C. S. GRAY

Releasability and distribution:

This instruction is cleared for public release and is available electronically only via CNIC Gateway 2.0, <https://g2.cnic.navy.mil/CC/Documents/Forms/Directives%20Only.aspx>.

### DEFINITIONS

Unless otherwise noted, these terms and their definitions are for the purposes of this instruction.

Competent Authority. The competent authority which can waive sex offender access restrictions to a particular CNIC installation is the Installation CO. For waiver requests that span entire regions, REGCOMs are the competent authority. CNIC is the competent authority for acting on Navy-wide waiver requests and appeals.

Installation Commanding Officer. A CO of a Navy shore installation, including COs of joint installations where Navy is the lead service.

Region Commander. Commander of one of the ten CNIC Regions, including commanders of Joint Regions where Navy is the lead service.

Sex Offender. As defined in the Sexual Offender Registration and Notification Act.

WAIVERS AND APPEALS

1. Waiver requests and appeals from waiver request decisions will be processed accordingly:
  - a. Installation COs must publish their procedures for accepting and reviewing waiver requests and appeals to debarments.
  - b. Per reference (a) and (b), the competent authority can waive sex offender access restrictions to Navy facilities. The competent authority which can waive sex offender access restrictions to a particular CNIC installation is the Installation CO. For waiver requests that span entire regions, REGCOMs are the competent authority. Installation COs and REGCOMs considering sex offender waivers and appeals must consult with servicing legal counsel to ensure such a decision is made in accordance with current law and policy.
  - c. Applicants seeking waivers from debarment for multiple installations must submit requests to each installation. Alternatively, applicants seeking waivers from all installations within a Region may submit a waiver request to the Region. Applicants seeking waivers for every Navy installation, world-wide, will submit the request to CNIC, via the Region in which the applicant currently resides. A waiver request granted by an Installation CO or REGCOM will only apply to the installation(s) and/or region(s) over which the grantor exercises command authority.
  - d. A debarred person may appeal a denied waiver request to the immediate superior in command of the authority who denied the waiver. CNIC is the final decision authority for all appeals.