



DEPARTMENT OF THE NAVY  
HEADQUARTERS UNITED STATES MARINE CORPS  
3000 MARINE CORPS PENTAGON  
WASHINGTON, DC 20350-3000

IN REPLY REFER TO:

11000

LFF

31 Dec 2008

From: Commandant of the Marine Corps (I&L)  
To: Distribution List

Subj: POLICY LETTER - REGISTERED SEX OFFENDERS PROHIBITED  
OCCUPANCY AND ACCESS TO MARINE CORPS GOVERNMENT-OWNED,  
LEASED, OR PRIVATIZED FAMILY HOUSING

Ref: (a) MCO P11000.22 USMC Housing Manual

Encl: (1) SECNAV Memo of 07 Oct 2008 "Policy for Sex Offender Tracking and  
Assignment and Access Restrictions within the Department of the Navy"  
(2) SECNAV Memo of 11 Jun 2008 "Delegation of Authority to Issue Debarment  
Letters"

1. Enclosure (1) prohibits sexual offenders from occupying Marine Corps owned, leased or Public-Private Venture housing, except where prohibited by law or otherwise waived by competent authority. This requirement applies to future service members and their family members seeking military housing as well as to occupants of current housing (government owned, leased, and Public-Private Venture (PPV) housing).

2. Action. In compliance with enclosure (1), registered sex offenders shall not occupy Marine Corps Government-owned, leased or privatized housing. To implement enclosure (1) guidelines, and safeguard personal, family and housing community interests, all Military Housing Offices (MHOs) are directed to implement the following actions and establish the following baseline procedures:

a. Housing Application Process. All service members making application for Government-owned housing, leased housing or for referral to privatized housing shall be screened using available registries of sex offenders. This screening search of all applicants to include their dependents or family members who will reside with the applicant or service member, shall be performed **prior to placement on respective waiting lists for housing**.

- o Implement screening process, to include a disclosure questionnaire, with the use of existing public sex offender registries/data bases. The questionnaire structure will provide for applicant's personal disclosure indicating whether the applicant or any person who will reside with the applicant is required, or has ever been required to register or provide Notification as a sex offender under the laws of the United States or any state.

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- Public screening mechanisms may include the Dru Sjodin National Sex Offender Public Web-site maintained by the United States Department of Justice at <http://www.nsopr.gov> , and applicable sex offender registries of the state where the military housing installation is located and the state where the service member is assigned.
- For those cases where the required screening reveals a service member or family member's identification or inclusion on a national or state sex offender registry, **immediate notification and housing application referral** shall be made to the appropriate Installation Staff Judge Advocate (SJA) and Installation Commander for due process.
- Individuals identified or included on any sex offender registry are prohibited from any form of housing referral and assignment to any government, leased, or PPV Housing, except where prohibited by law or otherwise waived by competent authority.
- Housing application screening and disclosure information may not be used to threaten, intimidate or harass applicants or family members.

b. **Current Housing Occupants.** To the extent allowed under applicable law, all current occupants, to include those civilians unaffiliated with the Department of Defense and those not otherwise required to establish eligibility for such housing through respective Military Housing Office, are to be immediately screened in accordance with above established procedures. In compliance with applicable laws, HQMC will initiate action to modify PPV business agreements to include a similar registered sex offender prohibition of the rental of housing to civilians, those unaffiliated with the Department of Defense and not otherwise required to establish eligibility for such housing through respective Military Housing Offices.

c. **Waiver Request.** If an applicant or family member is identified on a sex offender registry, their application will be immediately referred to the respective chain of command to include SJA and Installation Commander. After due consideration of the facts and information provided, the Installation Commander will determine if a waiver request to the Deputy Commandant of the Marine Corps, Installation and Logistics (per enclosure (2)) via their intermediate chain of command is warranted.

3. This policy will be incorporated into the next update of reference (a). In the meantime, this policy is effective immediately.

4. HQMC LF POC on this issue is Mr. Alan Barszewski, at DSN 225-9767, 703-695-9767 or e-mail [alan.barszewski@usmc.mil](mailto:alan.barszewski@usmc.mil).

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AND ACCESS TO MARINE CORPS GOVERNMENT-OWNED, LEASED, OR  
PRIVATIZED FAMILY HOUSING



E. G. USHER, III  
Major General, U.S. Marine Corps  
Deputy Commandant  
Installations and Logistics

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THE SECRETARY OF THE NAVY  
WASHINGTON DC 20350 1000

OCT 07 2008

MEMORANDUM FOR COMMANDANT OF THE MARINE CORPS  
CHIEF OF NAVAL OPERATIONS

SUBJECT: Policy for Sex Offender Tracking and Assignment and Access Restrictions  
within the Department of the Navy

References: (a) Sex Offender Registration and Notification Act of 2006 (Title 42, United  
States Code, Section 16912  
(b) The National Guidelines for Sex Offender Registration and Notification  
July 2, 2008. (Federal Register Vol. 73, No. 128, pp, 38030-69)

This memorandum establishes requirements within the Department of the Navy (DON) regarding identification, assignment, and access restriction pertaining to sex offenders consistent with the definitions provided in references (a) and (b). The policy provisions herein shall be implemented throughout the DON as soon as practicable, but not later than December 31, 2008.

For purposes of this policy directive, the term "sex offender" is defined as a person having been convicted of a criminal offense according to guidelines in reference (b) and applies to all persons who are required to be registered as sex offenders according to this same reference.

To the maximum extent permitted by law or otherwise waived by competent authority, sex offenders are to be identified and prohibited from access to DON facilities.

Except where prohibited by law or otherwise waived by competent authority, sex offenders shall not occupy DON owned or leased military housing or Public-Private Venture housing.

Sex offenders shall not be allowed to enlist or processed for commissioning within the Navy or Marine Corps.

Navy or Marine Corps members who are convicted of a sex offense while on active duty or in a reserve status and who are not punitively discharged shall be processed for administrative separation.

Any Navy or Marine Corps sex offenders on active duty shall not be assigned outside of the United States or its territories, and any Navy or Marine Corps personnel whose sponsored family members are sex offenders shall not be assigned outside of the United States or its territories on accompanied orders, unless waived by competent authority.

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Navy and Marine Corps members who are convicted of sex offenses while on active duty and who retire or are transferred to the Fleet Reserve or Fleet Marine Reserve shall have the sex offense conviction recorded in their permanent military record. Such sex offenders shall not be subject to recall for any purpose without express authority of the Secretary of the Navy (SECNAV). Likewise, Navy and Marine Corps members who are retired or transferred to the Fleet Reserve or Fleet Marine Reserve and who are later convicted of sex offense shall not be subject to recall without express authority of SECNAV.

To the extent that it does not conflict with higher directive, the services shall develop procedures and modify processes as necessary to identify sex offenders and to effect the above policy.



Donald C. Winter



THE SECRETARY OF THE NAVY  
WASHINGTON, D.C. 20350-1000

JUN 11 2008

MEMORANDUM FOR COMMANDER, NAVY INSTALLATIONS COMMAND  
DEPUTY COMMANDANT OF THE MARINE CORPS  
(MANPOWER AND RESERVE AFFAIRS)  
CHIEF OF NAVAL PERSONNEL  
DEPUTY COMMANDANT OF THE MARINE CORPS  
(INSTALLATIONS AND LOGISTICS)

SUBJECT: Delegation of Authority to Issue Debarment Letters

You are hereby authorized to sign and issue debarment letters to registered sex offenders, prohibiting them from entry onto Navy and Marine Corps installations worldwide, and grant waivers as appropriate. This authority may not be further delegated.

A handwritten signature in black ink, appearing to read "Donald C. Winter", is positioned above the printed name.

Donald C. Winter

cc:  
ASN (M&RA)