



DEPARTMENT OF THE NAVY  
UNITED STATES NAVAL ACADEMY  
ANNAPOLIS, MARYLAND 21402

USNAINST 5820.2A  
4/SJA  
31 August 1988

USNA INSTRUCTION 5820.2A

From: Superintendent

Subj: AUTHORIZATION FOR CIRCULATION OF PETITIONS

Ref: (a) 5 USC 7211  
(b) 5 USC 7102  
(c) 10 USC 1034  
(d) Article 1149, U.S. Navy Regulations 1973

1. Purpose. To publish the policy which regulates the circulation of petitions on the Naval Academy grounds.
  2. Cancellation. USNA Instruction 5820.2 ✓
  3. Background. A military installation commander, consistent with the responsibility to maintain the morale, discipline, loyalty, and readiness of a command, is authorized to restrict and/or preclude the circulation, distribution or posting of materials, including petitions to public officials, which could adversely affect the essential attributes of an effective military command. This authority may be exercised effectively only by reviewing the materials to be circulated, distributed, or posted prior to their circulation or distribution within the command. (R)
  4. Petition Policy
    - a. Except as provided in subparagraph 3c, a person or a group of persons, whether military or civilian, may not circulate, distribute, or post a petition. Furthermore, a person or a group of persons, whether military or civilian, may not solicit or petition for signatures on the Naval Academy grounds without the prior authorization of the Superintendent. (R)
    - b. A military member attached or assigned to the Naval Academy, while in uniform, may not circulate, distribute, or post a petition on or off the Naval Academy grounds, without the prior authorization of the Superintendent.
    - c. Reference (a) states that federal government civilian employees, as individuals or as a group have a right to petition Congress or a member of Congress. That right will not be interfered with or denied. In addition, reference (b) provides that each civilian employee will have the right to form, join, or assist any labor organization and will be protected in exercising that right. Accordingly, a civilian employee or a group of civilian employees does not need to obtain the Superintendent's prior authorization for the circulation of a petition on the Naval Academy grounds during nonworking hours and in nonwork areas, provided the petition is: (R)
      - (1) addressed to Congress or a member of Congress; or
      - (2) circulated for the purpose of forming, joining, or assisting any labor organizing; and
      - (3) circulated among only civilian employees.
- Any petition by a civilian employee or by a group of civilian employees, which is not covered by subparagraph 3c, is subject to the prior authorization requirement of subparagraph 3a. Furthermore, even if a civilian employee's petition satisfies the conditions of paragraph 3c and is exempt from the requirement of prior authorization, a copy of such petition will nonetheless be forwarded to the Superintendent for information purposes. (R)
- d. This instruction is not intended to restrict a military service member's rights, as provided by reference (c), to communicate individually with members of Congress. Prior authorization by persons in a chain of command is not required for such individual communications. Service members are reminded, however, that reference (d) provides that no person in the naval service will, in his official capacity, apply to Congress or to either house or any committee of either house, for legislation, appropriations, or Congressional action of any kind, except with the expressed consent and knowledge of the Secretary of the Navy.

86 8 - .88

USNAINST 5820.2A  
31 August 1988

- R) 5. Authorization Procedure. A request for the authorization required by this instruction will be submitted in writing to the Superintendent and will include a copy of the petition and a description of the plan or method of circulation, distribution, or posting.
6. Authorization Criteria. The authorization required by subparagraph 3a will be granted unless the Superintendent determines that the circulation, distribution, and/or posting of the petition would result in a clear danger to the loyalty, discipline, morale, or readiness of members of the command or would result in a material interference with the mission of the Naval Academy.

  
B. A. SPOFFORD  
Deputy for Operations

Distribution:  
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