

## Department of the Navy, DoD

## § 700.104

- 700.1113 Endorsement of commercial product or process.
- 700.1120 Personal privacy and rights of individuals regarding their personal records.

### OFFICIAL RECORDS

- 700.1121 Disclosure, publication and security of official information.
- 700.1126 Correction of naval records.
- 700.1127 Control of official records.
- 700.1128 Official records in civil courts.

### DUTIES OF INDIVIDUALS

- 700.1138 Responsibilities concerning marijuana, narcotics, and other controlled substances.
- 700.1139 Rules for preventing collisions, afloat and in the air.

### RIGHTS AND RESTRICTIONS

- 700.1162 Alcoholic beverages.
- 700.1167 Supremacist activity.

AUTHORITY: 10 U.S.C. 6011.

SOURCE: 64 FR 56062, Oct. 15, 1999, unless otherwise noted.

## Subpart A—Navy Regulations

### § 700.101 Origin and history of United States Navy Regulations.

(a) United States Navy Regulations began with the enactment by the Continental Congress of the “Rules for the Regulation of the Navy of the United Colonies” on November 28, 1775. The first issuance by the United States Government which covered this subject matter was “An Act for the Government of the Navy of the United States,” enacted on March 2, 1799. This was followed the next year by “An Act for the Better Government of the Navy of the United States.”

(b) In the years preceding the Civil War, twelve successor publications were promulgated under a number of titles by the President, the Navy Department and the Secretary of the Navy. A decision by the Attorney General that the last of the pre-Civil War issuances was invalid led to the inclusion in the 1862 naval appropriations bill of a provision that “the orders, regulations, and instructions heretofore issued by the Secretary of the Navy be, and they are hereby, recognized as the regulations of the Navy Department, subject, however, to such alterations as the Secretary of the

Navy may adopt, with the approbation of the President of the United States.”

(c) Thirteen editions of Navy Regulations were published in accordance with this authority (later codified as Section 1547, Revised Statutes) between 1865 and 1948. The 1973 edition of Navy Regulations was published under authority of 10 United States Code (U.S.C.) 6011, which provided that “United States Navy Regulations shall be issued by the Secretary of the Navy with the approval of the President.” In 1981, this provision was amended to eliminate the requirement for presidential approval.

(d) While leaving this provision unaffected, Congress enacted the Goldwater-Nichols Department of Defense Reorganization Act of 1986 (Pub. L. 99-443), which granted each of the service secretaries the authority to prescribe regulations to carry out his or her statutory functions, powers and duties.

### § 700.102 Statutory authority for issuance of United States Navy Regulations.

Title 10, United States Code, section 6011, provides that United States Navy Regulations shall be issued by the Secretary of the Navy. Regulations issued under this authority are permanent regulations of general applicability, as opposed to regulations issued by the Secretary under § 700.104.

### § 700.103 Purpose and effect of United States Navy Regulations.

United States Navy Regulation is the principle regulatory document of the Department of the Navy, endowed with the sanction of law, as to duty, responsibility, authority, distinctions and relationships of various commands, officials and individuals. Other directives issued within the Department of the Navy shall not conflict with, alter or amend any provision of Navy Regulations.

### § 700.104 Statutory authority for prescription of other regulations.

The Secretary of the Navy may prescribe regulations to carry out his or her functions, powers and duties under Title 10, United States Code.

## § 700.105

### § 700.105 Issuance of directives by other officers and officials.

Responsible officers and officials of the Department of the Navy may issue, or cause to be issued, directives concerning matters over which they exercise command, control or supervision, which do not conflict with, alter or amend these regulations.

### § 700.106 Control of administrative requirements.

(a) Directives will be issued with due regard for the imposition of workload resulting therefrom and benefits or advantages to be gained. Issuance of new directives will be in accordance with the following:

(1) Directives which implement or amplify directives from higher authority will not be issued unless absolutely essential.

(2) Administrative reporting requirements will not be imposed unless the expected value of the information to be gained is significantly greater than the cumulative burden imposed.

(b) Each officer or official issuing a directive or imposing a reporting requirement will periodically, in accordance with instructions to be issued by appropriate authority, review such directive or report with a view toward the following:

(1) Reduction of directives by cancellation or consolidation; or

(2) Reduction of reporting requirements by elimination of the report, reduction in the frequency of the report, or combination with other reports.

(c) When issuance of a directive or a tasking will result in imposition of additional administrative requirements on commands not within the chain of command or the issuing authority, the first common superior of the commands affected by the requirement must concur in the issuance.

### § 700.107 Maintenance of Navy Regulations.

(a) The Chief of Naval Operations is responsible for maintaining Navy Regulations, and for ensuring that Navy Regulations conforms to the current needs of the Department of the Navy. When any person in the Department of the Navy deems it advisable that additions, changes or deletions should be

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made to Navy Regulations, he or she shall forward a draft of the proposed addition, change or deletion, with a statement of the reasons therefor, to the Chief of Naval Operations via the chain of command. The Chief of Naval Operations shall endeavor to obtain the concurrence of the Commandant of the Marine Corps, the Judge Advocate General and appropriate offices and commands. Unresolved issues concerning such additions, changes or deletions shall be forwarded to the Secretary of the Navy for appropriate action. Any additions, changes or deletions to the U.S. Navy Regulations must be approved by the Secretary of the Navy.

(b) Changes to Navy Regulations will be numbered consecutively and issued as page changes. Advance changes may be used when required; these will be numbered consecutively and incorporated in page changes at frequent intervals.

## Subpart B—The Department of the Navy

### § 700.201 Origin and authority of the Department of the Navy.

(a) The naval affairs of the country began with the war for independence, the American Revolution. On 13 October 1775, Congress passed legislation for ships. This, in effect, created the continental Navy. Two battalions of Marines were authorized on 10 November 1775. Under the Constitution, the First Congress on 7 August 1789 assigned responsibility for the conduct of naval affairs to the War Department. On 30 April 1798, the Congress established a separate Department of the Navy with the Secretary of the Navy as its chief officer. On 11 July 1798, the United States Marine Corps was established as a separate service, and in 1834 was made a part of the Department of the Navy.

(b) The National Security Act of 1947, as amended, is the fundamental law governing the position of the Department of the Navy in the organization for national defense. In 1949, the Act was amended to establish the Department of Defense as an Executive Department, and to establish the Departments of the Army, Navy and Air