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(b) The Navy Department refers to the central executive offices of the Department of the Navy located at the seat of Government. The Navy Department is organizationally comprised of the Office of the Secretary of the Navy, the Office of the Chief of Naval Operations, and the Headquarters, Marine Corps. In addition, the Headquarters, Coast Guard, is included when the Coast Guard is operating as a service in the Navy.

(c) The operating forces of the Navy and the Marine Corps comprise the several fleets, seagoing forces, Fleet Marine Forces, other assigned Marine Corps Forces, the Military Sealift Command and other forces and activities that may be assigned thereto by the President or the Secretary of the Navy.

(d) The shore establishment is comprised of shore activities with defined missions approved for establishment by the Secretary of the Navy.

Subpart C—The Secretary of the Navy

THE SECRETARY OF THE NAVY

§ 700.301 Responsibilities of the Secretary of the Navy.

The Secretary of the Navy is responsible to the Secretary of Defense for:

(a) The functioning and efficiency of the Department of the Navy;

(b) The formulation of policies and programs by the Department of the Navy that are fully consistent with national security objectives and policies established by the President or the Secretary of Defense;

(c) The effective and timely implementation of policy, program and budget decisions and instructions of the President or the Secretary of Defense relating to the functions of the Department of the Navy;

(d) Carrying out the functions of the Department of the Navy so as to fulfill (to the maximum extent practicable) the current and future operational requirement of the unified and specified combatant commands;

(e) Effective cooperation and coordination between the Department of the Navy and the other military departments and agencies of the Department

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of Defense to provide for more effective, efficient and economical administration and eliminate duplication;

(f) The presentation and justification of the position of the Department of the Navy on the plans, programs and policies of the Department of Defense;

(g) The effective supervision and control of the intelligence activities of the Department of the Navy; and

(h) Such other activities as may be prescribed by law or by the president or Secretary of Defense.

§ 700.302 Responsibilities within the Department of the Navy.

The Secretary is the head of the Department of the Navy. The Secretary is responsible for, and has the authority necessary to conduct, all affairs of the Department of the Navy, including the following functions:

(a) Recruiting;

(b) Organizing;

(c) Supplying;

(d) Equipping (including research and development);

(e) Training;

(f) Servicing;

(g) Mobilizing;

(h) Demobilizing;

(i) Administering (including the morale and welfare of personnel);

(j) Maintaining;

(k) The construction, outfitting and repair of military equipment; and

(l) The construction, maintenance and repair of buildings, and interests in real property necessary to carry out the responsibilities specified in this article.

§ 700.303 Succession.

If the Secretary of the Navy dies, resigns, is removed from office, is absent or is disabled, the person who is highest on the following list, and who is not absent or disabled, shall perform the duties of the Secretary until the President directs another person to perform those duties or until the absence or disability ceases:

(a) The Under Secretary of the Navy;

(b) The Assistant Secretaries of the Navy, in the order prescribed by the Secretary of the Navy and approved by the Secretary of Defense;

(c) The Chief of Naval Operations;

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(d) The Commandant of the Marine Corps.

§ 700.304 Recommendations to Congress.

After first informing the Secretary of Defense, the Secretary of the Navy may make such recommendations to Congress relating to the Department of Defense as he or she considers appropriate.

§ 700.305 Assignment of functions.

The Secretary of the Navy may assign such functions, powers, and duties as he or she considers appropriate to the Under Secretary of the Navy and to the Assistant Secretaries of the Navy. Officers of the Navy and the Marine Corps shall, as directed by the Secretary, report on any matter to the Secretary, the Under Secretary or any Assistant Secretary.

§ 700.306 Assignment of duty and titles.

The Secretary of the Navy may:

(a) Assign, detail and prescribe the duties of members of the Navy and Marine Corps and civilian personnel of the Department of the Navy; and

(b) Change the title of any officer or activity of the Department of the Navy not prescribed by law.

§ 700.307 Powers with respect to the Coast Guard.

Whenever the Coast Guard operates as a service in the Navy under Section 3 of Title 14, United States Code, the Secretary of the Navy has the same powers and duties with respect to the Coast Guard as the Secretary of Transportation has when the Coast Guard is not so operating.

THE OFFICE OF THE SECRETARY OF THE
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§ 700.310 Composition.

The function of the Office of the Secretary of the Navy is to assist the Secretary in carrying out his or her responsibilities. The Office of the Secretary of the Navy is composed of the following:

(a) The Civilian Executive Assistants:

(1) The Under Secretary of the Navy;

(2) The Assistant Secretary of the Navy (Financial Management);

(3) The Assistant Secretary of the Navy (Manpower and Reserve Affairs);

(4) The Assistant Secretary of the Navy (Research, Development and Acquisition);

(5) The Assistant Secretary of the Navy (Installations and Environment); and

(6) The General Counsel of the Department of the Navy.

(b) The Staff Assistants:

(1) The Judge Advocate General of the Navy;

(2) The Naval Inspector General;

(3) The Chief of Naval Research;

(4) The Chief of Information;

(5) The Chief of Legislative Affairs;

(6) The Auditor General of the Navy;

(7) The Director, Office of Program Appraisal; and

(8) Such other officers and officials as may be established by law or as the Secretary of the Navy may establish or designate.

§ 700.311 Sole responsibilities.

(a) The Office of the Secretary of the Navy shall have sole responsibility within the Office of the Secretary of the Navy, the Office of the Chief of Naval Operations and the Headquarters, Marine Corps, for the following functions:

(1) Acquisition;

(2) Auditing;

(3) Comptroller (including financial management);

(4) Information management;

(5) Inspector general;

(6) Legislative affairs;

(7) Public affairs;

(8) Research and development, except for military requirements and operational test and evaluation, which are the responsibilities of the Office of the Chief of Naval Operations and the Headquarters Marine Corps.

(b) The following offices within the Office of the Secretary of the Navy are designated to conduct the functions specified in paragraph (a) of this section. No office or other entity may be established or designated within the Office of the Chief of Naval Operations or the Headquarters, Marine Corps, to conduct any of the functions specified in paragraph (a) of this section, except

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as noted in paragraph (a)(8) of this section.

(1) The Assistant Secretary of the Navy (Research, Development and Acquisition) is the Acquisition Executive for the Department of the Navy. The Assistant Secretary of the Navy (Research, Development and Acquisition) (ASN(RD&A)) is responsible for research, development and acquisition, except for military requirements and operational test and evaluation, which remain functions of the Office of the Chief of Naval Operations and Headquarters Marine Corps. In addition to Acquisition Executive, ASN(RD&A) is also the Navy Senior Procurement Executive and Senior Department of the Navy Information Resource Management Official. Responsibilities include developing acquisition policy and procedures for all Department of the Navy research, development, production, shipbuilding and production/logistics support programs; and Department of the Navy international technology transfer.

(2) The Auditor General is responsible for the internal auditing function within the Department of the Navy.

(3) The Assistant Secretary of the Navy (Financial Management) is responsible for comptrollership, including financial management, within the Department of the Navy.

(4) The Naval Inspector General is responsible for the inspector general function within the Department of the Navy.

(5) The Chief of Legislative Affairs is responsible for legislative affairs within the Department of the Navy.

(6) The Chief of Information is responsible for public affairs within the Department of the Navy.

(c) The Secretary shall:

(1) Prescribe the relationship of each office or other entity established or designated under paragraph (b) of this section:

(i) To the Chief of Naval Operations and the Office of the Chief of Naval Operations; and

(ii) To the Commandant of the Marine Corps and the Headquarters, Marine Corps; and

(2) Ensure that each such office or entity provides the Chief of Naval Operations and the Commandant of the

Marine Corps such staff support as the Chief of Naval Operations and the Commandant of the Marine Corps consider necessary to perform their respective duties and responsibilities.

(d) The vesting in the Office of the Secretary of the Navy of the responsibility for the conduct of a function specified in paragraph (a) of this section does not preclude other elements of the Department of the Navy (including the Office of the Chief of Naval Operations and the Headquarters, Marine Corps) from providing advice or assistance to the Chief of Naval Operations and the Commandant of the Marine Corps, or otherwise participating in that function within the executive part of the Department under the direction of the office assigned responsibility for that function in the Office of the Secretary of the Navy.

§ 700.312 Authority over organizational matters.

Subject to the approval or guidance of the Secretary of the Navy, the Civilian Executive Assistants, the Chief of Naval Operations, the Commandant of the Marine Corps and the Staff Assistants are individually authorized to organize, assign and reassign responsibilities within their respective commands or offices, including the establishment and disestablishment of such component organizations as may be necessary, subject to the following:

(a) The authority to disestablish may not be exercised with respect to any organizational component of the Department established by law.

(b) The Secretary retains the authority to approve the establishment and disestablishment of shore activities.

THE OFFICE OF THE SECRETARY OF THE NAVY/THE CIVILIAN EXECUTIVE ASSISTANTS

§ 700.320 The Civilian Executive Assistants.

(a) The Civilian Executive Assistants, as identified in § 700.310, are assigned department-wide responsibilities essential to the efficient administration of the Department of the Navy.

(b) Each Civilian Executive Assistant, within his or her assigned area of responsibility, is the principal civilian

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advisor and assistant to the Secretary on the administration of the affairs of the Department of the Navy. The Civilian Executive Assistants carry out their duties with the professional assistance of the Office of the Chief of Naval Operations and Headquarters, Marine Corps, as presided over by the Chief of Naval Operations and Commandant of the Marine Corps, respectively.

(c) The Civilian Executive Assistants are authorized and directed to act for the Secretary within their assigned areas of responsibility.

§ 700.321 The Under Secretary of the Navy.

(a) The Under Secretary of the Navy shall perform such duties and exercise such powers as the Secretary of the Navy shall prescribe.

(b) The Under Secretary of the Navy is designated as the deputy and principal assistant to the Secretary of the Navy. The Under Secretary of the Navy acts with full authority of the Secretary in the general management of the Department of the Navy and supervision of offices, organizations and functions as assigned by the Secretary.

§ 700.322 Assistant Secretaries of the Navy; statutory authorization.

There are four Assistant Secretaries of the Navy. The Assistant Secretaries shall perform such duties and exercise such powers as the Secretary of the Navy may prescribe in accordance with law.

§ 700.323 The Assistant Secretary of the Navy (Financial Management).

The Assistant Secretary of the Navy (Financial Management) is the Comptroller of the Navy, and is responsible for all matters related to the financial management of the Department of the Navy, including:

- (a) Budgeting;
- (b) Accounting;
- (c) Disbursing;
- (d) Financing;
- (e) Internal review;
- (f) Progress and statistical reporting; and
- (g) Supervision of offices and organizations as assigned by the Secretary of the Navy.

§ 700.324 The Assistant Secretary of the Navy (Manpower and Reserve Affairs).

The Assistant Secretary of the Navy (Manpower and Reserve Affairs) is responsible for:

(a) The overall supervision of manpower and reserve component affairs of the Department of the Navy, including policy and administration of affairs related to military (active and inactive) and civilian personnel; and

(b) Supervision of offices and organizations as assigned by the Secretary, specifically the Naval Council of Personnel Boards and the Board for Correction of Naval Records.

§ 700.325 The Assistant Secretary of the Navy (Installations and Environment).

The Assistant Secretary of the Navy (Installations and Environment) is responsible for:

(a) Policy relating to Navy installations, facilities, environment, safety, shore resources management and quality improvement;

(b) Development, implementation and evaluation of military construction, facilities management and engineering, strategic homeporting, housing, utilities, and base utilization issues;

(c) Environmental policy, safety, occupational health, and Marine Corps and Navy environmental affairs, including environmental protection, restoration, compliance and legislation, natural resource programs, hazardous material/waste minimization, plastics reduction and control, afloat environmental issues, state and federal agency and environmental organization coordination, and the National Environmental Policy Act; and

(d) Advising on fiscal resources related to shore appropriations.

§ 700.326 The Assistant Secretary of the Navy (Research, Development and Acquisition).

The Assistant Secretary of the Navy (Research, Development and Acquisition) is responsible for:

(a) Research, development and acquisition, except for military requirements and operational test and evaluation;

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(b) Direct management of acquisition programs;

(c) All aspects of the acquisition process within the Department of the Navy;

(d) All acquisition policy, including technology base and advanced technology development, procurement, competition, contracts and business management, logistics, product integrity, and education and training of the acquisition workforce.

§ 700.327 The General Counsel of the Navy.

(a) The General Counsel is head of the Office of the General Counsel and is responsible for providing legal advice, counsel, and guidance within the Department of the Navy on the following matters:

(1) Business and commercial law, environmental law, civilian personnel law, real and personal property law and patent law;

(2) Procurement of services, including the fiscal, budgetary and accounting aspects, for the Navy and Marine Corps;

(3) Litigation involving the issues enumerated above; and

(4) Other matters as directed by the Secretary of the Navy.

(b) The General Counsel maintains a close working relationship with the Judge Advocate General on all matters of common interest.

THE OFFICE OF THE SECRETARY OF THE NAVY/THE STAFF ASSISTANTS

§ 700.330 The Staff Assistants.

The Staff Assistants, as identified in § 700.310, assist the Secretary of the Navy, or one or more of the Civilian Executive Assistants, in the administration of the Navy. They supervise all functions and activities internal to their offices and assigned field activities, if any, and are responsible to the Secretary or to one of the Civilian Executive Assistants for the utilization of resources by, and the operating efficiency of, all activities under their supervision or command. Their duties are as provided by law or as assigned by the Secretary.

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§ 700.331 The Judge Advocate General.

(a) The Judge Advocate General of the Navy commands the Office of the Judge Advocate General and is the Chief of the Judge Advocate General's Corps. The Judge Advocate General:

(1) Provides or supervises the provision of all legal advice and related services throughout the Department of the Navy, except for the advice and services provided by the General Counsel;

(2) Performs the functions required or authorized by law;

(3) Provides legal and policy advice to the Secretary of the Navy on military justice, administrative law, claims, operational and international law, and litigation involving these issues; and

(4) Acts on other matters as directed by the Secretary.

(b) The Judge Advocate General maintains a close working relationship with the General Counsel on all matters of common interest.

§ 700.332 The Naval Inspector General.

(a) Under the direction of the Secretary of the Navy, the Naval Inspector General:

(1) Inspects, investigates or inquires into any and all matters of importance to the Department of the Navy with particular emphasis on readiness, including, but not limited to effectiveness, efficiency, economy and integrity;

(2) Exercises broad supervision, general guidance and coordination for all Department of the Navy inspection, evaluation and appraisal organizations to minimize duplication of efforts and the number of necessary inspections;

(3) Through analysis of available information, identifies areas of weakness in the Department of the Navy as they relate to matters of integrity and efficiency and provides appropriate recommendations for improvement. To accomplish these functions, the Inspector General shall have unrestricted access, by any means, to any information maintained by any naval activity deemed necessary, unless specifically restricted by the Secretary of the Navy;

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(4) Receives allegations of inefficiency, misconduct, impropriety, mismanagement or violations of law, and investigates or refers such matters for investigation, as is appropriate; and

(5) Serves as principal advisor to the Secretary of the Navy, the Chief of Naval Operations and the Commandant of the Marine Corps on all inspection and investigation matters.

(b) In addition, the Naval Inspector General has various functions, including (but not limited to):

(1) Providing of an alternative to the normal chain of command channel for receipt of complaints of personnel;

(2) Serving as the official to whom employees may complain without fear of reprisal;

(3) Cooperating with the Inspector General, Department of Defense;

(4) Providing oversight of intelligence and special activities;

(5) Serving as the Department of the Navy coordinator for fraud, waste and efficiency matters;

(6) Serving as Navy Program Manager and focal point for the Department of the Navy and Navy Hotline programs; and

(7) Designation as the centralized organization within the Department of Defense to monitor and ensure the coordination of criminal, civil, administrative and contractual remedies for all significant cases, including investigation of fraud or corruption related to procurement activities affecting the Department of the Navy.

§ 700.333 The Chief of Naval Research.

(a) The Chief of Naval Research shall command the Office of the Chief of Naval Research, the Office of Naval Research, the Office of Naval Technology and assigned shore activities.

(b) The Office of Naval Research shall perform such duties as the Secretary of the Navy prescribes relating to:

(1) The encouragement, promotion, planning, initiation and coordination of naval research;

(2) The conduct of naval research in augmentation of and in conjunction with the research and development conducted by other agencies and offices of the Department of the Navy; and

(3) The supervision, administration and control of activities within or for

the Department of the Navy relating to patents, inventions, trademarks, copyrights and royalty payments, and matters connected therewith.

§ 700.334 The Chief of Information.

(a) The Chief of Information is the direct representative of the Secretary of the Navy in all public affairs and internal relations matters. The Chief of Information is authorized to implement Navy public affairs and internal relations policies and to coordinate those Navy and Marine Corps activities of mutual interest.

(b) The Chief of Naval Operations and the Commandant of the Marine Corps are delegated responsibilities for:

(1) Conduct of their respective services' internal information programs;

(2) Conduct of their respective services' community relations programs; and

(3) Implementing the Secretary of the Navy's public affairs policy and directives.

(c) The Chief of Information will report to the Chief of Naval Operations for support of the responsibilities outlined in paragraph (b) of this section, and will provide such staff support as the Chief of Naval Operations considers necessary to perform those duties and responsibilities.

(d) The Deputy Chief of Information for Marine Corps Matters may report directly to the Secretary regarding public information matters related solely to the Marine Corps. The Deputy Chief will promptly inform the Chief of Information regarding the substance of all independent contacts with the Secretary pertaining to Marine Corps matters. The Deputy Chief of Information for Marine Corps Matters will report to the Commandant of the Marine Corps for support of the responsibilities outlined in paragraph (b) of this section, and will provide such staff support as the Commandant considers necessary to perform those duties and responsibilities.

§ 700.335 The Chief of Legislative Affairs.

The mission of the Chief of Legislative Affairs is to:

(a) Plan, develop and coordinate relationships between representatives of

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the Department of the Navy and members of committees of the United States Congress and their staffs which are necessary in the transaction of official Government business (except appropriations matters) affecting the Department of the Navy; and

(b) Furnish staff support, advice and assistance to the Secretary of the Navy, the Chief of Naval Operations, the Commandant of the Marine Corps and all other principal civilian and military officials of the Department of the Navy concerning congressional aspects of the Department of the Navy policies, plans and programs (except appropriations matters).

§ 700.336 The Director, Office of Program Appraisal.

(a) The Director, Office of Program Appraisal, directs, under the immediate supervision of the Secretary of the Navy, the Office of Program Appraisal.

(b) The Office of Program Appraisal will assist the Secretary in assuring that existing and proposed Navy and Marine Corps programs provide the optimum means of achieving the objectives of the Department of the Navy.

§ 700.337 The Auditor General.

(a) The Auditor General of the Navy is responsible for:

(1) Serving as Director of the Naval Audit Service; and

(2) Developing and implementing Navy internal audit policies, programs and procedures within the framework of Government auditing standards.

(b) The Auditor General can provide information and may provide assistance and support to the Chief of Naval Operations and the Commandant of the Marine Corps to enable them to discharge their duties and responsibilities.

Subpart D—The Chief of Naval Operations

§ 700.401 Precedence.

The Chief of Naval Operations, while so serving, has the grade of admiral. In the performance of duties within the Department of the Navy, the Chief of Naval Operations takes precedence above all other officers of the naval

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service, except an officer of the naval service who is serving as Chairman or Vice Chairman of the Joint Chiefs of Staff.

§ 700.402 Succession.

When there is a vacancy in the position of Chief of Naval Operations, or during the absence or disability of the Chief of Naval Operations:

(a) The Vice Chief of Naval Operations shall perform the duties of the Chief of Naval Operations until a successor is appointed or the absence or disability ceases.

(b) If there is a vacancy in the position of Vice Chief of Naval Operations or the Vice Chief of Naval Operations is absent or disabled, unless the President directs otherwise, the most senior officer of the Navy in the Office of the Chief of Naval Operations who is not absent or disabled and who is not restricted in the performance of duty shall perform the duties of the Chief of Naval Operations until a successor to the Chief of Naval Operations or the Vice Chief of Naval Operations is appointed or until the absence or disability of the Chief of Naval Operations or Vice Chief of Naval Operations ceases, whichever occurs first.

§ 700.403 Statutory authority and responsibility of the Chief of Naval Operations.

(a) Except as otherwise prescribed by law, and subject to the statutory authority of the Secretary of the Navy to assign functions, powers and duties, the Chief of Naval Operations performs duties under the authority, direction and control of the Secretary of the Navy and is directly responsible to the Secretary.

(b) Subject to the authority, direction and control of the Secretary of the Navy, the Chief of Naval Operations shall:

(1) Preside over the Office of the Chief of Naval Operations;

(2) Transmit the plans and recommendations of the Office of the Chief of Naval Operations to the Secretary and advise the Secretary with regard to such plans and recommendations;

(3) After approval of the plans or recommendations of the Office of the