

**§ 700.336**

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

**32 CFR Ch. VI (7–1–12 Edition)**

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

## Department of the Navy, DoD

## § 700.405

Chief of Naval Operations by the Secretary, act as the agent of the Secretary in carrying them into effect;

(4) Exercise supervision, consistent with the statutory authority assigned to commanders of unified or specified combatant commands, over such of the members and organizations of the Navy and the Marine Corps as the Secretary determines;

(5) Perform the duties prescribed for a member of the Armed Forces Policy Council and other statutory duties; and

(6) Perform such other military duties, not otherwise assigned by law, as are assigned to the Chief of Naval Operations by the President, the Secretary of Defense or the Secretary of the Navy.

(c) The Chief of Naval Operations shall also perform the statutory duties prescribed for a member of the Joint Chiefs of Staff.

(1) To the extent that such action does not impair the independence of the Chief of Naval Operations in the performance of duties as a member of the Joint Chiefs of Staff, the Chief of Naval Operations shall inform the Secretary of the Navy regarding military advice rendered by members of the Joint Chiefs of Staff on matters affecting the Department of the Navy.

(2) Subject to the authority, direction and control of the Secretary of Defense, the Chief of Naval Operations shall keep the Secretary of the Navy fully informed of significant military operations affecting the duties and responsibilities of the Secretary of the Navy.

### **§ 700.404 Statutory authority and responsibility of the Office of the Chief of Naval Operations.**

(a) The Office of the Chief of Naval Operations shall furnish professional assistance to the Secretary, the Under Secretary and the Assistant Secretaries of the Navy, and to the Chief of Naval Operations. Under the authority, direction and control of the Secretary of the Navy, the Office of the Chief of Naval Operations shall:

(1) Subject to § 700.311(a), prepare for such employment of the Navy, and for such recruiting, organizing, supplying, equipping (including those aspects of research and development assigned by

the Secretary of the Navy), training, servicing, mobilizing, demobilizing, administering, and maintaining of the Navy, as will assist in the execution of any power, duty or function of the Secretary or the Chief of Naval Operations;

(2) Investigate and report upon the efficiency of the Navy and its preparation to support military operations by combatant commands;

(3) Prepare detailed instructions for the execution of approved plans and supervise the execution of those plans and instructions;

(4) As directed by the Secretary or the Chief of Naval Operations, coordinate the action of organizations of the Navy; and

(5) Perform such other duties, not otherwise assigned by law, as may be prescribed by the Secretary.

(b) Except as otherwise specifically prescribed by law, the Office of the Chief of Naval Operations shall be organized in such manner, and its members shall perform such duties and have such titles as the Secretary may prescribe.

### **§ 700.405 Delegated authority and responsibility.**

(a) The Chief of Naval Operations is the principal naval advisor and naval executive to the Secretary of the Navy on the conduct of the naval activities of the Department of the Navy.

(b)(1) Internal to the administration of the Department of the Navy, the Chief of Naval Operations, consistent with the statutory authority assigned to commanders of unified or specified combatant commands, under the direction of the Secretary of the Navy, shall command:

(i) The operating forces of the Navy; and

(ii) Such shore activities as may be assigned by the Secretary.

(2) The Chief of Naval Operations shall be responsible to the Secretary of the Navy for the Utilization of resources by, and the operating efficiency of, the Office of the Chief of Naval Operations, the Operating Forces of the Navy and assigned shore activities.

**§ 700.406**

**32 CFR Ch. VI (7-1-12 Edition)**

(c) In addition, the Chief of Naval Operations has the following specific responsibilities:

(1) To organize, train, equip, prepare and maintain the readiness of Navy forces, including those for assignment to unified or specified commands, for the performance of military missions as directed by the President, the Secretary of Defense or the Chairman of the Joint Chiefs of Staff;

(2) To determine current and future requirements of the Navy (less Fleet Marine Forces and other assigned Marine Corps forces) for manpower, material, weapons, facilities and services, including the determination of quantities, military performance requirements and times, places and priorities of need;

(3) To exercise leadership in maintaining a high degree of competence among Navy officer, enlisted and civilian personnel in necessary fields of specialization, through education training and equal opportunities for personal advancement, and maintaining the morale and motivation of Navy personnel and the prestige of a Navy career;

(4) To plan and provide health care for personnel of the naval service, their dependents and eligible beneficiaries;

(5) To direct the organization, administration, training and support of the Naval Reserve;

(6) To inspect and investigate components of the Department of the Navy to determine and maintain efficiency, discipline, readiness, effectiveness and economy, except in those areas where such responsibility rests with the Commandant of the Marine Corps;

(7) To determine the requirements of naval forces and activities, to include requirements for research, development, test, and evaluation to plan and provide for the conduct of test and evaluation which are adequate and responsive to long range objectives, immediate requirements, and fiscal limitations; and to provide assistance to the Assistant Secretary of the Navy (Research, Development and Acquisition) in the review and appraisal of the overall Navy program to ensure fulfillment of stated requirements;

(8) To formulate Navy strategic plans and policies and participate in the formulation of Joint and combined stra-

tegic plans and policies and related command relationships; and

(9) Subject to guidance from the Assistant Secretary of the Navy (Financial Management), to formulate budget proposals for the Office of the Chief of Naval Operations, the Operating Forces of the Navy and assigned shore activities, and other activities and programs as assigned;

(10) To exercise authority for intelligence within the Navy.

(d) The Chief of Naval Operations, under the direction of the Secretary of the Navy, shall exercise overall authority throughout the Department of the Navy in matters related to:

(1) The effectiveness of the support of the Operating Forces of the Navy and assigned shore activities;

(2) The coordination and direction of assigned Navy wide programs and functions, including those assigned by higher authority;

(3) Matters essential to naval military administration, such as:

(i) Security;

(ii) Discipline;

(iii) Communications; and

(iv) Matters related to the customs and traditions of the naval service.

(4) Except for those areas wherein such responsibility rests with the Commandant of the Marine Corps, the coordination of activities of the Department of the Navy in matters concerning effectiveness, efficiency and economy.

[64 FR 56062, Oct. 15, 1999, as amended at 68 FR 2697, Jan. 21, 2003]

**§ 700.406 Naval Vessel Register, classification of naval craft, and status of ships and service craft.**

(a) The Chief of Naval Operations shall be responsible for the Naval Vessel Register (except the Secretary of the Navy shall strike vessels from the Register) and the assignment of classification for administrative purposes to water borne craft and the designation of status for each ship and service craft.

(b) Commissioned vessels and craft shall be called "United States Ship" or "U.S.S."

(c) Civilian manned ships, of the Military Sealift Command or other commands, designated "active status,

## Department of the Navy, DoD

## § 700.503

in service” shall be called “United States Naval Ship” or “U.S.N.S.”

(d) Ships and service craft designated “active status, in service,” except those described by paragraph (c) of this section, shall be referred to by name, when assigned, classification, and hull number (e.g., “HIGHPOINT PCH-1” or “YOGN-8”).

(e) The Chief of Naval Operations shall designate hospital ships and medical aircraft as he or she deems necessary. Such designation shall be in compliance with the Geneva Convention for the Amelioration of the Conditions of Wounded, Sick and Shipwrecked Members of the Armed Forces at Sea of 12 August 1949. The Chief of Naval Operations shall ensure compliance with the notice provisions of that Convention.

### Subpart E—The Commandant of the Marine Corps

#### § 700.501 Precedence.

The Commandant of the Marine Corps, while so serving, has the grade of general. In the performance of duties within the Department of the Navy, the Commandant of the Marine Corps takes precedence above all other officers of the Marine Corps, except an officer of the Marine Corps who is serving as Chairman or Vice Chairman of the Joint Chiefs of Staff.

#### § 700.502 Succession.

When there is a vacancy in the office of Commandant of the Marine Corps, or during the absence or disability of the Commandant:

(a) The Assistant Commandant of the Marine Corps shall perform the duties of the Commandant until a successor is appointed or the absence or disability ceases; or

(b) If there is a vacancy in the office of the Assistant Commandant of the Marine Corps or the Assistant Commandant is absent or disabled, unless the President directs otherwise, the most senior officer of the Marine Corps in the Headquarters, Marine Corps, who is not absent or disabled and who is not restricted in the performance of duty shall perform the duties of the Commandant until a successor to the

Commandant or the Assistant Commandant is appointed or until the absence or disability of the Commandant or the Assistant Commandant ceases, whichever occurs first.

#### § 700.503 Statutory authority and responsibility of the Commandant of the Marine Corps.

(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 Commandant of the Marine Corps 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 Commandant of the Marine Corps shall:

(1) Preside over the Headquarters, Marine Corps;

(2) Transmit the plans and recommendations of the Headquarters, Marine Corps, to the Secretary and advise the Secretary with regard to such plans and recommendations;

(3) After approval of the plans or recommendations of the Headquarters, Marine Corps, by the Secretary, act as the agent of the Secretary in carrying them into effect;

(4) Exercise supervision, consistent with the statutory authority assigned to commanders of unified or specified combatant commands, over such of the members and organizations of the Navy and the Marine Corps as the Secretary determines;

(5) Perform the duties prescribed for a member of the Armed Forces Policy Council and other statutory duties; and

(6) Perform such other military duties, not otherwise assigned by law, as are assigned to the Commandant of the Marine Corps by the President, the Secretary of Defense or the Secretary of the Navy.

(c) The Commandant of the Marine Corps shall also perform the statutory duties prescribed for a member of the Joint Chiefs of Staff.

(1) To the extent that such action does not impair the independence of the Commandant of the Marine Corps in the performance of duties as a member of the Joint Chiefs of Staff, the