§ 765.14  
(b) The law cited in paragraph (a) of this section further provides that instructors and members of duly organized cadet corps at certain institutions of learning may wear the uniform duly prescribed by the authorities of such institutions.

(c) The law cited in paragraph (a) of this section further provides that the uniform worn by members of the military societies or by members and instructors of the cadet corps referred to in paragraph (a) of this section shall include some distinctive mark or insignia prescribed by the Secretary of the military department concerned to distinguish such uniforms from the uniforms of the Army, Navy, Air Force, or Marine Corps.

(d) Accordingly, except as otherwise provided in this paragraph, the following mark is hereby designated to be worn by all persons wearing the Navy or Marine Corps uniform as provided in paragraphs (a), (b), and (c) of this section: A diamond, 31/2 inches long in the vertical axis, and 2 inches wide in the horizontal axis, of any cloth material, white on blue clothing, forestry green on khaki clothing, and blue on white clothing. The figure shall be worn on all outer clothing on the right sleeve, at the point of the shoulder, the upper tip of the diamond to be one-fourth inch below the shoulder seam. For persons who are participating in United States Marine Corps Junior ROTC programs, the following mark is designated to be worn: A round patch, three inches in diameter, which contains a gold Marine Corps emblem centered on a scarlet field. The scarlet field is surrounded with a blue border containing the words “United States Marine Corps Junior ROTC” in white lettering. Surrounding the blue field will be a gold border. Unless otherwise directed, the patch will be worn in the manner described above in connection with the “diamond” insignia.

(e) Within the meaning of paragraph (a) of this section, the occasions when members of the military societies may wear the uniform of their respective society are official functions which such a member attends in his capacity as a war veteran or as a member of such military society.

(f) Marine Corps Uniform Regulations may be examined and individual copies of pertinent provisions thereof may be purchased in accordance with §701.1 of this chapter.

(Sec. 773, 70A Stat. 35; 10 U.S.C. 773)  
expected where such use or imitation reasonably would:
   (i) Imply any official or unofficial connection between the Marine Corps
       and the user;
   (ii) Tend to create the impression that the Marine Corps or the United
        States is in any way responsible for any financial or legal obligation of
        the user;
   (iii) Give the impression that the Marine Corps selectively benefits the par-
        ticular manufacturer, commercial entity, or other user, as in displaying
        the Marine Corps emblem, names, or initials on musical instruments, weapons,
        or the like, and in using the emblem, names, or initials in connection with
        advertising, naming, or describing products and services such as insurance,
        real estate, or financial services; or
   (iv) Tend to subject the Marine Corps to discredit or would be inimical to the
        health, safety, welfare, or morale of the members of the Marine Corps.

(3) Acceptable use of imitation of the Marine Corps insignia. No request for
    permission is required when a use or imitation of the Marine Corps emblem,
    names, or initials includes prominent display of the disclaimer: “Neither the
    United States Marine Corps nor any other component of the Department of
    Defense has approved, endorsed, or authorized this product (or promotion, or
    service, or activity)” as an integral part of the use of imitation. A “prominent
    display” is one located on the same page as the first use of the insignia, prominent
    in that use, and printed in letters at least one half the size and density of the
    insignia.

(d) Action—(1) When permission required. Commercial or noncommercial use
    or imitation of the Marine Corps emblem, names, or initials is prohibited unless
    permission is first obtained in writing from the CMC, except when such use does
    not suggest that the use or imitation is approved, endorsed, or authorized by the
    Marine Corps or any other component of the Department of Defense.

   (2) Delegation of authority. The CMC hereby redelegates, pursuant to the au-
       thorization in paragraph 4 of the Secretary of the Navy 5030.7, authority to
       grant written permission to use the Marine Corps emblem, names, or ini-
       tials to the Director, Administration Resource Management (ARDE). Prior
       to granting approval for commercial usage of the Marine Corps insignia, the
       CMC (ARDE) shall forward such requests to the Head, Marine Corps Ex-
       change Service Branch, Facilities and Services Division, Installations and Lo-
       gistics Department (CMC) (LFE) and to the Counsel for the Commandant
       (CMC (CL)) for comment and concurrence. All other requests shall be routed
       to the Director, Judge Advocate Division (CMC (JAR)) for comment and
       concurrence.

   (3) Procedures for obtaining written permission. Requests for written permis-
       sion to use or imitate the Marine Corps emblem, names, or initials shall be in
       writing and shall be directed to the CMC (ARDE). The request should, at a
       minimum, contain the following information:
           (i) Name and address of the requester.
           (ii) A description of the type of activity in which the requester is engaged
                or proposes to engage.
           (iii) A statement of whether the requester considers the proposed use or
                imitation to be commercial or noncommercial, and why.
           (iv) A brief description and illustration or sample of the proposed use or
                imitation, as well as a description of the product or service in connec-
                tion with which it will be used. This description will provide sufficient
data to enable the Marine Corps to determine whether there is a reasonable
    tendency to suggest such use or imitation is approved, endorsed, or author-
    ized by the Marine Corps or any other component of the Department of De-
    fense.

    (v) In the case of a noncommercial use of imitation, a copy of the charter,
        constitution, bylaws, and similar organizational documents of the requestor,
        together with a detailed description of its function or purpose. Insufficiently
        specific requests will be returned for additional information.

(e) Reserve applicability. This Order is applicable to the Marine Corps Re-
    serve.
PART 766—USE OF DEPARTMENT OF
THE NAVY AVIATION FACILITIES
BY CIVIL AIRCRAFT

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supplies.

SOURCE: 35 FR 14451, Sept. 15, 1970, unless
otherwise noted.
NOTE: The provisions of this part 766 are
SECNAV Instruction 3770.1B of 30 June 1970.

§ 766.1 Purpose.
This part establishes the policy and
procedures for the use of Navy and Ma-
rine Corps aviation facilities by air-
craft other than U.S. Department of
Defense aircraft.

§ 766.2 Definition of terms.
For the purpose of this part certain
terms are defined as follows:
(a) Alternate use. Use of the aviation
facility, specified in the flight plan, to
which an aircraft may divert when a
landing at the point of first intended
landing becomes impractical because of
weather. (Aircraft may not be dis-
patched, prior to takeoff from the air-
port of origin, to a facility licensed for
alternate use.)
(b) Civil aircraft. Domestic or foreign
aircraft operated by private individuals
or corporations, or foreign govern-
ment-owned aircraft operated for com-
mmercial purposes. This includes:
(1) Contract aircraft. Civil aircraft op-
erated under charter or other contract
to any U.S. Government department or
agency.
(2) Leased aircraft. U.S. Government-
owned aircraft delivered by the Gov-
ernment to a lessee subject to terms
prescribed in an agreement which does
not limit the lessee’s use of the aircraft
to Government business.
(c) Civil aviation. All flying activity
by civil aircraft including:
(1) Commercial aviation. Transpor-
tation by aircraft of passengers or
cargo for hire and the ferrying of air-
craft as a commercial venture.
(2) General aviation. All types of civil
aviation other than commercial avia-
tion as defined above.
(d) Facility. A separately located and
officially defined area of real property
in which the Navy exercises a real
property interest and which has been
designated as a Navy or Marine Corps
aviation facility by cognizant author-
ity; or where the Department of the
Navy has jurisdiction over real prop-
erty agreements, expressed or implied,
with foreign governments, or by rights
of occupation. (This definition does not
include aircraft carriers nor any other
type of naval vessel with a landing area
for aircraft.)
(e) Government aircraft. Aircraft
owned or operated by any department
or agency of either the United States
or a foreign government (except a for-
epaid government-owned aircraft oper-
ated for commercial purposes). Also
aircraft owned by any department,
agency, or political subdivision of a
State, territory, or possession of the
United States when such local govern-
ment has sole responsibility for oper-
ating the aircraft. Government aircraft
includes:
(1) Military aircraft. Aircraft used in
the military services of any govern-
ment.
(2) Bailed aircraft. U.S. Government-
owned aircraft delivered by the Gov-
ernment to a Government contractor
for a specific purpose directly related
to a Government contract.
(3) Loaned aircraft. U.S. Government-
owned aircraft delivered gratuitously
by any Department of Defense agency
to another Government agency, to a
U.S. Navy or Marine Corps Flying
Club, or to a U.S. Army or Air Force
Aero Club.