

Chapter 11

GENERAL REGULATIONS

Section 1. Administration of Discipline

Section 2. Standards of Conduct

Section 3. Official Records

Section 4. Duties of Individuals

Section 5. Rights and Restrictions

(Page intentionally left blank)

Chapter 11

GENERAL REGULATIONS

Section 1. Administration of Discipline

Contents

	<i>Article</i>		<i>Article</i>
Demand For Court Martial	1101	Places of Confinement	1105
Limitations on Certain Punishments	1102	Temporary Restoration to Duty	1106
Suspension or Arrest of an Officer	1103	Refusal to Return to Duty	1107
Treatment and Release of Prisoners	1104	Accusations, Replies and Counter Charges	1108

1101. Demand For Court Martial.

Except as otherwise provided in the Uniform Code of Military Justice, no person in the naval service may demand a court martial either on him- or herself or on any other person in the naval service.

1102. Limitations on Certain Punishments.

1. Instruments of restraint, such as handcuffs, chains, irons and straitjackets, shall not be applied as punishment. Other instruments of restraint may not be used except for safe custody and no longer than is strictly necessary under the following circumstances:

a. As a precaution against escape during the transfer of a person in custody or confinement.

b. On medical grounds by direction of the medical officer.

c. By order of the commanding officer or officer in charge, if necessary to prevent persons from injuring themselves or others or from damaging property, provided that other methods of control are considered ineffectual. In such instances, a medical examination shall be made at the earliest practicable time, preferably in advance of the restraint, to ensure that no medical contraindication exists. The commanding officer or officer in charge shall submit a letter report of the details to the next superior authority and, if no medical officer is available to conduct the examination, shall submit a message report in lieu thereof.

2. When restraint is imposed on an individual, it should be in such a manner as to accomplish the

desired degree of restraint with a minimum of force. Attachment of an individual to a fixed or immovable object should be authorized only when all else fails and then a continuous guard shall be posted with specific instructions to care for the individual so restrained in the event of an emergency.

3. Except in cases of members of the Naval and Marine Corps Reserve performing inactive duty for training for a period of less than seven days, the punishments of extra duties and hard labor without confinement shall not be performed on Sunday, although Sunday counts in the computation of the period for which such punishments are imposed.

4. Guard duty shall not be inflicted as punishment.

1103. Suspension or Arrest of an Officer.

1. An officer placed under arrest or restriction (with or without suspension from duty) on board ship shall not be confined to his or her room or restrained from the proper use of any part of the ship to which, before his or her suspension, arrest or confinement, he or she had a right, except the quarter-deck and bridges, unless such arrest or restriction shall be necessary for the safety of the ship or of the officer, or for the preservation of good order and discipline. Similarly, at a naval station or other place on shore, the arrest or restriction imposed shall not be unduly rigorous.

2. An officer, when placed under arrest, shall not visit his or her commanding officer or other superior officer unless sent for or to obtain

GENERAL REGULATIONS

medical treatment or in case of emergency. If the officer under arrest has business requiring attention, he or she shall make it known in writing.

1104. Treatment and Release of Prisoners.

1. Persons in confinement shall be in the custody of a master-at-arms or other person designated by the commanding officer. They shall not be subjected to cruel or unusual treatment. They shall be visited as necessary, but at least once every four hours to ascertain their condition, and to care, as may be appropriate, for their needs.

2. The commanding officer shall direct their release promptly upon the expiration of their confinement. In case of fire or other sudden danger which may imperil their lives, they shall, subject to such special orders as the commanding officer may have issued, be removed to a place of safety or, when appropriate, released within the limits of the command by the master-at-arms or other custodian, and the commanding officer shall be promptly informed of the action taken.

3. No greater force than that required to restrain or confine the offender shall be used in taking into custody a person intoxicated from indulgence in alcohol, or under the influence of marijuana, narcotics or other controlled substances.

1105. Places of Confinement.

1. Prisoners shall be confined only in brigs or other facilities designated as naval places of confinement by the Secretary of the Navy. However, in cases of necessity, the senior officer present may authorize temporary confinement in spaces which provide sufficient security features, safety for both the prisoner and guard personnel, and adequate living conditions:

2. Intoxicated persons or persons under the influence of marijuana, narcotics or other controlled substances shall not be confined in any place or manner that may be dangerous to them in their condition.

1106. Temporary Restoration to Duty.

A commanding officer or other competent authority may temporarily release and restore to duty any person in custody or under restriction, arrest or confinement, should an emergency of the service or other sufficient cause make such measure necessary. The order for temporary release shall be in writing and shall assign the reasons. Should the person be under charges, they need not be withdrawn, and such temporary release and restoration to duty shall not be a bar to any subsequent investigation or trial of the case that the convening authority may think proper to order, nor to the investigation of any complaint the accused may make in regard to the custody, restriction, arrest or confinement.

1107. Refusal to Return to Duty.

No person in the naval service shall persist in considering him- or herself in custody or under restriction, arrest or confinement after he or she has been released by proper authority, nor shall he or she refuse to return to duty.

1108. Accusations, Replies and Counter Charges.

1. Reports or complaints, and statements submitted in reply to written accusations or in explanation thereof, shall be couched in temperate language and shall be confined to pertinent facts. Opinions shall not be expressed nor the motives of others impugned.

2. Persons in the naval service to whom reports or complaints are submitted for statement shall not reply by making countercharges.

Chapter 11

GENERAL REGULATIONS

Section 2. Standards of Conduct

Contents

	<i>Article</i>		<i>Article</i>
Standards of Conduct	1110	Report of Deficit or Excess of Public Money or Property	1114
Pecuniary Dealings With Enlisted Persons	1111	Report of Fraud	1115
Lending Money and Engaging in a Trade or Business	1112	Administrative Control of Funds	1116
Endorsement of Commercial Product or Process	1113		

1110. Standards of Conduct.

All Department of the Navy personnel are expected to conduct themselves in accordance with the highest standards of personal and professional integrity and ethics. At a minimum, all personnel shall comply with directives issued by the Secretary of Defense and the Secretary of the Navy regarding the Standards of Conduct and Government Ethics.

1111. Pecuniary Dealings With Enlisted Persons.

1. No officer shall borrow money or accept deposits from, or have any pecuniary dealings with an enlisted person, except as may be required in the performance of his or her duty, and except for the sale of an item of personal property which is for sale to other persons under the same conditions of guarantee and for the same consideration, and never having been the property of the Government.

2. Superiors, of flag or general grade, may authorize, as a duty, an officer or officers to

accept deposits from an enlisted person for the sole purpose of temporarily safeguarding the enlisted person's personal funds under emergency or operational situations.

1112. Lending Money and Engaging in a Trade or Business.

1. No person in the naval service on active duty who makes a loan of money to another member of the armed services shall knowingly charge, demand or receive money or other property constituting interest in an amount or having a fair value in excess of eighteen percent per annum simple interest.

2. Unless authorized by the commanding officer or higher authority, no person in the naval service on active service, either acting independently or as an agent for another, shall engage in a trade or business on board any ship of the Navy or within any naval activity or introduce any article for purposes of trade on board any ship of the Navy or within any naval activity. The regular or systematic extension of loans for profit is within the meaning of the term "business" for purposes of this article.

GENERAL REGULATIONS

1113. Endorsement of Commercial Product or Process.

Except as necessary during contract administration to determine specification or other compliance, no person in the Department of the Navy, in his or her official capacity, shall endorse or express an opinion of approval or disapproval of any commercial product or process.

1114. Report of Deficit or Excess of Public Money or Property.

Any person in the Department of the Navy who has knowledge of a deficit or excess of public money or public property shall take prompt and appropriate action to bring the matter to the attention of his or her commanding officer or appropriate superior.

1115. Report of Fraud.

If any person in the Department of the Navy has knowledge of any fraud, collusion or improper conduct on the part of any purchasing or other agent or contractor, or on the part of any person employed in superintending repairs, receiving or

receipting for supplies, or having knowledge of any fraud, collusion or improper conduct in such matters connected with the Department of the Navy, he or she shall report the same immediately in writing to the proper authority, specifying the particular act, or acts of misconduct, fraud, neglect or collusion and describing any evidence which may assist in proving same.

1116. Administrative Control of Funds.

No person in the Department of the Navy shall make or authorize an expenditure from or create or authorize an obligation under any appropriations or fund in excess of the amount available therein; nor shall any such person involve the Government in any contract or other obligation for the payment of money for any purpose in advance of appropriations made for such purpose, unless such contract or obligation is authorized by law. No person in the Department of the Navy shall accept voluntary service for the United States or employ personal service in excess of that authorized by law, except in cases of emergency involving the safety of human life or the protection of property.

Chapter 11

GENERAL REGULATIONS

Section 3. Official Records

Contents

	<i>Article</i>		<i>Article</i>
Personal Privacy and Rights of Individuals Regarding Their Personal Records	1120	Misconduct and Line of Duty Findings	1124
Disclosure, Publication and Security of Official Information	1121	Inspection of the Record of a Person in the Naval Service	1125
Adverse Matter in the Record of a Person in the Naval Service	1122	Correction of Naval Records	1126
Adverse Entries in Medical and Dental Records	1123	Control of Official Records	1127
		Official Records in Civil Courts	1128
		Records of Fitness	1129

1120. Personal Privacy and Rights of Individuals Regarding Their Personal Records.

1. Except as specifically provided in this section, maintenance of personal records of individuals, and the release of those records, shall be in accordance with the provisions of the Privacy Act and directives issued by the Secretary of the Navy.

2. Except as specifically provided in this section, the release of departmental records to private parties shall be in accordance with the provisions of the Freedom of Information Act and directives issued by the Secretary of the Navy.

1121. Disclosure, Publication and Security of Official Information.

1. No person in the Department of the Navy shall convey or disclose by oral or written communications, publication, graphic (including photographic) or other means, any classified information except as provided in directives governing the release of such information. Additionally, no person in the Department of the Navy shall communicate or otherwise deal with foreign entities, even on an unclassified basis, when this would commit the Department of the Navy to disclose classified military information, except as may be required in that person's official duties and only after coordination with

and approval by a release authority designated by competent authority.

2. No person in the Department of the Navy shall convey or disclose by oral or written communication, publication or other means, except as may be required by his or her official duties, any information concerning the Department of Defense or forces, or any person, thing, plan or measure pertaining thereto, where such information might be of possible assistance to a foreign power; nor shall any person in the Department of the Navy make any public speech or permit publication of an article written by or for that person which is prejudicial to the interests of the United States. The regulations concerned with the release of information to the public through any media will be as prescribed by the Secretary of the Navy.

3. No person in the Department of the Navy shall disclose any information whatever, whether classified or unclassified, or whether obtained from official records or within the knowledge of the relator, which might aid or be of assistance in the prosecution or support of any claim against the United States. The prohibitions prescribed by the first sentence of this paragraph are not applicable to an officer or employee of the United States who is acting in the proper course of, and within the scope of, his or her official duties, provided that the

GENERAL REGULATIONS

disclosure of such information is otherwise authorized by statute, Executive Order of the President or departmental regulation.

4. Any person in the Department of the Navy receiving a request from the public for Department of the Navy records shall be governed by the provisions of the Freedom of Information Act and implementing directives issued by the Secretary of the Navy.

5. Persons in the Department of the Navy desiring to submit manuscripts to commercial publishers on professional, political or international subjects shall comply with regulations promulgated by the Secretary of the Navy.

6. No person in the naval service on active duty or civilian employee of the Department of the Navy shall act as correspondent of a news service or periodical, or as a television or radio news commentator or analyst, unless assigned to such duty in connection with the public affairs activities of the Department of the Navy, or authorized by the Secretary of the Navy. Except as authorized by the Secretary of the Navy, no person assigned to duty in connection with public affairs activities of the Department of the Navy shall receive any compensation for acting as such correspondent, commentator or analyst.

1122. Adverse Matter in Officer Fitness Reports and Enlisted Performance Evaluation Reports.

If adverse matter appears in a fitness report of an officer of the Navy and Marine Corps, or in a performance evaluation report of an enlisted member, E-5 and above, of the Navy and Marine Corps, or in related correspondence, the report or correspondence may not be placed in the official record unless the member reported on was first afforded an opportunity to submit a written statement regarding the matter. Any statement submitted by the member shall comply with the regulations prescribed by the Chief of Naval Personnel or the Commandant of the Marine Corps, as appropriate, shall be couched in temperate language and limited to pertinent facts, and shall not question or impugn the motives of another person. If the person reported on does not desire to make a statement, that person shall so state in writing.

1123. Adverse Entries in Medical and Dental Records.

1. The medical officer or dental officer shall inform the person concerned whenever an entry is made in such person's medical record or dental record of a serious illness, operation, injury or physical defect which may adversely affect, in other than a temporary degree, the person's efficiency in the performance of duty.

2. The medical officer or dental officer shall inform, in writing, the commanding officer and the person concerned whenever an entry is made in the latter's medical record which indicates:

a. that a disease or injury may be attributable to misconduct;

b. the use by such person of intoxicants to a degree presumed to disqualify such person physically, mentally or morally for performance of duty; or

c. the use by such person of marijuana, narcotic substances or other controlled substances as defined in these regulations.

3. The medical officer or dental officer normally shall permit access to the record by the person concerned when adverse entries are made. Should the medical officer or dental officer deem the condition impractical to inform the member of the entry or to permit him or her access to the record, the medical officer or dental officer shall advise the commanding officer, and shall make a notation of this action and opinion in the record. As soon as circumstances permit, the person concerned shall be notified of the adverse entry and the notification shall be noted in the record. The person concerned has the right to make and have entered in the record such statement in rebuttal as may be desired. If the person concerned does not desire to make a statement, he or she shall so state in writing.

1124. Misconduct and Line of Duty Findings.

Except for the medical and dental entries referred to in the preceding article, no adverse entry concerning misconduct and line of duty shall be made in any person's official record except in accordance with the provisions of the Manual of the Judge Advocate General.

GENERAL REGULATIONS

1125. Inspection of the Record of a Person in the Naval Service.

1. The record of a person in the naval service maintained by the Chief of Naval Personnel or the Commandant of the Marine Corps shall be available for inspection by the person or a duly authorized agent, designated as such in writing by the person.
2. A request for inspection made under this Article need not comply with the requirements of the Privacy Act.

1126. Correction of Naval Records.

1. Any military record in the Department of the Navy may be corrected by the Secretary of the Navy, acting through the Board for Correction of Naval Records, when the Secretary considers that such action should be taken in order to correct an error or to remove an injustice.
2. Applications for corrections under this article may be made only after exhaustion of all other administrative remedies afforded by law or regulation.
3. Applications for such corrections should be submitted to the Secretary of the Navy (Board for Correction of Naval Records) in accordance with procedural regulations established by the Secretary of the Navy and approved by the Secretary of Defense.

1127. Control of Official Records.

No person, without proper authority, shall withdraw official records or correspondence from the files, or destroy them, or withhold them from those persons authorized to have access to them.

1128. Official Records in Civil Courts.

1. Department of the Navy personnel shall not provide official information, testimony, or documents, submit to interview, or permit a view or visit, for litigation purposes, without special written authorization.
2. Department of the Navy personnel shall not provide, with or without compensation, opinion or expert testimony concerning official Department of Defense information, subjects, personnel or activities, except on behalf of the United States or a party represented by the Department of Justice, or with special written authorization.

1129. Records of Fitness.

1. Records will be maintained on officers and enlisted persons of the Navy and Marine Corps which reflect their fitness for the service and performance of duties. Promotion and assignment to duty is determined by an individual's record, of which the record of fitness and performance is an integral part.
2. The fitness and performance report is decisive in the service career of the individual officer and enlisted person and has an important influence on the efficiency of the entire Department of the Navy. The preparation of these reports shall be regarded by superiors and commanding officers as one of their most important and responsible duties.
3. The Chief of Naval Operations and the Commandant of the Marine Corps shall be responsible for the maintenance and administration of the records and reports in their respective services.

(Page intentionally left blank)

Chapter 11

GENERAL REGULATIONS

Section 4. Duties of Individuals

Contents

	<i>Article</i>		<i>Article</i>
Officer's Duties Relative to Laws, Orders and Regulations	1130	Rules for Preventing Collisions Afloat and in the Air	1139
Requirement of Exemplary Conduct	1131	Capture by an Enemy	1140
Compliance With Lawful Orders	1132	Code of Conduct for Members of the Armed Forces of the United States	1141
Language Reflecting on a Superior	1133	Unavoidable Separation from a Command	1142
Exchange of Duty	1134	Report of a Communicable Disease	1143
Relations With Foreign Nations	1135	Immunization	1144
Foreign Religious Institutions	1136	Service Examinations	1145
Obligation to Report Offenses	1137		
Responsibilities Concerning Marijuana, Narcotics and Other Controlled Substances	1138		

1130. Officer's Duties Relative to Laws, Orders and Regulations.

All officers in the naval service shall acquaint themselves with, obey and, so far as their authority extends, enforce the laws, regulations and orders relating to the Department of the Navy. They will faithfully and truthfully discharge the duties of their offices to the best of their ability in conformance with existing orders and regulations and their solemn profession of the oath of office. In the absence of instructions, they shall act in conformity with the policies and customs of the service to protect the public interest.

1131. Requirement of Exemplary Conduct.

All commanding officers and others in authority in the naval service are required to show in themselves a good example of virtue, honor, patriotism and subordination; to be vigilant in inspecting the conduct of all persons who are placed under their command; to guard against and suppress all dissolute and immoral practices, and to correct, according to the laws and regulations of the Navy, all persons who are guilty of them; and to take all necessary and proper measures, under the laws, regulations and customs of the naval service, to promote and safeguard the morale, the physical well-being

and the general welfare of the officers and enlisted persons under their command or charge.

1132. Compliance With Lawful Orders.

All persons in the naval service are required to obey readily and strictly, and to execute promptly, the lawful orders of their superiors.

1133. Language Reflecting on a Superior.

No person in the naval service shall use language which may tend to diminish the confidence in or respect due to his or her superior officer.

1134. Exchange of Duty.

No person in the naval service shall exchange an assigned duty with another without permission from his or her commanding officer or appropriate superior.

1135. Relations With Foreign Nations.

Persons in the Department of the Navy, in their relations with foreign nations and with the governments or agents thereof, shall conform to international law and to the precedents established by the United States in such relations.

GENERAL REGULATIONS

1136. Foreign Religious Institutions.

Persons in the Department of the Navy shall respect the religious institutions and customs of foreign countries which they visit.

1137. Obligation to Report Offenses.

Persons in the naval service shall report as soon as possible to superior authority all offenses under the Uniform Code of Military Justice which come under their observation, except when such persons are themselves already criminally involved in such offenses at the time such offenses first come under their observation.

1138. Responsibilities Concerning Marijuana, Narcotics and Other Controlled Substances.

1. All personnel shall endeavor to prevent and eliminate the unauthorized use of marijuana, narcotics and other controlled substances within the naval service.

2. The wrongful possession, use, introduction, manufacture, distribution and possession, manufacture, or introduction with intent to distribute, of a controlled substance by persons in the naval service are offenses under Article 112a, Uniform Code of Military Justice. Except for authorized medicinal or other authorized purposes, the possession, use, introduction, sale or other transfer of marijuana, narcotics, or other controlled substances on board any ship or craft, aircraft of the Department of the Navy or within any base, naval station, or other place under the jurisdiction of the Department of the Navy by all persons is prohibited.

3. The term "controlled substance" means a drug or other substance included in Schedule I, II, III, IV, or V established by Section 202 of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (84 Stat. 1236), as updated and republished under the provisions of that Act.

1139. Rules for Preventing Collisions Afloat and in the Air.

1 All persons in the naval service responsible for the operation of naval ships, craft and aircraft shall diligently observe the International Regulations for Preventing Collisions at Sea (commonly called the COLREGS), the Inland Navigation Rules,

domestic and international air traffic regulations, and such other rules and regulations as may be established by the Secretary of Transportation or other competent authority for regulating traffic and preventing collisions on the high seas, in inland waters or in the air, where such laws, rules and regulations are applicable to naval ships and aircraft. In those situations where such law, rule or regulation is not applicable to naval ships, craft or aircraft, they shall be operated with due regard for the safety of others.

2. Any significant infraction of the laws, rules and regulations governing traffic or designed to prevent collisions on the high seas, in inland waters or in the air which may be observed by persons in the naval service shall be promptly reported to their superiors, including the Chief of Naval Operations or the Commandant of the Marine Corps when appropriate.

3. Reports need not be made under this article if the facts are otherwise reported in accordance with other directives, including duly authorized safety programs.

1140. Capture by an Enemy.

1. A person in the naval service who is captured by the enemy is required to give his or her name, rank, service number and date of birth. In order to communicate with his or her family, as guaranteed in the Geneva Convention Relative to the Treatment of Prisoners of War, he or she may give the names and addresses of his or her parents, guardians or next of kin.

2. Except as provided in the foregoing, all persons in the naval service captured by the enemy shall evade answering further questions to the utmost of their ability and shall make no oral or written statement disloyal to or harmful to the United States or its allies.

3. When a person in the naval service is a prisoner of war or otherwise detained by a hostile entity so that circumstances prevent resort to the normal chain of command, a commissioned officer of another armed force who is not a medical officer (medical corps, dental corps, nurse corps or medical service corps), or chaplain is a superior commissioned officer with respect to a person in the naval service who is junior in rank.

GENERAL REGULATIONS

1141. Code of Conduct for Members of the Armed Forces of the United States.

1. Regular training in and explanation of the Code of Conduct for Members of the Armed Forces of the United States shall be conducted in accordance with directives issued by the Secretary of Defense and the Secretary of the Navy.
2. Instructions in the Code of Conduct for Members of the Armed Forces of the United States shall be included in the general military training program of the command.
3. A text of the Code of Conduct for Members of the Armed Forces of the United States shall be posted in one or more conspicuous places, readily accessible to personnel of the command.

1142. Unavoidable Separation from a Command.

A person in the naval service who is separated from his or her ship, station or unit due to shipwreck, disaster or other unavoidable circumstances shall proceed as soon as possible to the nearest United States military activity and report to the commanding officer thereof.

1143. Report of a Communicable Disease.

All persons in the naval service shall report promptly to a medical representative, or where no medical officer is readily available, to higher authority, the existence or suspicion of communicable disease in persons with whom they are living or otherwise come in contact.

1144. Immunization.

Persons in the naval service shall permit such action to be taken to immunize them against disease as is prescribed by competent authority.

1145. Service Examinations.

1. Persons in the Department of the Navy, without proper authority, shall not:

a. have in their possession, obtain, sell, publish, give, purchase, receive or reproduce any examination paper, or any copy thereof, or answer sheet thereto, for any examination whatsoever which has been, is, or is to be, administered within the Department of the Navy.

b. attempt or offer to have in their possession, obtain, sell, publish, give, purchase, receive or reproduce any examination paper, or any part or copy thereof, or answer sheet thereto, for any examination whatsoever which has been, is, or is to be, administered within the Department of the Navy.

2. Prior to, during or after any examination which is to be, is being or has been administered within the Department of the Navy, persons in the Department of the Navy shall not, without proper authority, disclose, or solicit the disclosure of, any information regarding questions or answers to questions on such examinations.

3. Persons in the Department of the Navy shall not engage in any unauthorized form of giving or accepting assistance or self-help during the administration of any examination within the Department of the Navy.

(Page intentionally left blank)

Chapter 11

GENERAL REGULATIONS

Section 5. Rights and Restrictions

Contents

	<i>Article</i>		<i>Article</i>
Redress of Wrong Committed by a Superior	1150	Quality and Quantity of Rations	1158
Direct Communication With the Commanding Officer	1151	Possession of Weapons	1159
Suggestions for Improvement	1152	Possession of Government Property	1160
Combinations for Certain Purposes Prohibited	1153	Uniforms, Arms and Outfits	1161
Communications to the Congress	1154	Alcoholic Beverages	1162
Dealings With Members of Congress	1155	Discharge of Oil, Trash and Garbage	1163
Forwarding Individual Requests	1156	Equal Opportunity and Treatment	1164
Leave and Liberty	1157	Fraternization Prohibited	1165
		Sexual Harassment	1166

1150. Redress of Wrong Committed by a Superior.

1. If any person in the naval service considers him- or herself wronged by an act, omission, decision or order of a person who is superior in rank or command, that person shall not fail in maintaining a respectful bearing toward such superior, but may report the wrong to the proper authority for redress in the manner provided in this article. The report should clearly identify the respondent (the superior against whom it is made), the wrong complained of and the redress desired. A complainant (the person submitting a report under this article) may be held accountable by the officer responsible for the resolution of the report if the report is found to be vexatious, frivolous or false. The report may not be joined with reports by other complainants.

2. If the respondent and the complainant are under the command of the same immediate commanding officer, such commanding officer shall resolve the report of wrong. Except where necessary in order to effect redress, if redress is found to be warranted, the immediate commanding officer is not required to forward either the report or the resolution to a higher authority. Complainants who consider themselves wronged by such a resolution may

proceed in accordance with Article 138, Uniform Code of Military Justice.

3. If the respondent is the commanding officer of the complainant, as defined in the Manual of the Judge Advocate General, the report is not a report of wrong cognizable under this article, but is instead a complaint of wrong cognizable under Article 138, Uniform Code of Military Justice. Such complaint shall be submitted, forwarded and resolved in accordance with the Manual of the Judge Advocate General.

4. A report of wrong against any other person superior in rank or command to the complainant not within the scope of paragraph 2 or 3 of this article shall be in writing and shall be forwarded via the commanding officer of the complainant, the respondent, the commanding officer of the respondent, and officers in the chain of command to the officer exercising immediate general court-martial jurisdiction over the respondent. The officer exercising general court-martial jurisdiction shall inquire into the matter and take such action in conformity with applicable law and directives as may be warranted to redress the wrong, if any, complained of. To the extent practicable, the provisions of the Manual of the Judge Advocate General should be referred to for guidance concerning the resolution and processing of such a report. The officer exercising immediate general court-

GENERAL REGULATIONS

martial jurisdiction shall, in accordance with those provisions, transmit to the Secretary of the Navy (Judge Advocate General) a true statement of the report and the proceedings had thereon. If any person through whom a report is forwarded fails to forward it within a reasonable time, the complainant may complain of the delay, in writing, directly to the officer exercising immediate general court-martial jurisdiction over the respondent.

1151. Direct Communication With the Commanding Officer.

1. The right of any person in the naval service to communicate with the commanding officer in a proper manner, and at a proper time and place, shall not be denied or restricted.
2. Officers who are senior to the executive officer have the right to communicate directly with the commanding officer, but they shall keep the executive officer informed on matters related to the functioning of the command.
3. A head of department, or of any other major subdivision of an activity, has the right to communicate directly with the commanding officer concerning any matter relating to that department or subdivision, but shall keep the executive officer informed.

1152. Suggestions for Improvement.

Any person in the Department of the Navy may address to the Secretary of the Navy, via the chain of command, suggestions or constructive criticism pertaining to improvements in efficiency or more economical methods of administration or management in the Department of the Navy.

1153. Combinations for Certain Purposes Prohibited.

Persons in the naval service shall not join together for the common purpose of protesting or complaining against orders or details to duty, complaining of particulars of duty or procuring preferences.

1154. Communications to the Congress.

No person in the naval service, in his or her official capacity, shall apply to the Congress or to either house thereof, or to any committee thereof, for legislation or for appropriations or for Congressional action of any kind except with the consent and knowledge of the Secretary of the Navy. Nor shall such person, in his or her official capacity, respond to any request for information from Congress or from either house thereof, or from any committee of Congress, except through, or as authorized by, the Secretary of the Navy, or as provided by law.

1155. Dealings With Members of Congress.

No person may restrict any member of an armed force in communicating with a member of Congress in the member's personal or private capacity, unless the communication is unlawful or violates a regulation necessary to the security of the United States.

1156. Forwarding Individual Requests.

Requests from persons in the naval service shall be acted upon promptly. When addressed to higher authority, requests shall be forwarded without delay. The reason should be stated when a request is not approved or recommended.

1157. Leave and Liberty.

Leave and liberty will be granted to the maximum extent practicable.

1158. Quality and Quantity of Rations.

1. Meals served in the general mess shall be sampled regularly by an officer detailed by the commanding officer for that purpose. Should he or she find the quality or quantity of the food unsatisfactory, or should any member of the mess object to the quality or quantity of the food, the commanding officer shall be notified and shall take appropriate action.

2. No person employed in the service of the general mess shall receive any compensation from persons entitled to subsist in the mess.

GENERAL REGULATIONS

1159. Possession of Weapons.

Except as may be necessary to the proper performance of his or her duty or as may be authorized by proper authority, no person in the naval service shall:

a. have concealed about his or her person any dangerous weapon, instrument or device, or any highly explosive article or compound; or

b. have in his or her possession any dangerous weapon, instrument or device or any highly explosive article or compound on board any ship, craft, aircraft, or in any vehicle of the naval service or within any base or other place under naval jurisdiction.

1160. Possession of Government Property.

No person in the Department of the Navy shall have in his or her possession any property of the United States, except as may be necessary to the proper performance of duty or as may be authorized by proper authority.

1161. Uniforms, Arms and Outfits.

1. The clothing, arms and accoutrements which are sold or issued by the United States to any person in the naval service shall not be sold, bartered, exchanged, pledged, loaned or given away to unauthorized personnel.

2. Persons in the naval service shall not have in their possession, without permission from proper authority, any article of wearing apparel or bedding belonging to any other person in the naval service.

1162. Alcoholic Beverages.

1. Except as may be authorized by the Secretary of the Navy, the introduction, possession or use of alcoholic beverages on board any ship, craft, aircraft, or in any vehicle of the Department of the Navy is prohibited. The transportation of alcoholic beverages for personal use ashore is authorized, subject to the discretion of the officer in command or officer in charge, or higher authority, when the beverages are delivered to the custody of the officer in command or officer in charge of the ship, craft or aircraft in sealed packages, securely packed, properly marked and in compliance with customs laws and regulations, and stored in securely locked compartments, and the transportation can be performed without undue interference with the work or duties of the ship, craft or aircraft.

Whenever an alcoholic beverage is brought on board any ship, craft or aircraft for transportation for personal use ashore, the person who brings it on board shall at that time file with the officer in command or officer in charge of the ship, craft or aircraft a statement of the quantity and kind of alcoholic beverage brought on board, together with a certification that its importation will be in compliance with customs and internal revenue laws and regulations and applicable State or local laws at the place of debarkation.

2. The introduction, possession and use of alcoholic beverages for personal consumption or for sale is authorized within naval activities and other places ashore under naval jurisdiction to the extent and in such manner as the Secretary of the Navy may prescribe.

1163. Discharge of Oil, Trash and Garbage.

1. Except as authorized by law or regulation, no oil, oily waste or trash shall be discharged into United States or foreign internal waters or prohibited areas. The United States prohibited area is designated as waters within 50 miles of the United States coastline. The Chief of Naval Operations shall provide descriptions of prohibited areas for other nations. Trash discharged at sea should have, or be packaged for, negative buoyancy.

2. Garbage shall not be thrown overboard within a contiguous zone which is 12 miles from any coastline.

3. Any oil slick within 50 miles of the coastline of the United States shall be reported as soon as possible to the nearest Coast Guard District Headquarters.

1164. Equal Opportunity and Treatment.

Equal opportunity shall be afforded to all on the basis of individual effort, performance, conduct, diligence, potential, capabilities and talents without discrimination as to race, color, religion, creed, sex or national origin. Naval personnel shall demonstrate a strong personal commitment to stand on these principles and carry them out.

GENERAL REGULATIONS

1165. Fraternization Prohibited.

1. Personal relationships between officer and enlisted members that are unduly familiar and that do not respect differences in grade or rank are prohibited. Such relationships are prejudicial to good order and discipline and violate long-standing traditions of the naval service.

2. When prejudicial to good order and discipline or of a nature to bring discredit on the naval service, personal relationships between officer members or between enlisted members that are unduly familiar and that do not respect differences in grade or rank are prohibited. Prejudice to good order and discipline or discredit to the naval service may result from, but are not limited to, circumstances which --

- a. call into question a senior's objectivity;
- b. result in actual or apparent preferential treatment;
- c. undermine the authority of a senior; or
- d. compromise the chain of command.

1166. Sexual Harassment.

1. Sexual harassment is prohibited.

2. No individual in the Department of the Navy shall:

- a. commit sexual harassment;
- b. take reprisal action against a person who provides information on an incident of alleged sexual harassment;
- c. knowingly make a false accusation of sexual harassment; or
- d. while in a supervisory or command position, condone or ignore sexual harassment of which he or she has knowledge or has reason to have knowledge.

1167. ALNAV 053/97
ATTACHED

* * * * *
UNCLASSIFIED
* * * * *

***** ACTION: ALNAV DISTRIBUTION *****

R 031648Z SEP 97
FM: SECNAV WASHINGTON DC
ACTION CNO WASHINGTON DC

Subject: U.S. NAVY REGULATIONS, 1990 INTERIM CHANGE//

UNCLAS //N05800//
ALNAV 053/97
MSGID/GENADMIN/N09BL//
SUBJ/U.S. NAVY REGULATIONS, 1990 INTERIM CHANGE//
REF/A/DOC/SECNAV/16SEP90//
AMPN/REF A IS U.S. NAVY REGULATIONS, 1990//
RMKS/1. PENDING FORMAL AMENDMENT TO REFERENCE A, THIS INTERIM CHANGE
ADDS A NEW ARTICLE 1167 TO REF A. THIS INTERIM CHANGE WAS APPROVED
ON 18 AUGUST 1997 AND IS EFFECTIVE ON THE DATE TIME GROUP OF THIS
ALNAV.

2. ARTICLE 1167 OF REF A IS ADDED TO READ AS FOLLOWS:

1167. SUPREMACIST ACTIVITIES.

NO PERSON IN THE NAVAL SERVICE SHALL PARTICIPATE IN ANY ORGANIZATION
THAT ESPOUSES SUPREMACIST CAUSES; ATTEMPTS TO CREATE ILLEGAL
DISCRIMINATION BASED ON RACE, CREED, COLOR, SEX, RELIGION, OR NATIONAL
ORIGIN; ADVOCATES THE USE OF FORCE OR VIOLENCE AGAINST THE GOVERNMENT
OF THE UNITED STATES OR THE GOVERNMENT OF ANY STATE, TERRITORY,
DISTRICT, OR POSSESSION THEREOF, OR THE GOVERNMENT OF ANY SUBDIVISION
THEREIN; OR OTHERWISE ENGAGES IN EFFORTS TO DEPRIVE INDIVIDUALS OF
THEIR CIVIL RIGHTS. THE TERM "PARTICIPATE", AS USED IN THIS ARTICLE,
INCLUDES ACTS OR CONDUCT, PERFORMED ALONE OR IN CONCERT WITH ANOTHER,
SUCH AS DEMONSTRATING, RALLYING, FUNDRAISING, RECRUITING, TRAINING, OR
ORGANIZING OR LEADING SUCH ORGANIZATIONS. THE TERM "PARTICIPATE" ALSO
INCLUDES ENGAGING IN ANY OTHER ACTIVITIES IN RELATION TO SUCH
ORGANIZATIONS OR IN FURTHERANCE OF THE OBJECTIVES OF SUCH
ORGANIZATIONS, WHEN SUCH ACTIVITIES ARE DETRIMENTAL TO GOOD ORDER,
DISCIPLINE, OR MISSION ACCOMPLISHMENT.

3. IN LIEU OF ENTERING THIS INTERIM CHANGE IN REF A, MAKE A
BOLD LETTER NOTATION AFTER ARTICLE 1166 OF REF A, "SEE ALNAV XXX/97"
AND FILE THIS ALNAV IN FRONT OF REF A.

4. THIS INTERIM CHANGE WILL BE INCORPORATED INTO THE NEXT PRINTED
REVISION OF REF A.

5. RELEASED BY THE HONORABLE JOHN H. DALTON, SECRETARY OF THE
NAVY.//

BT

#0685