

Chapter 8

**THE COMMANDING OFFICER**

**Section 1. Commanding Officers in General**

**Section 2. Commanding Officers Afloat**

**Section 3. Special Circumstances**

**Subsection A. Ships in Naval Stations and Shipyards**

**Subsection B. Prospective Commanding Officers**

**(Page intentionally left blank)**

Chapter 8  
**THE COMMANDING OFFICER**  
Section 1. Commanding Officers in General

Contents

	<i>Article</i>		<i>Article</i>
Applicability .....	0801	Training and Education .....	0821
Responsibility .....	0802	Delivery of Personnel to Civil Authorities and Service of	
Presence of Officer Eligible to Command .....	0803	Subpoenas or Other Process .....	0822
Organization of Commands .....	0804	Delivery of Orders to Personnel .....	0823
Effective Organized Force Always Present .....	0805	Use and Transportation of Marijuana, Narcotics and Drugs .....	0824
Relationship With Executive Officer .....	0806	Safety Precautions .....	0825
Relieving Procedures .....	0807	Physical Security .....	0826
Inspections, Muster and Sighting of Personnel .....	0808	Effectiveness for Service .....	0827
Persons Found Under Incriminating Circumstances .....	0809	Search by Foreign Authorities .....	0828
Rules for Visits .....	0810	Prisoners of War .....	0829
Dealers, Tradesmen and Agents .....	0811	Captured Material .....	0830
Postal Matters .....	0812	Casualty and Damage .....	0831
Safeguarding Official Funds .....	0813	Environmental Pollution .....	0832
Deficit or Excess of Public Property .....	0814	Issue of Personal Necessaries .....	0833
Deaths .....	0815	Care of Ships, Aircraft, Vehicles and Their Equipment .....	0834
The American National Red Cross .....	0816	Work, Facilities, Supplies or Services for Other Government Departments, State or Local Governments, Foreign Governments, Private Parties and Morale, Welfare and Recreational Activities .....	0835
Observance of Sunday .....	0817		
Publishing and Posting Orders and Regulations .....	0818		
Records .....	0819		
Welfare of Personnel .....	0820		

**0801. Applicability.**

In addition to commanding officers, the provisions of this chapter shall apply, where pertinent, to aircraft commanders, officers in charge (including warrant officers and petty officers when so detailed) and those persons standing the command duty.

**0802. Responsibility.**

1. The responsibility of the commanding officer for his or her command is absolute, except when, and to the extent to which, he or she has been relieved therefrom by competent authority, or as provided otherwise in these regulations. The authority of the commanding officer is commensurate with his or her responsibility. While the commanding officer may, at his or her discretion, and when not contrary to law or regulations, delegate authority to subordinates for the execution of details, such delegation of

authority shall in no way relieve the commanding officer of continued responsibility for the safety, well-being and efficiency of the entire command.

2. A commanding officer who departs from orders or instructions, or takes official action which is not in accordance with such orders or instructions, does so upon his or her own responsibility and shall report immediately the circumstances to the officer from whom the prior orders or instructions were received. Of particular importance is the commanding officer's duty to take all necessary and appropriate action in self-defense of the command.

3. The commanding officer shall be responsible for economy within his or her command. To this end the commanding officer shall require from his or her subordinates a rigid compliance with the regulations governing the receipt,

## THE COMMANDING OFFICER

accounting and expenditure of public money and materials, and the implementation of improved management techniques and procedures.

4. The commanding officer and his or her subordinates shall exercise leadership through personal example, moral responsibility and judicious attention to the welfare of persons under their control or supervision. Such leadership shall be exercised in order to achieve a positive, dominant influence on the performance of persons in the Department of the Navy.

### **0803. Presence of Officer Eligible to Command.**

1. Except as otherwise provided herein or otherwise authorized by the Chief of Naval Operations or the Commandant of the Marine Corps, as appropriate, at least one officer, whether in command or eligible to succeed to command, shall be present and ready for duty at each command (activity, unit or office). In the absence of the commanding officer or the executive officer, or both, their duties shall devolve upon the officer next in rank and eligible to succeed to command who is attached to and present in the command. An officer detailed for a day's duty for the purpose of assuming the commanding officer's duties in the absence of the commanding officer shall be known as the Command Duty Officer. Upon request of the officer senior in rank, eligible to succeed to command, who is attached to and present in the command, the Command Duty Officer shall defer to that officer. An officer who succeeds to command or is detailed to assume the commanding officer's duties during the temporary absence of the commanding officer shall make no changes in the existing organization and shall endeavor to have the routine and other affairs of the command carried on in the usual manner.

2. A superior, of flag or general grade, shall determine the presence of the officer in command or officer or officers eligible to succeed to command and ready for duty at each command or unit of the operating forces of the Navy and the operating forces of the Marine Corps. The commanding officer may, under criteria or conditions prescribed by a superior of flag or general grade, assign officers not eligible to succeed to command and qualified enlisted

personnel to serve as the Command Duty Officer.

3. Superiors shall determine the need and govern the presence of the officer in command or an officer or officers eligible to succeed to command and ready for duty at commands, offices, or activities not of the operating forces of the Navy and not of the operating forces of the Marine Corps. Under conditions prescribed by a superior, officers not eligible to command and qualified enlisted personnel may be assigned a day's command duty.

### **0804. Organization of Commands.**

All commands and other activities of the Department of the Navy shall be organized and administered in accordance with law, United States Navy Regulations, and the orders of competent authority. All orders and instructions of the commanding officer shall be in accordance therewith.

### **0805. Effective Organized Force Always Present.**

Under no circumstances shall any ship or station be left without an organized force that will be effective in any emergency, and, consistent with existing requirements, capable of ensuring satisfactory operation.

### **0806. Relationship With Executive Officer.**

The commanding officer shall keep the executive officer informed of the commanding officer's policies, and normally shall issue all orders relative to the duties of the command through the executive officer. Normally, the commanding officer shall require that all communications of an official nature from subordinates to the commanding officer be transmitted through the executive officer. Convening authorities, however, shall communicate directly with their staff judge advocates or legal officers in matters relating to the administration of military justice.

### **0807. Relieving Procedures.**

1. A commanding officer about to be relieved of command will:

a. Inspect the command in company with the relieving officer.

## THE COMMANDING OFFICER

b. In the case of a ship, and within other commands where appropriate, cause the crew to be exercised in the presence of both the commanding officer and the relieving officer at general quarters and general drills, unless conditions render it impracticable or inadvisable.

c. Point out any defects or peculiarities of the command, noting particularly deficiencies in safety, operational readiness, training, habitability or material conditions, and account for them to the relieving officer.

d. Deliver to his or her relief all unexecuted orders, all regulations and orders in force and all official correspondence and information concerning the command and the personnel thereof as may be of service to the relieving officer. The commanding officer will not remove the original records of official correspondence, original letters, documents or papers concerning the command and personnel thereof, but may retain authenticated copies thereof.

e. Deliver to his or her relief all documents required by these regulations to be either kept or supervised by the commanding officer. If a Navy post office is established within the command, the commanding officer will deliver to his or her relief a current audit of postal accounts and effects.

f. Deliver all magazine and other keys in his or her custody to the relieving officer.

g. Cause all Communications Security material charged to the command to be inventoried in accordance with the provisions of the Communications Security Material System Manual.

h. Submit reports of fitness of officers and sign all log books, journals and other documents requiring his or her signature up to the date of his or her relief.

i. At the time of turning over command, the commanding officer to be relieved will call all hands to muster, read the orders of detachment and turn over the command to his or her relief, who will read the orders of relief and assume command. At shore activities, this procedure may be modified as appropriate.

2. The officer relieved, although without authority after turning over the command, is, until final departure, entitled to all the

ceremonies and distinctions accorded a commanding officer.

3. The officer being relieved will prepare a report of transfer of command listing any unsatisfactory conditions within the command having the potential to affect adversely safety, well-being, readiness, fiscal integrity or command performance, and specifying a proposed plan to correct them. The officer succeeding to command will endorse this report. If the officer assuming command does not concur in the report, that officer will specify wherein the report is inaccurate or incomplete and will provide the officer being relieved the opportunity to make explanation. The officer assuming command will report the actual transfer of command as part of his or her endorsement. For a command of the operating forces of the Navy, a report of a normal, routine transfer of command will be addressed to the immediate superior in command, with copies to the chain of command. A report that identifies unsatisfactory conditions within the command, or contains adverse comments with respect to the command's state of readiness, will be forwarded via the chain of command, with a copy direct to the Commander in Chief of the fleet concerned. For a command not of the operating forces of the Navy, the report shall be addressed to the immediate superior of the officer succeeding to command, with copies direct to the appropriate offices which may have a direct interest. A copy will be retained by each of the officers between whom the transfer of command takes place.

4. When an officer detailed as commanding officer reports to a command having no regularly detailed commanding officer, the procedure prescribed in the preceding paragraphs of this article will be followed, insofar as is consistent with the circumstances.

### 0808. Inspections, Muster and Sighting of Personnel.

1. The commanding officer shall hold periodic inspections of the material condition of the command, not on weekends or holidays, to determine deficiencies and cleanliness. When the size of the command precludes completion of the inspection in a reasonable time, the

## THE COMMANDING OFFICER

commanding officer shall designate zones to be inspected by heads of departments or other responsible officers, and shall personally inspect at least one zone, alternating zones in order that the commanding officer inspects the entire command at minimum intervals.

2. The commanding officer shall ensure that, consistent with their employment, the personnel of the command present at all times a neat, clean and military appearance. To assist in attaining this standard of appearance, the commanding officer shall, in the absence of operational exigency, hold periodic personnel inspections. Saturday inspections may be held at sea and, in port and ashore, with personnel in duty status as participants. Otherwise, inspections shall not be held on weekends or holidays.

3. The commanding officer shall require a daily report of all persons confined, a statement of their offenses, and the dates of their confinement and release.

4. The presence of all persons attached to the command shall be accounted for daily. Persons who have not been sighted by a responsible senior shall be reported absent.

5. The prohibitions concerning weekend or holiday inspections do not apply to commands engaged in training reservists, and to other commands with the consent of a superior.

### 0809. Persons Found Under Incriminating Circumstances.

1. The commanding officer shall keep under restraint or surveillance, as necessary, any person not in the armed services of the United States who is found under incriminating or irregular circumstances within the command, and shall immediately initiate an investigation.

2. Should an investigation indicate that such person is not a fugitive from justice, or has not committed or attempted to commit an offense, the person shall be released at the earliest opportunity, except:

a. If the person is not a citizen of the United States, and the place of release is under the jurisdiction of the United States, the nearest Federal immigration authorities shall be notified as to the time and place of release

sufficiently in advance to permit them to take such steps as they deem appropriate.

b. Such persons shall not be released in territory not under the jurisdiction of the United States without first obtaining the consent of the proper foreign authorities, except where the investigation shows that the person entered the command from territory of the foreign state, or that the person is a citizen or subject of that state.

3. If the investigation indicates that such person has committed or attempted to commit an offense punishable under the authority of the commanding officer, the latter shall take such action as he or she deems necessary.

4. If the investigation indicates that such person is a fugitive from justice, or has committed or attempted to commit an offense which requires actions beyond the authority of the commanding officer, the latter shall, at the first opportunity, deliver such person, together with a statement of the circumstances, to the proper civil authorities.

5. In all cases under paragraph 4 of this article, a report shall be made promptly to the Chief of Naval Operations or the Commandant of the Marine Corps, as appropriate.

### 0810. Rules for Visits.

1. Commanding officers are responsible for the control of visitors to their commands and shall comply with the relevant provisions of Department of the Navy directives concerning classified information and physical security.

2. Commanding officers shall take such measures and impose such restrictions on visitors as are necessary to safeguard the classified material under their jurisdiction. Arrangements for general visiting shall always be made with due regard for physical security and based on the assumption that foreign agents will be among the visitors.

3. Commanding officers and others officially concerned shall exercise reasonable care to safeguard the persons and property of visitors to naval activities as well as taking those necessary precautions to safeguard the persons and property within the command.

## THE COMMANDING OFFICER

### 0811. Dealers, Tradesmen and Agents.

1. In general, dealers or tradesmen or their agents shall not be admitted within a command, except as authorized by the commanding officer:

- a. to conduct public business;
- b. to transact private business with individuals at the request of the latter; or
- c. to furnish services and supplies which are necessary and are not otherwise, or are insufficiently, available to the personnel of the command.

2. Personal commercial solicitation and the conduct of commercial transactions are governed by policies of the Department of Defense.

### 0812. Postal Matters.

Commanding officers shall ensure that mail and postal funds are administered in accordance with instructions issued by the Postmaster General and approved for the naval service by the Chief of Naval Operations, and instructions issued by the Chief of Naval Operations, the Chief of Naval Personnel or the Commandant of the Marine Corps, as appropriate; and that postal clerks or other persons authorized to handle mail perform their duties strictly in accordance with those instructions.

### 0813. Safeguarding Official Funds.

In the event of the death, unauthorized absence, or mental incapacity, as determined by the commanding officer on advice of a medical officer, of a person charged with pecuniary responsibility for official funds or Government property, or if it is necessary to relieve such person for any cause, including arrest or suspension, the commanding officer shall take immediate steps to safeguard such funds or property in accordance with the procedures prescribed by the Comptroller of the Navy and other competent authority.

### 0814. Deficit or Excess of Public Property.

1. Whenever it appears that a deficit or excess exists in public money or property in the custody of a person under his or her command, the commanding officer, unless excused under regulations of the Comptroller of the Navy, the Judge Advocate General, the Commander, Naval Supply Systems Command, or the

Commandant of the Marine Corps, as appropriate shall immediately:

a. cause an appropriate preliminary inquiry to be made to determine whether criminal investigation is warranted, and if so, request appropriate investigative support from the Naval Investigative Service, other military organizations, or other Federal agencies;

b. notify the Navy Accounting and Finance Center, the Chief of Naval Operations, Commander, Naval Supply Systems Command and the Commandant of the Marine Corps, as appropriate, and appropriate superiors; and

c. recommend or convene an administrative fact-finding body under the provisions of the Manual of the Judge Advocate General and, in case of loss or excess of property, a Board of Survey under the regulations of the Commander, Naval Supply Systems Command.

### 0815. Deaths.

The commanding officer, in the event of the death of any person within his or her command, shall ensure that the cause of death and the circumstances under which death occurred are established, and that the provisions of the Manual of the Judge Advocate General are adhered to in documenting the cause and circumstances of the death and in submitting the appropriate casualty report.

### 0816. The American National Red Cross.

1. Pursuant to the request of the Secretary of the Navy, and subject to such instructions as the Secretary may issue, the American National Red Cross is authorized to conduct a program of welfare, including social, financial, medical and dental aid, for naval personnel; to assist in matters pertaining to prisoners of war; and to provide such other services as are appropriate functions for the Red Cross. The American National Red Cross is the only volunteer society authorized by the Government to render medical and dental aid to the armed forces of the United States. Other organizations desiring to render medical and dental aid may do so only through the Red Cross.

2. Requests for Red Cross services shall be made to the Chief of Naval Personnel or the

## THE COMMANDING OFFICER

Commandant of the Marine Corps or, in the case of medical services, to the Commander, Naval Medical Command.

3. Activities and personnel of the American National Red Cross in areas subject to naval jurisdiction shall conform to such administrative regulations as may be prescribed by appropriate naval authority.

4. Red Cross personnel shall be considered to have the status of commissioned officers, subject to such restrictions as may be imposed by the Chief of Naval Personnel or the Commandant of the Marine Corps.

### 0817. Observance of Sunday.

1. Except by reason of necessity or in the interest of the welfare and morale of the command, the performance of work shall not be required on Sunday. Except by reason of necessity, ships shall not be sailed nor units of aircraft or troops be deployed on Sunday. The provisions of this paragraph need not apply to commands engaged in training reserve components of the Navy and Marine Corps.

2. Divine services shall be conducted on Sunday if possible. All assistance and encouragement shall be given to chaplains in the conduct of these services, and music shall be made available, if practicable. Chaplains shall be permitted to conduct public worship according to the manner and forms of the church of which they are members. A suitable space shall be designated and properly rigged for the occasion, and quiet shall be maintained throughout the vicinity during divine services. The religious preferences and the varying religious needs of individuals shall be recognized, respected, encouraged and ministered to as practicable. Daily routine in ships and activities shall be modified on Sunday, as practicable, to achieve this end.

3. When there is no chaplain attached to the command, the commanding officer shall engage the services of any naval or military chaplain who may be available; or, failing in this, shall, when practicable, invite and may remunerate a civilian clergyman to conduct religious services. Services led by laypersons are encouraged. Provision shall be made for sending and

receiving church parties as appropriate and practicable.

### 0818. Publishing and Posting Orders and Regulations.

1. In accordance with Article 137 of the Uniform Code of Military Justice, the articles specifically enumerated therein shall be carefully explained to each enlisted person:

a. at the time of entrance on active duty or within six days thereafter;

b. again, after completion of six months active duty; and

c. again, upon the occasion of each reenlistment.

2. A text of the articles specifically enumerated in Article 137 of the Uniform Code of Military Justice shall be posted in a conspicuous place or places, readily accessible to all personnel of the command.

3. Instruction concerning the Uniform Code of Military Justice and appropriate articles of Navy Regulations shall be included in the training and educational program of the command.

4. Such general orders, orders from higher authority and other matters which the commanding officer considers of interest to the personnel or profitable for them to know shall be published to the command as soon as practicable. Such matters shall also be posted, in whole or in part, in a conspicuous place or places readily accessible to personnel of the command.

5. Upon the request of any person on active duty in the armed services, the following publications shall be made available for that person's personal examination:

a. a complete text of the Uniform Code of Military Justice;

b. Manual for Courts-Martial;

c. Navy Regulations;

d. Manual of the Judge Advocate General;

e. Marine Corps Manual (for Marine Corps personnel); and

## THE COMMANDING OFFICER

f. Military Personnel Manual (for Navy personnel) or Marine Corps Personnel Manual (for Marine Corps personnel).

### 0819. Records.

The commanding officer shall require that records relative to personnel, material and operations, as required by current instructions, are maintained properly by those responsible therefor.

### 0820. Welfare of Personnel.

The commanding officer shall:

a. use all proper means to foster high morale, and to develop and strengthen the moral and spiritual well-being of the personnel under his or her command, and ensure that chaplains are provided the necessary logistic support for carrying out the command's religious programs to provide maximum opportunity for the free exercise of religion by members of the naval service;

b. maintain a satisfactory state of health and physical fitness of the personnel under his or her command;

c. afford an opportunity, with reasonable restrictions as to time and place, for the personnel under his or her command to make requests, reports or statements to the commanding officer, and shall ensure that they understand the procedures for making such requests, reports or statements;

d. ensure that noteworthy performances of duty of personnel under his or her command receive timely and appropriate recognition and that suitable notations are entered in the official records of the individuals; and

e. ensure that timely advancement in rating of enlisted persons is effected in accordance with existing instructions.

### 0821. Training and Education.

The commanding officer shall:

a. endeavor to increase the specialized and general professional knowledge of the personnel under his or her command by the frequent conduct of drills, classes and instruction, and by the utilization of appropriate fleet and service schools;

b. encourage and provide assistance and facilities to the personnel under his or her command who seek to further their education in professional or other subjects;

c. afford frequent opportunities to the executive officer, and to other officers of the ship as practicable, to improve their skill in ship handling;

d. require those lieutenants (junior grade) and first lieutenants who have less than two years commissioned or warrant service, and all ensigns and second lieutenants:

(1) to comply with the provisions prescribed for their instruction by the Chief of Naval Operations, the Commandant of the Marine Corps, or other appropriate authorities; and

(2) to receive appropriate practical instruction, as the commanding officer deems advisable, and to be detailed to as many duties successively as may be practicable.

e. when practicable, designate a senior officer or officers to act as advisors to junior officers. These senior officers shall assist junior officers to a proper understanding of their responsibilities and duties, and shall endeavor to cultivate in them officer-like qualities, a sense of loyalty and honor, and an appreciation of naval customs and professional ethics.

### 0822. Delivery of Personnel to Civil Authorities and Service of Subpoenas or Other Process.

1. Commanding officers or other persons in authority shall not deliver any person in the naval service to civil authorities except as provided by the Manual of the Judge Advocate General.

2. Commanding officers are authorized to permit the service of subpoenas or other process as provided by the Manual of the Judge Advocate General.

### 0823. Delivery of Orders to Personnel.

The commanding officer shall not withhold any orders or other communications received from higher authority for any person under his or her command, except for good and sufficient reasons, which he or she shall at once report to such higher authority. Communications of a personal

## THE COMMANDING OFFICER

nature may be withheld by a commanding officer for good reason until completion of mission or duty.

### 0824. Use and Transportation of Marijuana, Narcotics and Drugs.

1. The commanding officer shall conduct a rigorous program to prevent the illegal introduction, transfer, possession or use of marijuana, narcotics or other controlled substances as defined in these regulations. The program shall include publicity and instruction covering:

a. The dangers involved in drug abuse.

b. The Federal, state and local criminal liabilities which may result from introduction, possession, transfer or use, including penalties under the Uniform Code of Military Justice and other provisions of law to which individuals may be subjected.

c. The administrative measures, including discharge under other than honorable conditions, which may result.

2. The commanding officer shall exercise utmost diligence in preventing illegal importation of marijuana, narcotics or other controlled substances on board the command.

### 0825. Safety Precautions.

The commanding officer shall require that persons concerned are instructed and drilled in all applicable safety precautions and procedures, that these are complied with, and that applicable safety precautions, or extracts therefrom, are posted in appropriate places. In any instance where safety precautions have not been issued, or are incomplete, the commanding officer shall issue or augment such safety precautions as are deemed necessary, notifying, when appropriate, higher authorities concerned.

### 0826. Physical Security.

1. The commanding officer shall take appropriate action to safeguard personnel, to prevent unauthorized access to installations, equipment, material and documents, and to safeguard them against acts of espionage, sabotage, damage, theft and terrorism.

2. The commanding officer shall take appropriate action to protect and maintain the

security of the command against dangers from fire, windstorms, or other acts of nature.

### 0827. Effectiveness for Service.

The commanding officer shall:

a. exert every effort to maintain the command in a state of maximum effectiveness for war or other service consistent with the degree of readiness as may be prescribed by proper authority. Effectiveness for service is directly related to the state of personnel and material readiness; and

b. make him or herself aware of the progress of any repairs, the status of spares, repair parts and other components, personnel readiness and other factors or conditions that could lessen the effectiveness of his or her command. When the effectiveness is lessened appreciably, that fact shall be reported to appropriate superiors.

### 0828. Search by Foreign Authorities.

1. The commanding officer shall not permit a ship under his or her command to be searched on any pretense whatsoever by any person representing a foreign state, nor permit any of the personnel within the confines of his or her command to be removed from the command by any such person, so long as he or she has the capacity to repel such act. If force should be exerted to compel submission, the commanding officer is to resist that force to the utmost of his or her power.

2. Except as may be provided by international agreement, the commanding officer of a shore activity shall not permit his or her command to be searched by any person representing a foreign state, nor permit any of the personnel within the confines of his or her command to be removed from the command by such person, so long as he or she has the power to resist.

### 0829. Prisoners of War.

On taking or receiving prisoners of war, the commanding officer shall ensure that such prisoners are treated with humanity; that their personal property is preserved and protected; that they are allowed the use of such of their effects as may be necessary for their health; that they are supplied with proper rations; that they are properly guarded and deprived of all means of escape and revolt; and that the applicable

## THE COMMANDING OFFICER

provisions of the 1949 Geneva Conventions relative to the treatment of prisoners of war are followed.

### 0830. Captured Material.

1. On taking possession of any enemy ship, aircraft, installation or other property or equipment, the commanding officer shall:

a. adopt all possible measures to prevent recapture;

b. secure or remove enemy personnel;

c. secure and preserve the logs, journals, signal books, codes and ciphers, charts, maps, orders, instructions, blueprints, plans, diaries, letters and other documents found, and forward or deliver them at the earliest possible moment to the designated authority; and

d. preserve all captured enemy ordnance, machinery, fire-control equipment, electronic equipment, aviation equipment and other property of possible intelligence value, unless destruction is necessary to prevent recapture, and make this material promptly available for intelligence evaluation or other authorized use.

2. No captured enemy property, of whatever description, may be kept as a souvenir or for personal use except as specifically provided by the Secretary of the Navy.

### 0831. Casualty and Damage.

Immediately after its occurrence, the commanding officer shall submit a detailed report of the facts to the senior officer present, the Chief of Naval Operations, or the Commandant of the Marine Corps, as appropriate, and other superiors when:

a. a ship under his or her command touches the ground (except for landing ships or ships of a similar design making a landing without damage, or for a submarine resting on bottom as part of normal operations);

b. a ship under his or her command has a collision or other serious accident;

c. an aircraft under his or her command is involved in an accident which necessitates

extensive repairs, or otherwise requires review or action by higher authority; or

d. a shore activity under his or her command incurs a serious fire or other material casualty, or a serious personnel casualty occurs within the command.

### 0832. Environmental Pollution.

The commanding officer shall cooperate with Federal, State and local governmental authorities in the prevention, control and abatement of environmental pollution. If the requirements of any environmental law or regulation cannot be achieved because of operational considerations, insufficient resources or other reason, the commanding officer shall report to the immediate superior in the chain of command. The commanding officer should be aware of existing policies regarding pollution control, and should recommend remedial measures when appropriate.

### 0833. Issue of Personal Necessaries.

1. The commanding officer is authorized to direct, in writing, the issue of clothing and small stores to enlisted persons in a nonpay status, including those in debt to the Government, in such amount as he or she deems necessary for their health and comfort.

2. The commanding officer is likewise authorized to direct, in writing, the issue to such enlisted persons of certain other necessaries, including toilet articles, in the manner and amount prescribed by the Commander, Naval Supply Systems Command, or the Commandant of the Marine Corps.

### 0834. Care of Ships, Aircraft, Vehicles and Their Equipment.

The commanding officer shall cause such inspections and tests to be made and procedures carried out as are prescribed by competent authority, together with such others as he or she deems necessary, to ensure the proper preservation, repair, maintenance and operation of any ship, aircraft, vehicle, and their equipment assigned to his or her command.

## THE COMMANDING OFFICER

### 0835. **Work, Facilities, Supplies or Services for Other Government Departments, State or Local Governments, Foreign Governments, Private Parties and Morale, Welfare and Recreational Activities.**

1. Work may be done for or on facilities, and supplies or services furnished to departments and agencies of the Federal and State governments, local governments, foreign governments, private parties, and morale, welfare and recreational activities with the approval of a commanding officer provided:

a. The cost does not exceed limitations the Secretary of the Navy may approve or specify; and

b. In the case of private parties, it is in the interest of the government to do so and there is no issue of competition with private industry; and

c. In the case of foreign governments, a disqualification of a government has not been issued for the benefits of this article.

2. Work shall not be started nor facilities, supplies, or services furnished morale, welfare, and recreational activities not classified as instrumentalities of the United States, or state or local governments or private parties, until funds to cover the estimated cost have been deposited with the commanding officer or unless otherwise provided by law.

3. Work shall not be started, nor facilities, supplies, or services furnished other Federal Government departments and agencies, or expenses charged to non-appropriated funds of morale, welfare and recreational activities classified as instrumentalities of the United States, until reimbursable funding arrangements have been made.

4. Work, facilities, supplies, or services furnished non-appropriated fund activities classified as instrumentalities of the United States in the Navy Comptroller Manual shall be

funded in accordance with regulations of the Comptroller of the Navy.

5. Supplies or services may be furnished to naval vessels and military aircraft of friendly foreign governments (unless otherwise provided by law or international treaty or agreement):

a. On a reimbursable basis without an advancement of funds, when in the best interest of the United States:

(1) Routine port services (including pilotage, tugs, garbage removal, linehandling and utilities) in territorial waters or waters under United States control.

(2) Routine airport services (including air traffic control, parking, servicing and use of runways).

(3) Miscellaneous supplies (including fuel, provisions, spare parts, and general stores) but not ammunition. Supplies are subject to approval of the cognizant fleet or force commanders when provided overseas.

(4) With approval of the Chief of Naval Operations in each instance, overhauls, repairs, and alterations together with necessary equipment and its installation required in connection therewith, to vessels and military aircraft.

b. Routine port and airport services may be furnished at no cost to the foreign government concerned where such services are provided by persons of the naval service without direct cost to the Department of the Navy.

6. In cases of emergency involving possible loss of life or valuable property, work may be started or facilities furnished prior to authorization, or provision for payment, but in all such cases a detailed report of the facts and circumstances shall be made promptly to the Secretary of the Navy or to the appropriate authority.

7. Charges and accounting for any work, supplies or services shall be as prescribed in the Navy Comptroller Manual.

Chapter 8  
**THE COMMANDING OFFICER**  
 Section 2. Commanding Officers Afloat

Contents

	<i>Article</i>		<i>Article</i>
Unauthorized Persons on Board .....	0840	Action With the Enemy .....	0851
Control of Passengers .....	0841	Loss of a Ship .....	0852
Authority Over Passengers .....	0842	Continuation of Authority After Loss of Ship or Aircraft .....	0853
Relations With Organizations and Military Personnel Embarked for Passage ...	0843	Hospital Ship or Medical Aircraft .....	0854
Marriages on Board .....	0844	Status of Boats .....	0855
Maintenance of Logs .....	0845	Pilotage .....	0856
Status of Logs .....	0846	Safe Navigation and Regulations Governing Operation of Ships and Aircraft .....	0857
Responsibility of a Master of an In-Service Ship of the Military Sealift Command .....	0847	Entering a Port or Landing at a Place Not Designated .....	0858
Relations With Merchant Seamen .....	0848	Quarantine .....	0859
Security of Magazines and of Dangerous Materials .....	0849	Customs and Immigration Inspections .....	0860
Request for Inspection by Board of Inspection and Survey .....	0850		

**0840. Unauthorized Persons on Board.**

The commanding officer shall satisfy him- or herself that there is no unauthorized person on board before proceeding to sea or commencing a flight.

**0841. Control of Passengers.**

1. Control of passage in and protracted visits to aircraft and ships of the Navy by all persons, within or without the Department of the Navy, shall be exercised by the Chief of Naval Operations.

2. Nothing in this article shall be interpreted as prohibiting the senior officer present from authorizing the passage in ships and aircraft of the Navy by such persons as he or she judges necessary in the public interest or in the interest of humanity. The senior officer present shall report the circumstances to the Chief of Naval

Operations when he or she gives such authorization.

**0842. Authority Over Passengers.**

Except as otherwise provided in these regulations or in orders from competent authority, all passengers in a ship or aircraft of the naval service are subject to the authority of the commanding officer and shall conform to the internal regulations and routine of the ship or aircraft. The commanding officer of such ship or aircraft shall take no disciplinary action against a passenger not in the naval service, other than that authorized by law. The commanding officer may, when he or she deems such an action necessary for the safety of the ship or aircraft or of any person embarked, subject a passenger not in the naval service to such restraint as the circumstances require until such time as delivery to the proper authorities is possible. A report of the matter shall be made to an appropriate superior of the passenger.

## THE COMMANDING OFFICER

### 0843. Relations With Organizations and Military Personnel Embarked for Passage.

1. Personnel of the naval service, and other United States armed forces or services, and foreign armed forces are subject to the orders of the commanding officer of the ship or aircraft commander. The provisions of this article shall be applied to organizations and personnel of foreign armed forces, insofar as is feasible, with regard for their customs and traditions.

2. The commanding officer of the ship or the aircraft commander shall respect the identity and integrity of organizational units; and

a. shall have all orders to personnel given through their respective chains of command insofar as practicable;

b. shall require that personnel wear the uniform which corresponds as nearly as practicable to the uniform prescribed for ship's company;

c. may require enlisted persons to perform their proportionate share of mess, watch, police and guard duty whenever he or she deems it advisable to divide those duties among personnel on board;

d. may require personnel, when in his or her opinion an emergency exists, to perform such duties as their special knowledge and skill may enable them to perform; and

e. has the power and the authority to order an offender placed in naval or military custody as is considered desirable, but in all cases where the offender is to be disembarked for disciplinary action by military authority, the offender shall be placed in military custody on board the ship or aircraft, if practicable.

3. The foregoing provisions of this article also apply to the Officer in Charge, Military Detachment, of an in-service ship of the Military Sealift Command, who is authorized to exercise the powers conferred thereby, subject to the paramount authority of the master.

4. When an organized unit is embarked for transportation only in a ship of the Navy, the officer in command of such organized unit shall retain the authority which he or she possessed over such unit prior to embarkation, including

the power to order special or summary courts-martial upon enlisted personnel under his or her command. Nothing in this paragraph shall be construed as impairing the paramount authority of the commanding officer of the ship over all persons embarked therein.

### 0844. Marriages on Board.

The commanding officer shall not perform a marriage ceremony on board his or her ship or aircraft. He or she shall not permit a marriage ceremony to be performed on board when the ship or aircraft is outside the territory of the United States, except:

a. in accordance with local laws and the laws of the state, territory or district in which the parties are domiciled; and

b. in the presence of a diplomatic or consular official of the United States, who has consented to issue the certificates and make the returns required by the consular regulations.

### 0845. Maintenance of Logs.

1. A deck log and an engineering log shall be maintained by each ship in commission, and by such other ships and craft as may be designated by the Chief of Naval Operations.

2. A compass record shall be maintained as an adjunct to the deck log. An engineer's bell book shall be maintained as an adjunct to the engineering log.

3. The Chief of Naval Operations shall prescribe regulations governing the contents and preparation of the deck and engineering logs and adjunct records.

4. In the case of a ship or craft equipped with automated data logging equipment, the records generated by such equipment satisfy the requirements of this article.

### 0846. Status of Logs.

The deck log, the engineering log, the compass record, the bearing book, the engineer's bell book and any record generated by automated data logging equipment shall each constitute an official record of the command.

## THE COMMANDING OFFICER

### 0847. Responsibility of a Master of an In-Service Ship of the Military Sealift Command.

1. In an in-service ship of the Military Sealift Command, the master's responsibility is absolute, except when, and to the extent, relieved therefrom by competent authority. The authority of the master is commensurate with the master's responsibility. The master is responsible for the safety of the ship and all persons on board. He or she is responsible for the safe navigation and technical operation of the ship and has paramount authority over all persons on board. He or she is responsible for the preparation of the abandon ship bill and has exclusive authority to order the ship abandoned. The master may, using discretion, and when not contrary to law or regulations, delegate authority for operation of shipboard functions to competent subordinates. However, such delegation of authority shall in no way relieve the master of continued responsibility for the safety, well-being, and efficiency of the ship.

2. All orders and instructions of the master shall be in accordance with appropriate laws of the United States, and all applicable orders and regulations of the Navy, the Military Sealift Command, and the Office of Personnel Management. A master who departs from the orders or instructions of competent authority or takes official action contrary to such orders or instructions shall report immediately the circumstances to the authority from whom the prior orders or instructions were received.

3. The master has full authority to enforce appropriate laws of the United States and all applicable orders and regulations of the Navy, the Military Sealift Command, and the Office of Personnel Management. In furtherance of the master's authority to enforce the laws and maintain safety on board his or her ship, the master may:

a. conduct periodic inspections and surprise inspections throughout the ship to include messing and berthing areas; and

b. conduct searches throughout the ship, including messing and berthing areas, when there is reasonable suspicion that an offense has been committed and the evidence of the offense will be discovered by the search.

### 0848. Relations With Merchant Seamen.

When in foreign waters, the commanding officer, with the approval of the senior officer present, may receive on board as supernumeraries for rations and passage:

a. Distressed seamen of the United States for passage to the United States, provided they bind themselves to be amenable in all respects to Navy Regulations.

b. As prisoners, seamen from merchant vessels of the United States, provided that the witnesses necessary to substantiate the charges against the prisoners are received, or adequate means adopted to ensure the presence of such witnesses on arrival of the prisoners at the place where they are to be delivered to the civil authorities.

### 0849. Security of Magazines and of Dangerous Materials.

1. The commanding officer shall be the custodian of the keys to all spaces and receptacles containing projectiles, explosives and radioactive material and, when fitted, of all magazine floodcocks. He or she may designate such persons under his or her command to have custody of duplicate keys as he or she considers necessary. He or she shall prescribe conditions under which those persons may grant access to such spaces, but otherwise those spaces shall not be opened without the consent of the commanding officer.

2. Keys affiliated with nuclear weapons shall be maintained and with custody as directed by orders from competent authority.

3. The commanding officer shall ensure that, except when undergoing test or overhaul, the flooding and sprinkling systems are ready for use at all times.

4. The commanding officer shall ensure that flammable and other dangerous materials are stored and handled in a safe manner.

### 0850. Request for Inspection by Board of Inspection and Survey.

The commanding officer shall report to the Chief of Naval Operations without delay whenever the condition of the ship, or any department therein, is such as to require an inspection by the Board

## THE COMMANDING OFFICER

of Inspection and Survey. Such report shall be forwarded through official channels and bear the recommendations of the superiors concerned.

### 0851. Action With the Enemy.

The commanding officer shall:

a. Before going into battle or action communicate to the officers of the command, if possible, his or her plans for battle or action and such other information as may be of operational value should any of them succeed to command.

b. During action, station the executive officer where he or she can best aid the commanding officer, and, if practicable, where he or she could probably escape the effects of a casualty disabling the commanding officer, and yet be able to assume command promptly and efficiently.

c. During action, engage the enemy to the best of his or her ability. He or she shall not, without permission, break off action to assist a disabled ship or to take possession of a captured one.

d. Immediately after a battle or action, repair damage so far as possible, exert every effort to prepare the command for further service, and make accurate, explicit and detailed reports as required.

### 0852. Loss of a Ship.

1. In the case of the loss of a ship, the commanding officer shall remain by her with officers and crew so long as necessary and shall save as much Government property as possible. Every reasonable effort shall be made to save the deck log, personnel diary and pay records of officers and crew, and other valuable papers.

2. If it becomes necessary to abandon the ship, the commanding officer should be the last person to leave.

3. The commanding officer shall:

a. take all possible precautions to protect the survivors and such Government property as has been saved;

b. report to the nearest United States naval or military command and request instructions and such assistance as is required; and

c. report the circumstances to the Secretary of the Navy and the Chief of Naval Operations as soon as possible.

### 0853. Continuation of Authority After Loss of Ship or Aircraft.

When the crew of any naval vessel or naval aircraft is separated from their vessel or aircraft because of its wreck, loss or destruction, all the command and authority given to the officers of the vessel or aircraft shall remain in full force until the crew shall be regularly discharged or reassigned by competent authority.

### 0854. Hospital Ship or Medical Aircraft.

1. The commanding officer of a hospital ship or the commander of a medical aircraft shall be responsible for complying with the appropriate provisions of the Geneva Convention for the Amelioration of the Condition of the Wounded, Sick and Shipwrecked Members of the Armed Forces at Sea of 12 August 1949. Where necessary to the fulfillment of this responsibility, a departure from other provisions of Navy Regulations is authorized.

2. One of the central requirements under the 1949 Geneva Convention is that the ship or aircraft maintain a non-combatant status. Under this Convention, the following conditions do not deprive hospital ships or medical aircraft of their non-combatant status:

a. The fact that the crews are armed for the maintenance of order, for their own defense or that of the sick and wounded.

b. The presence on board of apparatus exclusively intended to facilitate navigation or unclassified communications.

c. The discovery on board hospital ships or in sick bays of portable arms and ammunition taken from the wounded, sick and shipwrecked and not yet handed to proper authorities.

d. The fact that humanitarian activities of hospital ships or of the crews extend to the care of the wounded, sick or shipwrecked persons.

e. The transport of equipment and of personnel intended exclusively for medical duties, over and above normal requirements of the hospital ship.

### 0855. Status of Boats.

## THE COMMANDING OFFICER

1. Boats shall be regarded in all matters concerning the rights, privileges and comity of nations as part of the ship or aircraft to which they belong.

2. In ports where war, insurrection or armed conflict exists or threatens, the commanding officer shall:

a. require that boats away from the ship or aircraft have some appropriate and competent person in charge; and

b. see that steps are taken to make their nationality evident at all times.

### 0856. Pilotage.

1. The commanding officer shall:

a. pilot the ship under all ordinary circumstances, but may employ pilots whenever, in his or her judgment, such employment is prudent;

b. not call a pilot on board until the ship is ready to proceed;

c. not retain a pilot on board after the ship has reached her destination or a point where the pilot is no longer required;

d. give preference to a licensed pilot; and

e. pay pilots no more than the local rates.

2. A pilot is merely an advisor to the commanding officer. The presence of a pilot on board shall not relieve the commanding officer or any subordinate from his or her responsibility for the proper performance of the duties with which he or she may be charged concerning the navigation and handling of the ship. For an exception to the provisions of this paragraph, see "Rules and Regulations Covering Navigation of the Panama Canal and Adjacent Waters," which directs that the pilot assigned to a vessel in those waters shall have control of the navigation and movement of the vessel. Also see the provisions of these regulations concerning the navigation of ships at a naval shipyard or station, or in entering or leaving drydock.

### 0857. Safe Navigation and Regulations Governing Operation of Ships and Aircraft.

1. The commanding officer is responsible for the safe navigation of his or her ship or aircraft,

except as prescribed otherwise in these regulations for ships at a naval shipyard or station, in drydock, or in the Panama Canal. During an armed conflict, an exercise simulating armed conflict, or an authorized law enforcement activity, competent authority may modify the use of lights or other safeguards against collision. Except in time of actual armed conflict, such modifications will be authorized only when ships or aircraft clearly will not be hazarded.

2. Professional standards and regulations governing shiphandling, safe navigation, safe anchoring and related operational matters shall be promulgated by the Chief of Naval Operations.

3. Professional standards and regulations governing the operation of naval aircraft and related matters shall be promulgated by the Chief of Naval Operations or the Commandant of the Marine Corps, as appropriate.

4. The commanding officer is responsible for ensuring that weather and oceanic effects are considered in the effective and safe operation of his or her ship or aircraft.

### 0858. Entering a Port or Landing at a Place Not Designated.

When a ship or aircraft enters a port or lands at a place not designated or permitted by instructions, the commanding officer shall promptly report to his or her immediate superior the cause for doing so, and an estimate of the delay which will be incurred. When such port or place is within foreign jurisdiction, the nearest United States diplomatic or consular representative, accredited to the government concerned, shall also be informed.

### 0859. Quarantine.

1. The commanding officer or aircraft commander of a ship or aircraft shall comply with all quarantine regulations and restrictions, United States or foreign, for the port or area within which the ship or aircraft is located.

2. The commanding officer shall give all information required by authorized foreign officials, insofar as permitted by military security, and will meet the quarantine requirements promulgated by proper authority for United States or foreign ports. However,

## THE COMMANDING OFFICER

nothing in this article shall be interpreted as authorizing commanding officers to permit onboard inspections by foreign officials, or to modify in any manner the provisions of Article 0828 of these regulations.

3. The commanding officer shall allow no intercourse with a port or area or with other ships or aircraft until after consultation with local health authorities when:

a. doubt exists as to the sanitary regulations or health conditions of the port or area;

b. a quarantine condition exists aboard the ship or aircraft; or

c. coming from a suspected port or area, or one actually under quarantine.

4. No concealment shall be made of any circumstance that may subject a ship or aircraft of the Navy to quarantine.

5. Should there appear at any time on board a ship or aircraft conditions which present a hazard of introduction of a communicable disease outside the ship or aircraft, the commanding officer or aircraft commander shall at once report the fact to the senior officer present, to other appropriate higher authorities and, if in port, to the health authorities having quarantine jurisdiction. The commanding officer or aircraft commander shall prevent all contacts likely to spread disease until pratique is received. The commanding officer of a ship in port shall hoist the appropriate signal.

### 0860. Customs and Immigration Inspections.

1. The commanding officer or aircraft commander shall facilitate any proper examination which it may be the duty of a customs officer or immigration officer of the United States to make on board the ship or aircraft. The commanding officer or aircraft commander shall not permit a foreign customs officer or immigration officer to make any examination whatsoever, except as hereinafter provided, on board the ship, aircraft or boats under his or her command.

2. When a ship or aircraft of the Navy or a public vessel manned by naval personnel and operating under the direction of the Department of the Navy is carrying cargo for private commercial account, such cargo shall be subject

to the local customs regulations of the port, domestic or foreign, in which the ship or aircraft may be, and in all matters relating to such cargo, the procedure prescribed for private merchant vessels and aircraft shall be followed. Government-owned stores or cargo in such ship or aircraft not landed nor intended to be landed nor in any manner trafficked in, are, by the established precedent of international courtesy, exempt from customs duties, but a declaration of such stores or cargo, when required by local customs regulations, shall be made. Commanding officers shall prevent, as far as possible, disputes with the local authorities in such cases, but shall protect the ship or aircraft and the Government-owned stores and cargo from any search or seizure.

3. Upon arrival from a foreign country, at the first port of entry in United States territory, the commanding officer, or the senior officer or ships or aircraft in company, shall notify the collector of the port. Each individual aboard shall, in accordance with customs regulations, submit a list of articles purchased or otherwise acquired abroad. Dutiable articles shall not be landed until the customs officer has completed his or her inspection.

4. Commanding officers of naval vessels and commanders of aircraft transporting United States civilian and foreign military and civilian passengers shall satisfy themselves that the passenger clearance requirements of the Immigration and Naturalization Service are complied with upon arrival at points within the jurisdiction of the United States. Clearance for such passengers by an immigration officer is necessary upon arrival from foreign ports and at the completion of movements between any of the following: Continental United States (including Alaska and Hawaii), the Canal Zone, Puerto Rico, Virgin Islands, Guam, American Samoa, or other outlying places subject to United States jurisdiction. Commanding officers, prior to arriving, shall advise the cognizant naval or civilian port authority of the aforementioned passengers aboard and shall detain them for clearance as required by the Immigration and Naturalization Service.

5. The provisions of this article shall not be construed to require delaying the movements of any ship or aircraft of the Navy in the performance of her assigned duty.

Chapter 8  
**THE COMMANDING OFFICER**

**Section 3. Special Circumstances**

**Subsection A. Ships in Naval Stations and Shipyards**

Contents

	<i>Article</i>		<i>Article</i>
Movement of Ships at a Naval Station .....	0870	Inspection Incident to Commissioning of Ships .....	0873
Responsibility for Safety of Ships and Craft at a Naval Station or Shipyard .....	0871	Relations With Personnel of Naval Shipyard or Station .....	0874
Ships and Craft in Drydock .....	0872		

**0870. Movement of Ships at a Naval Station.**

1. No ship or craft shall be moved or undergo dock trials during its stay at a naval station, except by direction or with the approval of the commanding officer of such station.
2. A ship arriving at, or departing from, a naval station shall be furnished such assistance, including tugs when available, as in the opinion of the commanding officer of the naval station or of the ship may be necessary for her safe handling.

**0871. Responsibility for Safety of Ships and Craft at a Naval Station or Shipyard.**

1. The commanding officer of a naval station or naval shipyard shall be responsible for the care and safety of all ships and craft at such station or shipyard not under a commanding officer or assigned to another authority, and for any damage that may be done by or to them. In addition, the commanding officer of a naval station or shipyard shall be responsible for the safe execution of work performed by that activity upon any ship located at the activity.
2. It shall be the responsibility of the commanding officer of a ship in commission which is undergoing overhaul, or which is otherwise immobilized at a naval station or

naval shipyard, to request such services as are necessary to ensure the safety of the ship. The commanding officer of the naval station or naval shipyard shall be responsible for providing requested services in a timely and adequate manner.

3. When a ship or craft not under her own power is being moved by direction of the commanding officer of a naval station or naval shipyard, that officer shall be responsible for any damage that may result therefrom. The pilot or other person designated for the purpose shall be in direct charge of such movement, and all persons on board shall cooperate with and assist the pilot as necessary. Responsibility for such actions in a private shipyard will be assigned by contract to the contractor.

4. When a ship operating under her own power is being drydocked, the commanding officer shall be fully responsible for the safety of the ship until the extremity of the ship first to enter the drydock reaches the dock sill and the ship is pointed fair for entering the drydock. The docking officer shall then take charge and complete the docking, remaining in charge until the ship has been properly landed, bilge blocks hauled, and the dock pumped down. In undocking, the docking officer shall assume charge when flooding the dock preparatory to undocking is started, and shall remain in charge until the extremity of the ship last to leave the

## THE COMMANDING OFFICER

dock clears the sill, and the ship is pointed fair for leaving the drydock, when the ship's commanding officer shall assume responsibility for the safety and control of the ship.

5. When a naval ship is to be drydocked in a private shipyard under a contract being administered by a supervisor of shipbuilding, the responsibilities of the commanding officer are the same as in the case of drydocking in a naval shipyard. The responsibilities for the safety of the actual drydocking, normally assigned to the commanding officer of a naval shipyard through the docking officer, will be assigned by contract to the contractor. The supervisor of shipbuilding is responsible, however, for ensuring that the contractor facilities, methods, operations and qualifications meet the standards of efficiency and safety prescribed by Navy directives.

6. If the ship is elsewhere than at a naval station or naval shipyard, the relationship between the commanding officer and the supervisor of shipbuilding, or other appropriate official, shall be the same as that between the commanding officer and the commanding officer of a naval station or naval shipyard as specified in this article.

### **0872. Ships and Craft in Drydock.**

1. The commanding officer of a ship in drydock shall be responsible for effecting adequate closure, during such periods as they will be unattended, of all openings in the ship's bottom upon which no work is being undertaken by the docking activity. The commanding officer of the docking activity shall be responsible for the closing, at the end of working hours, of all valves and other openings in the ship's bottom upon which work is being undertaken by the docking activity, when such closing is practicable.

2. Prior to undocking, the commanding officer of a ship shall report to the docking officer any material changes in the amount and location of

weights on board which have been made by the ship's force while in dock, and shall ensure, and so report, that all sea valves and other openings in the ship's bottom are properly closed. The level of water in the dock shall not be permitted to rise above the keel blocks prior to receipt of this report. The above valves and openings shall be tended during flooding of the dock.

3. When a ship or craft, not in commission, is in a naval drydock, the provisions of this article shall apply, except that the commanding officer of the docking activity or area representative shall act in the capacity of the commanding officer of the ship or craft.

4. When a naval ship or craft is in drydock in a private shipyard, responsibility for actions normally assigned to the commanding officer of the docking activity will be assigned by contract to the contractor.

### **0873. Inspection Incident to Commissioning of Ships.**

When a ship is to be commissioned, the authority designated to place such ship in commission shall, just prior to commissioning, cause an inspection to be made to determine the cleanliness and readiness of the ship to receive its crew and outfit. In the case of the delivery of a ship by a contractor, the above inspection shall precede acceptance of the ship. A copy of the report of this inspection shall be furnished the officer detailed to command the ship and to appropriate commands or offices.

### **0874. Relations With Personnel of Naval Shipyard or Station.**

Except in matters coming within the security and safety regulations of the ship, the commanding officer shall exercise no control over the officers or employees of a naval shipyard or station where his or her ship is moored, except with the permission of the commander of the naval shipyard or station.

Chapter 8  
**THE COMMANDING OFFICER**  
 Section 3. Special Circumstances  
 Subsection B. Prospective Commanding Officers

Contents

	<i>Article</i>		<i>Article</i>
Duties of the Prospective Commanding Officer of a Ship .....	0880	Preparing for Sea After Commissioning .....	0882
Commissioning and Assuming Command .....	0881	Personnel Organized and Stationed .....	0883

**0880. Duties of the Prospective Commanding Officer of a Ship.**

1. Except as may be prescribed by the Chief of Naval Operations, the prospective commanding officer of a ship not yet commissioned shall have no independent authority over the preparation of the ship for service by virtue of assignment to such duty, until the ship is commissioned and placed under his or her command. The prospective commanding officer shall:

a. procure from the commander of the naval shipyard or the supervisor of shipbuilding the general arrangement plans of the ship, and all pertinent information relative to the general condition of the ship and the work being undertaken on the hull, machinery and equipment, upon reporting for duty;

b. inspect the ship as soon after reporting for duty as practicable, and frequently thereafter, in order to keep him- or herself informed of the state of her preparation for service. If, during the course of these inspections he or she notes any unsafe or potentially unsafe condition, he or she shall report such fact to the commander of the naval shipyard or the supervisor of shipbuilding and to his or her superior for resolution;

c. keep him- or herself informed as to the progress of the work being done, including tests of equipment, and make such recommendations to the commander of the naval shipyard or the

supervisor of shipbuilding as he or she deems appropriate;

d. ensure that requisitions are submitted for articles to outfit the ship which are not otherwise being provided;

e. prepare the organization of the ship;

f. train the nucleus crew to effectively and efficiently take charge of and operate the ship upon commissioning; and

g. make such reports as may be required by higher authority, and include therein a statement of any deficiency in material or personnel.

2. If the prospective commanding officer does not consider the ship in proper condition to be commissioned at the time the commander of the naval shipyard or the supervisor of shipbuilding signifies the intention of transferring the ship to the prospective commanding officer, he or she shall report that conclusion with the reasons therefor, in writing, to the commander of the naval shipyard or to the supervisor of shipbuilding and to the appropriate higher authority.

3. If the ship is elsewhere than at a naval shipyard, the relationship between the prospective commanding officer and the supervisor of shipbuilding, or other appropriate official, shall be the same as that between the

## THE COMMANDING OFFICER

prospective commanding officer and the commander of a naval shipyard as specified in this article.

4. The Chief of Naval Operations shall be responsible for providing the commanding officer or prospective commanding officer of a naval nuclear powered ship with the authority and direction necessary to carry out his or her responsibilities for the safety of the ship and crew, and the health and safety of the general public in the surrounding area.

### 0881. Commissioning and Assuming Command.

A ship shall be transferred to the prospective commanding officer and placed in commission in accordance with the following procedure:

a. the formal transfer shall be effected by the supervisory authority or a designated representative;

b. as many of the officers and crew of the ship as circumstances permit, and a guard and music, shall be assembled and properly distributed on the quarter-deck or other suitable part of the ship;

c. the officer effecting the transfer shall cause the national ensign and the proper insignia of command to be hoisted with the appropriate ceremonies, and shall turn the ship over to the prospective commanding officer; and

d. the prospective commanding officer shall read his or her orders, assume command, and cause the watch to be set.

### 0882. Preparing for Sea After Commissioning.

In preparing the ship for sea after commissioning, the commanding officer shall endeavor to discover and correct any defect or inadequacy in the crew or in the ship, her installations, equipment, ammunition and stores; and shall ensure that all installations and equipment can be operated satisfactorily by the crew.

### 0883. Personnel Organized and Stationed.

Before departure for sea, the commanding officer shall ensure that the officers and crew have been properly organized, stationed and trained to cope effectively with any emergency that might arise in the normal course of scheduled operations.