

(3) Between enlisted members which are unduly familiar and do not respect differences in rank and grade where a direct senior-subordinate supervisory relationship exists.

(c) Violation of this article may result in administrative or punitive action. This article applies in its entirety to all regular and reserve personnel.

§ 700.1166 Sexual harassment.

(a) Sexual harassment will not be condoned or tolerated in the Department of the Navy. It is a form of arbitrary discrimination which is unprofessional, unmilitary, and which adversely affects morale and discipline and ultimately the mission effectiveness of the command involved.

(b) Personnel who use implicit or explicit sexual behavior to control, influence or affect the career, promotion opportunities, duty assignments or pay of any other person are engaging in sexual harassment. Naval personnel who make deliberate or repeated offensive verbal comments, gestures or physical contact of a sexual nature in the work environment are also engaging in sexual harassment.

§ 700.1167 Supremacist activity.

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.

PART 701—AVAILABILITY OF DEPARTMENT OF THE NAVY RECORDS AND PUBLICATION OF DEPARTMENT OF THE NAVY DOCUMENTS AFFECTING THE PUBLIC

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AUTHORITY: 5 U.S.C. 552.

SOURCE: 64 FR 49850, Sept. 14, 1999, unless otherwise noted.

Subpart A—Department of the Navy Freedom of Information Act (FOIA) Program

§ 701.1 Purpose.

Subparts A, B, C, and D of this part issue policies and procedures for implementing the Freedom of Information Act (5 U.S.C. 552), and Department of Defense Directives 5400.7 and 5400.7-R series¹, Department of Defense Freedom of Information Act Program, (See 32 CFR part 286) and promote uniformity in the Department of the Navy Freedom of Information Act (FOIA) Program.

§ 701.2 Navy FOIA website/FOIA handbook.

(a) The Navy FOIA website (<http://www.ogc.secnav.hq.navy.mil/foia/index.html>) is an excellent resource for requesters and FOIA coordinators. It provides connectivity to the Navy's official website, to other FOIA and non-FOIA websites, and to the Navy's electronic reading rooms.

(b) FOIA requesters are encouraged to visit the Navy FOIA website prior to filing a request. It features a FOIA Handbook which provides: guidance on how and where to submit requests; what's releasable/what's not; addresses for frequently requested information; time limits and addresses for filing appeals, etc. FOIA requesters may also use the electronic FOIA request form on the website to seek access to records originated by the Secretary of the Navy (SECNAV) or the Chief of Naval Operations (CNO).

¹Copies may be obtained if needed from the Navy FOIA Website at <http://www.ogc.secnav.hq.navy.mil/foia/index.html>