DEPARTMENT OF THE NAVY
OFFICE OF THE SECRETARY
1000 NAVY PENTAGON
WASHINGTON DC 20350-1000

SECNAVINST 5350.13A
ASN(M&RA)
September 9, 2005

SECNAV INSTRUCTION 5350.13A

From: Secretary of the Navy

Subj: NONDISCRIMINATION ON THE BASIS OF DISABILITY IN PROGRAMS AND ACTIVITIES RECEIVING FEDERAL ASSISTANCE FROM THE DEPARTMENT OF THE NAVY

Ref: (a) DOD Directive 1020.1, "Nondiscrimination on the Basis of Handicap in Programs and Activities Assisted or Conducted by the Department of Defense," March 31, 1982 (certified current as of November 21, 2003)
(b) Section 504 of Public Law 93-112, "Rehabilitation Act of 1973" September 26, 1973 (29 U.S.C. 794 (2005)) (NOTAL)
(c) Section 111 of Public Law 93-516, "Rehabilitation Act Amendments of 1974," December 7, 1974 (29 U.S.C. 706, 780 (2005)) (NOTAL)
(d) Section 119 of Public Law 95-602, "Rehabilitation, Comprehensive Services, and Developmental Disabilities Amendments of 1978," November 6, 1978 (29 U.S.C. 794 (2005)) (NOTAL)
(e) Department of Justice Regulation, "Implementation of Executive Order 12250, Nondiscrimination on the Basis of Handicap in Federally Assisted Programs," August 11, 1981 (28 CFR Part 41) (NOTAL)

1. Purpose. To assign responsibilities for the implementation of reference (a).

2. Cancellation. SECNAVINST 5350.13.

3. Background. References (a) through (e) prohibit discrimination based on disability in programs and activities receiving Federal financial assistance disbursed by Federal agencies and in similar programs and activities conducted by Federal agencies. In the Department of the Navy (DON), these non-discrimination provisions currently apply to:

a. Various programs involving the loan or other disposition of surplus, obsolete, or unclaimed property (under various provisions of the United States Code) to a non-Federal agency or activity. The particular U.S. Code provisions that are under the administrative responsibility of DON are: Title 10, U.S. Code, Sections 2541, 2554, 2571, 2572, 2576, 2662, 7308, 7541, 7542, 7545, 7546, and 7547 (2005); and Title 40, U.S. Code, Sections 521-527, 529, 541-555, and 702-704 (2005).

b. Federal grants and cooperative agreements: Titles 31, U.S. Code, Sections 6301-6308 (2005).

c. Title 10, U.S. Code, Chapter 55, as implemented by DOD 6010.8-R, "Civilian Health and Medical Program of Uniformed Services (CHAMPUS)," July 21, 1991 (with changes through March 22, 1995). (The DOD Regulation is not up-to-date with Part 199 of Title 32 of the Code of Federal Regulations (CFR). See 32 CFR Part 199 for the most current information.)

d. Promulgation of rules and regulations for public comment in a manner that grants disabled persons a reasonable opportunity for such comment (such as by making cassette recordings of proposed rules).

e. Public meetings, conferences, or seminars sponsored or conducted by a DON component but held in non-government buildings.

f. Public meetings, conferences, or seminars sponsored or conducted by a DON component or by a non-DON organization but held in a DON building.

g. Open houses, memorial services, tours, or others on or in DON property.

h. Military museums.

i. Historic vessels.

j. Historic buildings and properties maintained by a DON component and properties designated as historic under a statute of the appropriate state or local governmental body.

k. Schools operated by the Department of Defense within the United States pursuant to Title 10, U.S. Code, Section 2164 (2005).

4. Responsibilities. The Chief of Naval Operations, the Commandant of the Marine Corps, the Chief of Naval Research and the Administrative Assistant for the Under Secretary of the Navy shall implement reference (a) as it relates to each of their areas of responsibility. Required actions shall be taken utilizing existing organizations, administrative procedures and resources to the maximum possible extent.

5. Administration. This instruction is subject to change upon the issuance of a revision of reference (a).

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(Manpower and Reserve Affairs)

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