

**Department of the Navy, DoD**

**§ 763.3**

\_\_\_\_\_ granted by (issuing activity) on \_\_\_\_\_ is hereby revoked effective this date.

Sincerely yours,

[41 FR 28959, July 14, 1976]

**Subpart D—Additional Instructions**

**§ 761.20 Additional regulations governing persons and vessels in Naval Defensive Sea Areas.**

(a) By virtue of the authority vested in the President by section 44 of the United States Criminal Code, as amended and reenacted in 18 U.S.C. 2152, the President has prescribed the following additional regulations in Executive Order 9275 of November 23, 1942 (7 FR 9767; 1943 Cum. Supp. p. 1227) to govern persons and vessels within the limits of defensive sea areas theretofore or thereafter established.

(1) No person shall have in his possession within the limits of any defensive sea area, any camera or other device for taking pictures, or any film, plate or other device upon or out of which a photographic imprint, negative or positive, can be made, except in the performance of official duty or employment in connection with the national defense, or when authorized pursuant to the provisions of the Act approved June 25, 1942 (Pub. L. 627, 77th Congress), as amended (50 U.S.C. App. 781-785), and the regulations promulgated thereunder (7 FR 7307; 32 CFR 765.19(b)).

(2) It shall be the duty of the master or officer in charge of any vessel to take custody of and safeguard all cameras or other devices for taking pictures, or film, plate or other device upon or out of which a photographic imprint, positive or negative, can be made, the possession of which is prohibited by Executive Order 9275, from any person, prior to the time any vessel enters any defensive sea area or upon the boarding by any person of any vessel while within a defensive sea area, and to retain custody thereof until such vessel is outside the defensive sea area or the person is about to disembark.

(3) There shall be prominently displayed on board all vessels, except public war vessels of the United States manned by personnel in the naval service, a printed notice containing the

regulations prescribed in Executive Order 9275.

(4) Any person violating section 1 of Executive Order 9275 (restated in paragraph (a)(1) of this section) shall be liable to prosecution as provided in section 44 of the Criminal Code as amended and reenacted in 18 U.S.C. 2152.

(b) The regulations stated in paragraph (a) of this section are not a limitation on prosecution under any other statute that may have been violated by acts or omissions prohibited by Executive Order 9275.

**PART 762 [RESERVED]**

**PART 763—RULES GOVERNING PUBLIC ACCESS**

**Subpart A—Entry Regulations for Kaho’olawe Island, Hawaii**

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AUTHORITY: 50 U.S.C. 797; DOD Dir. 5200.8 of August 20, 1954; 5 U.S.C. 301; 10 U.S.C. 6011, 32 CFR 700.702; 32 CFR 700.714; E.O. No. 10436, 3 CFR 1949-1953 Comp. p. 930, (1958).

SOURCE: 47 FR 27553, June 25, 1982, unless otherwise noted.

**Subpart A—Entry Regulations for Kaho’olawe Island, Hawaii**

**§ 763.1 Purpose.**

The purpose of this subpart is to promulgate regulations for entry to Kaho’olawe Island, Hawaii, and its adjacent waters.

**§ 763.2 Definition.**

For the purpose of this subpart, Kaho’olawe Island includes that portion reserved for naval purposes by Executive Order No. 10436 of February 20, 1953.

**§ 763.3 Background.**

(a) Kaho’olawe Island is used by the armed forces of the United States as a training area including bombing and gunnery training ranges under authority granted by Executive Order No.