DEPARTMENT OF THE NAVY

NAVAL SEA SYSTEMS COMMAND
1333 ISAAC HULL AVE SE
WASHINGTON NAVY YARD DC 20376-0001

IN REPLY TO

NAVSEAINST 5730.1D
SEA-00D
18 Jul 02

NAVSEA INSTRUCTION 5730.1D

From: Commander, Naval Sea Systems Command

Subj: LEGISLATIVE AND CONGRESSIONAL MATTERS

Ref: (a) OPNAVINST 5700.12B
(b) SECNAVINST 5730.5G
(c) OPNAVINST 5730.4E
(d) NAVSEAINST 5210.4
(e) FAR (Federal Acquisition Regulation), Subpart 5.4
(f) DFARS (Defense Federal Acquisition Regulation Supplement), Subpart 205.3
(g) SECNAVINST 5740.29

1. Purpose

a. To issue updated policies, procedures and guidance for handling Naval Sea Systems Command (NAVSEA) legislative affairs and congressional relations.

b. To implement reference (a) and other relevant instructions from higher authority.

2. Cancellation. NAVSEAINST 5730.1C of 6 May 1987.

3. Scope

a. NAVSEA's Congressional and Public Affairs directorate (SEA 00D) performs congressional, legislative and public affairs functions for matters under NAVSEA cognizance. NAVSEA affiliated Program Executive Offices (PEOs) also perform congressional, legislative and public affairs functions, as the PEOs are the Navy's experts for their assigned programs. SEA 00D has an overall picture of the NAVSEA agenda and how organizational elements within NAVSEA interact. It is in the Navy's best interest to continue mutually beneficial, cooperative efforts of these respective organizations.

b. Accordingly, NAVSEA affiliated PEOs shall interface with Congress, the Department of Defense, et. al., via SEA 00D for matters under NAVSEA cognizance or for issues that require NAVSEA support consistent with Secretary of the Navy (SECNAV), Chief of

Naval Operations (CNO), and Office of Legislative Affairs (OLA) policy guidance. NAVSEA affiliated PEOs shall also fulfill their responsibilities under the direction, authority and guidance of the Assistant Secretary of the Navy for Research, Development and Acquisition (ASN(RD&A)), as the Navy Acquisition Executive to whom the PEOs report.

c. Executive Order 12344—Naval Nuclear Propulsion Program, statutorily prescribed by Public Laws 98-525 and 106-65, established the responsibilities and authorities of the Deputy Commander, Nuclear Propulsion Directorate (SEA 08) over all facilities and activities which comprise the program, a joint Department of Energy/Navy organization. These responsibilities and authorities include all technical and logistical matters related to naval nuclear propulsion. Thus, all NAVSEA organizational elements as well as NAVSEA affiliated PEOs shall consult the Deputy Commander, Nuclear Propulsion Directorate in all matters pertaining to or affecting nuclear propulsion plants and associated nuclear support facilities.

4. Security. The procedures for safeguarding classified information to be furnished to Congress shall be in accordance with the policies and procedures set forth in the Department of the Navy Information and Personnel Security Program Regulation (OPNAVINST 5510.1H). Other procedures for the preservation and release of classified and official information, as set forth in references (a) through (g), shall apply.

5. Policy

a. Congressional inquiries shall be answered accurately, expeditiously, and completely, and shall reflect a spirit of courtesy and helpfulness. Duplication of effort must be avoided, and the congressional relationships of NAVSEA, including its shore activities, will be closely coordinated, as appropriate, with the applicable ASN, CNO, OLA and the Comptroller of the Navy (NAVCOMPT), in order that consistency and conformance with Navy policy may be assured.

b. SEA 00D will be informed immediately about oral or written congressional inquiries, or congressional requests for information, meetings, contacts, and briefings; SEA 00D will inform higher authority, as necessary. Requests for information that is business sensitive or proprietary in nature will be forwarded for possible release via SEA 00D to the applicable ASN in accordance with reference (e).

c. In accordance with reference (f), information about contract awards will not be provided prior to public announcement. In particular, announcements of contract awards over $5 million must be released by the Assistant Secretary of Defense for Public Affairs and the Chief of Information. OLA is responsible for notifying Members of Congress concurrent with the public announcement.

d. NAVSEA Headquarters and shore activity management personnel who, in the course of their work, become aware of the necessity for new legislation should submit an appropriate recommendation, with supporting data, to SEA 00D for processing and coordination. When requested, comments on proposed legislation, executive orders, proclamations, and similar documents shall be processed as expeditiously as possible.

e. In accordance with reference (d), replies to congressional correspondence will be signed by the Commander/Vice Commander (SEA 00/09) or SEA 00D.

6. Responsibilities. SEA 00D is responsible for: (a) coordinating all legislative affairs and congressional relations for NAVSEA; (b) assisting the Commander, Vice Commander, Executive Director and the NAVSEA staff in the congressional and legislative aspects of plans and programs; (c) developing/coordinating the Command position on proposed legislation; and (d) serving as liaison officer with OLA on these matters. All information to be furnished to Congress involving financial matters must also be cleared by the NAVSEA Comptroller Directorate (SEA 01). All information to be furnished to Congress involving legal issues shall be reviewed and cleared by the Office of Counsel (SEA 00L). All information to be furnished to Congress involving contractual matters shall be cleared by the Contracts Directorate (SEA 02). All activities involving the General Accounting Office and the House Appropriations Committee, Surveys and Investigations Staff, are the responsibility of the Inspector General (SEA 00N). In view of the inseparability of authorization and appropriation legislative issues, SEA 00D, SEA 01, SEA 00L and SEA 00N must maintain the closest coordination in all congressional matters.

7. Procedures

a. All incoming written material from Congress shall be routed as action mail to SEA 00D. Each directorate assigned action relating to a written congressional inquiry shall provide

information or an initial draft for SEA 00D to prepare a final reply. Due dates are monitored by SEA 00D, and every effort should be made to meet the assigned date.

b. Heads of NAVSEA shore activities who receive inquiries from Members of Congress, either directly or by referral from SEA 00D and others, shall be responsible for replying directly on routine and non-policy matters, except as otherwise directed. When SEA 00D forwards congressional correspondence to shore activities for direct reply, copies of interim and final replies shall be forwarded to SEA 00D (and the applicable initial routing office, e.g., SECNAV Admin, OLA, etc.) at the same time the original is sent. These copies should show both the routing office Document Control Number and the SEA 00D Control Number.

c. Action on congressional inquiries relating to policy matters should be referred to SEA 00D. In each instance of this kind, the inquiry should be acknowledged by an interim reply and forwarded to SEA 00D, with appropriate background data, for preparation of the final reply.

d. On occasion, NAVSEA staff and affiliated PEOs may be asked to provide congressional information directly to resource sponsors or other senior officials. To ensure expeditious handling of this information, NAVSEA staff and PEOs shall respond directly to such requests and provide written feedback to SEA 00D as soon as possible thereafter. When a written response is to be generated, the response should be coordinated with and approved by SEA 00D to ensure necessary clearances have been obtained.

e. Oral inquiries shall also be referred to SEA 00D. If circumstances require an immediate oral reply to a congressional inquiry by the receiving office, details of the request and the content of the reply shall be reported to SEA 00D in writing as soon as practicable. The same control that exists over congressional replies furnished in writing also applies to information provided by telephone.

f. All congressional requests for briefings or witnesses shall be promptly reported to SEA 00D. Whenever a briefing or hearing appears to result in an adverse or unfavorable reaction from a congressional Member or staff assistant, the briefer or witness should immediately inform SEA 00D as well as SEA 00A, who will further inform the Commander, NAVSEA, as appropriate.

g. Prior to testifying before any congressional committee, all personnel shall familiarize themselves with the contents of pertinent information, such as statements by the Secretary of Defense, SECNAV, the Chairman, Joint Chiefs of Staff, and the CNO, and carefully review procedures outlined in reference (b) regarding rehearsal of the presentation, preparation of a formal statement and review of transcripts. SEA 00D will arrange for a briefing by OLA or NAVCOMPT when a prospective witness is in doubt as to Navy policy.

h. While impromptu or unscheduled visits sometimes occur, SEA 00D is responsible for notifying OLA in advance of visits by individual members of Congress, their aides or committee staff members. Such visits shall be reported to SEA 00D, and initial information shall include identification of visitors and purpose of the visit. A visit report should summarize areas/topics covered and highlight any controversial matters or items of special interest, with copy to SEA 00D. If a visit's purpose is not investigative, such as a tour of the facility, SEA 00D will forward a visit report to OLA, NAVCOMPT, et. al., as appropriate.

i. All Federal (military and civilian) personnel are prohibited from lobbying activities and from certain political activities at Navy facilities. A request to conduct any form of a political campaign during a visit should be discouraged. If a request for such a visit is not voluntarily withdrawn, approval or disapproval will not be given until guidance has been received from OLA, who shall be informed of the request through SEA 00D.

j. Information requested by the Surveys and Investigations Staff, House Appropriations Committee, should be handled in accordance with reference (g).

k. The use of electronic means is requested to the extent possible to accomplish this activity.

P. M. BALISLE

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