



DEPARTMENT OF THE NAVY
SPACE AND NAVAL WARFARE SYSTEMS COMMAND
4301 PACIFIC HIGHWAY
SAN DIEGO, CA 92110-3127

SPAWARINST 5402.1S
SPAWAR 09E
01 Aug 03

SPAWAR INSTRUCTION 5402.1S

From: Commander, Space and Naval Warfare Systems Command

Subj: AUTHORITY TO SIGN OFFICIAL CORRESPONDENCE

Ref: (a) U.S. Navy Regulations, 1990
(b) SECNAVINST 5216.5D (DoN Correspondence Manual)

Encl: (1) Sample Delegation Letter
(2) Authorization to Release Naval Messages

1. Purpose. To update policy, guidelines and to identify personnel authorized to sign correspondence, messages, and other documents for the Commander, Space and Naval Warfare Systems Command.

2. Cancellation. SPAWARINST 5402.1R.

3. Background. Reference (a) assigns responsibility and authority to Commanders. Article 1022 discusses delegation of authority. The Navy's correspondence, directive, and message system necessitate certain official correspondence be signed at a responsibility level appropriate to the nature of communication. While authorized to delegate, the Commander is ultimately responsible that the delegation authority is properly exercised and that orders and instructions are properly executed.

4. Discussion. Reference (b) cites Navy policy for use of command letterhead by the Commander and authorized delegates. This authority extends to official memoranda, naval messages, signed facsimiles (Fax) and other written communications that represent command authority. Electronic mail (e-mail) is recognized as informal correspondence until electronic secure signatures are available. Correspondence transmitted via any official means is subject to the requirements of this instruction.

5. Policy

a. The Commander is responsible for all official correspondence. Any written or electronically transmitted communication from the "Commander" is considered official outgoing command correspondence. All correspondence of this nature shall be placed on command letterhead stationary or transmitted in proper Naval message format.

b. All correspondence that promulgates or changes policy must be routed through and signed by the Commander.

c. Signature authority for official correspondence may be delegated by the Commander in writing as authorized by reference (a), described by reference (b), and amplified by this guidance. "By direction" signature authority shall be used only by designated personnel on correspondence concerning programs within their respective areas of responsibility.

d. Delegation shall be specific by position rather than name. This policy will be executed as follows:

6. Limitations

a. **Reserved for signature of SPAWAR 00:**

(1) Correspondence or documentation required by law or regulation to be signed by the Commander.

(2) Fitness reports for all officers/Chief and Senior Chief Petty Officers (active duty and active duty for special work) except those specifically assigned under the cognizance of another Flag Officer within SPAWAR (e.g. Intern/NAVO officers or PD-14/PMW-146).

(3) Correspondence requiring the Commander's signature as a matter of courtesy.

(4) Letters of Appreciation using command letterhead.

(5) Negative replies or criticisms regarding actions, recommendations, or policies of:

(a) Numbered Fleet Commanders.

- (b) Fleet Commanders-in-Chief.
- (c) Chief of Naval Operations (CNO) or higher authority.
- (d) Assistant Secretary of the Navy (ASN).
- (e) Research, Development and Acquisition (RD&A) or higher authority.
- (f) Heads of Offices and Commands.
- (g) Associations, companies and corporations.

(6) Approval of all Milestone documentation requiring Milestone Decision Authority (MDA) approval (e.g., Acquisition Program baseline Agreements and Acquisition Decision Memoranda) for those programs for which SPAWAR is the MDA.

(7) Approval of all transfers of funds including Economy Act determinations and findings, to activities outside Department of the Navy (DoN). These approvals may be obtained on an individual basis or as part of an approved Acquisition Plan (AP). Codes will provide a copy of the approval to SPAWAR 01 when the funding documents for such transfers as funds are processed.

(8) Memorandum of Agreement/Memorandum of Understanding (MOA/MOU) with sources outside Department of Defense (DoD). MOA/MOU when activities outside the DoD that have resource implications must have SPAWAR 01 review and concurrence.

(9) Denials of Freedom of Information Act requests.

b. Reserved for signature of SPAWAR 00, 00A AND 09:

(1) Correspondence dealing with command policy, mission or organization.

(2) Certifications or recommendations for ACT I, II, III and IV programs.

(3) Major acquisition and program documentation such as acquisition plans, test and evaluation master plans, selected acquisition reports, program management proposals, and MOA/MOUs.

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(4) Correspondence discussing a program redirection, change in finding, or establishment of a new program.

(5) Correspondence notifying higher authority that a program's cost, schedule or technical performance is in jeopardy.

(6) Correspondence concerning an Equal Opportunity matter.

(7) Press releases.

(8) All substantive responses to inquiries or investigations from the Congress, General Accounting Office, Office of Management and Budget, DoD or Naval Inspector General.

(9) Release of life cycle support upgrades or changes, such as software update version releases, or equipment and system upgrade, or installation release notices.

(10) Sole source requirements for services over \$25,000 not included in an acquisition plan or other program documentation approved per 6.(b)(3) above.

7. Authority

a. Code Heads (SPAWAR 01, 02, 04, 05, 07, 08); Space Technology Systems (PD-14) and Commander's staff (SPAWAR 00E, 00C, 00G, 00A-HR, 00K, 00P, and 09M) are authorized to signed official correspondence "By direction" provided that correspondence does not contravene the policy stated in 6.a. and 6.b. above. Additionally, "By direction" signature authority is limited to the cognizant areas of responsibility of the duties assigned.

b. SPAWAR 02 and 02A, when performing Head of Contracting Activity/Chief of the Contracting Office functions may sign "By title" in lieu of "By direction."

8. Sub-Delegation

a. For positions not specifically delegated "By direction" authority within this directive, code head and directorates may request "By direction" authority from the Commander when it is considered prudent and effective to do so. Enclosure (1) provides a sample delegation letter.

b. SPAWAR 00E will designate release authority for 00 codes as directed by the commander. A copy of enclosure (2) should be forwarded to the msgctr@spawar.navy.mil. The Command Duty Officer (CDO) can release emergency messages in the course of duty. The list of authorized releasers will be reviewed semi-annually. The Commander's written approval is not required for sub-delegation of release authority of Naval Messages.

c. The SPAWAR counsel (SPAWAR 00C) and the SPAWAR Inspector General/Staff Judge Advocate (SPAWAR 00G) may sign "By title" on letterhead stationary, correspondence relating to matters under their cognizance.

d. Contracting officers/contracting representatives (COR), acting within the scope of their authority, may sign official letterhead correspondence relating to their official duties "By title" but may not sign such correspondence "By direction."

e. The cognizant Director or Program Director is authorized to approve requirements for services which SPAWAR will contract utilizing competition. In addition, they are authorized to approve MIPRs or other documents sending funds to other Navy activities. However, authorization from SPAWAR 00 shall be obtained prior to re-transmittal of such funds to any non-SPAWAR activity.

f. All MOAs/MOUs within DoD including DoN activities having resource implications will be reviewed and have concurrence by SPAWAR 01 prior to approval.

9. Procedures. Implementation will be according to the following guidelines:

a. Good judgment must be exercised in the interpretation of this policy. Questionable areas should be brought to the attention of the Executive Assistant (SPAWAR 00E) for discussion with the Commander.

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b. Correspondence (including messages) that may potentially be embarrassing to the Command shall be cleared through the Commander prior to release. Sub-delegation of signature authority shall be made to specific titles (not names) and will include a specific description of the nature of the delegation accompanied by examples or description of the correspondence involved. The Commander shall approve sub-delegation of "By direction" authority for correspondence. Enclosure (1) is a sample delegation letter.

c. Naval messages will have the releaser's office code in the "FROM" line of the message. **The COMSPAWARSYSCOM SAN DIEGO CA//00// PLAD will only be used when it has been reviewed and cleared for release by the Commander.** All Naval messages will be sent via e-mail to: msgctr@spawar.navy.mil by the authorized releaser.

d. Use of a signature stamp is authorized for SPAWAR 00/09/00A in their absence, but only with their express concurrence. Use of signature stamps by any other SPAWAR personnel is not authorized.

10. Records. Each staff directorate and staff code will maintain a centralized file for all effective delegation letters. Additionally, copies are to be forwarded to the SPAWAR Flag Secretary, 09E, for repository in the headquarters' centralized files.

/s/

K. D. SLAGHT

Distribution:
SPAWAR List 4

Copy to:
SNDL PART II:
FKA1B1 (SPACE AND NAVAL WARFARE SYSTEMS CENTER,
FACILITY AND ACTIVITY)

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SAMPLE DELEGATION LETTER

5400
Ser (Code)/
(date)

From: Commander, Space and Naval Warfare Systems Command
To: Head, Business Operations Division (SPAWAR 08-4)

Subj: AUTHORITY TO SIGN OFFICIAL CORRESPONDENCE "BY DIRECTION"

Ref: (a) SPAWARINST 5402.1R

1. You are hereby delegated authority to sign official correspondence "By direction" in the following categories, provided the correspondence does not contravene any of the policies of reference (a).

Authority includes:

(Provide specific areas of responsibility applicable to the staff code)

2. Ensure your actions within the letter and intent of reference (a). Any area of uncertainty should be forwarded to me for resolution.

K. D. SLAGHT

Copy to:
SPAWAR 00E, 09E

Appropriate SPAWAR Code(s)

Enclosure (1)

SAMPLE

AUTHORIZATION TO RELEASE NAVAL MESSAGES

MEMORANDUM

From: SPAWAR (Code)
To: COMSPAWARSYSCOM Message Center
Subj: AUTHORIZATION TO RELEASE NAVAL MESSAGES

Name Originator's Code Phone Number Email User Name*

(Note: This authorization can be sent to the message center via
e-mail to: msgctr@spawar.navy.mil)

*(Email username"@navy.mil" is assumed)