

SPAWARINST 5730.5D
SPAWAR 00P
9 Oct 02

SPAWAR INSTRUCTION 5730.5D

From: Commander, Space and Naval Warfare Systems Command

Subj: POLICIES AND PROCEDURES FOR HANDLING LEGISLATIVE
AFFAIRS AND CONGRESSIONAL RELATIONS

Ref: (a) SECNAVINST 5730.5G
(b) OPNAVINST 5730.4E
(c) SECNAVINST 5430.26E
(d) SECNAVINST 5740.29
(e) SPAWARINST 7540.4E
(f) DONPIC Memo dtd 22 Jun 01
(g) NAVSO P-3036, Navy Witness Guide

1. Purpose. This instruction provides guidance, references, and procedures for communicating with Congress, and responding to members' and committees' Request for Information (RFI), Request for Briefing (RFB), and requests to appear or testify before House or Senate committees as a witness or subject matter expert.

2. Cancellation. SPAWARINST 5730.5C

3. Discussion. Per reference (a), the Chief of Legislative Affairs (CLA) is the Secretary of the Navy's principal assistant for discharging legislative functions and responsibilities, with the exception of liaison with the Appropriations Committees, which is vested in the Comptroller of the Navy. Reference (c) grants authority and defines the responsibilities of the Office of Legislative Affairs (OLA), headed by the CLA. The OLA is the sole office designated within the Department of the Navy (DoN) to conduct legislative functions and all other DoN elements will perform those functions under the direction of OLA.

4. Policy

a. Commander, Space and Naval Warfare Systems Command, designates SPAWAR Office of Public Affairs (00P) to be the sole coordinator and primary point of contact for performing legislative responses and coordinating with OLA. The title for this function within 00P will be the Director of Congressional Liaison. Echelon II codes and subordinate commands will work through this office to ensure all responses

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represent accurate, timely, fully reviewed and approved positions with DoN and Department of Defense (DoD) agencies.

b. The responsibilities encompass all aspects of Congressional Affairs and include, but are not limited to: advising the Commander, staff and subordinate commands in the congressional and legislative aspects of plans and programs; developing and coordinating a command position on proposed legislation; providing a legislative reference service for command headquarters, and serving as liaison officer with Congressional Delegations (CODEL).

c. Exceptions:

(1) With respect to budget and financial activities and requirements by the Senate and House Appropriations Committees, the Comptroller (SPAWAR 01) will be responsible for coordinating and responding to Congressional requests. In view of the inseparability of authorization and appropriations legislation, SPAWAR 01 and 00P will maintain close coordination on all congressional responses and matters.

(2) With respect to House Appropriations Committee (HAC) Surveys and Investigations Staff (S&I), OASN (FM&C) is the DoN point of contact. In accordance with reference (e), the Office of the Inspector General (SPAWAR 00G) will be the focal point for visits by the HAC S&I. SPAWAR 00G will notify SPAWAR 00P of all upcoming HAC S&I requests and will furnish to 00P copies of all interim and final reports on such investigations.

5. Procedures

a. Response to Inquiries.

(1) Congressional correspondence received by SPAWAR Headquarters or subordinate activities will be routed to 00P who will liaison with OLA, as directed in reference (f), to determine the appropriate actions and deadlines. Within SPAWAR claimancy, primary action officers tasked to prepare or review a response must do so within one working day, unless otherwise stated by 00P. If the matter involves the HAC S&I, SPAWAR 00G will have oversight over the visit but will consult with 00P, as appropriate.

(2) Field Activities will keep 00P advised of all congressional inquiries and responses. When a field activity receives an inquiry directly or indirectly by a CODEL or through another command, 00P will be notified by telephone immediately and followed-up by an e-mail containing as much information as is available regarding the request. The target draft response time is one-working day after receipt of the request. A draft, prepared and cleared through the head of the organization, should be e-mailed or faxed to 00P. If the inquiry requires more than the allotted time, 00P should be notified and an extension will be requested from OLA. Requests for extension are not usually granted. If an extension is granted, an immediate written interim reply is required notifying the CODEL of the reason for the delay and the estimated time of response.

(3) Telephone inquiries will be handled with the same expediency and using the same procedures as written requests. At the headquarters, telephone inquiries will be referred to 00P, who will coordinate and staff the responses as appropriate. If a subordinate organization receives a telephone inquiry from a Hill or district office, the inquiry and proposed response will be prepared in writing and e-mailed or faxed to 00P for staffing and response.

(4) SPAWAR Headquarters personnel will advise 00P of any planned actions that might be of congressional interest, affect constituents, or impact programs and initiatives. This includes, but is not limited to, invitations for briefings, ribbon cuttings, open house celebrations, and other ceremonies. Information about major changes in the status of SPAWAR activities and programs will be prepared and forwarded to 00P within the required timeframes.

b. Congressional Visits.

(1) CODEL visits, with or without prior notice, must be reported immediately to 00P by telephone. Information requests during the visits will be consistent with security directives. 00P will coordinate notification to senior agencies in the chain of command and, time permitting, the overall visit should it extend to other Echelon II commands or Field Activities. Subordinate commands to be visited will provide as much information as possible about the visitor, the purpose, and any special issues or interests.

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(2) Reference (a) requires that at the conclusion of a visit an after-action report will be submitted to OLA unless accompanied by an OLA escort. Subordinate commands will forward their report via e-mail to 00P upon the completion of a CODEL visit. If the visit is investigative, any deficiencies noted along with any immediate action taken will be relayed to 00P and 00G.

(3) If a congressional visitor requests access to records or information of an investigative, sensitive, or potentially controversial nature, the requestor will be advised that approval will first have to be obtained through the chain of command. Every courtesy will be extended and every effort made to obtain an approved response without any unnecessary delays. Requests will be telephoned immediately to 00P who will provide further instructions.

(4) DOD policy prohibits military commands or activities from participating, directly or indirectly, in the solicitation of votes in an election. Requests to conduct any form of political campaign activities by an incumbent or first-time candidate will be discouraged on the basis of that policy. Be particularly sensitive to visits that involve large gatherings or media interest. If the request is not voluntarily withdrawn, no response will be given until guidance has been received from 00P.

c. Congressional Requests for Briefings or Witnesses.

(1) CODEL requests, such as, briefings or witnesses to appear before Congress as subject matter experts or key testifiers in Congressional investigations shall be promptly reported to 00P. That office will coordinate and clear proposed testimony for hearings, and provide guidance and training to the prospective witness in accordance with reference (g).

(2) 00P will assign preparation of the testimony to the appropriate organization or headquarter code, and review the testimony prior to submitting to OLA for review and clearance.

(3) 00P will coordinate all aspects of the testimony from content to training and arrange an escort for the

hearing. Prior to testifying before a congressional committee, personnel will familiarize themselves with the contents of all pertinent posture statements (e.g., those of the Secretary of Defense, SECNAV, CNO, and Chairman of the Joint Chiefs of Staff), and the pertinent sections in references (a) through (g).

(4) When notified of a request to appear before a congressional committee or meet with a CODEL in connection with a hearing or briefing, the command will notify 00P of the request within 24 hours. The command or individual will send an e-mail to 00P with pertinent information describing the major points discussed, including any questions and answers.

d. Contract Award Announcements

(1) Because of the privileged information contained in contract awards, announcements of \$5 million or more will be announced by OASD (PA) and OLA concurrently. \$5 million to \$49 million announcements must be received in the Chief of Information office (CHINFO) and OLA by 11:00 a.m. the day before the contract award. \$50 million or more announcements must be received in CHINFO and OLA by 2:00 p.m. two days before the contract award.

(2) To avoid any confusion, be sure to state in both e-mail and on the announcement cover letter, the date intended for DoD to make the official 5:00 p.m. announcement. SPAWAR contract award announcements will be prepared and forwarded by 00P. Subordinate commands should ensure they are in the review cycle for contract announcements, forward a copy of announcements and forward any background information or fact sheets to 00P.

6. Action. All components of SPAWAR headquarters and its activities will comply with the policies and procedures set forth in this instruction.

/s/
K. D. SLAGHT

Distribution:
SPAWAR List 4
SNDL Part II

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FKA1B1 (SPAWAR SYSTEMS CENTER, FACILITY AND ACTIVITY)