



PSCINST 5402.1
APR 22 2009

COAST GUARD PERSONNEL SERVICE CENTER INSTRUCTION 5402.1

Subj: DELEGATION OF AUTHORITY

- Ref: (a) Operating Facility Change Order No. 009-09
 (b) 14 U.S.C. § 1 *et seq.* (2006)
 (c) 10 U.S.C. §101 *et seq.* (2006)
 (d) Department of Homeland Security Delegation No. 0170.1 of 20 Jun 2003
 (e) Department of Homeland Security Management Directive No. 3330 of 13 Aug 2003
 (f) Department of Homeland Security Delegation No. 0160.1 of 03 Mar 2004
 (g) Delegation of Authority, HQINST M5402.3 (series)
 (h) Coast Guard Regulations, 1992, COMDTINST M5000.3 (series)
 (i) Coast Guard Organization Manual, COMDTINST M5400.7 (series)
 (j) Coast Guard Correspondence Manual, COMDTINST M5216.4 (series)

1. PURPOSE. This Instruction has the following purposes:
 - a. It defines the scope of authority delegated from Commander, Personnel Service Center (PSC) to the highest ranking official within each subordinate command, division, or activity within the PSC organizational construct;
 - b. It states the policy for granting and exercising delegations of authority; and,
 - c. It lists those items reserved for final action and signature by Commander, PSC.
2. ACTION. All PSC personnel, including subordinate commands, shall be guided by and act in accordance with the provisions of this Instruction.
3. DIRECTIVES AFFECTED. CGPCINST 5216.1B is cancelled.

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4. ENVIRONMENTAL ASPECT AND IMPACT CONSIDERATIONS. Environmental considerations were examined in the development of this Instruction and have been determined not to be applicable.
5. FORMS/REPORTS. None.
6. BACKGROUND.
 - a. PSC was established to support mission execution by recruiting, accessing, assigning, and developing careers, maintaining well-being, compensating, separating, and retiring Coast Guard military personnel. Pursuant to reference (a), Commander, PSC is the successor in command to the Commander, Coast Guard Personnel Command (CGPC) and is vested with all the resources, rights, responsibilities, duties and authority formerly held by Commander, CGPC. Reference (a) directed PSC to assume operational and administrative control of the Coast Guard Recruiting Command (CGRC) and the Pay and Personnel Center (PPC), formerly known as PSC Topeka. PSC will also assume operational and administrative control of two new commands as they are established. The Health, Safety, and Work-Life Support Activity (HSWL) will assume responsibility for the health and safety (k) functions shared by the Coast Guard Maintenance and Logistics Commands (MLCs), elements of the Integrated Support Commands, and the Headquarters Support Command. The Community Services Command (CSC) will be responsible for managing and directing the Coast Guard Exchange System and the Coast Guard Morale, Well-Being and Recreation program. Finally, reference (a) established the following personnel management divisions within PSC: Officer Personnel Management (PSC-opm); Enlisted Personnel Management (PSC-epm); and Reserve Personnel Management (PSC-rpm). The Administration Division (PSC-adm) will transition to the Personnel Services Division (PSC-psd) when it assumes responsibility for many of the personnel (p) functions of the MLCs and Headquarters.
 - b. The changes directed by reference (a) will enable PSC to efficiently deliver personnel services to Coast Guard military personnel. This Instruction explains the authority of the PSC subordinate commands. This Instruction also delegates PSC's authority to the chiefs of the divisions within PSC, identifies certain of those authorities that are reserved for final action by PSC, and describes limitations on re-delegation of authority by the division chiefs.
7. DISCUSSION.
 - a. Pursuant to references (b) through (f), the Commandant of the Coast Guard's authority is derived from both statutes and delegations of authority from the Secretary, Department of Homeland Security. Unless restricted by law or policy, most of the Commandant's authority has been re-delegated to subordinates through references (g) through (j), as well as any number of Coast Guard policy directives including instructions and manuals.
 - b. Pursuant to reference (a), Commander, PSC and the commanding officers of PPC and CGRC are vested with the rights, responsibilities, duties and authority of a commanding officer in accordance with Coast Guard Regulations. Paragraph 6.A. of reference (a) ensures that all references made in regulation, policy, or order to a preexisting "command or entity" over which

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PSC has assumed administrative control shall be read to mean the corresponding command or entity that now exists within the PSC command structure. To the extent that Coast Guard policy documents, including but not limited to references (h) through (j), delegated authority to the commanding officers of prior existing Coast Guard elements that are now part of PSC, these authorities now flow to the Commander, PSC or the corresponding subordinate commands in accordance with references (a) and (h)¹. When established, the commanding officers of HSWL and CSC will be vested with the same authorities, rights, responsibilities, and duties as those of other subordinate PSC commands.

- c. Reference (i) encourages commands to delegate authority to the “lowest responsible person whose position is reasonably related to the function involved.”² Underlying this policy is the knowledge that “an organization functions best when the authority to make decisions is placed as close as possible to the point where a service is performed.”³ Consonant with Coast Guard policy and the purpose of the new PSC organization, this Instruction serves as a general delegation of authority and grants further authority to re-delegate within units/divisions through additional letters of delegation. In some instances further re-delegation may be prevented by law or policy. Law, Coast Guard policy, and this Instruction notwithstanding, all PSC personnel shall exercise prudence in establishing the level to which their authority is re-delegated. In everything PSC accomplishes for the field, efficiency must be balanced against the need for fairness and process transparency. Any situation leading to doubt should be resolved at the next higher level.

8. PROCEDURES.

- a. General Authorities of the Commanding Officers of PPC, CGRC, CSC, and HSWL: I expect the commanding officers of PPC, CGRC, CSC, and HSWL to exercise their authority, as described in reference (h), with broad discretion and through independent judgment and action to carry out the full range of their program requirements. This expectation encompasses the full range of management, administrative, and technical functions, including the signing of correspondence. For example, command staffs are expected to independently manage routine correspondence with officials of similar personal or organizational rank from other federal, state, or municipal entities within their areas of responsibility. Matters of congressional interest for which “direct reply” is authorized by the Office of Congressional Affairs, COMDT (CG-0921), are included in this delegation, with further re-delegation only to the executive officer or executive director as applicable. Interim, non-substantive replies to acknowledge receipt of a congressional inquiry may be made at the appropriate staff level and are not restricted to command staff release.
- b. General Delegation by Commander, PSC to other officials in the PSC command: Per this Instruction, Commander, PSC delegates signature authority to the PSC division chiefs and to the Chief of the Business Operations (BOPS) staff. This signature authority is authorized for documents relating to the conduct of business with PSC’s customers within their respective areas of responsibility. Signature authority for routine matters of congressional interest for which

¹ Paragraph 2-2-3 of Coast Guard Regulations, 1992, COMDTINST M5000.3 (series) states; “Rules, orders, and instructions that are issued by a responsible officer or official remain in effect upon the relief of that officer or official unless they are specifically cancelled or superseded.”

² Articles 1.B.9.a. and 1.B.9.b. of Coast Guard Organization Manual, COMDTINST M5400.7 (series)

³ Article 1.B.3 of Coast Guard Correspondence Manual, COMDTINST M5216.4 (series)

“direct reply” is authorized by the Office of Congressional Affairs, COMDT (CG-0921), is delegated to PSC (d); see paragraph 9.a.(7) for specific reservations to this delegation.

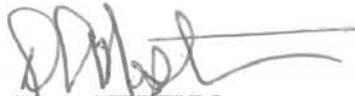
- c. Notwithstanding paragraphs 8.a. and 8.b. above, Commander, PSC reserves certain matters for personal review and action. These items are identified as “Reservations of Authority” to the general delegation in paragraphs 8.a. and 8.b. above, and are listed in paragraph 9 below.
- d. In accordance with reference (j), paragraph 1.B.9.b., subordinates granted authority by this Instruction may re-delegate “by direction” signature authority within their chain of command. Each delegation must be done in writing, to titles rather than names, and include a brief outline of the types of documents involved. Within PSC, only the division chiefs and the Chief of the BOPS staff may further re-delegate “by direction” signature authority.

9. RESERVATIONS OF AUTHORITY.

- a. General Reservations: Signature authority is reserved to the Commander, PSC (or in the Commander’s absence, the “Acting” Commander) for any document that:
 - (1) Establishes policy affecting PSC internally or the U.S. Coast Guard as an organization.
 - (2) Relates to the mission (including proposed changes thereto) or efficiency of PSC and is addressed outside of the command.
 - (3) Reports to higher authority regarding the potential impact of deficiencies in funding, staffing, and equipment on mission accomplishment.
 - (4) Commends or criticizes another command or command element or subordinate commanding officers.
 - (5) Constitutes a negative reply to a flag officer.
 - (6) Commander, PSC must sign by law or regulation. This includes the authority to deny disclosure of records, request for fee waivers/reductions, and requests for expedited access in response to Freedom of Information Act (FOIA) requests.
 - (7) Involves non-routine matters of congressional interest.
 - (8) May involve potentially damaging or adverse public and/or political reaction to a planned action.
 - (9) Management discretion indicates that a complex or unusual situation requires top-level attention.
- b. Specific Reservations: The following actions require personal review and action by Commander, PSC:
 - (1) Authorize payment of more than one dislocation allowance in one fiscal year for active duty officer and enlisted personnel.

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- (2) Act on the recommendation of a Board of Determination for active duty commissioned officers with more than five years of commissioned service.
- (3) Act on the recommendation of a Board of Inquiry for active duty commissioned officers with more than five years of commissioned service.
- (4) Act on the recommendation of a Suitability Board for active duty commissioned warrant officers with three or more years of commissioned service.
- (5) Act on the recommendation of a Board of Determination for reserve commissioned officers with more than five years of commissioned service.
- (6) Act on the recommendation of a Board of Inquiry for reserve commissioned officers with more than five years of commissioned service.



D. A. NEPTUN

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