



NOAA Delegations of Authority & Administrative Order Guidance

version 1.3

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SECTION 1. INTRODUCTION

1.1 PURPOSE

.01 This document sets forth the guidance and procedures governing delegations, re-delegations of authority, and administrative orders under the direction of the National Oceanic and Atmospheric Administration (NOAA), Chief Administrative Officer (CAO).

1.2 POLICY

.01 The NOAA Delegations of Authority (DoA) and NOAA Administrative Order (NAO) issuances are the formal means for re-delegating authority specified by law or Executive Order (EO). These DoA and NAO issuances may also be delegated either to the Under Secretary of Commerce for Oceans and Atmosphere or to other NOAA officials via the Department Organizational Order (DOO) series or the Department Administrative Order (DAO) series; including delegations under the various Department of Commerce (DOC) policy and procedures handbooks, guides, and manuals.

A NOAA DoA is required to establish delegations for taking actions and making decisions that have legal significance. The sources of authority are:

- a. Delegations issued by the Secretary or his/her delegates;
- b. DOC directives approved by the Secretary, the Deputy Secretary, the Assistant Secretary, or the Issuing officer with authority directly from a statute;
- c. Classified position descriptions; and
- d. Approved functional statements.

The Delegations program also may be used when re-delegating certain authorities that specify that their re-delegations be documented within the NOAA Delegation series.

.02 NAOs document and mandate continuing policies, standards, requirements, and procedures prescribed by the Under Secretary for agency-wide application or for application to two or more major program areas of the agency. The NAOs cover substantive program matters as well as administrative management, legal, or special staff functions.

1.3 AUTHORIZATION

.01 Delegations are made pursuant to the authority vested in the Secretary of Commerce by: Reorganization Plan No.4 of 1970, reprinted in 84 Stat. 2090-93 (1970), and in 35 Fed. Reg. 15627-30 (1970), reprinted with amendments in 5 U.S.C. app.; and Executive Order No. 11564, of October 6, 1970, reprinted in 35 Fed. Reg. 15801 (1970); and as otherwise provided by law.

.02 DOO 10-15 prescribes the Under Secretary of Commerce for Oceans and Atmosphere and the Administrator of the National Oceanic and Atmospheric Administration's (NOAA UNSEC) scope of authority and functions. DoA to the NOAA UNSEC from the Secretary of Commerce are made and documented in DOO 10-15. DOO 10-15 also includes a delegation of authority from the Department of Commerce Chief Financial Officer/Assistant Secretary for Administration authorizing the NOAA UNSEC to provide common administrative services to Department of Commerce field components.

In addition to delegating authorities, DOO 10-15 lists the functions assigned by law to the NOAA UNSEC. Although DOO 10-15 is a component of the Department's directives system, NOAA Line and Staff Offices are responsible for initiating updates relevant to their programs in coordination with their servicing the Office of General Counsel (OGC) section to amend DOO 10-15 as necessitated by changes in law or other factors.

.03 NOAA DoAs issuances are intended to cover delegations of authority made:

- a. At the NOAA Headquarters level;
- b. By Assistant Administrators;
- c. By Line and Staff Office Directors; and
- d. As re-delegations at any level pursuant to, or in accordance with, those described in Section 3.05 of DOO 10-15.

.04 NAO 200-1: NOAA Directives System, prescribes the Administrative Issuances System including administrative management policies, responsibilities, and requirements that apply to two or more NOAA corporate functions.

.05 NAO 200-3B: The NOAA Administrative Order Series, describes the NAO series in detail and includes preparation, clearance, and issuance of NAOs information.

.06 NOAA handbooks, guides, and manuals are a sub-set of the NAO series. NAOs requiring lengthy and complex guidance and other administrative issuances providing extensive coverage of procedures, processes, and non-policy matters, shall be revised and issued as NOAA handbooks or manuals. For additional information, see the segment titled "NOAA Handbooks and Manuals" within NAO 200-3, Section 4. **NOTE: The NOAA GC shall review and approve all Line and Staff Office DoAs, NAOs, handbooks, and manuals prior to submission.** Also note, any handbooks or manuals written or substantially updated after the NAO's approval, must be reviewed by the OPI's highest authority or highest Subject Matter Expert and submitted along with the NAO Handbook Update Notice Form (provided by the NAO coordinator) to the NAO coordinator for publication on the NAO website.

1.4 DEFINITIONS

.01 **Delegation of Authority** – The DoA is the formal means for re-delegating authority specified by law or Executive Order, or that has been delegated to the NOAA UNSEC or another NOAA official via a DOO or the DAO series, including via the various DOC policy and procedures handbooks and manuals. The Delegations program also may be used when re-delegating certain authorities that specify that their re-delegations be documented within the NOAA Delegation series.

.02 **NOAA Administrative Order** – The NAO is a durable intra-agency directive that remains effective until superseded or canceled by an appropriate action. NAOs cover substantive program matters and administrative management policies, procedures, requirements, and responsibilities applicable to two or more organizations. In many instances, NAOs provide NOAA-specific guidance supplementing the administrative policies and procedures issued in the DAO series.

.03 **Specific Terms**

- a. **Delegatee** – The official who is granted specific authorities from a delegator.
- b. **Delegator** – The official who delegates specific authorities to another official.
- c. **Personal Delegation** – A delegation of authority to an employee by name and may not be exercised by anyone else.
- d. **Position Delegation** – A delegation of authority to a position by title.

- e. **Program Delegation** – A delegation of authority dealing with laws that establish program responsibilities.
- f. **Re-Delegation of Authority** – A delegation of authority from one delegatee to another delegatee down the chain of command.

SECTION 2. ROLES AND RESPONSIBILITIES

2.1 LEADERSHIP

.01 Under Secretary of Commerce for Oceans and Atmosphere

- a. Develops policies and procedures governing DoAs and NAOs as outlined in this guidance; and
- b. Serves as the primary delegator of administrative authority for NOAA.

.02 Chief of Staff, NOAA

- a. Provides direct support to the NOAA UNSEC by administering the overall operations of NOAA;
- b. Assures that NOAA Line and Staff Offices comply with policy directives and objectives of the Secretary of Commerce; and
- c. Resolves major policy and programmatic operational issues affecting NOAA Line and Staff Offices.

.03 Deputy Under Secretary for Operations, NOAA

- a. Serves as the NOAA's Chief Operating Officer responsible for the day-to-day management of NOAA's national and international operations for oceanic and atmospheric services, research, and coastal and marine stewardship; and
- b. Fulfills duties of key advisor to the NOAA UNSEC on NOAA program and policy issues, including administering DoAs and NOAA NAOs.

.04 General Counsel, NOAA

- a. Serves as the Chief Legal Officer for all NOAA activities and as a policy advisor to the NOAA UNSEC;
- b. Provides overall management and leadership for all NOAA attorneys in the NOAA OGC;
- c. Provides legal service and guidance through the NOAA OGC for all matters that may arise in the conduct of NOAA's missions;
- d. Reviews and approves all Line and Staff Office DoAs and NAOs; and
- e. Reviews handbooks, guides, and manuals to the extent their contents are under the delegated authority of the NOAA GC.

.05 Director, Office of Decision Coordination and Executive Secretariat, NOAA

- a. Edits and clears written material for NOAA Headquarters; and
- b. Serves as primary coordinator of DoA and NAO clearance documents for NOAA Headquarters' offices of the:
 - 1. Conditional Clearances (if applicable based upon NAO topic).
 - A. Legislative and Intergovernmental Affairs (Congressional, Heads of State, Tribal).
 - B. NOAA Chief Financial Officer.
 - C. International.

- D. Line Office PCO. (Only Line Office packages).
- 2. NOAA General Counsel (NOAA GC).
- 3. Deputy Under Secretary for Operations (NOAA DUSO).
- 4. NOAA Senior Policy Advisor
- 5. NOAA Chief Scientist (if applicable based upon NAO topic).
- 6. Assistant Secretary of Commerce for Environmental Observation & Prediction (ASEOP) (if applicable based upon NAO topic).
- 7. Assistant Secretary of Commerce for Oceans and Atmosphere (ASOA) (if applicable based upon NAO topic).
- 8. NOAA Exec Sec (editor review).
- 9. NOAA Chief of Staff (NOAA COS). (auto pen process).
- 10. NOAA Under Secretary for Oceans and Atmosphere (NOAA UNSEC) (auto pen process).

2.2 LINE OFFICES AND STAFF OFFICES

.01 Chief Administrative Officer, NOAA

- a. Establishes and coordinates the overall operation of DoA and NAO program management for the NOAA UNSEC;
- b. Serves as the primary coordinator of DoA and NAO clearance documents between NOAA Line Staff Offices and the NOAA Office of Decision Coordination and Executive Secretariat (EXEC SEC); and
- c. Submits the documents containing the final authoritative signatures from NOAA Line and Staff Offices to NOAA EXEC SEC on all applicable DoA and NAO matters.

.02 Office of the Chief Administrative Officer, NOAA

- a. Controls and assigns subject classification numbers for NAOs;
- b. Documents and updates processes for DoA and NAO program management;
- c. Plans, establishes, and maintains an internal control system for the formal clearance and issuance of DoAs and NAOs;
- d. Establishes and applies editorial standards and protocols for format, appearance, and understandability;
- e. Advises NOAA Line and Staff Offices on DoA and NAO content requirements and supplementary policies;
- f. Advises the NOAA CAO of serious violations or consistent patterns of noncompliance with applicable guidelines and policies for processing the DoA and NAO series; and
- g. Implements proper file management and archiving practices including reviewing and updating the DoA and NAO websites to ensure all items are cataloged.

.03 NOAA Line Office Assistant Administrators and Staff Office Directors

- a. Develops policies and provides advice to the appropriate Line and Staff Office, Delegations Control Officer (DCO), and program officials on the effective administrative procedure for DoAs and NAOs;
- b. Designs and maintains a system to control all appropriate NOAA Line and Staff Office electronic and hard copies of DoA and NAO documents;
- c. Determines if Line and Staff Office DoAs and NAOs need to be delegated, re-delegated, revised, or revoked;

- d. Designates a DCO in the NOAA Line or Staff Office to serve as liaison for all DoA and NAO matters;
- e. Prepares and updates NOAA DoA and NAOs, and all necessary clearance forms, in accordance with the clearance procedures contained in this guidance;
- f. Ensures the DCO conducts informal clearance with headquarters organizations and NOAA Line and Staff Offices that may be significantly impacted by the proposed DoA or NAO documents;
- g. Ensures the DCO provide drafts of all DoA and NAO documents and appropriate clearance forms for legal review by the appropriate NOAA GC Line or Staff Office staff counsel.
- h. Provides final review and certification of all Line and Staff Office proposed DoAs and NAOs for format, conformity, and consistency, while ensuring adherence to policies and procedures; and
- i. Submits DoAs, NAOs, and all necessary clearance forms to NOAA OCAO for NOAA UNSEC signature.

.04 NOAA Labor Relations Officer

- a. The officer within NOAA responsible for conducting National Consultation Rights (NCR) and Impact and Implementation (I&I) union reviews to determine if the applicable NAO subject matter is appropriate under applicable collective bargaining unit agreements.

.05 The Office of Primary Interest

Originates from the NOAA Line or Staff Office and is responsible for preparing and maintaining the Office's NAOs. When warranted, two offices having significant responsibilities for a single NAO may both be listed as the Office of Primary Interest (OPI). The OPI:

- a. Consults with OCAO on the proper procedures for initiating NAO clearance;
- b. Develops and maintains clear, current, and accurate program NAOs covering administrative or programmatic subject matter under their areas of responsibility;
- c. Reviews the content of their NAOs for accuracy and completeness every three years, during senior leadership transition, or as otherwise scheduled by the CAO, and either initiates appropriate revisions or provides confirmation to the OCAO that the material remains current;
- d. Provides internal organizations, including NOAA headquarters, field elements, and the appropriate NOAA OGC Line or Staff Office representative the opportunity to review and comment during the Office NAOs developmental stages;
- e. Conducts informal clearance with external Line and/or Staff Offices affected by the NAO, and other headquarters organizations that may be significantly impacted by proposed additions, revisions, or revocations to the NAO series, ensures that all substantive issues have been addressed, and obtains concurrence from the referenced organizations prior to submitting the document for formal clearance;
- f. Consults with the NOAA Labor Relations Officer (LRO) (unions) to the extent appropriate under applicable collective bargaining agreements (Note: Submit NAO and Transmittal Memorandum after all applicable NOAA Line or Staff Office and OGC clearances);
- g. Consults with the appropriate NOAA Council(s) for guidance and clearance.
- h. Considers and, as appropriate, conducts informal clearance with counterpart organization(s) within the DOC (a request for "courtesy review" may be an alternative to informal clearance);
- i. Complies with additional requirements in Section 6.04 of this Order regarding NOAA handbooks, guides, and manuals, including any requirements for issuance of an authorizing NAO for the handbook/manual; and
- j. Coordinates, with other designated OPIs, NAO actions that are applicable to two or more Line and/or Staff Offices.

.06 Line and Staff Office Delegations Control Officer

- a. Develops policies and provides advice to their appropriate Line/Staff Office Director or senior official on the effective administrative procedure(s) for DoAs and NAOs;
- b. Provides information, as requested, on the status and content of Line and Staff Office DoA and NAOs to the NOAA Line/Staff Director or senior official;
- c. Reviews all proposed DoAs and NAOs for format, conformity and consistency, including adherence to policies and procedures for delegating and re-delegating authority and administrative orders;
- d. Obtains clearances from all applicable NOAA Line and Staff Offices affected by NAOs (new, revised, or revocations) outside of the CAO and Executive Staff, and list on the Transmittal Memorandum under the "Clearances and Coordination:" section;*
- e. Contacts the Office of Human Capital Services (OHCS) Labor Relations Officer (LRO) for NAOs regarding NOAA union bargaining unit review during the informal clearance process for all new/revised NAOs; **
- f. Consults with the appropriate NOAA Council(s) for guidance and clearance.
- g. Certifies final NOAA DoAs and NAOs including all necessary clearance forms in accordance with the clearance procedures contained in this guidance, and then submits them to the NOAA Line/Staff Director or senior official;
- h. Designs and maintains a system to control all appropriate NOAA Line/Staff Office electronic and hard copies of DoA/NAO documents; and
- i. Reviews draft directives, as requested, for delegation/administrative order effect.

***NOTE: For all OCAO originating NAOs, the office of primary responsibility shall email all OCAO managerial personnel listed on the "NOAA OCAO Administrative Order (NAO) Clearance Review Checklist" (provided by the NOAA OCAO Coordinator) for review and clearance.**

****NOTE: Completed NAO Transmittal Memorandum (after OGC clearance) shall be submitted along with the NAO for union review.**

SECTION 3. IMPLEMENTATION CRITERIA

3.1 LEGALITY

.01 DoAs and NAOs may need to be issued when new, reauthorized, or revised legislation requires implementation and administration. The Secretary usually delegates the function of implementing legislation. The delegated statute shall be reviewed to ensure there are no restrictions that would affect the NOAA delegation. For example, the legislation may contain restrictions on what may be delegated, to whom the authority may be delegated, or procedures that shall be followed in exercising the delegated authority.

3.2 NEED

.01 If an existing NOAA DoA or NAO is amended, superseded, or rescinded, it is likely to affect any prior versions of the DoA or NAO. Revisions to a DoA or NAO may implicitly void the existing DoA or NAO. For example, if the original source of authority for the DoA or NAO no longer exists, or the authority originally re-delegated has subsequently been reserved by the delegator in the revised delegation, then there no longer is a need for a re-delegation or revised administrative order. Therefore, whenever an existing DoA or NAO is revised, re-delegations of that authority should be reviewed to determine if any revision of the re-delegation or administrative order is necessary.

3.3 ECONOMY AND ADMINISTRATION

.01 As part of the decision-making process, the delegator shall consider whether the appropriate administrative authority should be made to a position rather than to an employee by name. Position delegations are strongly recommended unless there is a sufficiently compelling reason for a personal delegation. Position delegations allow for persons serving in the position in an acting capacity, or on a temporary basis, to exercise the authority unless prohibited by terms of the delegation. In contrast, if the delegation is addressed to a person, the delegation is automatically voided when that person leaves the position.

SECTION 4. OPERATIONAL FORMS

4.1 DELEGATION/RE-DELEGATION/ABOLISHMENT OF AUTHORITY FORM

.01 Each delegation shall include the following information in operational forms (Refer to Exhibit A of this guidance):

- a. **Organizational Element of Delegatee** – The official title of the position and level or organization to which the delegation is made shall be shown (e.g., “DELEGATION OF AUTHORITY FROM THE UNDER SECRETARY OF COMMERCE FOR OCEANS AND ATMOSPHERE”).
- b. **Type of Action** – The action to add, change, or abolish the delegation of authority shall be indicated.
- c. **Authority Delegated To**– The position title and organization of the delegate shall be specified and, unless the delegation is a delegation to a particular individual, do not include the delegatee's name in the delegation. If the same delegation is made to more than one delegatee, indicate all position titles and their related organizations on one delegation document.
- d. **Type of Authority** – The type of authority that is being delegated shall be clearly specified (e.g., Statutory, Regulatory, Administrative, or Financial).
- e. **Authority To Do What** – The subject of the delegation or re-delegation shall be clearly explained. If the delegation is amending the primary delegation, it should clearly state that fact and be identified by number (e.g., Amendment No. 1 to Primary DoA).
- f. **Reserved Authority** – Any reservations, exceptions, or conditions relating to the delegated authority shall be indicated. The Secretary may require certain reservations (e.g., “The UNSEC reserves the authority to appoint United States Commissioners.”).*
- g. **Effect On Other Delegations** – If the delegation cancels or supersedes any previous delegations of authority, the previous delegatee and the date and control number of the delegation shall be cited, and the previous delegatee shall be sent a copy of the new delegation by the appropriate NOAA Line or Staff Office.**
- h. **Clearance By** – The appropriate NOAA OGC representative shall signify approval by signing and dating the delegation or re-delegation.
- i. **Approving Official** – Each delegation or re-delegation shall be signed by either the UNSEC for Oceans and Atmosphere, or the appropriate Line or Staff Office official.

***NOTE: If the document is a re-delegation, it is mandatory to include all the reservations, exceptions, or conditions included in the original delegation to the delegator, unless otherwise specified in the original delegation.**

****NOTE: If a given authority has been delegated previously, and that record is not available, the following statement should be included: "This supersedes all previous delegations of this authority."**

4.2 NOAA ADMINISTRATIVE ORDER FORM

.01 Each NAO (NOAA Form 58-5) shall include the following information (refer to Exhibit B of this guidance.):

- a. **SECTION 1. PURPOSE** – Briefly state the reason for creation or revision of the NAO (e.g., “This Order establishes the National Oceanic and Atmospheric Administration’s (NOAA) policy for...”).
- b. **SECTION 2. SCOPE** – Clearly explain the subject of the NAO (e.g., “Guide and coordinate extension and training services related to NOAA’s priority themes.”).
- c. **SECTION 3. DEFINITIONS** – Define specific terms listed in the NAO (e.g., “.01 Capital Asset: Defined by OMB Circular A-11 as land, structures, equipment, intellectual property.”; and, “software and information technology (including IT service contracts) that are used by the Federal Government and have a useful life of two or more years.”).
- d. **SECTION 4. POLICY** – Define the procedures that the applicable NOAA Line or Staff Office will utilize to adhere to the NAO (e.g., “Formal review and certification of obligations shall be made once yearly.”).
- e. **SECTION 5. RESPONSIBILITIES** – List responsibilities the applicable NOAA Line or Staff Office has in accordance with the NAO. Also, state the authority for the NAO. NOTE: If authority conveyed by the NAO has been granted by a DoA, the NOAA CAO signs the NAO. If not, the NOAA UNSEC signs NOAA Form 58-5.
- f. **SECTION 6. REFERENCES** – List all applicable Federal laws and authorities associated with the requirements of the NAO (e.g., Public Laws, OMB Circulars, Executive Orders, fiscal procedures).
- g. **SECTION 7. EFFECT ON OTHER ISSUANCES** – Does the NAO supersede a previously issued NAO? List affected issuance in this section (e.g., “This Order supersedes NOAA Administrative Order (NAO) issued on [date], in its entirety.”). Who has the authority to sign the NAO? (e.g., NOAA UNSEC signs because there is no delegation of authority for this NAO.)

4.3 NOAA ADMINISTRATIVE ORDER REVOCATION FORM

.01 Each NOAA Administrative Order revocation form shall include the following information (refer to Exhibit C of this guidance.):

- a. **THIS TRANSMITS** – Defines the intention of the NOAA Line or Staff Office to revoke the NAO [e.g., “Revocation Notice of NOAA Administrative Order (NAO) _____, dated_____.”].
- b. **PURPOSE** – Explains why the NOAA Line or Staff Office is revoking the NAO.
- c. **NOAA POINT OF CONTACT**– Provides the appropriate NOAA Line or Staff Office point of contact that is responsible for revocation of the NAO.
- d. **ACTIONS** – Provides a brief statement describing the action and date of the revocation including where to reference the appropriate document.

NOTE: Signature criteria for either the NOAA CAO or NOAA UNSEC are as follows:

1. NOAA CAO signs the NAO if an existing Delegation of Authority in place is signed by the NOAA UNSEC for the applicable responsibility. If NOAA CAO signs then no further clearances are needed.
2. NOAA UNSEC signs if no DoA exists for the applicable responsibility.

4.4 NOAA TRANSMITTAL MEMORANDUM

.01 The NOAA Transmittal Memorandum (signed and date stamped by the NOAA CAO) shall clearly and concisely explain what content is being transmitted between each Line and Staff Office and shall originate from the primary coordination office. A NOAA Transmittal Memorandum shall accompany

every type of DoA and NAO and clearly state what clearance(s) have occurred between each responsible Line and Staff Office Assistant Administrator or executive prior to forwarding to the NOAA CAO (**refer to Exhibit D of this guidance for content**).

SECTION 5. CLEARANCE PROCEDURES

5.1 CLEARANCE OF NOAA DELEGATIONS/RE-DELEGATIONS AND ABOLISHMENT OF AUTHORITY

.01 Determination of NOAA delegation, re-delegation, or abolishment traces back to the authority given in the appropriation, authority or law. For example, if the authority is granted to the Secretary of Commerce, the Secretary holds the authority and may delegate to the NOAA UNSEC, or lower reporting officials, to carry out the authority. In addition, if the authority is subsequently re-delegated from the NOAA UNSEC to a specific NOAA Line or Staff Office, the NOAA Line or Staff Office then holds that specific authority (**refer to Exhibit E of this guidance for content**).

5.2 DELEGATIONS SIGNED BY THE NOAA UNSEC

.01 After a delegation, re-delegation, or abolishment (Exhibit A) has been prepared in accordance with the criteria outlined in this guidance, the NOAA Line or Staff Office DCO shall forward the new delegation, re-delegation, or abolishment, with the NOAA Transmittal Memorandum (Exhibit D), and supplemental materials (if applicable), to the appropriate NOAA OGC representative for review and clearance. After NOAA OGC clearance, the NOAA Line or Staff Office DCO shall submit the delegation, re-delegation or abolishment to NOAA EXEC SEC through the current correspondence system for NOAA UNSEC clearance.

.02 Once NOAA UNSEC final clearance is obtained, all originals are sent through the NOAA EXEC SEC back to the NOAA Line or Staff Office DCO. Then a copy is sent by the NOAA Line or Staff Office DCO to NOAA OCAO for update in the NOAA DoA website and filed into the DoA file management system maintained by NOAA OCAO.

5.3 DELEGATIONS SIGNED BY THE DEPARTMENT OF COMMERCE SECRETARY

.01 After a delegation, re-delegation, or abolishment (Exhibit A) has been prepared in accordance with the criteria outlined in this guidance, the NOAA Line or Staff Office DCO shall forward the new delegation, re-delegation, or abolishment, with the NOAA Transmittal Memorandum (Exhibit D), and supplemental materials (if applicable), to the appropriate NOAA OGC representative for review and clearance. After NOAA OGC clearance, the NOAA Line or Staff Office DCO shall submit the delegation, re-delegation or abolishment and an action decision memorandum from the NOAA UNSEC to the Department of Commerce Secretary (DOC SEC) to NOAA EXEC SEC through the current correspondence system for NOAA UNSEC clearance.

.02 After NOAA UNSEC clearance, all originals are forwarded to the DOC Executive Secretariat (DOC EXEC SEC) by NOAA EXEC SEC for DOC SEC clearance and signature.

.03 Once DOC SEC signs the DoA and the action decision memorandum, the DoA shall be uploaded into the DOC correspondence system and originals mailed back to the NOAA EXEC SEC in the DOC pouch service. The NOAA EXEC SEC will then forward the clearance package back to the appropriate NOAA Line or Staff Office DCO.

.04 Finally, a copy is sent by the appropriate NOAA Line or Staff Office DCO to NOAA OCAO for update in the NOAA DoA website and filed into the DoA file management system maintained by the NOAA OCAO.

5.4 CLEARANCE OF NOAA ADMINISTRATIVE ORDERS

.01 Determination of clearance traces back to the authority given by the NOAA UNSEC. For example, if there is no specific DoA granted from the NOAA UNSEC to the specific NOAA Line or Staff Office DCO for which the NAO applies, the NOAA UNSEC shall sign the NAO. However, if there is a DoA in place delegating authority to a specific NOAA Line or Staff Office for the applicable NAO, then the NOAA CAO has the authority to sign the new, revised, or revoked NAO and no further clearances are needed (**refer to Exhibit E of this guidance for content**).

5.5 NEW AND REVISED NOAA ADMINISTRATIVE ORDERS

.01 After a new or revised NAO (NOAA Form 58-5) (Exhibit B) has been prepared in accordance with the criteria outlined in this guidance, the NOAA Line or Staff Office DCO shall forward the form, the NOAA Transmittal Memorandum (Exhibit D), and supplemental materials (if applicable), to the NAO contact in NOAA OCAO who reviews them for format and content. The reviewer then assigns an NAO numerical value prior to submission for NOAA CAO clearance. **NOTE: For revised NAOs, the Line or Staff Office shall also submit the electronic “red lined track changed Microsoft Word document” showing changes made to the original NAO.**

- a. The NOAA OCAO NAO contact assigns the NAO numbers based on the following criteria:
 - i. New NAOs: The next consecutive number under the appropriate “Chapter/Subject” located on the “NOAA Administrative Order” website is assigned unless there is a reserved or unused earlier number that would be more appropriate.
 - ii. Revised NAOs: The NAO shall be designated using a “letter” after the original NAO number going up in alphabetical order in accordance with the revision (e.g., 201-32A [1st rev], 201-32B [2nd rev]). **NOTE: The original NAO is still valid and in effect.**

.02 The NOAA CAO shall then submit the new or revised NAO (NOAA Form 58-5) (Exhibit B), and all necessary clearance forms in accordance with the instructions contained in this guidance to NOAA EXEC SEC via correspondence system located in the NOAA UNSEC office for clearance.*

.03 The NOAA EXEC SEC shall then submit the new or revised NAO (NOAA Form 58-5) (Exhibit B), and all necessary clearance forms in accordance with the instructions contained in this guidance for clearance by (as appropriate), NOAA GC, NOAA DUSO, NOAA Senior Policy Advisor, NOAA COS, and the NOAA UNSEC.**

.04 Once NOAA UNSEC final clearance is obtained, all originals shall be sent (through NOAA EXEC SEC) back to NOAA OCAO for update into the NAO website and filed into the NAO file management system maintained by the NOAA OCAO. A copy from NOAA OCAO is sent back to the appropriate NOAA Line or Staff DCO.

***NOTE: For NOAA OCAO-specific NAO revisions, NOAA EXEC SEC clearance may not be needed.**

****NOTE: Additional NOAA Assistant Secretarial clearances may be needed based upon environmental delegations topic. (Refer to Exhibit E of this guidance for clearance process chart.)**

5.6 REVOCATION OF NOAA ADMINISTRATIVE ORDERS

.01 After the NOAA Administrative Order Revocation Notice (Exhibit C) has been prepared in accordance with the criteria outlined in this guidance, the NOAA Line or Staff Office DCO shall forward the Notice, a copy of the existing NAO to be revoked, the NOAA Transmittal Memorandum (Exhibit D), and supplemental materials (if applicable), to the NAO contact in NOAA OCAO. The NAO contact will review them for format and content prior to submission for NOAA CAO clearance.*

.02 The NOAA CAO shall submit the NOAA Administrative Order Revocation Notice (Exhibit C), and all necessary clearance forms in accordance with the instructions contained in this guidance, to NOAA EXEC SEC via correspondence system located in the NOAA UNSEC office for clearance.

.03 The NOAA EXEC SEC shall then submit the NOAA Administrative Order Revocation Notice (Exhibit C), and all necessary clearance forms in accordance with the instructions contained in this guidance for clearance by (as appropriate), NOAA GC, NOAA DUSO, NOAA COS and finally the NOAA UNSEC. **

.04 Once NOAA UNSEC final clearance is obtained, all originals shall be sent (through the NOAA EXEC SEC) back to the NOAA OCAO for update into the NAO website and filed into the NAO file management system maintained by NOAA OCAO. A copy from the NOAA OCAO shall be sent back to the appropriate NOAA Line or Staff DCO.

***NOTE: For NOAA OCAO-specific NAO revocations, NOAA EXEC SEC clearance may not be needed.**

****NOTE: Additional NOAA Assistant Secretarial clearances may be needed based upon environmental delegations topic (refer to Exhibit E of this guidance).**

SECTION 6. REVIEW SCHEDULE FOR NOAA DELEGATIONS AND ADMINISTRATIVE ORDER PROGRAM MANAGEMENT

.01 The NOAA Line and Staff Offices are required to review their active DoA and NAO files every three years, or when otherwise necessary due to office restructuring, to ensure they are current and continue to be required.

.02 The designated DoA and NAO contact in the NOAA OCAO may initiate the request for all NOAA Line and Staff DCOs to review their DoA and NAO files (including the DoA and NAO websites) to ensure they are current and still required (electronic communication is acceptable).

.03 The appropriate NOAA Line or Staff Office shall also coordinate with the applicable NOAA OGC office to determine the currency of their DoA and NAOs. The following conditions shall be adhered to:

- a. If all DoA and NAOs are current, the appropriate NOAA Line or Staff DCO shall positively respond to the NOAA OCAO with an “all current status.” (electronic communication is acceptable.); and
- b. Any DoA or NAO that is **not current** shall be updated in accordance with this guidance by the appropriate NOAA Line or Staff DCO designated contact.

SECTION 7. DELEGATIONS DURING NOAA SENIOR AGENCY LEADERSHIP TRANSITION PERIODS

.01 NOAA Line and Staff Offices are required to conduct a full review of their active DoA and NAO files anytime a new NOAA UNSEC is appointed. This requirement is supplemental to the review of the delegations on a three-year cycle.

.02 The designated DOA authority contact in the NOAA OCAO shall contact all appropriate NOAA Line and Staff DCOs to notify them to review their files (including the DoA website) that involve senior agency leadership position delegations and re-delegations to ensure they are current and still required (electronic communication is acceptable).

.03 The appropriate NOAA Line or Staff Office shall coordinate with the applicable NOAA OGC office to determine which delegations or re-delegations need revision based upon NOAA senior agency transition and responsibility changes. The following conditions shall be adhered to:

- a. If all delegations and re-delegations are current (i.e. no revisions necessary) nothing else is required until the three year delegations review;* and
- b. If delegations or re-delegations need senior leadership revision, the appropriate NOAA Line or Staff DCO designated contact shall follow the NOAA Delegation of Authority Implementation criteria, content, and clearance procedures as per this guidance.

***NOTE: The Delegations Control Officer shall respond to the NOAA OCAO request with an “all current status.” (electronic communication is acceptable).**

NOTE: All NOAA delegation of authority implementation, content, and clearance procedures shall be followed as per this guidance.

SECTION 8. FILE MANAGEMENT PROCEDURES FOR NOAA DELEGATIONS AND ADMINISTRATIVE ORDERS

.01 The NOAA OCAO is responsible for maintaining master files and electronic records for all NOAA delegations, re-delegations, and administrative orders, and the applicable clearance forms.

.02 For hard copy records, manila file folders are to be maintained for each individual delegation, re-delegation, and NAO, including the applicable clearance forms in letter size format with the following information:

- a. Transmittal number and subject of delegation or re-delegation (e.g., TR80, Administer and Enforce....);
- b. Chapter and Section/Circular Number and subject (e.g., 05-10, Cir 79-83 Outer Continental Shelf Lands Act....); or
- c. NOAA Administrative Order number and title (e.g., NAO 200-3B, The NOAA Administrative Order Series....).

.03 Two types of DoA files (hard copy and electronic) shall be maintained:

- a. Transmittal DoAs (filed in numerical order); and
- b. Circular Number DoAs (filed in numerical order).

.04 One type of NAO file (hard copy and electronic) shall be maintained and filed in numerical order.

.05 Each type of DoA or NAO file shall include the approved original DoA or NAO, the applicable clearance forms, and all pertinent back up information including revocations (when applicable).

EXHIBIT A- SAMPLE DELEGATION OF AUTHORITY FORM

**DELEGATION OF AUTHORITY FORM
THE UNDER SECRETARY OF COMMERCE FOR OCEANS AND ATMOSPHERE
DELEGATIONS OF AUTHORITY**

TYPE OF ACTION: Add Change Abolish

AUTHORITY DELEGATED TO:

(Add which NOAA Line Office and/or Staff Office the authority is being delegated to.)

TYPE OF AUTHORITY:

(Is the Delegation of Authority “Statutory, Regulatory and/or Administrative”?)

AUTHORITY TO DO WHAT:

(Add specific detail who and/or what type of authority is being delegated.) (Reference specific DoAs, DOOs, NAOs, or any other applicable legislation.)

RESERVED AUTHORITY:

[Is there a limit to the delegated authority? (e.g., Any further delegation shall not be effective unless...)]

EFFECT ON OTHER DELEGATIONS:

(Does this new/re-delegation/abolishment of the delegated authority supersede any previous delegations?)

CLEARANCE BY:

NOAA General Counsel Add Date
Date

APPROVING OFFICIAL:

Insert title of Approving Official (Must be an Assistant Administrator, Staff Office Director or supervisor in UNSEC or DUSO’s Office, i.e. NOAA Headquarters) Add Date
Date

EXHIBIT B- SAMPLE NOAA ADMINISTRATIVE ORDER TEMPLATE

NOAA FORM 58-5 (4-04)

National Oceanic and Atmospheric Administration	NOAA Administrative Order (OCAO Program Coordinator assigns numerical value.)	
NOAA ADMINISTRATIVE ORDER SERIES	DATE OF ISSUANCE (LO/SO determines date)	EFFECTIVE DATE (LO/SO determines date)
SUBJECT (Title of administrative order)		

SECTION 1. PURPOSE.

Briefly state the reason for creation or revision of the NOAA Administrative Order (NAO) (e.g., “This Order establishes the National Oceanic and Atmospheric Administration’s (NOAA) policy for....”).

Please use the following outline information for all NAO SECTIONS as follows:

Times New Roman font 12 (paragraph).

Use a numerical list as a subset of preceding information; this should be marked up as such:

- .01 Level 1 list item.
- .02 Level 2 list item.

Then use an alphabetical list as an outline subset of preceding information; this should be marked up as such:

- a. Subset of list item.
 - i.
 - ii.
 - iii.
- b. Subset of list item

SECTION 2. SCOPE.

Clearly explain the subject of the NAO (e.g., “Guide and coordinate extension and training services related to NOAA’s priority themes.”).

SECTION 3. DEFINITIONS.

Define specific terms listed in the NAO (e.g., “.01 Capital Asset: Defined by OMB Circular A11 as land, structures, equipment, intellectual property.” and, “software and information technology

(including IT service contracts) that are used by the Federal Government and have a useful life of two or more years.”).

SECTION 4. POLICY.

Define the procedures that the applicable NOAA Line or Staff Office will utilize to adhere to the NAO (e.g., “Formal review and certification of obligations shall be made once yearly.”).

SECTION 5. RESPONSIBILITIES.

List responsibilities the applicable NOAA Line or Staff Office has in accordance with the NAO. Also, state the authority given for this NAO. (i.e....Delegation of Authority or NOAA policy manual) **NOTE: If authority has been granted by Delegation, the Chief Administrative Officer (NOAA CAO) signs the NAO. If not, the Under Secretary for Oceans and Atmosphere (NOAA UNSEC) signs the NAO.**

SECTION 6. REFERENCES.

List all applicable Federal laws and authorities associated with the requirements of the NAO (e.g., Public Laws, OMB Circulars, Executive Orders, fiscal procedures).

SECTION 7. EFFECT ON OTHER ISSUANCES.

Does the NAO supersede a previously issued NAO? List affected issuance in this section (e.g., “This Order supersedes NOAA Administrative Order (NAO) issued on [date], in its entirety.”).

Who has the authority to sign the NAO? (e.g., NOAA UNSEC signs because there is no delegation of authority for this NAO.)

An electronic copy of this Order will be posted in accordance with Chapter 100 of the NOAA Records Control Schedule on the NOAA Office of the Chief Administrative Officer website under the Administrative Programs’ NOAA Administrative Issuances Section.
<https://www.noaa.gov/organization/administration/noaa-administrative-orders>

Chief Administrative Officer
Or
Under Secretary of Commerce
for Oceans and Atmosphere

Offices of Primary Interest:

For Example: Office of the Chief Administrative Officer (OCAO)

EXHIBIT C- SAMPLE NOAA ADMINISTRATIVE ORDER REVOCATION FORM

ADMINISTRATIVE ORDER REVOCATION FORM
U.S. DEPARTMENT OF COMMERCE
NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

REVOCATION NOTICE

NUMBER: (Add NAO Number) DATE: (Add effective date)

SUBJECT: (Add current NAO title)

1. THIS TRANSMITS:

Revocation Notice of NOAA Administrative Order (NAO)

(Add NAO number and title)

Date: (Add date of NAO revocation)

2. PURPOSE:

This Revocation Notice revokes (Add NAO number and title)

This NAO is no longer applicable because (Add reason for revocation)

State the authority given for the NAO Revocation. (e.g., Delegation of Authority or NOAA policy manual.) (This determines who signs the Revocation Notice.)

(Add authority given)

3. NOAA POINT OF CONTACT:

For further information, contact (INSERT CONTACT NAME, CONTACT TITLE, DIVISION, OFFICE, PHONE NUMBER)

4. ACTIONS:

The above referenced Order dated (Add effective date), is hereby revoked. An electronic copy of this Revocation Notice will be posted in place of the revoked Order on the NOAA Office of the Chief Administrative Officer Website.

<http://www.corporateservices.noaa.gov/~ocao/index.html>

Chief Administrative Officer

Or

Under Secretary of Commerce
for Oceans and Atmosphere

EXHIBIT D- SAMPLE NOAA TRANSMITTAL MEMORANDUM
TRANSMITTAL MEMORANDUM
U.S. DEPARTMENT OF COMMERCE
NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

MEMORANDUM FOR: (Add current Under Secretary’s name) (If UNSEC is acting place the word “Acting” before the title)
Under Secretary of Commerce
for Oceans and Atmosphere

FROM: (Add current Chief Administrative Officer’s name)
(Add Delegation of Authority (DoA)/NOAA Administrative Order
SUBJECT: (NAO) number and Title) (Include the terminology “Revision/Revocation” after “Title” (if applicable).)

Name(s) of Person(s) Requesting Action/Correspondent:
☞ Add Line Office/Staff Office (LO/SO) highest authority (Assistant Administrators (AA) or Directors’ Name and Office.) (From the DoA/NAO initiator’s office.)

Subject/Issues Raised by Person(s) Requesting Action(s)/Correspondent:
[Summarize in “bulleted” format what is being accomplished by the DoA/NAO. (If the DoA and/or NAO is being revised, list what has changed in the re-delegation/revision.)]

Major Points in the Response:
[Summarize in “bulleted” format the major points (purpose and scope) of the DoA/NAO.]
(List the level of importance the DoA and/or NAO revisions are to the appropriate LO/SO.)
[State the authority given for this NAO. (e.g., Delegation of Authority or NOAA policy manual)]

Potential Controversy:
(Summarize in “bulleted” format if there are any controversies with other Federal laws or issues? If none, place the word “None” here.)

Other Pertinent Information:
(Summarize in “bulleted” format any reference sources from Federal laws/regulations etc...) (If none, place the word “None” here.)

Clearances and Coordination:
NOTE: NAO draft coordination (prior to OCAO submission) is mandatory from the following NOAA offices:

1. **LO/SO Office of General Counsel (OGC).**
2. **NOAA LO/SO highest authority (Director or AA).**
3. **NOAA Labor Relations Officer (LRO) (National Consultation Rights (NCR) union review).**

(SPECIAL NOTE: For all OCAO originating NAOs, the office of primary responsibility must email all OCAO managerial personnel on the approved checklist (provided by the NOAA OCAO Coordinator) for review/clearance.)

■ NOAA Line/Staff Office Coordination: (list all that apply or “none”)

- [List name of clearance official and specific office (e.g., NMFS Alaska Regional Office and clearance date {in parentheses})]
- [Add in “bulleted” format (one per “bullet”) each LO and/or SO technical contact (applicable to the NAO content) coordinated with.]]

■ **Office of General Counsel Review:**

- [List section of NOAA OGC reviewed (e.g., OGC Fisheries). Include name of attorney who reviewed, if known, and date of review (in parentheses)]
- [List whether Department of Commerce (DOC) reviewed and date of review (in parentheses)]

■ **Other Agency Coordination:**

- [e.g., Department of the Interior (include name of specific office)]

Contact Person:

(Add in “bulleted” format, both a DoA/NAO development primary and technical LO/SO contact.)
(Name, Title, LO or SO Office, Phone Number.)

Attachments:

(Add in “bulleted” format all pertinent documents for review by each responsible LO/SO.) (i.e... DoA and/or NAO number and title, NOAA Handbook, etc...)

EXHIBIT E- NOAA ADMINISTRATIVE ORDER CLEARANCE PROCESS FLOW CHART

ADMINISTRATIVE ORDER CLEARANCE PROCESS FLOW CHART
 U.S. DEPARTMENT OF COMMERCE
 NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

