DEPARTMENT OF THE NAVY
NAVAL SEA SYSTEMS COMMAND
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IN REPLY REFER TO

NAVSEAINST 5800.1A
Ser 00E/024
9 Jun 94

NAVSEA INSTRUCTION 5800.1A

From: Commander, Naval Sea Systems Command

Subj: JAG MANUAL INVESTIGATIONS

Ref: (a) JAGINST 5800.7C
(b) OPNAVINST 5510.1H

Encl: (1) Policy and Procedure for Convening and Conducting JAG Manual Investigations
(2) Policy and Procedure for Endorsement of JAG Manual Investigations

1. **Purpose**. To promulgate NAVSEA policy regarding JAG Manual investigations, from initiation through final endorsement.

2. **Cancellation**. NAVSEAINST 5800.1

3. **Background**

a. Enclosure (1) sets forth NAVSEA policy and procedure for convening and conducting JAG Manual investigations and Command Inquiries. Further, enclosure (1) addresses the responsibilities of NAVSEA codes tasked with conducting an investigation and personnel tasked as investigating officers.

b. Enclosure (2) sets forth NAVSEA policy and procedure for the endorsement of JAG Manual investigations not convened by the Commander. Further, enclosure (2) addresses the responsibilities of NAVSEA codes tasked with endorsing JAG Manual investigations.

4. **Scope**

a. Enclosure (1) applies to all JAG Manual investigations and Command Inquiries convened by the Commander.

b. Enclosure (2) applies to all JAG Manual investigations routed to NAVSEA for endorsement.

5. **Action**

a. SEA 00E will select the NAVSEA action code(s) for completion of all endorsements required for JAG Manual investigations. Once an action code has been designated, directorate heads shall ensure the timely completion of a COMNAVSEASYSCOM JAG Manual endorsement in accordance with enclosures (1) and (2).

b. Additionally, directorate heads of the primary action codes are responsible for ensuring appropriate dissemination of "lessons learned" and for follow-up actions as required.

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Distribution:
NAVSEA Special List Y3

SEA 09D31 (5)
SEA 09P3 (50)

POLICY AND PROCEDURE FOR CONVENING AND CONDUCTING JAG MANUAL INVESTIGATIONS

1. **Background**. Reference (a) is the source document for conducting JAG Manual investigations.

a. **JAG Manual Investigations**. A JAG Manual investigation is an administrative fact-finding body (usually with just one officer) designed to search out, develop, assemble, analyze and record all available information relative to the matter under investigation. See reference (a), section 0202. The purpose of such an investigation is to assist convening and reviewing authorities in making decisions regarding the topic of the investigation and related matters. See reference (a), section 0203.

b. **Command Inquiries**. A Command Inquiry is similar to a JAG Manual investigation in all respects except that it is not intended for routing outside the command. Command Inquiries may, however, be redesignated JAG Manual investigations and subsequently forwarded for review. Accordingly, it is essential that Command Inquiries follow the format of a JAG Manual investigation.

c. **Typical JAG Manual Investigations**. Vehicle accidents, explosions, loss or stranding of a ship, collisions at sea, accidental or intentional flooding of a ship, loss of government funds or property, claims (actual or potential) for or against the government, firearms incidents, security violations, postal violations, fires, pollution incidents, and personnel injuries or death are the most common subjects of JAG Manual investigations.

2. **Policy**

a. NAVSEA JAG Manual investigations and Command Inquiries may only be convened by the Commander or his designee.

b. The NAVSEA Staff Judge Advocate (SEA OOE) must be notified any time an incident or situation arises where an investigation may be required or may be in the best interests of NAVSEA.

c. NAVSEA JAG Manual investigations will be completed in a timely manner consistent with the guidelines established in reference (a), section 0202.

3. **Procedure and Responsibility**

a. **NAVSEA Staff Judge Advocate (SEA OOE)**

(1) Will advise the Commander regarding any and all incidents where an investigation may be required or may be in the best interests of NAVSEA.

(2) Will serve as the point of contact for all JAG Manual investigations and Command Inquiries convened by the Commander.

(3) Will designate an investigating officer and prepare the appropriate appointing order.

(4) Will provide legal and procedural guidance to the investigating officer, as well as a comprehensive review of the final report prior to submission.

(5) Will prepare the forwarding endorsement and forward the investigation to the appropriate addressees.

(6) Will coordinate all investigations convened as a result of security violations as set forth in reference (b) with NAVSEA security (currently SEA 09T).

b. **All Other NAVSEA Codes**

(1) All codes will notify the Commander and SEA OOE of any incident or situation where an investigation may be required or may be in the best interests of NAVSEA.

(2) If an investigation is required or is in the best interests of NAVSEA, the relevant NAVSEA code will assist SEA OOE in identifying an appropriate investigating officer.

(3) The relevant code will provide adequate administrative and clerical support to the investigating officer as well as technical guidance to SEA OOE regarding the forwarding endorsement.

(4) The relevant code will provide the original investigation and any copies required by the Office of the Judge Advocate General of the Navy to SEA OOE.

c. **Investigating Officer**

(1) The investigating officer will conduct the JAG Manual investigation or Command Inquiry in accordance with the appointing order and reference (a). Further, the investigating officer may seek assistance from SEA OOE as necessary.

(2) Specifically, the investigating officer will ensure completion of the investigation in a timely manner as set forth in reference (a), section 0202. If compliance is not possible, the investigating officer will notify SEA OOE as soon as practicable.

POLICY AND PROCEDURE FOR ENDORSEMENT OF JAG MANUAL INVESTIGATIONS

1. **Background**. NAVSEA receives up to 300 JAG Manual investigations for endorsement each year. These investigations require review for both legal sufficiency and technical accuracy from an engineering standpoint. SEA OOE must rely on the expertise of all NAVSEA codes for technical evaluation and comment. Consequently, NAVSEA codes are required to endorse JAG Manual investigations on behalf of the Commander from time to time.

2. **Endorsements**. There are three types of endorsement:

a. **Required Endorsements**. When NAVSEA is a "via" addressee on an investigation, a forwarding endorsement is required.

b. **Permissive Endorsements**. When NAVSEA is a "copy to" addressee on an investigation, a forwarding endorsement including any comments deemed appropriate may be drafted, though endorsement is not required.

c. **JAG Routing Endorsement**. From time to time the Judge Advocate General of the Navy (OJAG 33) routes investigations to commands not previously listed as "via" addressees for endorsement. NAVSEA frequently receives such investigations and prepares endorsements accordingly.

3. **Policy**

a. All JAG Manual investigations received by NAVSEA for endorsement will be reviewed for legal sufficiency and technical accuracy. NAVSEA endorsements will comply with the substantive and procedural requirements of reference (a).

b. All endorsements will be completed in a timely manner consistent with the guidelines established in reference (a), section 0202.

4. **Procedure and Responsibility**

a. **NAVSEA Staff Judge Advocate (SEA OOE)**

(1) SEA OOE will serve as the point of contact for all JAG Manual investigations received by NAVSEA for endorsement.

(2) SEA OOE will record receipt of the investigation and determine which code will prepare the NAVSEA endorsement.

(3) SEA OOE will forward the investigation to the appropriate code for action and provide legal and procedural guidance as necessary.

(4) SEA OOE will review the endorsement for legal sufficiency and forward the investigation to the appropriate addressees.

b. **All Other NAVSEA Codes**

(1) All codes must notify SEA OOE if in receipt of an investigation sent to NAVSEA for endorsement.

(2) Any code assigned responsibility for an endorsement will seek assistance from other codes and field activities as necessary to ensure a complete and accurate NAVSEA endorsement.

(3) The action code will provide the original investigation, endorsement and any copies required by the Office of the Judge Advocate General of the Navy to SEA OOE.

(4) The action code will ensure completion of the endorsement in a timely manner consistent with the guidelines established in reference (a), section 0202.