



Department of Defense INSTRUCTION

NUMBER 5025.01

June 6, 2014

DA&M

SUBJECT: DoD Issuances Program

References: See Enclosure 1

1. PURPOSE. This instruction:

- a. Reissues and renames DoD Instruction (DoDI) 5025.01 (Reference (a)) in accordance with the authority in DoD Directive (DoDD) 5105.53 (Reference (b)).
- b. Updates the policy, assignment of responsibilities, and procedures for the development, coordination, approval, publication, and review of DoD issuances (referred to in this instruction as “issuances”).
- c. Incorporates the use of the Secretary’s Policy Memorandums as another means to quickly establish or implement and locate DoD policy.
- d. Establishes the DoD Issuances Website at <http://www.dtic.mil/whs/directives> (unclassified) and <https://www.dtic.smil.mil/whs/directives> (classified) as the official DoD source for issuances and processing guidance. The DoD Issuances Website is referred to as “the Website” in this instruction.
- e. Establishes the Directives Portal System at <https://dps.whs.mil> (unclassified) and <https://dps.whs.smil.mil> (classified) as the official site for requesting and obtaining issuance coordination and legal review. The Directives Portal System is referred to as “the Portal” in this instruction.

2. APPLICABILITY. This instruction applies to OSD, the Military Departments, the Office of the Chairman of the Joint Chiefs of Staff (OCJCS) and the Joint Staff, the Combatant Commands, the Office of the Inspector General of the Department of Defense (IG DoD), the Defense Agencies, the DoD Field Activities, and all other organizational entities in the DoD (referred to collectively in this instruction as the “DoD Components”).

3. POLICY. It is DoD policy that:

a. The DoD will have a DoD Issuances Program for the development, coordination, approval, publication, and review of issuances.

(1) Issuances will be used to codify DoD policy and guidance in accordance with Reference (b), DoDD 5110.04 (Reference (c)), Administrative Instructions (AIs) 15 and 102 (References (d) and (e)), and DoDI 5025.13 (Reference (f)).

(2) Issuances will consist of DoDDs, DoDIs, DoD manuals (DoDMs), directive-type memorandums (DTMs), and AIs. See Glossary for definitions and descriptions. All DoD publications, such as DoD regulations and DoD handbooks, must be converted into either DoDIs or DoDMs when they are reissued.

b. A set of principles govern how the DoD Issuances Program is implemented to ensure a strong foundation exists to carry out the DoD mission. The governing principles of the DoD Issuances Program are:

(1) The development and maintenance of DoD policy and guidance is a core DoD activity and is important to the entire Department.

(2) DoD policy and guidance must be established in issuances and available to all users. Issuances provide the policy framework for the operation of DoD.

(3) The development and maintenance of DoD policy requires a common Departmental understanding of the policies and procedures governing the DoD Issuances Program. It requires DoD Component investment in fulfilling their responsibilities, such as collaborating in the development of issuances and providing timely coordination.

(4) OSD Components must maintain an accurate policy framework within their functional area of responsibility that is updated to reflect changes as they occur to ensure the effective and efficient functioning of the DoD and its components.

(5) OSD Component heads who also serve as Principal Staff Assistants will establish DoD policy and guidance within their functional area of responsibility in accordance with the authority in their respective chartering DoD directive and with the process in this instruction.

(6) OSD Components must balance their responsibilities to collaborate on new DoD policy with their competing requirements and responsibilities in other areas while ensuring that necessary guidance is available to users in a timely manner.

(7) DoD Components will provide prompt, accurate, and relevant comments in the coordination of DoD policy and guidance for publication in issuances.

(8) The issuance process will be timely, responsive, repeatable, and transparent. Methods to elevate critical issues or legal or political objections will be an integral part of the issuance process.

c. In accordance with Deputy Secretary of Defense Memorandum (Reference (g)), issuances published or changed after March 25, 2012 will carry an expiration date of 10 years from their publication date.

d. DTMs must be issued **only** for time-sensitive actions as defined in the Glossary and **only** when time constraints prevent publishing a new issuance or incorporating a change to an existing issuance. DTMs must not be used to permanently change or supplement existing issuances. They will be effective for no more than 12 months from the date signed, unless an extension is approved by the Director of Administration and Management (DA&M).

e. Memorandums signed by the Secretary or Deputy Secretary of Defense (referred to in this instruction as “Secretary’s policy memorandums” (PMs)) that establish or implement DoD policy will be published on the Website to ensure there is one official central DoD repository for DoD policy. Secretary’s PMs will expire as indicated in the PM.

4. RESPONSIBILITIES. See Enclosure 2.

5. PROCEDURES. See Enclosures 3 through 7.

6. RELEASABILITY. **Cleared for public release**. This instruction is available on the Internet from the Website at <http://www.dtic.mil/whs/directives>.

7. EFFECTIVE DATE. This instruction:

a. Is effective June 6, 2014.

b. Will expire effective June 6, 2024 if it hasn’t been reissued or cancelled before this date in accordance with this instruction.



Michael L. Rhodes
Director of Administration and Management

Enclosures

1. References
2. Responsibilities
3. Issuance Focal Points
4. General Provisions
5. Revision and Coordination of DoD Issuances
6. Legal Reviews
7. Special Concerns

Glossary

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ENCLOSURE 1

REFERENCES

- (a) DoD Instruction 5025.01, "DoD Directives Program," September 26, 2012, as amended (hereby cancelled)
- (b) DoD Directive 5105.53, "Director of Administration and Management (DA&M)," February 26, 2008
- (c) DoD Directive 5110.04, "Washington Headquarters Services (WHS)," March 27, 2013
- (d) Administrative Instruction 15, "OSD Records and Information Management Program," May 3, 2013
- (e) Administrative Instruction 102, "Office of the Secretary of Defense (OSD) Federal Register (FR) System," November 6, 2006, as amended
- (f) DoD Instruction 5025.13, "DoD Plain Language Program," April 11, 2013, as amended
- (g) Deputy Secretary of Defense Memorandum "Improving Department Guidance – Department of Defense Issuances," March 25, 2012
- (h) DoD Directive 5015.2, "DoD Records Management Program," March 6, 2000
- (i) DoD Manual 5110.04, Volume 1, "DoD Manual for Written Material: Correspondence Management," October 26, 2010
- (j) DoD Directive 5230.09, "Clearance of DoD Information for Public Release," August 22, 2008
- (k) DoD Instruction 5230.29, "Security and Policy Review of DoD Information for Public Release," January 8, 2009
- (l) DoD Instruction 8520.02, "Public Key Infrastructure (PKI) and Public Key (PK) Enabling," May 24, 2011
- (m) DoD Instruction 8910.01, "Information Collection and Reporting," May 19, 2014
- (n) DoD 8910.1-M, "Department of Defense Procedures for Management of Information Requirements," June 30, 1998
- (o) Directive-type Memorandum 12-004, "DoD Internal Information Collections," April 24, 2012, as amended
- (p) DoD Instruction 5545.02, "DoD Policy for Congressional Authorization and Appropriations Reporting Requirements," December 19, 2008
- (q) DoD Instruction 7750.07, "DoD Forms Management Program," April 20, 2007
- (r) DoD 7750.07-M, "DoD Forms Management Program Procedures Manual," May 7, 2008, as amended
- (s) DoD Directive 5101.1, "DoD Executive Agent," September 3, 2002, as amended
- (t) DoD Manual 5200.01, Volume 1, "DoD Information Security Program: Overview, Classification, and Declassification," February 24, 2012
- (u) DoD Instruction 1400.25, Subchapter 711, "DoD Civilian Personnel Management System: Labor Management Relations," December 1996
- (v) Section 2426 of Title 5, Code of Federal Regulations
- (w) Title 10, United States Code
- (x) DoD Directive 5100.01, "Functions of the Department of Defense and Its Major Components," December 21, 2010

- (y) Joint Publication 1-02, "Department of Defense Dictionary of Military and Associated Terms," current edition

ENCLOSURE 2

RESPONSIBILITIES

1. DA&M. In addition to the responsibilities in section 5 of this enclosure, the DA&M:
 - a. Oversees the DoD Issuances Program. Establishes DoD policy for developing, processing, coordinating, approving, publishing, and cancelling issuances.
 - b. Determines whether a proposed new or revised DoDD meets the criteria in this instruction (see Glossary) and provides an appropriate recommendation to the Secretary or Deputy Secretary of Defense.
 - c. Must coordinate on **all** issuances in accordance with the timelines in Enclosure 4.
 - d. Mediates unresolved coordination issues between OSD or DoD Component heads. Refers unresolved nonconcurrences to the Deputy Secretary of Defense as appropriate.
 - e. Reviews OSD Component requests for extensions to expiration dates of issuances forwarded by the Directives Division (DD), Executive Services Directorate (ESD), Washington Headquarters Services (WHS). Determines whether to approve the extension request.
 - f. Develops, maintains, and oversees chartering DoDDs (also referred to as “charters” in this instruction) through the Office of Organizational and Management Planning (O&MP).

2. DIRECTOR, WHS. Under the authority, direction, and control of the DA&M and in addition to the responsibilities in sections 6 and 7 of this enclosure, the Director, WHS:
 - a. Manages and administers the DoD Issuances Program.
 - b. Approves and signs AIs proposed by the WHS components and processed in accordance with this instruction.
 - c. Through the Chief of the DD, WHS:
 - (1) Establishes and maintains standard formats, templates, and procedures for developing and processing issuances and publishes them on the Website. Approves or disapproves requests for waiver of issuance standards and procedures as described in this instruction and on the Website.
 - (2) Helps the OSD Components determine whether an issuance should be published as a DoDD, DoDI, DoDM, DTM, or AI.

(3) Provides guidance to help the DoD Components fulfill their responsibilities in the DoD Issuances Program.

(4) Updates Issuance Focal Points on the progress of individual issuances, including requesting action and status on issuances not being worked in accordance with the timelines in Table 3 of this instruction.

(5) Alerts and seeks comment on non-administrative changes to the issuance process or standards from the affected Issuance Focal Points before they are implemented.

(6) Oversees the review of all issuances, compliance with Reference (f), and the electronic publication of issuances, including Secretary's PMs.

(7) Serves as the official record keeper for issuances. Oversees maintenance and preservation of supporting and historical documents that constitute the official records of issuances in accordance with Reference (d) and DoDD 5015.2 (Reference (h)).

(8) Establishes and maintains the unclassified and classified Website and Portal.

3. GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE (GC DoD). In addition to the responsibilities in section 5 of this enclosure, and in accordance with the procedures in Enclosure 6, the GC DoD:

a. As requested, provides legal advice to the office of primary responsibility (OPR) when drafting proposed issuances and during the adjudication of formal coordination comments.

b. Provides all required legal reviews of issuances as described in Enclosure 6 in accordance with the timelines in Enclosure 4.

4. IG DoD. In addition to the responsibilities in section 5 of this enclosure, the IG DoD must coordinate on **all** issuances in accordance with the timelines in Enclosure 4.

5. OSD COMPONENT HEADS. The OSD Component heads:

a. Implement the DoD Issuances Program in their respective Components as described in this instruction and on the Website.

b. Adhere to the principles of the DoD Issuances Program as described in paragraph 3b on page 2 of this instruction.

c. In their capacity as OPR for issuances within their functional area:

(1) Develop, revise, coordinate, and cancel issuances in accordance with this instruction and the process timelines in Enclosure 4.

(2) Sign new or revised issuances or approve changed issuances in accordance with this instruction.

(3) Ensure that the official records of all coordinations on issuances, to include the original signed coordinations, are preserved and maintained in accordance with References (d) and (h).

d. Review and coordinate on the proposed issuances of other OSD Components in accordance with the timelines noted in Enclosure 4 and the procedures on the Website.

e. Provide the DA&M with a list of positions, designated in writing, as authorized on their behalf to:

(1) Request coordination for their Component's issuances in accordance with paragraph 5b of this enclosure.

(2) Provide coordination on other OSD Components' issuances. The authority to coordinate must be in accordance with paragraph 2d of Enclosure 5.

f. Notify DA&M, in writing, when changes in positions or the authorizations in paragraph 5e occur.

g. Appoint at least one primary and one alternate Issuance Focal Point who will implement the processes in Enclosure 3 of this instruction. Provide written documentation of the appointments and any changes in those appointments to the DA&M. The term "Issuance Focal Point" as used in this instruction will include both the primary and alternate unless otherwise specified.

(1) The Primary Issuance Focal Point must be a senior level leader in the grade of O-7, Senior Executive Service (SES), Senior Level, or equivalent, and above.

(2) The Alternate Issuance Focal Point should be senior in grade (O-6, General Schedule (GS) 15, or equivalent).

6. DIRECTORS OF DEFENSE AGENCIES AND DoD FIELD ACTIVITIES. As delegated in their charter, the Directors of Defense Agencies and DoD Field Activities:

a. Adhere to the principles of the DoD Issuances Program as described in paragraph 3b on page 2 of this instruction.

b. Coordinate on issuances through their respective OSD Component heads.

c. Establish and maintain, for the functions assigned, an appropriate publications system for regulations, instructions, and reference documents produced by the Defense Agency or DoD Field Activity as well as any changes made to those publications.

d. Ensure all DoD Components and non-DoD federal agencies with equity in a Defense Agency or DoD Field Activity publication (see Glossary) are given the opportunity to coordinate when that publication is written, changed, or revised.

e. Develop Defense Agency or DoD Field Activity publications with language that is clear and concise to the audience intended, in accordance with Reference (f).

f. Serve as the official record keeper for their publications, by overseeing the maintenance and preservation of supporting and historical documents that constitute the official records of those publications in accordance with References (d) and (h).

7. DoD COMPONENT HEADS. The DoD Component heads, **except** for the Directors of the Defense Agencies and DoD Field Activities:

a. Implement the DoD Issuances Program in their respective Components as described in this instruction and on the Website.

b. Adhere to the principles of the DoD Issuances Program as described in paragraph 3b on page 2 of this instruction.

c. Review and coordinate on proposed issuances in accordance with the timelines noted in Enclosure 4 and the procedures on the Website.

d. Ensure that the official records of all their coordinations on issuances, to include the original signed coordinations, are preserved and maintained in accordance with Reference (h).

8. SECRETARIES OF THE MILITARY DEPARTMENTS; CHAIRMAN OF THE JOINT CHIEFS OF STAFF; AND CHIEF, NATIONAL GUARD BUREAU. In addition to the responsibilities in section 7 of this enclosure, the Secretaries of the Military Departments; Chairman of the Joint Chiefs of Staff; and Chief, National Guard Bureau:

a. Designate at least one primary and one alternate Issuance Focal Point who will implement the processes in Enclosure 3 of this instruction. Provide written documentation of the appointments and any changes in those appointments to the DA&M.

(1) The Primary Issuance Focal Point must be a senior level leader in the grade of O-7, SES, Senior Leader, or equivalent and above.

(2) The Alternate Issuance Focal Point should be senior in grade (O-6, GS-15, or equivalent).

b. Provide the DA&M with a list of positions, designated in writing, as authorized to provide coordination on issuances on their behalf. Notify the DA&M, in writing, when changes in positions or authorization occur. The authority to coordinate must be in accordance with paragraph 2d of Enclosure 5.

ENCLOSURE 3

ISSUANCE FOCAL POINTS

1. FOR OSD COMPONENTS, MILITARY DEPARTMENTS, OCJCS, AND NATIONAL GUARD BUREAU

a. The Primary Issuance Focal Point:

(1) Engages with other Primary Issuance Focal Points to facilitate the resolution of nonconcurs and other disagreements, and to ensure the timeliness of responses regarding issuances review.

(2) May provide documentation of Component withdrawal of a nonconcur in accordance with paragraph 3d(2) of Enclosure 5.

b. The Alternate Issuance Focal Point:

(1) Assists their Primary Issuance Focal Point as necessary.

(2) Tracks and manages incoming issuance coordination requests and ensures their coordination is completed by the suspense dates generated by the Portal and in accordance with this instruction.

(3) Provides issuance status to the Primary Issuance Focal Point, Component head, and to the DD.

(4) Elevates coordination impasses or unresolved nonconcurs to the Primary Issuance Focal Point in a timely manner for help.

(5) Oversees and manages their respective Component's use of the Portal.

c. The Issuance Focal Points will meet on a regular basis at the discretion of the DD to discuss issuance status, changes in issuance processing or standards, and any other items of interest or concern.

d. The Issuance Focal Points can request, **no earlier** than 5 workdays after the Portal suspense date, that the DD place formal coordination actions on hold in order to prevent late coordinations from delaying the processing of an issuance.

2. FOR OSD COMPONENTS. In addition to the requirements in section 1 of this enclosure:

a. The OSD Component's Primary Issuance Focal Point:

- (1) Oversees the status of issuances for which their Component is OPR.
- (2) Ensures that those issuances are processed in accordance with this instruction.

b. The OSD Component's Alternate Issuance Focal Point:

(1) Tracks and manages the issuances for which their Component is OPR to ensure they are in compliance with this instruction.

(2) Notifies and provides justification to DD of any issuances that must be expedited through the issuance process.

(3) Provides issuance status to their Component's Primary Issuance Focal Point, Component head, and to the DD.

(4) Attends the DoD Issuances Training Class within 3 months of their appointment and as appropriate for refresher training. Encourages and helps facilitate the attendance of action officers in the class.

ENCLOSURE 4

GENERAL PROVISIONS

1. ISSUANCES AND THE ISSUANCE PROCESS

a. There are five types of issuances: DoDDs, DoDIs, DoDMs, DTMs, and AIs.

b. Unauthorized issuances, as defined in the Glossary, are not enforceable because they are not official DoD policy. Unauthorized issuances must be reported to the Chief, DD at whs.mc-alex.esd.mbx.dod-directives@mail.mil. When an unauthorized issuance is identified by the DD, the OPR must:

(1) Withdraw the document;

(2) Change the document so that it no longer assigns responsibilities outside the OPR; or

(3) Convert the document to an issuance in accordance with this instruction.

c. Table 1 includes information about the purpose and content, page length, and signature level of each type of issuance. Full definitions of the issuance types are in the Glossary.

d. The issuance process has five stages as shown in Table 2.

e. Table 3 contains information regarding the amount of time each stage should take. Stage 1, Development, is not timed. OPRs must follow the timelines as closely as possible. DD may close any issuance if:

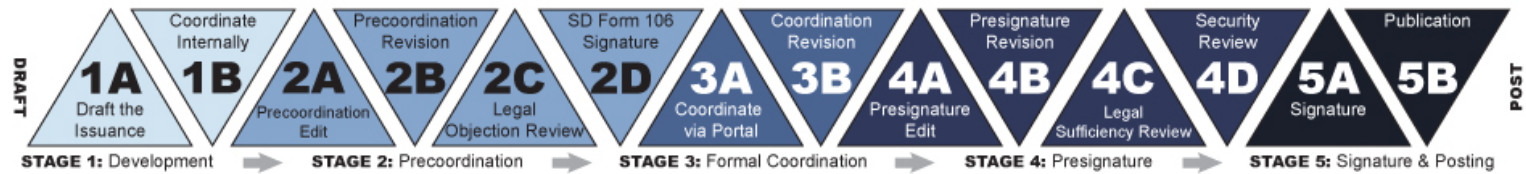
(1) It is not being worked in accordance with the timelines in Table 3; and

(2) The DD can't determine if it is being actively worked because the OPR is not responding to DD inquiries for status update.

Table 1. Types of Issuances

Issuance Type	Purpose and Content	Length	Signature Level (Those “acting” or performing the duties of a vacant position whose incumbent is authorized to sign an issuance may also sign the issuance)
DoD directive (DoDD)	Establishes policy , delegates authority, and assigns responsibilities. Consists only of one or more of these elements: - Non-delegable responsibilities assigned to the Secretary or Deputy Secretary of Defense - Charters - Assignment of new functions and resources between or among the DoD Components - Assignment of DoD EAs - Matters of special interest to the Secretary or Deputy Secretary of Defense	No more than 10 pages including enclosures, with no procedures. Exception: the DA&M will determine the length of charters.	- The Secretary or Deputy Secretary of Defense - The Under Secretaries of Defense, as delegated by the Deputy Secretary of Defense in their respective charter, may sign charters for their subordinate OSD Presidentially-appointed, Senate-confirmed (PAS) positions when the charters are reissued.
DoD instruction (DoDI)	Establishes policy and assigns responsibilities within a functional area assigned in an OSD Component head’s charter, including defining the authorities and responsibilities of a subordinate official or element when these do not meet the criteria for a charter. May provide general procedures for implementing policy. - or - Implements policy established in a DoDD or policy DoDI by providing general procedures for carrying out that policy.	No more than 50 pages including enclosures. If more than 50 pages are required, a DoDI will be separated into volumes.	The OSD Component head - or - - The OSD Component head or his or her Principal Deputy - An OSD PAS official
DoD manual (DoDM)	Implements policy established in a DoDD or policy DoDI by providing detailed procedures for carrying out that policy.	If more than 100 pages are required, a DoDM will be separated into volumes.	- The OSD Component head or his or her Principal Deputy - An OSD PAS official
Directive-type memorandum (DTM)	Serves the same purpose as a DoDD, DoDI, or DoDM but is issued only for time-sensitive actions that affect current issuances or that will become issuances.	No more than 20 pages including attachments.	- The Secretary or Deputy Secretary of Defense - The OSD Component head or his or her Principal Deputy - An OSD PAS official
Administrative instruction (AI)	Implements DoD policy established in a DoDD or DoDI for the WHS-serviced Components or establishes policy for the WHS-serviced Components. Provides general procedures for carrying out policy.	No more than 50 pages including enclosures.	The DA&M or the Director, WHS
Issuance duration	DoDDs, DoDIs, DoDMs, and AIs – Issuances published before March 25, 2012 should be updated or cancelled within 10 years of their publication date. Issuances published or changed after March 25, 2012 will have an expiration date that is 10 years from their original publication date. The DA&M may approve an extension to the expiration date of an issuance. DTMs – DTMs will be incorporated into an existing issuance, converted to a new issuance, reissued, or cancelled within 12 months of the date signed, unless the DA&M approves an extension.		

Table 2. Issuance Process Overview



Stage	Description
1. Development	1A - Action officer (AO) drafts the issuance (should informally consult with legal counsel at this stage). 1B - AO coordinates issuance within the OPR. The AO may also informally coordinate the issuance with external stakeholders, as appropriate.
2. Precoordination	2A - DD provides a precoordination edit of the issuance and SD Form 106. 2B - AO revises the issuance and SD Form 106 as necessary. 2C - If appropriate , AO requests and the Office of the General Counsel of the Department of Defense (OGC) provides a legal objection review (LOR) (see Enclosure 6). AO incorporates OGC comments. 2D - AO gets SD Form 106 signed and requests release on the Portal (see Enclosure 5) for coordination with applicable DoD Components.
3. Formal Coordination	3A - Issuance is coordinated via the Portal with DoD Components 3B - AO adjudicates and incorporates comments in the issuance as appropriate. Asks for OGC's legal advice, if necessary.
4. Presignature	4A - DD provides a final review of the issuance and supporting documentation. 4B - AO revises the issuance and supporting documentation as necessary. 4C - AO requests and OGC provides the legal sufficiency review (LSR) (see Enclosure 6). 4D - AO requests Defense Office of Prepublication and Security Review (DOPSR) review of unclassified issuances for publication on the Website.
5. Signature and Publication	5A - AO prepares issuance package and requests signature. 5B - AO sends hard copy and electronic version of the package to DD for publication to the Website and archiving.

Table 3. Timelines for Coordination and Completion of DoD Issuances

Stage in Issuance Process		Maximum Number Of Workdays By Issuance Type				
		DoDD	DoDI, DoDM, and AI	Substantive Changes	DTM	Cancellations
PRECOORDINATION	2A DD provides precoordination edit	5 ¹	5 ¹	5 ¹	2 ¹	3
	2B AO revises issuance package	10	10	5	5	-
	2C DD reviews issuance package before LOR ²	3	3	3	2	-
	2C OGC provides LOR ²	10	15	10	5	-
	2D AO gets SD-106 signed and requests formal coordination	<u>10</u>	<u>10</u>	<u>10</u>	<u>10</u>	<u>10</u>
	TOTAL TIME FOR PRECOORDINATION	25 minimum 38 maximum	25 minimum 43 maximum	20 minimum 33 maximum	17 minimum 24 maximum	13
FORMAL COORDINATION	3A DD reviews issuance package before formal coordination	3	3	2	2	2
	3A Formal coordination period	20	20/25/30 ³	15	15	15
	3B AO revises issuance package	<u>10</u>	<u>15</u>	<u>5</u>	<u>5</u>	<u>5</u>
	TOTAL TIME FOR FORMAL COORDINATION	33	38 minimum 48 maximum	22	22	22
PRESIGNATURE	4A DD provides presignature review	5 ¹	5 ¹	5 ¹	2 ¹	2
	4B AO revises issuance package	10	15	5	5	5
	4C DD reviews issuance package before LSR	3	3	2	2	2
	4C OGC provides LSR	25	30	15	15	<u>10</u>
	4D AO requests DOPSR review ⁴	3	5	3	2	-
	4D DOPSR provides clearance ⁴	<u>5</u>	<u>5</u>	<u>5</u>	<u>5</u>	-
TOTAL TIME FOR PRESIGNATURE	51	63	35	31	19	
SIGNATURE AND PUBLICATION	5A AO prepares issuance package and gets issuance signed	10	10	10	10	10
	5B DD publishes issuance	<u>3</u>	<u>3</u>	<u>3</u>	<u>3</u>	<u>3</u>
	TOTAL TIME FOR SIGNATURE AND PUBLICATION	13	13	13	13	13
TOTAL WORKDAYS TO SIGNATURE		122 minimum 135 maximum	139 minimum 167 maximum	90 minimum 103 maximum	83 minimum 90 maximum	67

¹ For most issuances packages over 25 pages long, add 3 workdays (1 day for DTMs) for each additional 25 pages. Issuance package = issuance + supporting material.

² LORs are optional except for Federal Register issuances; not required for cancellations.

³ Coordination of DoDIs, DoDMs, and AIs are based on issuance length. ≤25 pages will have a 20 workday suspense; 26-50 pages, 25 workdays; 51+ pages, 30 workdays.

⁴ Unclassified issuances only.

2. SECRETARY'S PMs. Secretary's PMs are not issuances; however, they provide a way for the Secretary and Deputy Secretary of Defense to quickly establish or implement DoD policy, assign responsibilities, or provide procedures to the DoD Components that are of an urgent matter or special interest. Secretary's PMs are:

a. Signed by the Secretary or Deputy Secretary of Defense.

b. Published on the Website so there is one central repository for DoD policy.

c. Formatted and processed in accordance with the procedures for memorandums in Volume 1 of DoDM 5110.04 (Reference (i)), with the following exceptions. These exceptions were requested by the DoD Executive Secretary until Reference (i) is updated to address the unique requirements associated with the Secretary's PMs (see the Figure for sample).

(1) The subject line will state, "Policy Memorandum (PM) YY-XXX, (enter subject)." DD will assign the official number once it is signed. The number will be the two-digit calendar year (YY) and the sequential number of the Secretary's PM within that year beginning with 001 (XXX). DD will assign number when the PM is published on the Website.

(2) The Secretary's PM will expire as indicated in the PM. The expiration date will be provided by the DoD Executive Secretary and placed immediately below the subject line by DD when publishing the PM on the Website. Should a PM prove to be enduring and warrant institutionalization, consideration should be given to its conversion to a DoD issuance in accordance with this instruction.

(3) The Secretary's PM will include a point of contact. Point of contact information will include the name of the originating office (no personal names) and a contact telephone number and/or organizational e-mail address. The point of contact information will be placed immediately below the expiration date.

3. DoD ISSUANCES WEBSITE. The Website is the official DoD source for publication of issuances and Secretary's PMs. If an issuance isn't published on the Website, it is considered unauthorized. The Website addresses are on the first page of this instruction.


a. Unclassified Website. The unclassified Website contains:

(1) All current unclassified and For Official Use Only (FOUO) issuances. FOUO issuances are published under proper access controls.

(2) Current unclassified and FOUO Secretary's PMs as of the effective date of this instruction. FOUO Secretary's PMs are published under proper access controls.

(3) A searchable database of cancelled issuances and Secretary's PMs.

Figure. Secretary's PM Header Information Sample

	<p>THE SECRETARY OF DEFENSE 1000 DEFENSE PENTAGON WASHINGTON, DC 20301-1000</p>
<p>[month, day, year published <i>inserted by DD</i>]</p>	
<p>MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS CHAIRMAN OF THE JOINT CHIEFS OF STAFF UNDER SECRETARIES OF DEFENSE DEPUTY CHIEF MANAGEMENT OFFICER DIRECTOR, COST ASSESSMENT AND PROGRAM EVALUATION DIRECTOR, OPERATIONAL TEST AND EVALUATION GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE INSPECTOR GENERAL OF THE DEPARTMENT OF DEFENSE ASSISTANT SECRETARIES OF DEFENSE DEPARTMENT OF DEFENSE CHIEF INFORMATION OFFICER ASSISTANTS TO THE SECRETARY OF DEFENSE DIRECTOR, ADMINISTRATION AND MANAGEMENT DIRECTOR, NET ASSESSMENT DIRECTORS OF THE DEFENSE AGENCIES DIRECTORS OF THE DoD FIELD ACTIVITIES</p>	
SUBJECT:	Policy Memorandum (PM) [##-###] – [Enter subject.]
EXPIRATION DATE:	[12 months from publication date - DD will include when publishing]
POINT OF CONTACT:	For more information, contact [office] at [telephone number or organizational e-mail address]
<p>A document, signed by either the Secretary or Deputy Secretary of Defense, that establishes or implements DoD policy, assigns responsibilities, or provides procedures to the DoD Components. Secretary's PMs are not DoD issuances.</p>	

b. Classified Website. The classified Website contains:

- (1) The information available on the unclassified Website.
- (2) All current classified issuances and Secretary's PMs, up to and including SECRET.

c. General Website Content. To support a more agile and flexible issuance process, the Website will provide direction and guidance on the development, revision, coordination, approval, and publication of issuances. Specifically, the Website will contain information regarding:

- (1) Format, writing style, and content standards.

- (2) Instructions for preparing, coordinating, and completing an issuance.
- (3) A DoD Component-specific list of positions authorized or delegated authority to initiate coordination, provide coordination, and sign issuances.
- (4) OGC legal review processes (see Enclosure 6).
- (5) An explanation of the issuance numbering system.
- (6) Templates, forms, common reference citations, and examples.
- (7) Use of plain language in all issuances, in accordance with Reference (f).
- (8) Online video training of each step in the issuance process to help AOs understand key aspects of each step and what's required.

4. DIRECTIVES PORTAL SYSTEM. DoD Components must use either the unclassified or classified Portals to coordinate on issuances. Detailed procedures for access to and use of the classified or unclassified Portals are on the Portal and the Website. The Portal addresses are on the first page of this instruction. DoD Components and OGC will use the Portal for:

a. Coordination Requests

(1) Posting. The OSD Components, in coordination with their Issuance Focal Point, will post the issuance to the Portal for coordination. The issuance will be held until reviewed and approved for release by DD.

(a) Unclassified and FOUO issuances (including the Secretary of Defense (SD) Form 106, "DoD Issuances Program Coordination Record," and SD Form 818, "Comments Matrix for DoD Issuances") on the unclassified Portal.

(b) Classified issuances up to and including SECRET (including the SD Form 106 and SD Form 818) on the classified Portal. The unclassified SD Form 106 must also be posted to the unclassified Portal so coordinating officials who do not normally work on the classified network are notified that a classified issuance needs coordination.

(2) DD Review. Upon review and approval by the DD, the coordination request will be distributed by e-mail to the DoD Components selected on the SD Form 106.

(3) Coordinators Without Portal Access. The OPR must distribute coordination requests directly to any coordinators who do not have access to the Portal (often identified as "Other" in item 16 of the SD Form 106). A list of organizations with Portal access is on the Website. Requests for coordination by non-DoD federal agencies must be sent via the DoD Executive Secretary to the Executive Secretary of the desired federal agency.

(4) Suspense Date

(a) The coordination period begins when the coordination request is released on the Portal and the e-mail is sent to the requested coordinators. The suspense date is automatically calculated by the Portal using the timelines in Table 3 and is displayed on the Portal and in the e-mail coordination request sent by the Portal.

(b) If an extension to the suspense date is needed, DoD Components must send this request directly to the OPR's Issuance Focal Point. The Issuance Focal Point will review the request and, if approving, inform DD of their decision. DD will adjust the suspense date on the Portal.

(5) Expedited Coordination. When an OPR wants their issuance coordinated more quickly than the timelines in Table 3, compelling justification for an expedited coordination and the number of coordination days requested must be included in Item 13 of the SD Form 106 for DD approval. If the DD approves it, the Portal Administrator will adjust the suspense date.

b. Coordination Responses

(1) All DoD Components must record their formal coordination on the Portal by providing the appropriate level signature in Item 15a of the SD Form 106. Coordinators also have the option to post a signed memorandum that includes the coordinating official's title and signature date on the Portal. All official comments must be recorded on an SD Form 818 and must be posted to the Portal in Microsoft Word format by the suspense date.

(2) Coordinators that do not have Portal access must return copies of their coordinations (SD Form 106 or signed memorandum) and SD Form 818 to the OPR by mail, e-mail, or fax by the suspense date. The OPR must send copies of these coordinations to DD at whs.mc-alex.esd.mbx.dod-directives@mail.mil.

c. Legal Reviews. OGC must use the Portal to report the results of legal objection and legal sufficiency reviews (LORs and LSRs, respectively). Any comments made or changes recommended by OGC must be posted on the Portal by the suspense date. If upon initial review, OGC determines that sufficient cause exists to find the proposed issuance legally objectionable or not legally sufficient, OGC may state that conclusion in writing without completing a comprehensive review.

5. DISTRIBUTION OF DoD ISSUANCES AND SECRETARY'S PMs

a. Releasability

(1) Options. Release and distribution of issuances and Secretary's PMs will be either "cleared for public release" or "not cleared for public release" (see Glossary). Issuances and Secretary's PMs published on the unclassified website, including those available only to users

with valid DoD public key infrastructure (PKI) authorization, must be cleared for public release by the Defense Office of Prepublication and Security Review (DOPSR), ESD, WHS in Stage 4D of the issuances process (see Table 2).

(2) For Issuances. The issuance OPR must:

(a) Determine the appropriate release and distribution option for each issuance in accordance with the review and clearance requirements in DoDD 5230.09 and DoDI 5230.29 (References (j) and (k)).

(b) Indicate the releasability of the issuance in the Item 6 of the SD Form 106; in the issuance itself; and in the action memorandum requesting issuance signature. The action memorandum must also include a statement that the requirements of References (j) and (k) have been met.

(3) For Secretary's PMs. Secretary's PMs are primarily for DoD use and will not be accessible to the public through the Website. If an OPR wants to authorize the public release of a Secretary's PM, the OPR must obtain approval from the DoD Executive Secretary and then complete the review and clearance requirements of References (j) and (k).

b. Distribution. The DD will distribute issuances by publishing them on the unclassified or classified Website, according to their releasability. The DoD Components will **not** download or publish issuances on their websites. Instead, they will link to the DoD Issuances Website. The Correspondence Management Division, ESD, WHS, will continue to distribute memorandums signed by the Secretary and Deputy Secretary of Defense, including Secretary's PMs. The DD will also electronically distribute Secretary PMs by publishing them on the Website since they serve as the official central DoD repository for DoD policy.

(1) Access to FOUO issuances will be limited to individuals with a valid DoD PKI card in accordance with DoDI 8520.02 (Reference (l)).

(2) Access to Secretary's PMs will generally be limited to individuals with a valid DoD PKI card in accordance with Reference (l).

(3) For classified issuances, the unclassified Website will provide the issuance type, number, date, unclassified title, OPR, and releasability statement identifying the issuance as classified.

(4) For issuances that are released and distributed only by the originating OSD Component, the unclassified and classified Websites will provide the issuance type, number, date, unclassified title, OPR, and the OPR contact information. The OPR will distribute copies of these issuances as appropriate.

ENCLOSURE 5

REVISION AND COORDINATION OF DoD ISSUANCES

1. CURRENCY, CHANGES, CANCELLATIONS, AND EXPIRATIONS. On the first workday of each quarter, DD will provide the OSD Component Issuance Focal Points with a list of the issuances for which their Component is the OPR that are due to be reissued, will expire, or require a change or cancellation within the next 12 months.

a. DoDD, DoDI, DoDM, and AI Currency

(1) Currency. An issuance is considered current when the information contained within it is accurate and in effect according to the criteria in paragraph 1a(2) of this enclosure, and it is within 10 years of its publication date. Issuances are living documents that should be regularly maintained. Therefore, changes are permitted and encouraged at any time during their respective life cycles (10 years) and will be processed in accordance with paragraph 1c of this enclosure and the standards on the Website.

(2) Currency Criteria. The OSD Component heads must ensure that each issuance for which they are the OPR is reviewed annually and revised, changed, or cancelled as appropriate. During the review, the OSD Component heads will ensure that:

(a) Each policy statement is verified as consistent with law and the policies of the current administration (the President, Secretary and Deputy Secretary of Defense, and OSD Component head).

(b) Each assignment of authority or responsibility is verified to be a current requirement and is appropriately assigned.

(c) The references are valid, correctly titled, and the most current versions are cited.

(d) The organizational entities cited throughout the issuance are accurate.

(3) Reissue. An issuance nearing its 10-year anniversary of publication must be reissued if it is still required. The issuance must be submitted to DD to begin Stage 2 of the DoD issuance process no later than 6 months before the issuance's 10-year anniversary of publication. Whenever an issuance is no longer required, it should be cancelled in accordance with paragraph 1d of this enclosure.

b. DTM Currency. The OSD Component heads:

(1) Will, before the DTM's expiration (12 months from the publication date):

(a) Incorporate the DTM into an existing DoDD, DoDI, AI, or DoDM;

(b) Convert the DTM to a new DoDD, DoDI, AI, or DoDM; or

(c) Cancel the DTM.

(2) May request DA&M approval of an extension for a DTM and must provide compelling justification to support the extension. The Chief, DD, may approve requests for DTM extension, and will forward recommended disapprovals to the DA&M for final determination.

(3) Must prepare and process a new DTM or issuance if the extension request is disapproved by DA&M.

(4) May, if necessary, request that administrative changes be made to DTMs. The DD may allow substantive changes, in special circumstances and when the reasons for making the changes meet the standards for a critical comment as defined in the Glossary.

c. Changes. A change amends an existing issuance and retains its original publication date and signature. The change should make up less than 25 percent of the content of the issuance.

(1) The two types of changes, administrative and substantive, are defined in the Glossary.

(a) Administrative Changes. Administrative changes to issuances do not require formal coordination or legal reviews.

(b) Substantive Changes

1. Substantive changes must be coordinated at the appropriate level for the type of issuance being changed in accordance with paragraphs 2d(1) and 2d(2) of this enclosure.

2. Substantive changes must follow the standard issuance process, unless otherwise determined by the Chief, DD.

3. Substantive changes require an LSR; an LOR is optional.

4. DD, with input from the OPR, will determine with which DoD Components the change is coordinated.

(2) Upon receipt of the appropriate OSD official's approval of a change, the DD will verify the changes, mark the issuance "Incorporating Change (number and date)" beneath the original date, and publish the issuance on the Website according to the releasability statement of the issuance as described in section 2, Enclosure 4 of this instruction.

d. Cancellations

(1) An issuance will be cancelled when the OPR determines it has served its purpose, is no longer needed, and is not appropriate for incorporation into a new, revised, or existing issuance.

(2) Cancellations must follow the standard issuance process, unless otherwise determined by the Chief, DD. Cancellation of issuances not being incorporated into a new, revised, or existing issuance:

(a) Do not require an LOR or DOPSR clearance.

(b) Must be coordinated at the appropriate level for the type of issuance being cancelled in accordance with paragraphs 2d(1) and 2d(2) of this enclosure.

(c) Must list all coordinating officials other than mandatory coordinators as collateral on the SD Form 106 in order to expedite processing.

(d) Only require an LSR if they implemented a law, statute, or Executive order.

(3) Upon receipt of the appropriate OSD official's approval of a cancellation, the DD will verify the cancellation requirement, remove the issuance from the list of current issuances, and add it to the list of cancelled issuances on the Website.

e. Expiration. Issuances published before March 25, 2012 should be updated or cancelled within 10 years of their publication date. An issuance published or changed after March 25, 2012 will expire on its 10-year anniversary of publication in accordance with Reference (g), unless an extension is approved. The Chief, DD, may approve requests for issuance extension, and will forward recommended disapprovals to the DA&M for final determination.

2. COORDINATION PROCESS - STANDARDS AND REQUIREMENTS

a. Required Coordinators. OSD and DoD Component heads with equity in an issuance must be listed on the SD Form 106 as coordinating officials. OSD and DoD Component heads specifically assigned responsibilities must be designated as primary coordinators as described in paragraph 2b of this enclosure. OPRs must also coordinate with any non-DoD federal agencies having equity in an issuance. This coordination may be listed on the SD Form 106 in Item 16, labeled "Other" or handled separately as appropriate. DTMs must be coordinated with the mandatory coordinators, at a minimum, and must receive a legal sufficiency review. Due to the time-sensitive nature of DTMs, all coordinators (except for mandatory) will be collateral.

b. Coordination Type. The three types of coordinations are mandatory, primary, and collateral.

(1) Mandatory. An "M," pre-filled on the SD Form 106, indicates that coordination with IG DoD and the DA&M is mandatory.

(2) Primary. A “P” indicates that an official has equity in the issuance and coordination is required. If coordination is not provided by the suspense date, the OPR may continue with the issuance approval process in accordance with paragraphs 3d and 3e of this enclosure. Issuances should not be delayed waiting for late coordination or comments; however, the missing coordination must be addressed in the action memo requesting issuance signature.

(3) Collateral. A “C” indicates that an official has no apparent equity in an issuance, but is being provided an informational copy and has the option to comment. An issuance must not be delayed waiting for late coordination or comments from a collateral coordinator. Collateral coordinators will be included on the list of coordinating officials only if they provide coordination.

c. Coordination Duration. Issuances that exceed the timeline in Table 3 risk becoming obsolete with current DoD and U.S. policy. In order to prevent this from happening, coordinations are valid for a limited time as described in this paragraph.

(1) Coordinations are considered valid for:

(a) DoDDs, DoDIs, DoDMs, and AIs. Up to 140 working days (6 months) from the date of the Portal coordination suspense.

(b) DTMs. Up to 70 working days (3 months) from the date of the Portal coordination suspense.

(2) Coordinations for Federal Register (FR) issuances are valid for an unlimited period of time as long as the associated rulemaking action is being actively worked by the OPR.

d. Coordination Level and Authorities

(1) DoDDs, Policy DoDIs, and Policy DTMs. Those officials authorized to coordinate on DoDDs, policy DoDIs, and policy DTMs include:

(a) The OSD Component heads and their Principal Deputies.

(b) The Chairman and Vice Chairman of the Joint Chiefs of Staff and the Director and Vice Director of the Joint Staff.

(c) The Combatant Commanders (coordination must occur through the Office of the Chairman of the Joint Chiefs of Staff).

(d) The Secretaries, Under Secretaries, Assistant Secretaries, General Counsels, and Administrative Assistants of the Military Departments.

(e) The Chief, NGB.

(2) Non-policy DoDIs and DTMs, DoDMs, and AIs. In addition to the officials listed in paragraph 2d(1), coordination may be provided by:

(a) The OSD PAS officials and the Deputy Under Secretaries and Deputy Assistant Secretaries of Defense.

(b) The DoD Deputy IGs.

(c) The Directors and Vice Directors of the Joint Staff Directorates.

(3) Delegated Authorities. A listing of other officials who have been delegated coordination authority in accordance with paragraphs 5d and 8b of Enclosure 2 is available on the Website (“Component-specific List of Positions Authorized or Delegated Authority to Coordinate on DoD Issuances”).

3. COORDINATION PROCESS - RESPONSES, RESOLVING ISSUES

a. Coordination Responses. The only acceptable types of responses during formal coordination are:

(1) Concur

(2) Concur With Comment. Critical comments must not be included in a “Concur With Comment” response, as critical comments as defined in the Glossary indicate that the coordinator does not concur.

(3) Nonconcur With Comment. Comments may be a combination of substantive (see Glossary) and critical. Coordinators **must** specify which, if any, substantive comments are grounds for the nonconcurrency.

(4) No Comment. A coordinator responds to a request for coordination but does not concur, nonconcur, or comment. This response signifies the coordinator has reviewed the issuance and does not have an equity interest in it.

b. Comment Types. All coordinators and AOs must use the SD Form 818 to record and adjudicate official comments. The only acceptable types of comments, as defined in the Glossary, are:

(1) Critical. Identification of a critical comment is considered to be an **automatic nonconcur** by the coordinator.

(2) Substantive. Coordinators can nonconcur with substantive comments, but must clearly indicate in a memo or on the SD Form 818 which comments are the basis for the nonconcur.

(3) Administrative. Administrative comments submitted by the coordinators must **not** be included in the consolidated SD Form 818 submitted for issuance signature; however, they should be considered by the OPR AO and changes made to the issuance as appropriate.

c. Adjudicating Comments. The OPR AO will adjudicate the coordinators' comments in accordance with the instructions on the SD Form 818 and guidance on the Website.

d. Resolving Nonconcurrences

(1) Nonconcurrences should be resolved between the concerned parties before an issuance is approved and published. The resolution process and the manner in which it is conducted are the responsibility of the OPR. Resolving a nonconcurrency may consist of:

(a) Informal or formal exchanges by phone, e-mail, or memo;

(b) Meetings and working groups that involve the OSD Component, Military Department, OCJCS, or NGB Primary Issuance Focal Points or other senior leadership; or

(c) A request to the DA&M to mediate between the OSD or DoD Component heads.

(2) Resolution of a nonconcurrency must be documented by the coordinating OSD or DoD Component's written formal withdrawal of the nonconcurrency **except** when the comments leading to the nonconcurrency are accepted in full and incorporated into the issuance (in which case, no formal withdrawal of the nonconcurrency is required). The written formal withdrawal will be in the form of either a signed SD Form 106, a signed memorandum, or digitally signed e-mail from the coordinating agency. The coordinating OSD or DoD Component will provide the nonconcurrency withdrawal to the DD. It may be signed:

(a) At the same (or higher) level as the original coordination; or

(b) By the Primary Issuance Focal Point. This authority may **not** be redelegated.

(3) If the OPR is unable to resolve a nonconcurrency and receive a formal withdrawal within the completion timeline for the issuance, the nonconcurrency must be addressed in the action memo. Both sides of the disagreement must be clearly and succinctly addressed in the memo, along with a recommendation for the approving authority.

e. Late Coordinations

(1) If a primary coordinator provides coordination **after** the suspense date, the OPR should make every effort to include the coordination and comments; however, it is not required if it significantly delays progress of the issuance to be signed.

(2) The action memo requesting issuance signature must acknowledge receipt of the late coordination and explain, if necessary, why the OPR proceeded without including any comments

made. The OPR may also consider incorporating the late comments as a substantive change after the issuance is signed.

f. No Response to Coordination Request. If **primary** coordinators do not respond by the suspense date, either to the Portal or directly to the AO, the OPR will:

(1) Enter “No Response” next to that primary coordinator on the list of coordinating officials that is submitted with the action memorandum.

(2) Explain in the action memorandum why it is appropriate for the signature authority to sign the issuance without a primary coordinator’s response. Any attempts to obtain the coordination or additional information explaining the circumstance should also be included.

g. Recoordinations

(1) DD may require recoordination of an issuance to ensure that the DoD Components with equities have the opportunity to comment if:

(a) The OPR made substantial changes to an issuance resulting from the comment adjudication process (e.g., new policy was established or responsibilities assigned outside the OPR).

(b) The coordinations are outdated and no longer viewed as valid (see paragraph 2c of this enclosure for the coordination duration associated with issuances).

(2) The DD will identify these matters to the OPR AO and OSD Component’s Issuance Focal Point and discuss the need to recoordinate the issuance.

ENCLOSURE 6

LEGAL REVIEWS

All legal reviews from the OGC must be conducted at the Associate Deputy General Counsel (DGC) level or above.

a. Internal GC Review. It is the OPR's responsibility to work with their organization's Associate DGC during the initial development and drafting of the issuance.

b. LOR. OGC will provide LORs for all issuances that require publication in the Federal Register and also at the OPR's request. The LOR will take place after the DD precoordination review and before posting the issuance on the Portal for formal coordination. Except for issuances that require publication in the FR, the OPR retains the right to withdraw their request for LOR at any time before the LOR finding is made and post the issuance for formal coordination.

c. LSR. OGC will provide LSRs for all issuances in accordance with the Portal suspense date. The OGC Focal Point should notify the OPR's Alternate Issuance Focal Point if the suspense date will not be met. If the Focal Points agree to an extended suspense date, the Issuance Focal Point will contact DD, who will adjust the suspense date on the Portal.

ENCLOSURE 7

SPECIAL CONCERNS

1. INFORMATION REQUIREMENTS, FORMS, AND FR

a. Issuances That Reference or Prescribe Information Collection Requirements. The DoD Components must comply with DoDI 8910.01, DoD 8910.1-M, DTM-12-004, and DoDI 5545.02 (References (m) through (p), respectively) when referencing or prescribing a DoD information collection (as defined in Reference (n)) in an issuance.

b. Issuances That Reference or Prescribe DoD Internal Information Collections

(1) In accordance with Reference (o), DoD internal information collections prescribed in issuances may be coordinated with the issuance to prevent duplication of effort.

(2) Cost information for the collection must appear on the SD Form 106.

(3) If the SD Form 106 is submitted to DD before formal coordination without cost information for the collection or with cost information that was not obtained in accordance with guidance provided to the OPR by DD, the request for formal coordination will be **denied**. The OPR will have to correct the SD Form 106, have the corrected version signed, and request formal coordination again.

c. Issuances That Reference or Prescribe Forms. The OSD Components must comply with DoDI 7750.07 and DoD 7750.07-M (References (q) and (r)) when referencing a form in an issuance.

d. FR Issuances

(1) Issuances may require publication as a rule in the FR in accordance with Reference (e) if they:

(a) Extend a right or privilege to the public, or

(b) Impose requirements or restrictions on the public.

(2) When drafting or updating an FR issuance, the OPR will check first, in consultation with OGC or the Federal Register Liaison Office (FRLO), to see if any policy or procedures affecting the public are already codified in the Code of Federal Regulations (CFR). If they are, the issuance should cite that CFR rule as a reference rather than repeating the codified language. This citation may remove the requirement for the issuance to be codified as a rule, a process that can take 2 years or more.

(3) FR issuances will follow the standard issuance process; however, the timelines in Table 3 will be affected.

(4) The OSD Components must comply with this instruction and guidance on the Website when preparing FR issuances and Reference (e) when preparing the associated rule. An FR issuance cannot be published on the Website until its corresponding interim final rule or final rule has been approved for FR publication in accordance with Reference (e).

(5) When an FR issuance has served its purpose and is no longer required, the OPR must simultaneously:

(a) Cancel the FR issuance in accordance with the procedures in this instruction.

(b) Remove the associated rule from the CFR following the procedures in Reference (e), unless granted a waiver by the DA&M. Waiver requests from the OPR must explain why the CFR rule must remain in place even though the issuance upon which it is based is no longer required.

(6) If an FR issuance expires in accordance with Reference (g), the OPR must remove the associated rule from the FR following the procedures in Reference (e) since the basis for the rule no longer exists.

(7) When the requirement for an issuance to be published as a rule in the CFR no longer exists, the OPR must comply with the procedures in Reference (e) to remove the associated rule from the CFR.

2. CHARTERS

a. O&MP, under the authority, direction, and control of the DA&M, develops and maintains all charters in coordination with the staff of the organization or position being addressed by the charter. Charters must:

(1) Define the scope of functional responsibilities and identify all delegated authorities for the chartered organization or position.

(2) Be organized in a unique DoDD format.

b. The Under Secretaries of Defense, as delegated in their respective charters, may sign charters for their subordinate OSD PAS positions when the charters are reissued. The Secretary or Deputy Secretary of Defense will continue to sign all initial charters for newly established PAS positions. O&MP will develop and maintain those charters signed by the Under Secretaries of Defense.

c. The OPR head may develop DoDIs to define the administration and operations of boards, councils, committees, and other subordinate officials and elements of the DoD Components

when their proposed issuance does not meet the definition of a chartering DoDD (see Glossary). O&MP may assist the OSD Components in preparing these DoDIs, as requested.

3. DoD EXECUTIVE AGENT (EA) DESIGNATION. DoD EAs must be designated in a DoDD.

a. O&MP will oversee the implementation of the DoD EA process for the DA&M, consistent with DoDD 5101.1 (Reference (s)).

b. The OSD Component heads must consult with the Director, O&MP, regarding all proposed issuances that designate, update, or terminate DoD EA assignments before posting the issuances on the Portal for formal coordination.

4. CLASSIFIED, FOUO, AND CONTROLLED UNCLASSIFIED INFORMATION (CUI).

The coordination standards and requirements for coordinating classified and FOUO issuances and CUI are the same as those for unclassified issuances. The DoD Components must handle classified and FOUO issuances, and classified and FOUO information that is part of the issuance process, in accordance with Volume 1 of DoDM 5200.01 (Reference (t)). CUI is addressed in Volume 4 of Reference (t).

5. UNIONS GRANTED NATIONAL CONSULTATION RIGHTS

a. Issuances containing substantive changes in conditions of employment, including personnel policies and practices and other bargaining unit matters that affect DoD civil service and non-appropriated fund employees, must be forwarded to the appropriate unions for comment in accordance with Subchapter 711 of DoDI 1400.25 (Reference (u)) and section 2426 of Title 5, Code of Federal Regulations (Reference (v)).

b. Assistance in meeting this requirement should be obtained from the Office of the Deputy Assistant Secretary of Defense (Civilian Personnel Policy), Office of the Under Secretary of Defense for Personnel and Readiness, as soon as the requirement is identified.

c. The timelines for completion of issuances may be extended if necessary to comply with this requirement.

GLOSSARY

PART I. ABBREVIATIONS AND ACRONYMS

AI	administrative instruction
AO	action officer
DA&M	Director of Administration and Management
DD	Directives Division, Executive Services Directorate, WHS
DGC	Deputy General Counsel
DoDD	DoD directive
DoD EA	DoD Executive Agent
DoDI	DoD instruction
DoDM	DoD manual
DOPSR	Defense Office of Prepublication and Security Review
DTM	directive-type memorandum
FOUO	For Official Use Only
FR	Federal Register
FRLO	Federal Register Liaison Office
GC DoD	General Counsel of the Department of Defense
IG DoD	Inspector General of the Department of Defense
LOR	legal objection review
LSR	legal sufficiency review
NGB	National Guard Bureau
NIPRNET	Non-Secure Internet Protocol Router Network
O&MP	Organizational and Management Planning
OCJCS	Office of the Chairman of the Joint Chiefs of Staff
OGC	Office of the General Counsel of the Department of Defense
OMB	Office of Management and Budget
OPR	office of primary responsibility
PAS	Presidentially-appointed, Senate-confirmed
PKI	public key infrastructure
PM	policy memorandum
SD	Secretary of Defense
SES	Senior Executive Service
SIPRNET	SECRET Internet Protocol Router Network
WHS	Washington Headquarters Services

PART II. DEFINITIONS

Unless otherwise noted, these terms and their definitions are for the purpose of this instruction.

administrative change. A change that alters only nonsubstantive portions of an issuance (e.g., titles or dates of references, organizational names or symbols).

administrative comment. Comment concerning nonsubstantive aspects of an issuance, such as dates of references, organizational symbols, format, and grammar.

AI. A DoD issuance, no more than 50 pages in length, that provides general procedures for implementing policy for the administration of the WHS-serviced Components. AIs implement policy established in DoDDs or DoDIs. AIs must be signed by the DA&M or the Director, WHS.

chartering DoDD. See the DoDD definition. Also referred to as a “charter” in this instruction.

cleared for public release. Defined in Reference (j).

critical comment. A comment whose use requires a nonconcur response from the coordinator and identifies:

Violations of the law or contradictions of Executive Branch policy or of policy established in DoDDs or DoDIs; or

Unnecessary risks to safety, life, limb, or DoD materiel; waste or abuse of DoD appropriations; or imposition of an unreasonable burden on a DoD Component’s resources.

Defense Agency. An organization established and specifically designated a Defense Agency by the Secretary of Defense according to section 191 of Title 10, United States Code, (Reference (w)) to perform supply or service activities common to more than one Military Department.

Defense Agency or DoD Field Activity publication. Any document produced by a Defense Agency or DoD Field Activity that assigns responsibilities or provides procedures directing or limiting the actions of, or imposing a financial obligation on:

DoD Components; or

By mutual agreement, non-DoD federal agencies.

Directives Portal Systems. The websites at <https://dps.whs.mil> (unclassified) and <https://www.dtic.smil.mil/whs/directives> (classified) that the DoD Components must use to coordinate DoD issuances and request and receive legal reviews.

DoD Component. One of these offices that compose the DoD according to DoDD 5100.01 (Reference (x)):

- OSD
- Military Departments
- Office of the Chairman of the Joint Chiefs of Staff and the Joint Staff
- Combatant Commands
- Office of the IG DoD
- Defense Agencies
- DoD Field Activities
- Other organizational entities within the DoD

DoDD. A DoD issuance that **exclusively** establishes policy, assigns responsibility, and delegates authority to the DoD Components. DoDDs will not contain procedures. They must be one of these two types of issuances:

chartering DoDD. A DoDD that establishes the mission, responsibilities, functions, relationships, and delegated authorities of an OSD Component head or other OSD PAS official, a Defense Agency or DoD Field Activity director, or other major DoD or OSD Component head, as required. Also referred to as an “organizational charter,” “charter Directive,” or, in this instruction, as a “charter.” Chartering DoDDs comprise a unique DoDD format, developed by O&MP in coordination with DD, and are relieved from the 10-page limit for DoDDs. Chartering DoDDs must be signed by the Secretary or Deputy Secretary of Defense. An exception is made for Under Secretaries of Defense delegated the appropriate authority in their chartering DoDDs; if this authority is delegated, the Under Secretaries of Defense may sign chartering DoDDs for their subordinate OSD PAS positions when the charter is reissued.

direct oversight DoDD. A DoD issuance, no more than 10 pages in length including enclosures, reserved for subjects requiring direct oversight by the Secretary or Deputy Secretary of Defense, approved and signed only by the Secretary or Deputy Secretary of Defense, and consisting only of one or more of these types of information:

Non-delegable responsibilities assigned to the Secretary or Deputy Secretary of Defense.

Assignment of functions and resources between or among the DoD and/or OSD Component heads. More specifically, this is when the fundamental responsibilities, functions, or authorities of the Component head are being defined or redefined. These major assignments should not be confused with the collateral functions routinely mentioned in an issuance in which an OSD Component head assigns a responsibility to (and coordinates with) another Component head to perform a task within an assigned functional area.

DoD EA assignments, which consist of the designation of a DoD EA and the assignment of related responsibilities and authorities.

Matters of special interest to the Secretary or Deputy Secretary of Defense such as advisory boards or urgent operational or military matters. They may be items selected by the Secretary or Deputy Secretary or recommended by an OSD Component head.

DoD EA. Defined in Joint Publication 1-02 (Reference (y)).

DoD Field Activity. An organization established and specifically designated a DoD Field Activity by the Secretary of Defense according to section 191 of Reference (w) to perform supply or service activities common to more than one Military Department.

DoDI. DoDIs consist of two types. DoDIs must be no more than 50 pages in length including enclosures. DoDIs exceeding 50 pages in length must be separated into two or more volumes.

non-policy DoDI. A DoDI that **implements** policy established in a DoDD or a policy DoDI by providing general, overarching procedures for carrying out that policy. Non-policy DoDIs must be signed by the OSD Component heads, their Principal Deputies, or the OSD PAS officials as authorized by their chartering DoDDs.

policy DoDI. A DoDI that **establishes** policy and assigns responsibilities within a functional area assigned in an OSD Component head's chartering DoDD, including defining the authorities and responsibilities of a subordinate official or element when these do not meet the criteria for a chartering DoDD. Policy DoDIs may also provide general procedures for implementing that policy. Policy DoDIs must be signed only by an OSD Component head. Policy DoDIs must include the Component's chartering DoDD as a reference and, for the Components whose chartering DoDDs have **not** been updated to include the authority to issue policy in DoDIs, they must include this instruction as a reference.

DoD issuance. Also called "issuance" in this instruction. One of the five types of issuances published by the DoD that establishes or implements DoD policy, designates authority, assigns responsibilities, or provides procedures. Issuances apply to more than one DoD Component and include DoDDs, DoDIs, DoDMs, DTMs, and AIs.

DoD Issuances Program. The single, uniform program that the DoD Components must use to develop, coordinate, approve, publish, and review DoD issuances.

DoD Issuances Website. The unclassified NIPRNET website at <http://www.dtic.mil/whs/directives> and the classified SIPRNET website at <https://www.dtic.smil.mil/whs/directives> that serve as the sole DoD source for electronic distribution of DoD issuances. The Website also serves as the source for standards for writing issuances.

DoDM. A DoD issuance providing detailed procedures for implementing policy established in DoDDs and policy DoDIs. DoDMs must include the specific, procedural information formerly published as DoD publications. Although all DoD publications are now categorized as DoDMs, those that do not specifically state that they are DoDMs (i.e., catalogs, compendiums, directories, handbooks, indexes, inventories, lists, modules, pamphlets, plans, series, standards, supplements,

and regulations) must be converted into DoDIs or DoDMs when they are reissued. DoDMs must be signed by the OSD Component heads, their Principal Deputies, or the OSD PAS officials as authorized by their chartering DoDDs. DoDMs exceeding 100 pages in length must be separated into two or more volumes.

DoD policy. A set of principles and associated guidelines to direct and limit DoD actions in pursuit of objectives, operations, and plans.

DoD publication. A former type of DoD issuance that provides detailed procedures for implementing policy established in DoDDs and DoDIs. DoD publications include these types of issuances approved and signed before October 28, 2007: catalogs, compendiums, directories, handbooks, indexes, inventories, lists, modules, pamphlets, plans, series, standards, supplements, and regulations. All DoD publications are now categorized as DoDMs.

DTM. A DoD issuance that establishes DoD policy or implements policy established in existing DoDDs and policy DoDIs; assigns responsibilities; and may provide procedures. DTMs concerning subjects requiring direct oversight by the Secretary or Deputy Secretary of Defense must be signed by the Secretary or Deputy Secretary of Defense. DTMs that establish policy must be signed by the OSD Component heads. DTMs that implement policy must be signed by OSD Component heads, their Principal Deputies, or OSD PAS officials as authorized by their chartering DoDDs. DTMs will be issued **only** for time-sensitive actions and **only** when time constraints prevent publishing a new issuance or incorporating a change to an existing issuance. DTMs must not be used to permanently change or supplement existing issuances. They will be effective for no more than 12 months from the date signed, unless extended in accordance with this instruction. “Time sensitive” actions are those that are:

Directed by Executive order;

Directed by the Secretary or Deputy Secretary of Defense;

A matter of urgent national security;

A matter of urgent DoD policy as determined by an OSD Component head;

Required by recent (less than 3 months) change in law, statute, or government-wide regulation; or

Necessary to prevent imminent danger to life and health.

equity. A case in which the policies, responsibilities, or procedures in an issuance or Defense Agency or DoD Field Activity publication direct or limit the actions of, or impose a financial obligation on:

DoD Components; or

By mutual agreement, non-DoD federal agencies.

final rule. Defined in Reference (e).

FR. Daily publication by the U.S. Government that prints the regulations and notices of the various executive departments and agencies of the federal government that affect the public or agencies outside their own.

FR issuance. An issuance that levies requirements or restrictions on the public or government employees outside the DoD, and as such requires codification of the relevant issuance material in the Code of Federal Regulations as a final rule in accordance with Reference (e) and applicable law.

imminent danger. Any condition where there is reasonable certainty that a danger exists that can be expected to cause death or serious physical harm immediately, or before the danger can be eliminated through normal enforcement procedures.

interim final rule. Defined in Reference (e).

Issuance Focal Point. An individual appointed in writing by an OSD Component head, Secretary of a Military Department, the Chairman of the Joint Chiefs of Staff, or the Chief, NGB, to oversee the administration of the DoD Issuances Program on his or her behalf. Enclosure 2 of this instruction discusses the authoritative levels of Primary and Alternate Issuance Focal Points, and their responsibilities are assigned in Enclosure 3.

mandatory coordinators. The offices of the IG DoD and DA&M are required to review all issuances as they go through the formal coordination stage of processing due to their equity in issuance development, implementation, and enforcement. They are marked with an “M” on the SD Form 106.

national security. Defined in Reference (y).

not cleared for public release. Defined in Reference (j). For the purpose of this instruction, “not cleared for public release” includes FOUO issuances, classified issuances, and issuances whose release the OPR has determined it must control.

OPR. The OSD Component that has been designated as being responsible for the development, management, and maintenance of an issuance by reason of:

The subject of the issuance falling within their functional area as defined in their charter; or

Specific designation by the Secretary of Defense or Deputy Secretary of Defense.

organizational charter. A chartering DoDD as described in the DoDD definition.

OSD. The principal staff and staff elements used by the Secretary and Deputy Secretary of Defense to exercise authority, direction, and control over the DoD, as defined in section 131 of Reference (w).

OSD Component. One of the offices that compose OSD whose principal reports directly to the Secretary or Deputy Secretary of Defense.

OSD PAS official. One of those OSD officials listed in chapter 4 of Reference (w), appointed from civilian life by the President, by and with the advice and consent of the Senate.

other organizational entity within the DoD. An organization established by law, the President, or under the authority of the Secretary of Defense in accordance with sections 113 or 125 of Reference (w), but specifically excluding entities within OSD, the Military Departments, the Office of the Chairman of the Joint Chiefs of Staff, the Combatant Commands, the Office of the IG DoD, the Defense Agencies, and the DoD Field Activities. These organizations include, but are not limited to, the Joint Improvised Explosive Device Defeat Organization and the National Guard Bureau.

Secretary's PM. A document, signed by either the Secretary or Deputy Secretary of Defense, that may establish or implement DoD policy, assign responsibilities, and provide procedures to the DoD Components. Secretary's PMs are **not** DoD issuances.

substantive change. A change that amends an essential section(s) of an issuance that appears to be or is potentially unnecessary, incorrect, misleading, confusing, or inconsistent with other sections.

substantive comment. A comment that indicates that:

Information in the issuance (or the issuance itself) appears to be or is potentially unnecessary, incorrect, misleading, confusing, or inconsistent; or

A DoD Component disagrees with the proposed responsibilities, requirements, or procedures.

unauthorized issuance. With the exception of Secretary's PMs, a document that:

Was not processed through the procedures in this instruction or is published in any other manner than on the Website; and

Claims to establish or implement DoD policy and assign responsibilities to DoD Components other than the OPR.

WHS Component. A directorate or office of WHS consistent with Reference (c).

WHS-serviced Components. OSD, the Office of the Chairman of the Joint Chiefs of Staff and the Joint Staff, the Defense Agencies, and the DoD Field Activities that are serviced by WHS.