



THE SECRETARY OF DEFENSE
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WASHINGTON, DC 20301-1000

JUL 2 2010

MEMORANDUM FOR DEPUTY SECRETARY OF DEFENSE
SECRETARIES OF THE MILITARY DEPARTMENTS
CHAIRMAN OF THE JOINT CHIEFS OF STAFF
UNDER SECRETARIES OF DEFENSE
COMMANDERS OF THE COMBATANT COMMANDS
ASSISTANT SECRETARIES OF DEFENSE
GENERAL COUNSEL OF THE DEPARTMENT OF
DEFENSE
ASSISTANTS TO THE SECRETARY OF DEFENSE
DIRECTOR, ADMINISTRATION AND MANAGEMENT

SUBJECT: Interaction with the Media

It is important that the news media have appropriate access to many aspects of DoD activities and operations. Consistent with applicable laws and procedures, we are obliged to ensure that the information provided to them is timely, accurate, credible, and consistent. I have said many times that we must strive to be as open, accessible, and transparent as possible.

At the same time, I am concerned that the Department has grown lax in how we engage with the media, often in contravention of established rules and procedures. We have far too many people talking to the media outside of channels, sometimes providing information which is simply incorrect, out of proper context, unauthorized, or uninformed by the perspective of those who are most knowledgeable about and accountable for inter- and intra-agency policy processes, operations, and activities.

We must deal with the media in a manner that safeguards information protected by law and that maintains the integrity of the government's internal decision making processes. Leaking of classified information is against the law, cannot be tolerated, and will, when proven, lead to the prosecution of those found to be engaged in such activity. Revealing unclassified, but sensitive, pre-decisional, or otherwise restricted information is also prohibited unless specifically authorized.

Current DoD policy, outlined by Directive 5122.05, "Assistant Secretary of Defense for Public Affairs," (attached) states that the Office of the Assistant Secretary of Defense for Public Affairs is the sole release authority for official DoD information to news media in Washington, and that all media activities must be coordinated through appropriate public affairs channels. This policy is, all too often, ignored. Accordingly,



we must enhance our internal coordination mechanisms to ensure that Department officials are aware of the most current departmental and inter-agency information and perspective on the topic at hand when they engage the media. We need to ensure that, as they do so, we avoid misunderstandings and miscommunications caused by insufficient situational awareness.

Accordingly, prior to interviews or any other means of media and public engagement with possible national or international implications, all component leaders or their public affairs officers must notify OSD Public Affairs which, in turn and as appropriate, will ensure that senior Department officials with the relevant overall knowledge and situational awareness have been consulted.

I have asked the Assistant Secretary of Defense for Public Affairs to work with OSD component heads, military department heads, and combatant commanders to implement the attached additional guidance.

A handwritten signature in black ink, appearing to read "Robert M. Gates". The signature is written in a cursive, flowing style with a large initial 'R' and a long, sweeping tail.

Attachments:
As stated

- Leaders of OSD components, military departments and combatant commands will coordinate directly or via designated representatives the release of official Department of Defense information which may have national or international implications, both internally and with OSD/PA.
- OSD components, military departments and combatant commands will review their respective organizational staffing framework to assure those delegated command release authority have the experience, acumen, and perspective necessary to responsibly fulfill the obligations of coordinating media engagements .
- OSD components, military departments and combatant commands will work with OSD Legislative Affairs and OSD Public Affairs to ensure information of consequence provided to the Congress is synchronized with OSD Public Affairs as appropriate.
- OSD Public Affairs will coordinate briefings for OSD components, military departments and combatant commands on the rules, regulations and responsibilities regarding the release of information to the public and the media (attached).
- OSD component heads, military department heads and combatant commanders will reinforce to their subordinates the importance of protecting classified information from public disclosure, and the legal consequences for those who do not.



Department of Defense

DIRECTIVE

NUMBER 5122.05
September 5, 2008

DA&M

SUBJECT: Assistant Secretary of Defense for Public Affairs (ASD(PA))

References: See Enclosure 1

1. PURPOSE. This Directive:

a. Reissues DoD Directive (DoDD) 5122.5 (Reference (a)) to update the responsibilities, functions, relationships, and authorities of the ASD(PA) under the authority vested in the Secretary of Defense by sections 113 and 138 of title 10, United States Code (USC) (Reference (b)).

b. Authorizes the ASD(PA), as a Principal Staff Assistant (PSA) reporting directly to the Secretary of Defense, to issue DoD policy in DoD Instructions within the responsibilities, functions, and authorities assigned herein.

2. APPLICABILITY. This Directive applies to OSD, the Military Departments, the Office of the Chairman of the Joint Chiefs of Staff and the Joint Staff, the Combatant Commands, the Office of the Inspector General of the Department of Defense, the Defense Agencies, the DoD Field Activities, and all other organizational entities within the Department of Defense (hereafter referred to collectively as the "DoD Components").

3. RESPONSIBILITIES AND FUNCTIONS. The ASD(PA) is the PSA and advisor to the Secretary and Deputy Secretary of Defense for DoD news media relations, public liaison, internal communications, community relations, public affairs and visual information training, and audio visual matters. In this capacity, the ASD(PA) shall:

a. Be the sole release authority to news media representatives for official DoD information, as defined by DoDD 5230.09 (Reference (c)), and audiovisual materials, including but not limited to, press releases. Evaluate news media requests for DoD support and cooperation, and determine applicable levels of DoD participation.

b. Be the principal spokesperson for the Department of Defense. The ASD(PA) may designate additional spokespersons, as required.

c. Develop communications policies, plans, and programs in support of DoD objectives and operations in coordination with the Assistant Secretary of Defense for Networks and Information Integration/DoD Chief Information Officer (ASD(NII)/DoD CIO) as appropriate.

d. Ensure a free flow of news and information to the news media, the general public, the internal audiences of the Department of Defense, and the other applicable forums, limited only by the security restraints in DoDD 5200.1 (Reference (d)) and any other applicable statutory mandates or exemptions. Public affairs actions involving personally identifiable information shall comply with the requirements of DoDD 5400.11 (Reference (e)). Enclosures 2 and 3 delineate principles that guide the Department of Defense regarding public access to information and media coverage of DoD activities.

e. Ensure comparable access to public information and information technology is provided in compliance with section 974d of title 29, USC (Reference (f)).

f. Coordinate public affairs support of defense support to public diplomacy.

g. Establish a communication, integration, and planning activity focusing on mid- to long-range strategic communication planning, and issues, trends, and objectives of broad scope and importance to DoD Components.

h. Establish portfolio management expertise for public affairs, communication integration, and visual information to ensure community management and oversight to organize, train, and equip missions across the Joint Force.

i. Coordinate on deployment orders.

j. Ensure a consolidated DoD Public Web Program is operated and maintained as the official primary point of access to DoD information on the Internet in accordance with Web site administration policies and procedures established by ASD(NII)/DoD CIO.

k. Serve as the approval authority for public affairs interactive Internet activities conducted by OSD consistent with Secretary of Defense Memorandum "Policy for Department of Defense (DoD) Interactive Internet Activities" (Reference (g)).

l. Establish a formal media analysis function to build greater awareness in developing new trends, alert to breaking news, analyze media coverage of DoD policies and views, and compile data on coverage of DoD policies and views.

m. Establish and exercise procedures for the administrative management, activation, and development of the DoD National Media Pool.

n. Oversee and coordinate, as necessary, the activities of the DoD National Media Pool for potential use in military contingency operations and other activities.

- o. Monitor, evaluate, and develop public affairs systems, standards, and procedures for the administration and management of DoD approved policies, plans, and programs.
- p. Issue public affairs guidance to the DoD Components.
- q. Participate with the USD (Policy), the Under Secretary of Defense (Comptroller)/Chief Financial Officer, Department of Defense (USD(C)/CFO), and the Director, Program Analysis and Evaluation, in planning, programming, budgeting, and execution activities, as required.
- r. Promote public affairs coordination, cooperation, and mutual understanding between DoD and other government organizations, in areas of assigned responsibility.
- s. Serve on boards, committees, and other groups, and represent the Secretary of Defense outside of the Department of Defense.
- t. Prepare speeches, public statements, congressional testimony, articles for publication, and other materials for public release by the Secretary of Defense.
- u. Serve as official point of contact for public and media activities by the Secretary and Deputy Secretary of Defense; develop short- and long-range plans to communicate their policies and programs; and support the execution of such plans, including advance programming and event coordination with other Government agencies and with private, public, and media organizations.
- v. In coordination with ASD(NII)/DoD CIO, oversee implementation of policy ensuring the quality of information disseminated to the public by the Department of Defense. Receive and resolve complaints concerning information disseminated by the Secretary and Deputy Secretary of Defense, and compile the DoD annual report to the Office of Management and Budget (OMB) in accordance with OMB's "Guidelines for Ensuring and Maximizing the Quality, Objectivity, Utility, and Integrity of Information Disseminated by Federal Agencies" (Reference (h)).
- w. Receive, analyze, and reply to inquiries on DoD policies, programs, activities, news trends, and DoD media coverage that are received from the general public and public affairs leadership. Prepare, and provide to the referring office, replies to inquiries from the general public that are forwarded from the Congress and other Executive Branch agencies and provide media coverage analysis, data, and breaking news as required.
- x. Evaluate, coordinate, approve, and provide policy guidance regarding the following:
 - (1) Requests for DoD support and cooperation in programs involving relations with the public, national associations, and non-governmental organizations, consistent with DoDD 5410.18 and DoD Instruction (DoDI) 5410.19 (References (i) and (j)). Such programs include, but are not limited to, those involving DoD participation in national and international events in the United States and U.S. territories, such as Presidential Inaugurations, International Olympics, and other events receiving national media coverage.

(2) Requests by news media representatives or other non-DoD personnel for travel in military carriers for public affairs purposes, in accordance with DoDI 5435.2 (Reference (k)).

(3) All proposed DoD public affairs guidance, plans, and annexes.

y. Provide DoD assistance to non-Government and entertainment-oriented motion picture, television, and video productions, consistent with DoDI 5410.16 (Reference (l)).

z. Evaluate and coordinate the DoD responses to requests for speakers received by the Department and, as required, assist in scheduling, programming, and drafting speeches for the participation of qualified personnel.

aa. Develop, coordinate, and oversee the implementation of public affairs policy and plans for DoD participation in activities supporting U.S. international public affairs programs, in coordination with appropriate DoD officials.

ab. Ensure that public affairs policies and programs are designed and managed to improve performance standards, economy, and efficiency and that the Defense Media Activity is attentive and responsive to the requirements of their organizational customers, both internal and external to the Department of Defense.

ac. Perform such other duties as the Secretary or Deputy Secretary of Defense may prescribe.

4. RELATIONSHIPS

a. ASD(PA). In the performance of assigned responsibilities and functions, the ASD(PA) shall:

(1) Report directly to the Secretary of Defense.

(2) Exercise authority, direction, and control over the Director, Defense Media Activity, consistent with DoDD 5105.74 (Reference (m)).

(3) Coordinate and exchange information with other OSD officials, the Heads of the DoD Components, and Federal agencies having collateral or related responsibilities and functions.

(4) Use existing systems, facilities, and services of the Department of Defense and other Federal agencies, when possible, to avoid duplication and to achieve maximum efficiency and economy.

(5) Maintain liaison with, and provide assistance to, representatives of the news media, non-Government and entertainment-oriented industry, and members of the public seeking information on the responsibilities and functions assigned in this Directive.

b. Other OSD officials and the Heads of the DoD Components. The other OSD officials and the Heads of the DoD Components shall coordinate with the ASD(PA) on all matters under their purview related to the authorities, responsibilities, and functions assigned in this Directive.

5. AUTHORITIES. Under the authority vested in the Secretary of Defense, and subject to his/her authority, direction, and control, and in accordance with DoD policies and issuances, the ASD(PA) is hereby delegated authority to exercise, within his assigned responsibilities and functions, all authority of the Secretary of Defense derived from statute, executive order, or interagency agreement, except where specifically limited by statute or executive order to the Secretary of Defense, and is hereby delegated authority to:

a. Issue in DoD Instructions, DoD policy within the authorities and responsibilities assigned herein, including authority to identify collateral responsibilities of OSD officials and the Heads of the DoD Components. Such Instructions shall be fully coordinated in accordance with DoDI 5025.01 (Reference (n)). Further, in areas of assigned responsibility and functions, the ASD(PA) has authority to issue other DoD Instructions, DoD Manuals, and one-time Directive-Type Memorandums, consistent with Reference (n), that implement policies approved by the Secretary of Defense. Instructions to the Military Departments shall be issued through the Secretary of the Military Department concerned. Instructions to the Combatant Commands on public affairs matters shall be issued directly to the Commanders of the Combatant Commands. DoD Instructions that have operational implications shall be coordinated with the Chairman of the Joint Chiefs of Staff.

b. Obtain reports and information, consistent with DoDI 8910.01 (Reference (o)), as necessary to carry out assigned responsibilities and functions.

c. Communicate with the Heads of the DoD Components, as necessary, to carry out assigned responsibilities and functions, including the transmission of requests for advice and assistance. Communications to the Military Departments shall be transmitted through the Secretaries of the Military Departments, their designees, or as otherwise provided in law or directed by the Secretary of Defense in other DoD issuances. The channel of communications with the Combatant Commands on public affairs matters shall be between the ASD(PA) and the Commanders of the Combatant Commands. Communications that have operational implications normally shall be coordinated with the Chairman of the Joint Chiefs of Staff. Joint Staff communications that have public affairs policy or guidance implications shall be coordinated with the ASD(PA).

d. Communicate with the other Federal departments and agencies, the representatives of the Legislative Branch, the news media, the non-Government and entertainment-oriented industry, and the members of the public. Communications with representatives of the Legislative Branch shall be coordinated with the Assistant Secretary of Defense for Legislative Affairs, or the USD(C)/CFO, as appropriate, and be consistent with the DoD Legislative Program.

e. Establish arrangements for DoD participation in non-DoD governmental programs for which the ASD(PA) is assigned primary DoD cognizance.

f. Act as the sole agent at the Seat of Government for the release of official DoD information, as defined by Reference (c), including but not limited to press releases, for dissemination through any form of public information media.

g. Establish accreditation criteria and serve as the approving and issuing authority for credentials for news gathering media representatives traveling with and providing coverage of official DoD activities.

h. Approve military participation in public exhibitions, demonstrations, and ceremonies of national or international significance.

i. Redelegate these authorities, as appropriate, and in writing, except as otherwise indicated above or prohibited by law.

6. RELEASABILITY. UNLIMITED. This Directive is approved for public release. Copies may be obtained through the Internet from the DoD Issuances Web Site at <http://www.dtic.mil/whs/directives>.

7. EFFECTIVE DATE. This Directive is effective immediately.



Gordon England
Deputy Secretary of Defense

Enclosures

1. References
2. Principles of Information
3. Statement of DoD Principles for News Media Coverage of DoD Operations

ENCLOSURE 1

REFERENCES

- (a) DoD Directive 5122.5, "Assistant Secretary of Defense for Public Affairs (ASD(PA))," September 27, 2000 (hereby canceled)
- (b) Sections 113 and 138 of title 10, United States Code
- (c) DoD Directive 5230.09, "Clearance of DoD Information for Public Release," August 22, 2008
- (d) DoD Directive 5200.1, "DoD Information Security Program," December 13, 1996
- (e) DoD Directive 5400.11, "DoD Privacy Program," May 8, 2007
- (f) Section 974d of title 29, United States Code
- (g) Deputy Secretary of Defense Memorandum "Policy for Department of Defense (DoD) Interactive Internet Activities," June 8, 2007
- (h) Office of Management and Budget, "Guidelines for Ensuring and Maximizing the Quality, Objectivity, Utility, and Integrity of Information Disseminated by Federal Agencies," Federal Register/Vol. 2, No. 67/ January 3, 2002
- (i) DoD Directive 5410.18, "Public Affairs Community Relations Policy," November 20, 2001
- (j) DoD Instruction 5410.19, "Public Affairs Community Relations Policy Implementation," November 13, 2001
- (k) DoD Instruction 5435.2, "Delegation of Authority to Approve Travel In and Use of Military Carriers for Public Affairs Purposes," April 25, 1975
- (l) DoD Instruction 5410.16, "DoD Assistance to Non-Government, Entertainment-Oriented Motion Picture, Television, and Video Productions," January 26, 1988
- (m) DoD Directive 5105.74, "Defense Media Activity (DMA)," December 18, 2007
- (n) DoD Instruction 5025.01, "DoD Directives Program," October 28, 2007
- (o) DoD Instruction 8910.01, "Information Collection and Reporting," March 6, 2007

ENCLOSURE 2

PRINCIPLES OF INFORMATION

It is the policy of the Department of Defense to make available timely and accurate information so that the public, Congress, and the news media may assess and understand the facts about national security and defense strategy. Requests for information from organizations and private citizens shall be answered in a timely manner. In carrying out the policy, the following principles of information will apply:

- a. Information will be made fully and readily available, consistent with the statutory requirements, unless its release is precluded by current and valid security classification. The provisions of the Freedom of Information Act will be supported in both letter and spirit.
- b. A free flow of general and military information will be made available, without censorship or propaganda, to the men and women of the Armed Forces and their dependents.
- c. Information will not be classified or otherwise withheld to protect the Government from criticism or embarrassment.
- d. Information will be withheld only when disclosure would adversely affect national security, threaten the safety or privacy of the men and women of the Armed Forces, or if otherwise authorized by statute or regulation.
- e. The Department of Defense's obligation to provide the public with information on its major programs may require detailed public affairs planning and coordination within the Department of Defense and with the other Government agencies. The sole purpose of such activity is to expedite the flow of information to the public; propaganda has no place in DoD public affairs programs.

ENCLOSURE 3

STATEMENT OF DoD PRINCIPLES FOR NEWS MEDIA COVERAGE OF
DoD OPERATIONS

1. Open and independent reporting shall be the principal means of coverage of U.S. military operations.

2. Media pools (limited number of news media who represent a larger number of news media organizations for news gatherings and sharing of material during a specified activity) are not to serve as the standard means of covering U.S. military operations. However, they sometimes may provide the only means of early access to a military operation. In this case, media pools should be as large as possible and disbanded at the earliest opportunity (in 24 to 36 hours, when possible). The arrival of early-access media pools shall not cancel the principle of independent coverage for journalists already in the area.

3. Even under conditions of open coverage, pools may be applicable for specific events, such as those at extremely remote locations or where space is limited.

4. Journalists in a combat zone shall be credentialed by the U.S. military and shall be required to abide by a clear set of military security ground rules that protect U.S. Armed Forces and their operations. Violation of the ground rules may result in suspension of credentials and expulsion from the combat zone of the journalist involved. News organizations shall make their best efforts to assign experienced journalists to combat operations and to make them familiar with U.S. military operations.

5. Journalists shall be provided access to all major military units. Special operations restrictions may limit access in some cases.

6. Military PA officers should act as liaisons, but should not interfere with the reporting process.

7. Under conditions of open coverage, field commanders should be instructed to permit journalists to ride on military vehicles and aircraft when possible. The military shall be responsible for the transportation of pools.

8. Consistent with its capabilities, the military shall supply PA officers with facilities to enable timely, secure, compatible transmission of pool material and shall make those facilities available, when possible, for filing independent coverage. If Government facilities are unavailable,

journalists, as always, shall file by any other means available. The military shall not ban communications systems operated by news organizations, but electromagnetic operational security in battlefield situations may require limited restrictions on the use of such systems.

9. Those principles in paragraph 8 shall apply as well to the operations of the standing DoD National Media Pool system.