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TO ALDODACT

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ALDODACT 13/02 ADDRESSEES PASS TO ALL SUBORDINATE COMMANDS

SUBJECT: DEPARTMENT OF DEFENSE (DOD) PUBLIC AFFAIRS POLICY GUIDANCE CONCERNING POLITICAL CAMPAIGNS AND ELECTIONS

REFS:
A. SECDEF MSG 1717131Z DEC 99, PUBLIC AFFAIRS POLICY GUIDANCE - ELECTION YEAR 2000
B. DOD DIRECTIVE 1344.10, POLITICAL ACTIVITIES BY MEMBERS OF THE ARMED FORCES ON ACTIVE DUTY
C. 5 U.S.C. 7321 - 7326, THE HATCH ACT
D. 5 C.F.R. PART 734, POLITICAL ACTIVITIES OF FEDERAL EMPLOYEES
E. DOD DIRECTIVE 5230.9, CLEARANCE OF DOD INFORMATION
F. DOD INSTRUCTION 5120.4, DOD NEWSPAPERS AND CIVILIAN ENTERPRISE PUBLICATIONS
G. DOD INSTRUCTION 1100.13, SURVEYS OF DOD PERSONNEL
H. DOD DIRECTIVE 5120.20, ARMED FORCES RADIO AND TELEVISION SERVICE
I. DOD REGULATION 5120.20-R, MANAGEMENT AND OPERATION OF AFRTS
J. AFI 36-2903, DRESS AND PERSONAL APPEARANCE OF AIR FORCE PERSONNEL
K. AR 670-1, WEAR AND APPEARANCE OF ARMY UNIFORMS AND INSIGNIA
L. NAVPERS 15665I, UNITED STATES NAVY UNIFORM REGULATIONS
M. DOD DIRECTIVE 5410.18, COMMUNITY RELATIONS
N. DOD INSTRUCTION 5410.19, ARMED FORCES COMMUNITY RELATIONS
O. DOD DIRECTIVE 1000.4, FEDERAL VOTING ASSISTANCE PROGRAM
P. 2002-2003 DOD VOTING ASSISTANCE GUIDE
Q. DOD DIRECTIVE 1344.13, IMPLEMENTATION OF THE NATIONAL VOTER REGISTRATION ACT

1. COMMANDERS SHALL COMPLY WITH THIS POLICY GUIDANCE CONCERNING POLITICAL CAMPAIGNS AND ELECTIONS. THIS GUIDANCE GOVERNS ACTIVITIES RELATING TO FEDERAL, STATE, AND LOCAL POLITICAL CAMPAIGNS AND ELECTIONS. CONSISTENT WITH THIS GUIDANCE, COMMANDERS SHOULD ENCOURAGE AND WELCOME VISITS BY CANDIDATES SEEKING TO RECEIVE BRIEFINGS, TOURS, OR OTHER OFFICIAL DOD INFORMATION. FURTHER, NOTHING IN THIS GUIDANCE IS INTENDED TO INHIBIT THE APPROPRIATE REPRESENTATION BY ELECTED OFFICIALS OF CONSTITUENTS WHO HAPPEN TO LIVE OR WORK ON A MILITARY INSTALLATION.

2. THIS MESSAGE SUPERSEDES REF A. ADDRESSEES WILL ENSURE WIDEST

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DISSEMINATION, IMPLEMENTATION, AND COMPLIANCE.

3. NATIONAL GUARD ARMORIES AND OTHER STATE FACILITIES SHOULD REVIEW APPLICABLE STATE LAW FOR ADDITIONAL GUIDANCE AND RESTRICTIONS.

4. POLITICAL CAMPAIGNS AND ELECTIONS DEFINED. A POLITICAL CAMPAIGN OR ELECTION BEGINS WHEN A CANDIDATE, INCLUDING AN INCUMBENT OFFICE-HOLDER, MAKES A FORMAL ANNOUNCEMENT THAT HE OR SHE SEEKS TO BE ELECTED TO A FEDERAL, STATE, OR LOCAL POLITICAL OFFICE. A POLITICAL CAMPAIGN OR ELECTION ALSO BEGINS WHEN AN INDIVIDUAL FILES A CANDIDACY WITH THE FEDERAL ELECTION COMMISSION OR EQUIVALENT STATE OR LOCAL REGULATORY OFFICE. ONCE INITIATED, A POLITICAL CAMPAIGN OR ELECTION DOES NOT END UNTIL ONE WEEK AFTER THE CONCLUSION OF THE RELEVANT ELECTION.

5. GENERAL POLICY. AS A MATTER OF LONG-STANDING POLICY, DOD PERSONNEL ACTING IN THEIR OFFICIAL CAPACITIES MAY NOT ENGAGE IN ACTIVITIES THAT ASSOCIATE DOD WITH ANY PARTISAN POLITICAL CAMPAIGN OR ELECTION, CANDIDATE, CAUSE OR ISSUE. POLITICAL ACTIVITY BY MEMBERS OF THE ARMED FORCES CONTINUES TO BE GOVERNED BY REF B. POLITICAL ACTIVITY BY FEDERAL CIVILIAN PERSONNEL CONTINUES TO BE GOVERNED BY REFS C AND D.

6. INQUIRIES FROM POLITICAL CAMPAIGN ORGANIZATIONS. DOD PERSONNEL MUST FORWARD ALL INQUIRIES FROM POLITICAL CAMPAIGN ORGANIZATIONS TO A COGNIZANT PUBLIC AFFAIRS OFFICER (PAO). IN RESPONSE TO SPECIFIC INQUIRIES, PAOS WILL ONLY PROVIDE INFORMATION THAT IS AVAILABLE TO THE GENERAL PUBLIC. REF E PERTAINS.

7. DOD NEWSPAPERS AND PUBLICATIONS. PER REF F, DOD NEWSPAPERS AND CIVILIAN ENTERPRISE PUBLICATIONS WILL NOT PUBLISH INFORMATION PROVIDED BY A CANDIDATE'S CAMPAIGN ORGANIZATION, PARTISAN ADVERTISEMENTS AND DISCUSSIONS, OR CARTOONS, EDITORIALS, AND COMMENTARIES DEALING WITH POLITICAL CAMPAIGNS OR ELECTIONS, CANDIDATES, CAUSES, OR ISSUES. PER REF G, DOD NEWSPAPERS AND CIVILIAN ENTERPRISE PUBLICATIONS MAY NOT CONDUCT OR PUBLISH POLLS, SURVEYS, OR STRAW VOTES RELATING TO POLITICAL CAMPAIGNS OR ELECTIONS, CANDIDATES, CAUSES, OR ISSUES.

8. ARMED FORCES RADIO AND TELEVISION SERVICE. PER REFS H AND I, AFRTS WILL PROVIDE A FREE FLOW OF BALANCED, INFORMATIONAL COVERAGE OF POLITICAL CAMPAIGNS AND ELECTIONS PROVIDED BY U.S. COMMERCIAL AND PUBLIC NETWORKS FREE OF CHARGE. AFRTS WILL EXERCISE GREAT CARE TO PROVIDE NEWS REGARDING POLITICAL CAMPAIGNS AND ELECTIONS ABSENT POLITICAL COMMENT, ANALYSIS OR INTERPRETATION. ALTHOUGH AFRTS MAY INCLUDE POLITICAL COMMENT, ANALYSIS, OR INTERPRETATION FROM SOURCES PROVIDED BY U.S. COMMERCIAL AND PUBLIC NETWORKS FREE OF CHARGE AS PART OF ITS INFORMATIONAL COVERAGE, AFRTS WILL NOT SUPPORT OR OPPOSE ANY CANDIDATES, CAUSES, OR ISSUES. ADDITIONALLY, AFRTS WILL NOT BROADCAST ADVERTISEMENTS OR ANNOUNCEMENTS PAID FOR BY A CANDIDATE, AN ORGANIZED POLITICAL PARTY, OR A PRIVATE GROUP SEEKING TO INFLUENCE THE OUTCOME OF A POLITICAL CAMPAIGN OR ELECTION.

9. USE OF INSTALLATION FACILITIES BY CANDIDATES. INSTALLATION

COMMANDERS WILL NOT PERMIT THE USE OF INSTALLATION FACILITIES BY ANY CANDIDATE FOR POLITICAL CAMPAIGN OR ELECTION EVENTS, INCLUDING: PUBLIC ASSEMBLIES OR TOWN HALL MEETINGS, SPEECHES, FUND-RAISERS, PRESS CONFERENCES, POST-ELECTION CELEBRATIONS, AND CONCESSION ADDRESSES. THIS POLICY DOES NOT PROHIBIT MEMBERS OF CONGRESS AND OTHER ELECTED OFFICIALS FROM VISITING MILITARY INSTALLATIONS TO RECEIVE BRIEFINGS, TOURS, OR OTHER
OFFICIAL DOD INFORMATION. INSTALLATION COMMANDERS WILL ENSURE THAT CANDIDATES WHO VISIT MILITARY INSTALLATIONS TO CONDUCT OFFICIAL BUSINESS DO NOT ENGAGE IN ANY POLITICAL CAMPAIGN OR ELECTION ACTIVITY DURING THE VISIT. THE PRECEDING PROHIBITION DOES NOT APPLY TO THE PRESIDENT, THE VICE PRESIDENT, OR THE SPEAKER OF THE HOUSE OF REPRESENTATIVES. TO AVOID THE APPEARANCE OF PREFERENTIAL TREATMENT, INSTALLATION COMMANDERS SHOULD OFFER ALL CANDIDATES FOR NATIONAL OFFICE WHO ARE NOT CURRENT MEMBERS OF CONGRESS OR SERVING GOVERNMENTAL OFFICIALS THE SAME ACCESS TO INSTALLATIONS AS ANY OTHER UNOFFICIAL VISITOR. INSTALLATION COMMANDERS SHOULD CONSULT SERVICE CHIEFS OF LEGISLATIVE LIAISON FOR GUIDANCE OR INSTRUCTIONS REGARDING SPECIFIC VISITATION REQUESTS.

10. MEDIA COVERAGE OF INSTALLATION VISITS. WHEN AN INSTALLATION COMMANDER INVITES A CANDIDATE TO AN INSTALLATION TO PARTICIPATE IN OFFICIAL BUSINESS, AND THE MEDIA SEEKS TO COVER THE EVENT, THE CANDIDATE MAY APPEAR ON CAMERA AND IN PHOTOGRAPHS AS AN OFFICIAL PARTICIPANT, BUT MAY NOT MAKE A STATEMENT OR RESPOND TO MEDIA QUERIES WHILE ON THE INSTALLATION. THE SECRETARY OF DEFENSE MAY AUTHORIZE EXCEPTIONS TO THIS POLICY ON A CASE BY CASE BASIS FOR THE PENTAGON RESERVATION, BUT UNDER NO CIRCUMSTANCES WILL A CANDIDATE RECEIVE APPROVAL TO MAKE A CAMPAIGN OR ELECTION-RELATED STATEMENT OR TO RESPOND TO A CAMPAIGN OR ELECTION-RELATED MEDIA QUERY. WHEN AN ELECTED OFFICIAL ARRIVES OR DEPARTS A MILITARY INSTALLATION VIA MILITARY AIRCRAFT, THE INSTALLATION COMMANDER WILL NOT AUTHORIZE MEDIA COVERAGE OF THE ARRIVAL OR DEPARTURE IF THE ELECTED OFFICIAL'S ITINERARY INCLUDES POLITICAL CAMPAIGN OR ELECTION ACTIVITY IN THE LOCAL COMMUNITY. THE PRECEDING PROHIBITION DOES NOT APPLY TO THE PRESIDENT, THE VICE PRESIDENT, OR THE SPEAKER OF THE HOUSE OF REPRESENTATIVES. WHEN THE PRESIDENT, VICE PRESIDENT, OR SPEAKER OF THE HOUSE ARRIVES OR DEPARTS A MILITARY INSTALLATION VIA MILITARY AIRCRAFT AND PART OF THAT OFFICIAL'S ITINERARY INCLUDES POLITICAL CAMPAIGN OR ELECTION ACTIVITY IN SUPPORT OF A PARTICULAR CANDIDATE, THE INSTALLATION COMMANDER WILL ALLOW THE MEDIA A PHOTO OPPORTUNITY TO COVER THE ARRIVAL OR DEPARTURE OF THE PRESIDENT, VICE PRESIDENT, OR SPEAKER OF THE HOUSE, BUT WILL NOT ALLOW THE SUPPORTED CANDIDATE TO BE PRESENT DURING THE PHOTO OPPORTUNITY. INSTALLATION COMMANDERS ANTICIPATING A VISIT BY THE PRESIDENT, VICE PRESIDENT, OR SPEAKER OF THE HOUSE THAT MAY INVOLVE POLITICAL CAMPAIGN OR ELECTION ACTIVITY SHOULD CONTACT STAFF ASSISTANTS PLANNING THE VISIT TO ENSURE ALL CONCERNED ARE AWARE OF THE PROVISIONS OF DOD'S PUBLIC AFFAIRS POLICY GUIDANCE.

11. SUPPORT OF POLITICAL EVENTS BY MILITARY PERSONNEL. DOD MAINTAINS A LONG-STANDING POLICY THAT DOD PERSONNEL ACTING IN THEIR OFFICIAL CAPACITIES MAY NOT ENGAGE IN ACTIVITIES THAT ASSOCIATE DOD WITH ANY PARTISAN POLITICAL CAMPAIGN OR ELECTION, CANDIDATE, CAUSE,

OR ISSUE. CONSISTENT WITH THIS POLICY GUIDANCE, INSTALLATION COMMANDERS WILL DECLINE REQUESTS FOR MILITARY PERSONNEL TO APPEAR IN OR SUPPORT POLITICAL CAMPAIGN OR ELECTION EVENTS. ALL MILITARY PERSONNEL, INCLUDING NATIONAL GUARD AND RESERVE FORCES, ARE PROHIBITED FROM WEARING MILITARY UNIFORMS AT POLITICAL CAMPAIGN OR ELECTION EVENTS. REFS J, K, AND L PERTAIN. THIS POLICY IS NOT APPLICABLE TO THE PROVISION OF JOINT ARMED FORCES COLOR GUARDS AT THE OPENING CEREMONIES OF THE NATIONAL CONVENTIONS OF THE REPUBLICAN, DEMOCRATIC, AND OTHER POLITICAL PARTIES FORMALLY RECOGNIZED BY THE FEDERAL ELECTION COMMISSION.

12. PUBLIC COMMENTARY BY MILITARY PERSONNEL. ALL MILITARY PERSONNEL, INCLUDING NATIONAL GUARD AND RESERVE FORCES, ACTING IN THEIR OFFICIAL CAPACITIES MAY NOT ENGAGE IN PUBLIC COMMENTARY, INCLUDING SPEECHES AND WRITTEN SUBMISSIONS OFFERED FOR PUBLICATION, CONCERNING POLITICAL CAMPAIGNS OR ELECTIONS ABSENT PRIOR CLEARANCE. REFS B, E, F, M, AND N PERTAIN.

13. POLITICAL CAMPAIGN OR ELECTION LITERATURE. MILITARY PERSONNEL, INCLUDING NATIONAL GUARD AND RESERVE FORCES, SHALL NOT DISTRIBUTE POLITICAL CAMPAIGN OR ELECTION LITERATURE WHILE IN UNIFORM, WHILE ACTING IN AN OFFICIAL CAPACITY, OR WHILE ON A MILITARY INSTALLATION. INSTALLATION COMMANDERS WILL ONLY ALLOW DISTRIBUTION OF POLITICAL CAMPAIGN OR ELECTION LITERATURE ON INSTALLATIONS AS AUTHORIZED BY MILITARY DEPARTMENT REGULATIONS.

14. FILMING, PHOTOGRAPHING, OR TAPING ON MILITARY INSTALLATIONS. INSTALLATION COMMANDERS WILL NOT ALLOW CANDIDATES OR THEIR AGENTS TO FILM, PHOTOGRAPH, OR TAPE MILITARY EQUIPMENT (E.G. SHIPS, TANKS, AND AIRCRAFT) FOR USE IN POLITICAL CAMPAIGN OR ELECTION ADVERTISEMENTS, COMMERCIALS, OR LITERATURE. ABSENT EXCEPTIONAL OPERATIONAL SECURITY CONCERNS, THIS GUIDANCE DOES NOT APPLY TO CANDIDATES OR THEIR ASSISTANTS WHO ELECT TO FILM, PHOTOGRAPH, OR TAPE MILITARY EQUIPMENT FROM A LOCATION OUTSIDE THE CONFINES OF AN INSTALLATION.

15. FEDERAL VOTING ASSISTANCE PROGRAM. DOD ENCOURAGES ALL ACTIVE DUTY MILITARY AND CIVILIAN PERSONNEL AND THEIR ELIGIBLE FAMILY MEMBERS TO REGISTER AND VOTE. CONSISTENT WITH REFS O AND P, DOD WILL SUPPORT THE FEDERAL VOTING ASSISTANCE PROGRAM BY PUBLISHING FACTUAL INFORMATION ABOUT REGISTRATION AND VOTING LAWS, WITH SPECIAL EMPHASIS ON ABSENTEE VOTING REQUIREMENTS. ADDITIONALLY, COMMANDERS WILL PROVIDE VOTING ASSISTANCE OFFICERS AT EVERY LEVEL OF COMMAND, AND ENSURE THEY ARE TRAINED AND EQUIPPED TO PROVIDE VOTING ASSISTANCE. COMMANDERS RESPONSIBLE FOR OPERATION OF MILITARY POST OFFICES SHOULD ENSURE EXPEDITIOUS PROCESSING OF BALLOTING MATERIAL AND PROPER POSTMARKING AND DATE STAMPING OF ABSENTEE BALLOTS. VOTING ASSISTANCE INFORMATION IS AVAILABLE THROUGH THE DIRECTOR, DOD FEDERAL VOTING ASSISTANCE PROGRAM, WASHINGTON HEADQUARTERS SERVICES, 1155 DEFENSE PENTAGON, WASHINGTON DC 20301-1155. VOTING ASSISTANCE INFORMATION ALSO IS AVAILABLE BY TELEPHONE AT COMMERCIAL (800) 438-8683, (703) 588-1584, FAX (703) 588-0108, DSN 425-0108, E-MAIL (ALL LOWER CASE) VOTE@FVAP.NCR.GOV, OR WEBSITES WWW.FVAP.NCR.GOV AND WWW.FVAP.GOV.

16. NATIONAL VOTER REGISTRATION ACT. ARMED FORCES RECRUITMENT OFFICES MUST REVIEW REF Q TO ENSURE COMPLIANCE WITH THE NATIONAL VOTER REGISTRATION ACT.

17. INSTALLATION FACILITIES AS POLLING PLACES.
A. IF AS OF DECEMBER 31, 2000, AN INSTALLATION FACILITY WAS DESIGNATED AS AN OFFICIAL POLLING PLACE BY A STATE OR LOCAL ELECTION OFFICIAL OR HAS BEEN USED AS A POLLING PLACE SINCE JANUARY 1, 1996, INSTALLATION COMMANDERS SHALL NOT DENY THE USE OF THAT FACILITY AS A POLLING PLACE FOR FEDERAL, STATE, OR LOCAL ELECTIONS. THE SECRETARY OF DEFENSE OR THE SECRETARY OF THE MILITARY DEPARTMENT CONCERNED MAY GRANT A WAIVER OF THE REQUIREMENT TO ALLOW USE OF THE FACILITY IF THAT SECRETARY DETERMINES THAT LOCAL SECURITY CONDITIONS REQUIRE PROHIBITION OF THE DESIGNATION OR USE OF THAT FACILITY AS AN OFFICIAL POLLING PLACE FOR ANY ELECTION. BECAUSE LOCATING POLLING PLACES ON A MILITARY INSTALLATION MAY CAUSE DOD PERSONNEL INADVERTENTLY TO VIOLATE ONE OR MORE OF THE FOLLOWING STATUTES: 18 U.S.C. 592, 593, 594, 596, 602, 603, 606, 607, AND 609; INSTALLATION COMMANDERS SHOULD ENSURE THAT ALL ACTIVE DUTY MILITARY PERSONNEL REMAIN CLEAR OF SUCH POLLING PLACES EXCEPT AS NECESSARY TO EXERCISE THEIR INDIVIDUAL VOTING RIGHTS.
B. WITH RESPECT TO ANY INSTALLATION FACILITY NOT COVERED BY PARAGRAPH 17.A., INSTALLATION COMMANDERS SHOULD NOT ALLOW THE USE OF INSTALLATION FACILITIES AS POLLING PLACES FOR FEDERAL, STATE, OR LOCAL ELECTIONS.

18. QUESTIONS CONCERNING THIS DOD PUBLIC AFFAIRS POLICY GUIDANCE. THE POINT OF CONTACT FOR MEDIA QUESTIONS REGARDING DOD PUBLIC AFFAIRS POLICY GUIDANCE CONCERNING POLITICAL CAMPAIGNS AND ELECTIONS IS MR. GLENN FLOOD, OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE FOR PUBLIC AFFAIRS (OASD(PA)), DOD PRESS OPERATIONS OFFICE, AT COMMERCIAL (703) 695-6294 OR DSN 225-6294. ADDITIONALLY, LEGAL INTERPRETATION OF THIS GUIDANCE IS AVAILABLE FROM LOCAL LEGAL ADVISORS. THE DOD GENERAL COUNSEL IS THE FINAL AUTHORITY IN DOD FOR RESOLUTION OF DISPUTES OR OTHER SIGNIFICANT POTENTIAL
PROBLEMS CONCERNING LEGAL INTERPRETATION OF THIS GUIDANCE.

19. CONCERNS AND ISSUES INVOLVING FEDERAL CANDIDATES. THE POINT OF CONTACT FOR ALL CONCERNS, DISPUTES, UNRESOLVED ISSUES, OR POTENTIAL PROBLEMS INVOLVING FEDERAL CANDIDATES IS OASD(PA), AT COMMERCIAL (703) 697-0713 OR DSN 227-0713. INSTALLATION COMMANDERS ARE DIRECTED TO NOTIFY OASD(PA) OF ALL SUCH CONCERNS, DISPUTES, UNRESOLVED ISSUES, OR POTENTIAL PROBLEMS, INCLUDING THOSE THAT ARE RESOLVED AMICABLY.

PJBD...INFO ****
USRMCLO...INFO ****
JSSC...INFO ****
SHAPE LNO...INFO ****
USSOCOMWO...INFO ****

JOINT STAFF V1 1
ACTION (U,7)
INFO CMAS(*) CMAS(1)

SECDEF V2 1
ACTION (6,7)
INFO NMCC:CWO(*) JS COMPT(*) PJBD(*) JSSC(*)
USSOCOMWO(*) JMUSDC(*) USTRANSCOMWO(*) JSAMS(*)
JSAMS UNCLAS DMS(*) CHAIRS(*) CHAIRS TESTBED(*)
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MDA(*) USDAT:STS(*) ASD:PA-SMTP(*) ATSD-NCB(*)
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