OFFICE OF THE SECRETARY OF DEFENSE
1000 DEFENSE PENTAGON
WASHINGTON, DC 20301-1000

JUN 25 2020

MEMORANDUM FOR CHIEF MANAGEMENT OFFICER OF THE DEPARTMENT OF DEFENSE
SECRETARIES OF THE MILITARY DEPARTMENTS
CHAIRMAN OF THE JOINT CHIEFS OF STAFF
UNDER SECRETARIES OF DEFENSE
CHIEF OF THE NATIONAL GUARD BUREAU
GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE
DIRECTOR, COST ASSESSMENT AND PROGRAM EVALUATION
INSPECTOR GENERAL OF THE DEPARTMENT OF DEFENSE
DIRECTOR OF OPERATIONAL TEST AND EVALUATION
CHIEF INFORMATION OFFICER OF THE DEPARTMENT OF DEFENSE
ASSISTANT SECRETARY OF DEFENSE FOR LEGISLATIVE AFFAIRS
ASSISTANT TO THE SECRETARY OF DEFENSE FOR PUBLIC AFFAIRS
DIRECTOR OF NET ASSESSMENT
DIRECTORS OF THE DEFENSE AGENCIES
DIRECTORS OF DOD FIELD ACTIVITIES

SUBJECT: Guidance on Communications with Presidential Campaigns

On May 29, 2020, the Secretary of Defense issued the attached memorandum, SUBJECT: "Preparation for Orderly Administration Transition," that established the framework through which DoD will prepare for an orderly Presidential transition to assist the returning or incoming President. Building upon that framework, this memorandum outlines the responsibilities and expectations of DoD personnel with respect to communications with Presidential Campaigns, both before and after the 2020 election.

Current federal law provides for the preparation for an orderly transition prior to the election, including potential engagement on transition activities, with authorized representatives of eligible candidates only. Eligible candidates will be designated by the Administrator of the General Services Administration following the nominating conventions of the major parties. Until such time, DoD personnel are prohibited from engaging with potential candidates and their authorized representatives on any matter related to their official duties under any circumstances. Any contact from potential candidates and their campaigns should be reported immediately to me or my designee.

Following the designation of eligible candidates, further guidance on briefing materials for the Presidential campaigns will be provided and disseminated DoD-wide. To ensure proper, consistent, and equitable, dissemination of information to the authorized representatives of

eligible candidates, all requests for such engagement must be routed through and approved by me or my designee before any such engagement occurs.

All DoD personnel should also be aware of existing limitations on participation in political activity. The Hatch Act and departmental policy regulate the political activities of civilian employees. DoD Directive 1344.10, "Political Activities by Members of the Armed Forces," similarly regulates such activity by military members. Specific inquiries about participation in political activities should be directed to the Office of the DoD General Counsel for the Office of the Secretary of Defense and other Fourth Estate personnel, or, for all other personnel, to the Office of the General Counsel of their respective DoD Component or the Judge Advocate General/Staff Judge Advocate of their respective military service.

The Secretary intends for individuals to be held appropriately accountable for deviations from the above direction. You are to ensure that this memorandum is distributed to all personnel within your Component by July 1, 2020, and that personnel within your Component are briefed as appropriate on the relevant laws, regulations, and policies, no later than July 15, 2020.

On this matter, my point of contact is Mr. Thomas Muir, Director, Washington Headquarters Services, Acting Director, Administration & Organizational Policy, in the Office of the Chief Management Officer, and the DoD senior career employee for transition, thomas.m.muir.civ@mail.mil. The points of contact within the Office of the General Counsel are Mr. Paul Koffsky, Senior Deputy General Counsel/Deputy General Counsel (Personnel & Health Policy), paul.s.koffsky.civ@mail.mil; Mr. Joseph Trombo, Associate Deputy General Counsel (Personnel and Health Policy), joseph.l.trombo.civ@mail.mil; and Mr. Scott Thompson, Director, DoD Standards of Conduct Office, scott.f.thompson.civ@mail.mil.

Jennifer M. Stewart

Jennifer M. Stewart
Head of DoD Transition
Chief of Staff to the Secretary
of Defense

Attachment:
As stated

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SECRETARY OF DEFENSE
1000 DEFENSE PENTAGON
WASHINGTON, DC 20301-1000

MAY 2 9 2020

MEMORANDUM FOR CHIEF MANAGEMENT OFFICER OF THE DEPARTMENT OF DEFENSE
SECRETARIES OF THE MILITARY DEPARTMENTS
CHAIRMAN OF THE JOINT CHIEFS OF STAFF
UNDER SECRETARIES OF DEFENSE
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ASSISISTANT SECRETARY OF DEFENSE FOR LEGISLATIVE AFFAIRS
ASSISTANT TO THE SECRETARY OF DEFENSE FOR PUBLIC AFFAIRS
DIRECTOR OF NET ASSESSMENT

SUBJECT: Preparation for Orderly Administration Transition

In November, the American people will once again exercise one of our greatest freedoms: the right to vote and elect the next President of the United States. With your leadership and support, we will provide the incoming President and Administration with an effective, thorough, and seamless transition, thereby fulfilling a critical, time-honored responsibility and custom in our republic. This memorandum directs DoD's preparation for an orderly transition to the next Administration. It also implements DoD Directive (DoDD) 5105.76, "Transition of Administration Appointees and Other Officials;" Public Law 116-121, the "Presidential Transition Enhancement Act of 2019;" Public Law 114-136, the "Edward 'Ted' Kaufman and Michael Leavitt Presidential Transitions Improvement Act of 2015 (Presidential Transitions Improvement Act);" Public Law 111-283, the "Pre-Election Transition Act of 2010;" and Public Law 88-277, the "Presidential Transition Act of 1963."

As required by DoDD 5105.76, I direct the Head of DoD Transition to be Ms. Jennifer Stewart. Further, effective June 1, 2020, a DoD Transition Task Force (TTF) will be established within the Immediate Office of the Secretary of Defense (OSD), operating under the leadership of the Head of DoD Transition. A Director of the TTF, who will coordinate day-to-day activities, will be identified at a later date. Finally, the DoD senior career employee for transition is Mr. Thomas Muir, who will also represent DoD at the Agency Transition Directors Council.

By June 22, 2020, all addressees will identify their respective component Transition Assistance Coordinators (TAC), who will serve as matrix members of the TTF staff. The TACs

will be your lead representative for transition, and while they will focus their efforts on transition matters directly involving your respective components, they will also support aggregate TTF and transition requirements. Until a TTF Director is identified, provide names and contact information for your TAC to Mr. Muir. Additionally, if not already identified in the OSD and DoD Component succession plans, the heads of OSD and DoD Components will identify a senior career employee who will be broadly aware of major component initiatives, and empowered to lead and support the transition process. Mr. Muir will work directly with OSD and DoD Components on this requirement.

To support effective transition planning, DoDD 5105.76 and relevant laws provide for potential engagement on transition activities, prior to the election, with authorized representatives of eligible candidates. All such contacts, engagements, and requests for information or briefings will be forwarded, without exception, to the Head of DoD Transition for appropriate disposition, to ensure proper, consistent, and equitable dissemination of information to the authorized representatives of eligible candidates. Subsequent guidance will be disseminated as needed by the Head of DoD Transition regarding external communications and engagements, further organizational constructs to support the transition, and other DoD transition planning matters.

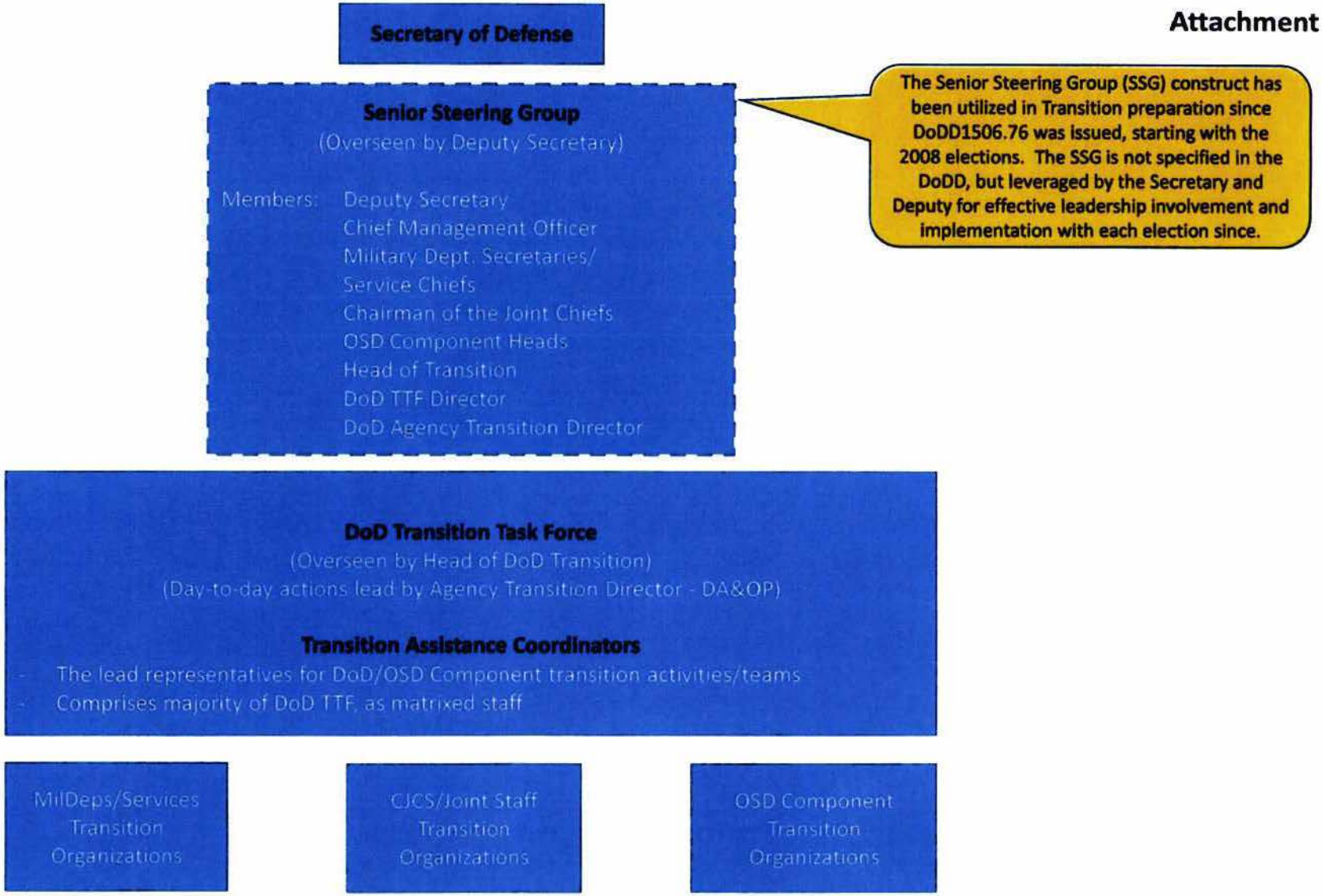
These efforts will ensure proper preparation and support for transitioning control of DoD operations to the incoming Presidential Administration on January 20, 2021. The DoD is committed to executing this task effectively and efficiently, in order to ensure the maintenance and continuity of national security; minimize impacts associated with the departure and arrival of key civilian leaders; and sustain smooth operations within the Department, to include the proper flow of information and coordinating support.

Thank you for your partnership and cooperation on this important responsibility, as we fulfill our national security obligations and uphold the orderly transition of power.

Attachments:
1. DoD Transition Structure
2. Transition Timeline

cc:
Commanders of the Combatant Commands
Directors of Defense Agencies
Directors of DoD Field Activities
Executive Secretary of the Department of Defense

Attachment 1



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Attachment 2

DoD Transition Timeline

27 May (T)	**Agency Transition Directors Council Meeting**
May/June	**SecDef Memo to DoD** o Identify Head of DoD Transition (SD CofS) o Establish DoD Transition Task Force (TTF) (TBD) o Identify senior career employee for Transition (Acting Director, Admin and Org Policy) o Request Transition Assistance Coordinators (TAC's)
June	**Joint Meeting of Senior Steering Group and TAC's**
July	OSD and **DoD Components/TTF prepare information and Transition representative of: eligible candidates and/or President-elect** o Senior Steering Group meet as needed
Aug	**White House meet** with Transition representatives of eligible candidates; and **Head of DoD Transition** meet with DoD Transition leads from eligible candidates o All actions consistent with White House operating parameters o Up-Front; set clear expectations of transition information provided o Reinforce information will be provided equitably; to all, even if requested by one o Provide General operating parameters
Aug – Oct	**Possible pre-election engagement (representative of eligible candidates)**
15 Sept (NLT)	**Ensure succession plans in place for each senior non-career position in the agency**
Nov – Jan	**Post-election engagement (representatives of President-elect)**
Jan +	**Post inauguration/New Administration**