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Inspector General
United States Department of Defense

DEPUTY INSPECTOR GENERAL FOR INTELLIGENCE AND SPECIAL PROGRAM ASSESSMENTS

Review of Matters Related to the Office of the Assistant Secretary of Defense (Public Affairs) Retired Military Analyst Outreach Activities

Additional Information

The Department of Defense Office of the Inspector General prepared this report. If you have questions, contact the signer of the report.

Acronyms and Abbreviations

ASD (PA)	Assistant Secretary of Defense (Public Affairs)
DODD	Department of Defense Directive
DODI	Department of Defense Instruction
DOD IG	Department of Defense Inspector General
GAO	Government Accountability Office
INSCOM	U.S. Army Intelligence and Security Command
OASD (PA)	Office of the Assistant Secretary of Defense (Public Affairs)
PARA	Public Affairs Research and Analysis
RMA	Retired Military Analyst

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November 21, 2011

MEMORANDUM FOR ASSISTANT SECRETARY OF DEFENSE
(PUBLIC AFFAIRS)

SUBJECT: Review of Matters Related to the Office of the Assistant Secretary of Defense (Public Affairs) Retired Military Analyst Outreach Activities (Report No. DoDIG-2012-25)

We are providing this report for your use and comment.

The report responds to Congressional concerns on issues raised in the *New York Times* article, "Behind TV Analysts, Pentagon's Hidden Hand." We found the office of the Assistant Secretary of Defense (Public Affairs) complied with relevant DOD policies and directives in its Retired Military Analyst outreach activities. However, OASD (PA) should have a plan or guidance for activities such as the RMA outreach activities that clarifies the purpose of the specific group, who will be part of a group, the criteria for who will be invited or not to particular events, and what type of information (such as classified) will be provided based on the purpose of the group. Such a plan or guidance will provide more clarity and transparency for future such programs and may avoid potential misunderstandings.

In response to a draft of this report, the Principal Deputy Assistant Secretary of Defense for Public Affairs concurred with the report findings and recommendation. However, the proposed actions were only partially responsive to the recommendation. Please provide additional comments by January 9, 2012 to include proposed action and estimated completion date.

We appreciate the courtesies extended to the staff. Please direct questions to me at (703) 882-[redacted] You can also direct questions to [redacted] at (703) 604-[redacted] (DSN 664-[redacted]) or to Mr. John Perryman, Director of Oversight at (703) 604-[redacted] (DSN 664-[redacted])

Patricia A. Brannin
Deputy Inspector General
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Assessments

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INTRODUCTION AND SUMMARY

Beginning in April 2008, the Secretary of Defense and the Inspector General, Department of Defense (DOD IG) received letters from numerous members of Congress requesting inquiries into the issues raised in an April 20, 2008, *New York Times* article, "Behind TV Analysts, Pentagon's Hidden Hand." Members of Congress also requested concurrent inquiries from the Comptroller General, Government Accountability Office (GAO), and the Federal Communications Commission for (1) a legal opinion on whether DOD violated laws related to propaganda, and (2) an opinion on whether the military analysts received valuable consideration and did not disclose the origin or source of the information broadcast, respectively. Congress included the requirements for GAO and DOD IG inquiries in Public Law 110-417, Duncan Hunter National Defense Authorization Act for FY 2009, October 14, 2008.

In response to congressional requests and Public Law, we conducted a review and issued DOD IG Report IE-2009-004, "Examination of Allegations Involving DOD Office of Public Affairs Outreach Program," dated January 14, 2009. However, following subsequent questions and an internal quality review, the DOD IG withdrew the report.

To address the congressional concerns, we initiated this reevaluation in August 2009 focusing on the following questions:

- Did the Office of the Assistant Secretary of Defense for Public Affairs (OASD (PA)) outreach activities for Retired Military Analysts (RMA) comply with policies, procedures and requirements? Were the activities reviewed, approved and executed in accordance with the guidelines?
- Did RMAs have access to high-level officials, travel events, and classified information not available to others? If so, did the access comply with legal and policy requirements?
- Did RMAs have Defense contractor affiliations? If so, did participation in the RMA outreach activities benefit them financially as it relates to the contractor affiliation?

In its legal opinion (B-316443, July 21, 2009)[1], GAO concluded ". . . these [RMA Outreach] activities did not violate the publicity or propaganda prohibition." Accordingly, our re-evaluation did not address whether OASD (PA) used RMAs as surrogates to deliver propaganda messages to the American public.

Review Results

For many years, the Community Outreach Program operated ". . . to increase public awareness and understanding of DOD and the individual Military Departments, including their missions, activities, policies, and requirements. . . ." Over time, the program involved many groups such as religious leaders, business leaders, and civilian Defense experts. OASD (PA) added RMA outreach activities in 2002. They continued until February 2008.

We reviewed over 25,000 classified and unclassified documents that OASD (PA) officials generated or processed in administering RMA outreach. We also interviewed 63 of 74 RMAs who participated in the events, and 65 current or former DOD officials and employees involved in the activities. The former senior leaders interviewed included the Secretary of Defense, two Assistant Secretaries of Defense (Public Affairs), an acting Assistant Secretary of Defense (Public Affairs), a Principal Deputy Assistant Secretary of Defense (Public Affairs), the DOD General Counsel, and the DOD Principal Deputy General Counsel.

Compliance with Policy and Requirements

The OASD (PA) intended to share DOD information with RMAs who could share the information with their audiences. The activities were generally implemented and administered in accordance with DODD 5122.5, "Assistant Secretary of Defense for Public Affairs (ASD (PA))," September 27, 2000, and DODD 5410.18, "Public Affairs Community Relations Policy," November 20, 2001,[2] to increase public awareness and understanding of the DOD and individual Military Departments. Specifically, we found:

Selection for and Removal from RMA Participation

OASD (PA) had no specific criteria or guidelines as to who was included in the RMA outreach activities, invited to specific events, or removed from the RMA outreach activities. A preponderance of evidence indicates that one RMA stopped receiving invitations because he was a critic. However, with that exception, we did not find that OASD (PA) stopped inviting RMAs to events because OASD (PA) disagreed with what RMAs said.

Talking Points

OASD (PA) gave out documents described as talking points to RMAs in several venues. Based on our review, we found that the talking points were prepared for a larger audience that included RMAs and were designed to provide publicly-available information in concise format.

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[1] Opinion B-3164343, Subject: Department of Defense - Retired Military Officers as Media Analysts, July 21, 2009

[2] DOD Directive 5410.18 was certified current as of May 30, 2007.

White House Influence

Our review identified two communications where White House personnel received information related to RMA outreach activities. The communications did not involve influence or interference by the White House regarding RMA outreach activities.

Media Analysis

OASD (PA) was not prohibited from engaging in information gathering and related activities, including media analysis, to further its interests in keeping the public informed about DOD activities. In 2004, OASD (PA) began using "media analysis" provisions in contracts with Omnitec Solutions, Inc. to obtain reports summarizing RMA commentary following an individual RMA event, or after multiple events such as all RMA travel events to Iraq during 2005. Our review did not produce information indicating that a DOD official took favorable or unfavorable action involving a RMA based on the media analysis.

Receipt of Classified Information

Guantanamo Bay Detention Facility personnel provided RMAs, who had security clearances, with classified briefings and allowed them to observe classified operations during the first two travel events to Guantanamo Bay. A former Deputy ASD (PA) stopped the practice on or about September 29, 2005, because it was inconsistent with the intent of the RMA outreach activities. We did not address whether RMAs with security clearances had a need to know, as that decision was the responsibility of the Commander, Joint Task Force Guantanamo, and outside our review scope.

OASD (PA) Sponsored Travel

OASD (PA) sponsored 11 travel events: 5 to Iraq and 6 to the Guantanamo Bay Detention Facility. Approximately 31 RMAs participated in these trips. We identified that travel authorized for RMAs participating in the travel events complied with statutory and policy requirements. The efforts supported the outreach mission and the travel authorized was permissible.

Access to High-Level Officials

RMAs were given access to senior DOD officials, including the Secretary of Defense. For some RMAs, this access may not have been available otherwise. As noted by the Principal Deputy ASD (PA), the RMA access was special in that not just anyone could meet with the Secretary of Defense. However, most of the RMAs we spoke to, as well as the DoD officials, did not believe that access to senior officials was more than that afforded the mainstream media. In addition, we found that other outreach groups and the mainstream media participated in almost a third of the RMA outreach activities.

Contractor Affiliations

We identified 43 RMAs that had defense contractor affiliations during the time they participated in RMA outreach activities. Neither statute nor policy prohibited the RMAs from being affiliated with a defense contractor and participating in RMA outreach activities. Further, based

on asking 35 of the 43 RMAs, we did not identify any RMA who used the RMA outreach activities to gain new or expanded contract business or who profited financially, related to the contractor affiliation from information received as a RMA. There are potentially other tangible and intangible benefits that an RMA may have gained from being a part of the RMA outreach activities. This review only addressed the potential benefit to the contractor or the RMA by way of the contractor affiliation.

Conclusions

We found that the OASD (PA) conducted the RMA outreach activities in compliance with policy and regulation; and, with the exception of two classified briefings to those with a security clearance, did not provide access for RMA participants to travel, classified information, and senior officials that was special or different relative to other outreach groups or the mainstream media. The exceptions we found did not, in our opinion, affect our conclusion or lead us to make recommendations to change or modify the DoD directives and regulations.

Although the RMA outreach activities complied with DoD directives and regulations, improvements could be made in conducting such activities. The OASD (PA) lacked a stated purpose for RMA outreach activities to include a lack of internal operating procedures or guidelines for the RMA outreach activities. The lack of such procedures resulted in a loosely defined outreach group of military analysts (they were not all TV or media analysts); some RMAs who did not know they were part of such a group; and the perception of people being "dropped" for being critical and inappropriately being provided travel. In addition, lack of clear operating procedures and understanding of the group's purpose led to some RMAs receiving classified information.

Based on interviews, we did not identify that the RMA outreach activities provided a financial benefit to those RMAs affiliated with a defense contractor. Our review of relevant procurement ethics rules and regulations identified nothing that would preclude the RMAs with such an affiliation from participating in the events.

An internal plan, procedures or guidelines that define a homogenous group such as retired military analysts, the group's general purpose and operations may have avoided the activities, such as attendance by three RMAs at classified briefings at Guantanamo Bay Detention Facility. Furthermore, such actions may have prevented misunderstandings or misperceptions about RMA outreach activities, such as the perception that attendance by RMAs with Defense contractor affiliations provided a financial benefit, related to a contractor affiliation, to themselves or the contractor.

Recommendation

We recommend that the Assistant Secretary of Defense (Public Affairs), in consonance with DoD Directive 5122.5, "Assistant Secretary of Defense for Public Affairs (ASD (PA))," September 27, 2000, paragraph 3.1, establish guidance to develop a plan for groups such as the retired military analysts that clearly defines the outreach group, including its purpose, its make-up, and the nature of its activities.

Management Comments and Our Response

The Principal Deputy Assistant Secretary of Defense (Public Affairs) commented to a draft of this report and concurred with the report findings and recommendation. The comments are included in this report. However, the comments are not fully responsive to the recommendation. To fully implement the recommendation, the ASD (PA) should document the internal operating procedures or management controls that will provide and ensure outreach groups have a clearly defined purpose, group membership, the nature of the activities, and what type of information will be provided, such as classified, for existing groups that might have issues similar to those of the RMAs. This is especially critical for those outreach groups, like the RMA group, that have representatives with multiple roles, such as media and contractor affiliation. Such internal operating procedures and controls will enhance transparency and avoid misunderstandings and misperceptions. We ask that you provide additional comments by January 9, 2012 to clarify action to be taken.

BACKGROUND

Based on an *American Journalism Review* news article published in June 1999, the number of military analysts working for news organizations proliferated with the war in Kosovo to the point where ". . . [n]o fewer than 20 retired generals, lieutenant generals, major generals, admirals, colonels and lieutenant colonels . . ." were working as retired military analysts shortly after the bombing began in March 1999. According to the article, one RMA had an exclusive contract with the National Broadcasting Company while others "drifted from network to network."

A subsequent article published in May 2003 reported that ". . . when [the Iraq] war broke out [in March 2003], the broadcast networks and cable channels had amassed enough high-ranking officers to stage their own invasion. . . . NBC claimed, among many others, retired Gen. Norman Schwarzkopf . . . ABC boasted four retired generals and a lieutenant general as part of its 19-member team of experts for the war. . . . Playing for CBS was retired Gen. William "Buck" Kernan . . . and Gen. Joseph W. Ralston. . . . Former Gen. Wesley K. Clark . . . was one of CNN's stars. [Major General] . . . Burton Moore . . . was part of Fox News Channel's group of analysts. . . . Fox News Channel, which may have more paid analysts than any other news outlet, counts more than 50 experts on its payroll." Generally, the military analysts were senior officers with experience, knowledge, and credibility in military matters.

Historically, DOD officials invited retired military members to meetings or briefings to provide information and to solicit their opinions on individual military operations or matters. However, retired military members were not included as a group in a DOD program and they were not routinely invited as a group to participate in meetings or briefings with senior DOD officials. The retired military members relied on their own information sources, including their Pentagon contacts, to maintain currency in military matters involved in their work with media and other organizations.

The DOD Community Outreach Program has evolved over the years. During its existence, the program has produced up to as many as 32 outreach groups. The outreach efforts included groups such as religious leaders, veterans' service organizations, and former senior government officials. See Appendix A for other examples of outreach groups. During the time covered by our review, DODD 5122.5, "Assistant Secretary of Defense for Public Affairs (ASD (PA))," September 27, 2000, required OASD (PA) to ensure the free flow of news and information to news media and the general public. DODD 5410.18, "Public Affairs Community Relations Policy," November 20, 2001, encompassed all DOD community relations activities regardless of name, activity, or sponsorship. The requirements established in the directive were to increase public awareness and understanding of DOD and the individual Military Departments, including their missions, activities, policies, and requirements. This policy limited OASD (PA)'s support to activities with a "common public interest" to "benefit a broadly representational community." The term "community relations" was defined as "[t]he interactions between the Department of Defense and civilian communities at home and abroad at all levels."

Following the terrorist attacks on September 11, 2001, OASD (PA) used the Community Outreach Program to provide information about the war on terrorism and other significant Defense issues. In January 2002, OASD (PA) committed to program expansions which resulted in an increase of Secretary of Defense outreach briefings from 18 in 2001 to 42 in 2002. In January 2003, OASD (PA) proposed building on its achievements in 2002 based on goals for 2003 that included "additional outreach components" such as establishing:

- a media program to embed over 1000 journalists with military units deployed to the wars in Iraq and Afghanistan; and
- the "Pentagon Channel," a 24-hour news channel providing continuous information to DOD personnel and their families.

Expansion also included adding RMAs to community outreach efforts. For example, one OASD (PA) document listed 60 Pentagon outreach meetings involving 25 different outreach groups between October 26, 2001, and March 16, 2006. Of the 60 outreach meetings, 14 were for RMAs and 46 were for other outreach groups.

Our document review indicated about 147 organized events involving RMAs occurred between October 2002 and February 2008. Following the *New York Times* article in April 2008, then Principal Deputy ASD (PA), Mr. Robert Hastings, told us he suspended RMA outreach activities "because the seriousness of the allegations warranted a review."

In its legal opinion (B-316443, July 21, 2009), GAO concluded ". . . these [RMA Outreach] activities did not violate the publicity or propaganda prohibition." However, according to GAO, members of Congress raised legitimate questions regarding ". . . the intersection of DOD's public affairs activities and the possibility of compromised procurements resulting from potential competitive advantages for Defense contractors with commercial ties to RMAs." As of the date of this report, the Federal Communication Commission had not completed their investigations.

SCOPE AND METHODOLOGY

We focused on the public affairs outreach to RMAs, including the DOD offices involved in establishing and implementing RMA outreach. Our evaluation addressed the years 2002 through 2008 when RMA outreach activities occurred.

We obtained and reviewed over 25,000 documents, including electronic mail, travel and related documents, invitations to RMA outreach activities, and event transcripts. Our review included both unclassified and classified documents. We coordinated with OASD (PA), the DOD Office of General Counsel (OGC), the Washington Headquarters Services, and Verizon Communications to obtain all records, communications, and recordings pertaining to RMA outreach activities. We also used information from available security clearance background investigation records, official military personnel files,[3] and DOD databases to form our interview questions and analyze the results.

We developed standard questionnaires for interviewing RMAs and OASD (PA) personnel. We identified and interviewed 65 current or former DOD officials or staff members involved in the activities. We also interviewed 63 of the 74 RMAs who participated in RMA outreach activities.[4] Our interviews included:

- RMAs who attended varying numbers of events, from most events to one event; and
- at least one RMA at every event.

In addition, we interviewed all but 2 of the 31 RMAs and DOD officials named in the *New York Times* article.

We reviewed Federal and DOD requirements that govern OASD (PA) outreach activities. Our review included assessing whether DOD policy exists for determining individual RMA inclusion in the activities, and for inviting and approving/disapproving RMA participation in individual activities events. In addition, we examined the Omnitec Solutions, Inc. contract actions and deliverables to determine how OASD (PA) implemented the contract for media analysis and its use in RMA matters. Appendix B lists the relevant Federal and DOD requirements covered in our review.

[3] Security clearance information was not available for eight RMAs and military records were not available for eight of the RMAs. We did not pursue why these records were missing; it was not relevant to the scope of our review. However, we interviewed six of the eight RMAs for whom we could not obtain security clearance records and the eight RMAs for whom we could not obtain military personnel records.

[4] We also interviewed seven possible RMAs whom we ultimately determined did not participate in RMA outreach activities. We completed a total of 70 interviews: 63 of RMAs and 7 who we determined were not RMAs. Eleven participating RMAs were not interviewed due to: death or poor health (2); limited accessibility or involvement (4); or declined interview requests (5). We did not pursue interviews with the five RMAs (or one granting only a partial interview) who declined interview requests after determining it unlikely the interviews would produce new information that would alter the factual considerations or review outcome.

In conducting this review, we used the preponderance of the evidence standard, which is that degree of relevant evidence that a reasonable person, considering the record as a whole, would accept as sufficient to find that a contested fact is more likely to be true than untrue.

Identifying RMA Participants and Events

Although a few documents that we reviewed included RMA addresses, contact information and affiliations, none were labeled as an official "RMA List" and none identified RMA participants (both active and inactive) at any given date. Therefore, we reviewed invitations and other lists related to individual RMA outreach activities, initially identifying 86 "possible" RMAs. The number of RMAs varied from a low of about 30 in 2003 to a high of about 59 in 2006. However, the events were not attended by RMAs exclusively. About one-third (47 out of 147) included representatives from other outreach groups and/or the general media.

Our review established that individual RMAs on the list fluctuated over time. Although we did not identify any list with more than 59 RMAs, based on processing and indexing the documents, we identified 74 RMAs who participated in 147 RMA outreach activities between October 31, 2002, and February 15, 2008. This equates to about 27 events per year over the 65-month period:

- 7 RMAs participated in at least half of the events;
- 6 RMAs participated in 26 - 49% of the events;
- 22 RMAs participated in 10 - 25% of the events; and
- 39 RMAs participated in less than 10% of the events.

The information we had for the review was not always clear and some was contradictory. For example, some RMAs were unaware they were part of an outreach group or said they did not attend an event. The RMA outreach events involved high-level RMAs and DOD officials with busy schedules, which at times resulted in changes to event schedules and participation. A change might be "last-minute" and not reflected in the available activities documents. In this regard, several RMAs testified that they did not participate in some RMA outreach activities although our document review identified them as participating in one or more events. To the extent that these RMAs offered personal calendars or other documents refuting the documents included in our review, we adjusted our findings. In those cases where the record was unclear, we used our professional judgment to identify RMA outreach participants, events, and other information used in this report.

Therefore, our findings and conclusions reasonably established that 74 RMAs participated in 147 RMA outreach activities between October 31, 2002, and February 15, 2008, as follows:

- 11 travel events: 6 trips to the detention center at Guantanamo Bay, Cuba, and 5 trips to operational areas in Iraq; and

- 136 meetings or telephone conference calls with senior DOD officials: 22 meetings at the Pentagon and 114 conference calls.

Identifying Contractor Affiliations

We relied primarily on 63 RMA interviews to identify those with defense contractor affiliation(s) and whether they benefited from the affiliation(s). We used relevant information from available security clearance background investigation records to inform our interview preparations and to verify interview information. In addition, we checked available official military personnel files for indications that officers may have held positions with acquisition responsibilities prior to leaving government service. Our personnel file reviews did not reveal information impacting our review. Additional work to identify RMAs' defense contractor affiliations included checking the Joint Clearance and Access Verification System, a subsystem in the Defense Security Service's Joint Personnel Adjudication System, which also did not produce information impacting our review. Finally, in interviewing current and former DOD personnel, we asked specific questions addressing this area. Appendix C identifies RMAs that had contractor affiliations.

FINDINGS AND ANALYSIS

A. Did the RMA Outreach Activities Comply with Policy and Requirements?

In addressing whether the RMA outreach activities complied with policy and requirements, we considered the activities' purpose and intent, and its implementation specifically as related to: (1) media representation, (2) how participants were selected, removed or excluded from further participation in outreach events; (3) how talking points were used; (4) whether RMA outreach activities were coordinated with the White House; (5) whether a contractor (Omnitec Solutions, Inc.) was used to monitor and report on RMA media broadcasts and writings; (6) RMA access to classified information; (7) sponsored travel for RMAs; (8) RMAs access to senior officials.

RMA Outreach Activities Purpose and Intent

DODD 5122.5, "Assistant Secretary of Defense for Public Affairs (ASD (PA)," September 27, 2000, required OASD (PA) to ensure a free flow of news and information to the news media and general public. DODD 5410.18, "Public Affairs Community Relations Policy," November 20, 2001, encompassed all DOD community relations activities regardless of name, activity, or sponsorship, and was intended to increase public awareness and understanding of DOD and the individual Military Departments, including their missions, activities, policies, and requirements. This policy limited OASD (PA)'s support to activities with a "common public interest" to "benefit a broadly representational community." The term "community relations" was defined as "[t]he interactions between the Department of Defense and civilian communities at home and abroad at all levels." This policy covered RMA outreach activities.

Except for one unsigned, undated, draft memorandum prepared for internal distribution, we did not find any OASD (PA) documents describing the outreach activities, the reason(s) for adding RMAs to the activities, or how either the activities or the RMA element was intended to operate. The draft memorandum, an "Office Overview" for OASD (PA) Community Relations and Public Liaison, described the overall responsibilities and the office's involvement in various initiatives related to this responsibility, including 12 key outreach audiences with regard to current DOD issues, initiatives, operations and programs. One of the 12 key outreach audiences was "TV Pundits," which was made up of retired military officers turned commentators for news and cable networks.

Mr. Robert Hastings, a former Principal Deputy ASD (PA), told us that he read approximately 7,000 pages of the documents released to the *New York Times* under the Freedom of Information Act. Mr. Hastings also asked members of his staff "Is there a plan? Is there a strategy?" He told us, ". . . I was . . . looking for . . . the plan . . . [but] never discovered . . . any document that said, '[h]ere's what you're going to do and here's what our objectives are and here are the resources you have to get it done.' I never discovered that."

To determine whether the RMA outreach purpose and intent were consistent with the overall policy for community relations, we asked current and former DOD officials, as well as RMAs about their understanding of the program purpose, intent and expectations.

Public Affairs Perspective

We interviewed DOD officials in key positions with the program authority, responsibility, and involvement needed to understand and address the issues. The key officials included two former ASD (PA), a former Acting ASD (PA), a former Principal Deputy ASD (PA), and a former Deputy ASD (PA) for Internal Communications/Public Liaison and a current Principal Deputy ASD (PA). Collectively, the officials described the community outreach activities as providing news and information to many audiences; to inform, educate, and increase understanding of what DOD is doing; and to generate feedback. For example, Ms. Victoria Clarke, a former ASD (PA), saw the outreach activities as "a two-way street" useful for people not involved with DOD every day, and who could "provide us with some . . . feedback and . . . perspective." Ms. Allison Barber, a former Deputy ASD(PA) for Internal Communications/Public Liaison, told us "[t]he intent of our Outreach Program was inform and educate key . . . people that had the ability to educate more people." Ms. Barber said "[t]he Outreach Program was really about informing and educating people about the policies, and the mission and the vision of the Department of Defense, so . . . they could inform and educate people that they talk to." Ms. Barber stated she firmly believed in the "force multiplier approach to communication . . . You tell two people, they tell two people and so on . . ."

RMA Perspective

In general, the RMAs we interviewed told us that the outreach activities were intended to inform or help RMAs get accurate information to the American public. For example, one RMA described the outreach as a strategic communications program to inform the American public about major issues, and to reach out to various groups and keep them informed. One retired military officer told us that he never attended an event because he thought it "appeared" that the outreach was trying to "unduly influence" the military analysts and he did not want to get involved. However, he also said he believed that the outreach's intent was to get accurate information to the military analysts so that they can get the story out to the American people. This RMA stated that OASD (PA) had difficulty getting information out to the mainstream media.

Absent written internal procedures for the RMA outreach activities, we relied largely on our interview results to determine the program's purpose and intent. Overall, our interviews indicated that the RMA outreach activities were intended to serve as an open information exchange with credible third-party subject matter experts with background and experience necessary to question and explain military issues, actions and strategies to the American public. This understanding of the outreach activities' intent is consistent with DOD policy and guidance for community outreach.

RMA Outreach Activities Implementation

In assessing how the outreach activities were implemented, we looked at media outlet representation, selection for and removal from the activities, talking points, White House coordination, contracts for media analysis, access to classified information; sponsored travel, and access to senior DoD officials.

Media Outlet Representation

DODD 5410.18, "Public Affairs Community Relations Policy," dated November 20, 2001 and certified current as of May 30, 2007, required OASD (PA) to ensure its invitations to participate in individual outreach events extended across the "broadly representational community" involved. As applied to RMA outreach activities, we interpreted the requirement to mean that a representation of competitive media outlets should have the opportunity to participate in RMA outreach activities.

We were unable to construct invitation lists from the documentation available. Compounding the analysis, during the course of the program an individual RMA might be associated with different media outlets or more than one media outlet.

For our analysis, we looked at media representation at the 22 Pentagon meetings. We used Pentagon meetings because documentation identified who attended the meetings. Table 1 (next page) shows the media outlets represented at the 22 Pentagon meetings.

Our analysis focused on five major media outlets – ABC, CBS, NBC/MSNBC, CNN and Fox. As shown in Table 1, the media outlet representation at the Pentagon meetings ranged from ABC representative(s) attending 10 of the 22 events to Fox News representative(s) attending 21 of the 22 events. However, of the 22 Pentagon events, approximately two-thirds of the events had a representative(s) from 3 or more of the 5 media outlets.

We found a similar result on the travel to Iraq and Guantanamo Bay. Of the 11 travel events, almost half had representative(s) from 3 or more of the 5 media outlets. We did not include in this analysis, the "other" individual media outlets represented by RMAs; however, these "other" media outlets were represented at 21 of the 22 Pentagon meetings, and 5 of the 11 travel events.

OASD (PA) did not maintain a list of RMA participants; the names changed over time and we did not find criteria or other information on how they decided who to invite to particular events. Also, OASD (PA) cannot control who responds to the invitations or attends the events. However, at least two emails showed that OASD (PA) officials intended to involve a cross section of media outlets in the individual RMA outreach activities. For example, one e-mail discussing invitations advised, "… I left the invite composition to . . . as he knew best the folks that actually get on TV . . . [I] just made sure we invited abc, nbc, cbs, fox, and cnn (sic)."

Although, we were unable to document invitees to all events, we concluded that OASD (PA) made an attempt to ensure "broad participation." The conclusion is based on about half of

the Pentagon and travel events having a representative from three or more of the five major TV news outlets.

Table 1. Media Representation at Pentagon Meetings

	Media Represented based on RMA Affiliation					
Meeting Date	**ABC**	**CBS**	**NBC/MSNBC[1]**	**CNN**	**Fox**	**Other[2]**
10/31/2002			X	X	X	X
1/10/2003	X		X	X	X	X
2/12/2003			X		X	X
3/13/2003	X	X	X	X	X	X
6/6/2003		X	X	X	X	
8/12/2003	X	X	X	X	X	X
11/24/2003	X		X		X	X
2/11/2004	X	X			X	X
3/31/2004	X	X	X		X	X
6/16/2004	X	X	X	X	X	X
9/8/2004		X			X	X
2/3/2005	X	X	X		X	X
6/16/2005		X	X		X	X
8/9/2005		X			X	X
9/28/2005	X				X	X
4/18/2006	X	X		X	X	X
6/22/2006				X	X	X
10/23/2006						X
12/12/2006		X		X	X	X
1/31/2007		X	X	X	X	X
10/3/2007		X		X	X	X
2/15/2008		X			X	X

[1]General Electric, Inc. owns NBC Universal, which owns both NBC and MSNBC. Some documents listing media affiliations did not distinguish between NBC and MSNBC; therefore for comparison purposes, we combined NBC and MSNBC.

[2]Includes RMAs affiliated with magazines such as The American Spectator Magazine; organizations such as the Heritage Foundation, and National Public Radio; as well as RMAs who identified their affiliations as "freelance."

Selection for and Removal from RMA Outreach Activities

Little from our documents review or interviews described how RMAs were selected for the outreach program. Similarly, little described who or how particular RMAs would be invited

to given events, or when RMAs would no longer be included in the program. Many of the RMAs we interviewed were not aware that they were part of the outreach program.

Of the 74 RMAs, only 53 were affiliated with media outlets (see Appendix C). The 21 RMAs without media affiliations included, for example, one defense contractor employee and two with backgrounds in journalism but not involved with a media outlet. The defense contractor employee told us Secretary Rumsfeld explained why he was included as a RMA, advising ". . . [w]e've got a wide range of influential successful people that have retired, senior generals and other people in here. You guys influence a wide range of people. We'd like to be sure you have the facts." Similarly, former ASD (PA) Victoria Clarke told us, ". . . it was usually their . . . stature in the military community that would cause them to be part of this group" and "I looked at them for their recent or relevant experience in the military, not for whatever else they were doing. . . ."

Four RMAs told us they were removed from participating in RMA outreach activities because they were critical of the department operations —General (Ret.) Barry McCaffrey, General (Ret.) Wesley Clark, Lieutenant General (Ret.) Daniel Christman, and Lieutenant Colonel (Ret.) William Cowan.

General (Ret.) Barry McCaffrey

According to our documentation, General McCaffrey was affiliated with NBC and participated in seven RMA outreach activities between October 31, 2002, and April 1, 2003. General McCaffrey recalled attending meetings with senior leaders at the Pentagon before the Iraq war began in March 2003. He told us:

> I remember being . . . critical of [the] war, I think . . . [in] the April 1, 2003 Wall Street Journal . . . [and in] . . . a series of TV . . . and . . . radio interviews that probably pre-date this article . . . in my gut I know . . . I became a public enemy to the Rumsfeld team; not to the Chairman of JCS [Joint Chiefs of Staff], not to the army staff, the navy staff, the air force staff, not to GEN [John P.] Abizaid . . . [Commander, U.S. Central Command, from July 7, 2003, until March 16, 2007]. They were sending me . . . as an academic . . . in and out of the war zone . . . .

In describing how he became aware that the invitations stopped, General McCaffrey said:

> . . . I would hear from other . . . analysts that there was a conference call and that I wasn't included . . . when the war started I doubt there was ever again anything but animosity by DoD towards me with a caveat the Chairman was still seeing me, the Chief of Staff of the Services, et cetera. Abizaid was still seeing me and when I would go to Iraq I would always see the CENTCOM [U.S. Central Command] Commander before and after normally. But I wasn't part of this [RMA] effort . . . .

A former OASD (PA) Director for Community Relations and Public Liaison told us ". . . under my tenure only one person was excluded and that was Barry McCaffrey, and that was against my judgment . . . ." Further, he stated:

> . . . Barry McCaffrey had started challenging . . . the Pentagon-Secretary Rumsfeld's decisions . . . I was told . . . to immediately take him off [the list] . . . he would have been considered not a team player . . . I was told by Chris Willcox that Larry Di Rita and Torie Clarke had dismissed [him] through the Secretary -- that this was the Secretary's decision . . . ."

Two other former OASD (PA) employees recalled unsuccessful efforts to put General McCaffrey back on the RMA list. For example, Ms. Allison Barber, a former Deputy ASD (PA) for Internal Communications/Public Liaison told us that she knew General McCaffrey's wife and upon joining the OASD (PA) staff, she suggested adding him to the list. Ms. Barber said that Ms. Clarke informed her "Barry is not on this list."

None of the officials identified as involved in the decision to stop inviting General McCaffrey to the RMA outreach activities recalled such a decision. For example, Ms. Clarke told us "I don't recall that." Mr. Willcox told us "I don't remember that [ever being told to take somebody off the list]. It could have happened."

When asked whether publishing an article and being critical would have been cause to exclude General McCaffrey from further participating in Pentagon briefings, Secretary Rumsfeld responded, "I don't know for sure." He recalled that General McCaffrey was a professor at West Point and a drug czar in the Clinton administration. Secretary Rumsfeld also recalled that General McCaffrey "was a critic . . . [while] he was being paid by West Point, by the Department of Defense, as a professor . . . ." However, Secretary Rumsfeld said that he did not recall personally disinviting General McCaffrey or ever saying that General McCaffrey could not come to RMA outreach activities.

A preponderance of evidence indicates that General McCaffrey stopped receiving invitations because he was a critic. But, he told us that he continued to have access to the Pentagon and in the field. In this regard, documents show that in the more than 3 years after his participation in RMA outreach activities ended, General McCaffrey, supporting the U.S. Central Command, traveled to Iraq in April 2006 and completed a follow-up "academic" trip to Afghanistan in February 2007.

General (Ret.) Wesley Clark

Our documentation shows that General Clark was affiliated with CNN when he participated in six RMA meetings and telephone conference calls between October 31, 2002, and July 10, 2003. The *New York Times* archives for September 18, 2003, included an article reporting General Clark's September 17, 2003, announcement that he was running for President of the United States. Five RMA meetings and conference calls occurred between General Clark's last RMA event and his candidacy announcement. Our documentation does not establish conclusively whether General Clark was invited to any of these events. The documentation includes only a "Participating" list for three events. For the remaining two events, the documentation includes "Participating" and "Tentative or Declined" lists. General Clark's name does not appear on any of these lists.

General Clark told us that CNN advised him he was not invited to RMA outreach activities and he "took that as a sign" the Pentagon "was displeased with his reporting." General Clark said that he took his response this way because other RMAs at CNN were invited, but this may have been incorrect, that ". . . [m]aybe they tried to reach me and . . . couldn't . . . ." In addition, General Clark said that CNN made him feel like he ". . .

wasn't trusted by the Pentagon . . . wouldn't be able to get . . . good . . . information and therefore . . . wouldn't be as good a commentator . . . ."

Although General Clark did not officially announce his candidacy for U.S. President until September 2003, he told us:

- ". . . Secretary Rumsfeld came around [at the January 10, 2003, RMA meeting at the Pentagon] and asked me [if] was I going to run for President . . . ."
- ". . . in February of 2003, I got a call from CNN in which the CNN person told me . . .'The White House has called and they want us to . . . release you from your contract as a commentator . . . They said you're an undisclosed presidential candidate.'"
- ". . . Shortly after . . . [his Gulf War commentary] CNN told me I wasn't going to be needed anymore and we ended our relationship. . . I broke my contract . . . CNN . . . hadn't put me on in like six weeks. . .there's no point in being on contract where other people were calling me and asking me to be on television and I couldn't . . . I was on television a lot after I left CNN and before I ran . . . [my] presidential campaign . . ."

Aside from General Clark's concerns, we found no indications General Clark was not invited due to his commentary. One official said "I think when he announced his bid for President we took him off. . . ." Another official said he thought General Clark did not participate in RMA outreach activities because, "he started focusing on his run for the Oval Office and then he was writing a book at the time. So I thought those things right there may have diverted his attention and he didn't have time for this."

Another RMA recalled that General Clark was initially involved in RMA outreach activities. However, it was apparent to him that General Clark had a political agenda and represented his political beliefs, which went against the intent of the outreach program. The RMA did not know whether General Clark was dismissed from RMA outreach activities, but did notice that General Clark was at some initial meetings and then stopped attending.

Secretary Rumsfeld told us he did not know that General Clark was excluded from RMA outreach activities. Secretary Rumsfeld knew that General Clark was an active Democrat running for U.S. President but did not know whether General Clark was considered an "appropriate retired military analyst or a partisan."

General Clark did not formally announce his candidacy for U.S. President until September 2003. However, based on testimony, his intentions were either well known or assumed much earlier. Although the information is not conclusive, evidence suggests that General Clark's decision to run for President was the reason OASD (PA) stopped issuing RMA invitations.

Lieutenant General (Ret.) Daniel Christman

OASD (PA) documentation shows that Lieutenant General (LTG) Christman was affiliated with CNN and participated in 11 Pentagon meetings and conference calls between March 19, 2003, and October 23, 2003. LTG Christman told us he recalled attending three RMA outreach activities at the Pentagon and participating in approximately six telephone conference calls while working as a CNN analyst, a position he held from March to May 2003. He said that General Clark was a friend and he recommended General Clark for the position at CNN. In addition, LTG Christman said that General Clark asked him to help with the General's presidential campaign. LTG Christman stated that he made "a couple of appearances" on behalf of General Clark. LTG Christman believed the invitations to the RMA outreach activities stopped due to his association with General Clark, but agreed they may have stopped altogether because LTG Christman became involved in General Clark's presidential campaign. Finally, LTG Christman said "when the invites stopped, it wasn't a big . . . deal for me . . . I didn't have that much time . . . to devote to it . . . [and] could get the information . . . I needed fairly quickly, either from the Pentagon or from . . . colleagues . . . at West Point."

The OASD (PA) officials we interviewed were not familiar with LTG Christman's attendance at RMA outreach activities or his relationship with General Clark.

Based on our documents review, LTG Christman's participation at RMA outreach activities continued approximately 5 months after his position as a CNN analyst ended and approximately 1 month after General Clark announced his presidential bid.

Lieutenant Colonel (Ret.) William Cowan

Our documents show Lieutenant Colonel (LtCol) Cowan was affiliated with Fox News and attended 21 RMA outreach activities between July 31, 2003, and August 9, 2005. He told us ". . . he was one of Fox's pretty visible guys [who] . . . was often critical . . . [and] not invited to the RMA Outreach activities until they had been going on for some time . . ." He described his departure from RMA outreach activities as an "abrupt dismissal" attributed to a ". . . one person . . . decision . . . " by General Peter Pace, Chairman, Joint Chiefs of Staff. LtCol Cowan said that he had criticized General Pace and General Richard Myers, the previous Chairman, but was ". . . out . . . the minute . . ." General Pace was nominated as Chairman. Although indicating he would participate in the activities again if asked, he concluded ". . . I always considered being fired from the RMA group as a badge of honor . . . ."

LtCol Cowan criticized the "advisor program" for Iraq military and police training during a Fox News appearance on August 23, 2005. He told us that he subsequently ". . . got a blistering email[5] . . . which I felt bad about . . . I was

[5] E-mail received from a military department public affairs officer assigned to Multi-National Security Transition Command.

harsher about the program than maybe I should have been -- not out of any loyalty to the Pentagon . . . but out of loyalty to those men and women who were doing that -- that was my mistake, for which I apologized."

General Pace was the Chairman, Joint Chiefs of Staff, from September 30, 2005, until October 1, 2007. General Pace told us that he and LtCol Cowan had been neighbors early in their military careers and he was unaware LtCol Cowan had traveled to Iraq or criticized war efforts there. General Pace said he had not read the *New York Times* article. When asked directly if he had LtCol Cowan "removed or dumped from RMA outreach activities based on personal issues or what he was reporting," General Pace testified "I did not." Similarly, General Myers told us ". . . I was challenged by lots of people, members of Congress, all sorts of people . . . That would never be a reason to say, 'Oh, we don't talk to that person again.'"

A former OASD (PA) Community Relations employee responsible for arranging RMA outreach activities from about December 2004 until about March 2007, recalled LtCol Cowan saying ". . . I know they're mad at me in the front office or whatever, but you can tell me whatever . . . ." The employee told us ". . . I never took him [LtCol Cowan] off my [RMA] list . . . ."

A former OASD (PA) Community Relations Director told us that he liked LtCol Cowan and did not recall removing him from the RMA list. He recalled "[LtCol Cowan] . . . was a bit of persona non grata there for a little bit and . . . thought it was just a personal thing . . . ." The former director said ". . . I think he [LtCol Cowan] and Eric Ruff had a falling out . . ." Former Special Assistant to the ASD(PA), Deputy ASD(PA), and Press Secretary Mr. Eric Ruff, on the other hand, recalled ". . . I called him and talked to him . . . like an[y] other . . . journalists when I didn't think they had it right . . ." but " . . . I don't ever remember telling Bill [Cowan] . . . you're fired or whatever the term."

Ms. Allison Barber, Deputy ASD (PA) for Internal Communications/Public Liaison from November 2003 until October 2008, agreed that LtCol Cowan was candid, ". . . [y]ou know, not necessarily negative always, but . . . tough . . . [b]ut there was never any vetting process of who agrees with us, who disagrees with us . . . in Public Affairs our job is to inform and educate across the political sphere, across the strategy sphere . . . ."

Subsequent to the August event that LtCol Cowan thought precipitated his removal, our documentation shows that LtCol Cowan declined invitations to three events, the last on September 28, 2005. In addition, our documentation shows that OASD (PA) continued to regard LtCol Cowan as a military analyst for several months thereafter. Specifically, he was shown as an unconfirmed participant in a July 2006 event and referenced in an OASD (PA) document entitled Snapshot: Military Analyst/Expert Commentary (December 15 [2005] - January 4[2006][6]) ". . . [t]he top military analysts interviewed

[6] The document does not show the year involved. We determined the year based on events mentioned in the document.

during this time period were . . . Bill Cowan (Fox News) . . . Analysts on some of the more prominent talk shows . . . included . . . Bill Cowan . . . ."

Based on analysis of the available information, we concluded LtCol Cowan did not stop receiving RMA invitations due to either criticizing the war efforts or a request from General Pace. It is unclear why LtCol Cowan stopped receiving RMA invitations, but the end did not coincide with his criticizing the war efforts in August 2005, or with General Pace being nominated as Chairman, Joint Chiefs of Staff, in April 2005. Both events occurred almost a year before the last OASD (PA) document we found including LtCol Cowan as a RMA. Aside from the fact that LtCol Cowan began declining RMA invitations, we did not find any reason for the invitations to end.

Talking Points

Documents indicate that on occasion, RMAs received talking points or handouts in connection with individual RMA outreach activities. If included on the distribution list, the RMAs also received talking points occasionally in an OASD (PA) newsletter distributed once or twice weekly. Former Deputy ASD (PA) for Internal Communications/Public Liaison, Chris Willcox, described these talking points as excerpts from speeches by the Secretary, Deputy Secretary, or Chairman, Joint Chiefs of Staff. Mr. Willcox told us that the talking points were "fact oriented" information "taken from public documents" and placed in a newsletter distributed once or twice weekly by email to "a very large group" that included RMAs, university presidents, and others. He said that the talking points only included opinions if "opinions were expressed by the leadership" in, for instance, a speech. Mr. Willcox stated ". . . [w]e didn't put our opinions on anything." Similarly, former Principal Deputy ASD (PA) Lawrence Di Rita advised us that "the intent was to provide the RMAs factual information . . . sort of our take on what was happening, and here are the facts."

In addition, some RMAs requested talking points on specific topics or issues. For example, in an October 2006 email, one RMA expressed ". . . [a] lot of inquiries about Afghanistan since Saturday will be fifth anniversary. If you have anything good on this in terms of talking points or can arrange a teleconference it would likely be worthwhile."

When asked about providing talking points to RMAs, former ASD (PA) Victoria Clarke told us she did not know what "we may have given them." She said she could not remember what "we may have given press secretaries on the Hill or . . . anybody else." She stressed throughout the interview that the main effort was providing as much factual information using different vehicles to as many people as possible. She said, "[t]he RMA group was one of many, many groups to whom we provided as much news and information as possible." Of the current or former DOD officials or employees asked to describe talking points, one official said they could include DOD policy opinion, while others said talking points were fact-based; several officials were unaware any talking points were provided.

We also asked individual RMAs about the talking points. One RMA told us that the documents OASD (PA) provided were not talking points, but a "political agenda expressed in some way in bullet points given for a political purpose to someone who is going to make a

speech, or go on television, or radio, or write something." In clarifying his position, the RMA stated that OASD (PA) provided him with "information points" on many different topics and he frequently asked for them. Another RMA who also did not view the OASD (PA) documents as talking points told us that he prepared his own talking points prior to interviews or broadcasts. Although one RMA's testimony indicated that he believed the RMA outreach's intent ". . . was to move everyone's mouth on TV as a sock puppet" and was ". . . a white-level psyop [psychological operations] program to the American people," he also said that continued participation in the activities did not require RMAs to "parrot" what they were told. The RMA said that he was never told "[y]ou have to use this . . . [t]hey just basically said . . . it's your reference material . . . a bunch of list of facts." The RMA also said he never used talking points in media commentary and preferred giving commentary without notes, talking points, or even knowing what the questions would be.

In its opinion (B-316443, July 21, 2009), the GAO determined:

> Our case law establishes that an agency is engaging in covert communications and thus violating the publicity or propaganda prohibition when it uses its appropriations to fund communications that do not disclose that the agency paid for those communications. Here . . . we found no evidence, nor was it alleged, that DOD contracted with, or otherwise paid, RMOs [Retired Military Officers] for positive commentary. . . . While DOD did provide **talking points** [emphasis added] and other information to RMOs, and some DOD staff referred to the RMOs as 'surrogates,' RMOs clearly were not paid by DOD to be news readers or otherwise to deliver text provided to them by DOD. Moreover, we found no evidence that DOD concealed from the public its outreach to RMOs or its role in providing them with information and materials. Indeed, it appears that the public was aware of the program. . . . Materials that OASD-PA made available to RMOs were clearly identified as DOD products. We also found no evidence that DOD asked RMOs to conceal the outreach program or the source of their information. The only restriction we found that DOD imposed on RMOs was that they not identify by name any particular individual as a source.

Our review found nothing contradicting the GAO opinion. As part of its overall community outreach, OASD (PA) provided DOD "talking points" as information to "a very large group" on a recurring basis. On occasion, OASD (PA) also provided "talking points" in connection with individual RMA outreach activities, or in response to individual RMA requests for information on specific topics. The efforts to distribute DOD information as talking points to inform RMAs did not violate law or DOD policy.

White House Coordination

We identified only two communications between OASD (PA) and White House personnel related to the RMA outreach program:

- A 2006 e-mail from an OASD (PA) staff member to a White House public affairs liaison naming eight RMAs and their media affiliations. The White House liaison expressed an interest in obtaining contact information for the RMAs who resided locally. Our documentation did not indicate whether the contact information was provided. The OASD (PA) staff member involved in the incident did not have a clear recollection, but thought that the contact information was not provided due to privacy concerns.

- A July 12, 2005, transmittal memorandum from Secretary Rumsfeld to the then National Security Advisor, Mr. Stephen Hadley. The memorandum transmitted a Public Affairs Research and Analysis report on media coverage from June 24-July 5, 2005, following a RMA travel event to the Detention Facility at Guantanamo Bay, Cuba. Mr. Hadley did not remember receiving the report, or any other interaction with RMA outreach. He did recall occasionally inviting former military officers for meetings to get their views on Iraq policy after hearing they had visited Iraq. Mr. Hadley also recalled inviting General (Ret.) Wayne Downing (deceased) and General (Ret.) Barry McCaffrey in to discuss their views on Iraq with the President at about the time the Iraq war pre-surge began in 2006. In this regard, the *Washington Post* reported a White House meeting involving Generals McCaffrey and Downing on December 11, 2006. This news article, together with the previous discussion on General (Ret.) McCaffrey's limited involvement, supports the testimony that the meeting did not involve RMA outreach.

We also interviewed each former or acting ASD (PA) involved in RMA outreach activities (Ms. Clarke, Mr. Di Rita, Mr. Smith, and Mr. Hastings). None recalled a discussion with White House personnel that pertained to RMA outreach or an individual RMA.

Based on our documents review and interviews, we concluded OASD (PA) did not coordinate RMA outreach activities with the White House.

Contracts for Media Analysis

OASD (PA) had three contracts with Omnitec Solutions, Inc.[7] for media analysis:

- **HQ0028-04-F-0538:** A 2004 task order to develop a Web-based media analysis system called "Biz 360." Omnitec Solutions, Inc. was selected to provide the software license and a developer to load the program onto the OASD (PA) system. However, after 18 months and 11 modifications, OASD (PA) decided the system did not satisfy its interests and did not continue the service.
- **HQ0028-06-C-0012:** This 2006 contract was awarded noncompetitively to Omnitec Solutions, Inc. for media analysis, "to provide context about, or to make decisions on topics covered by various forms of media."
- **HQ0028-07-C-0054:** The 2007 contract was awarded competitively to Omnitec Solutions, Inc., providing for 12-month contract deliverables beginning October 2007 and ending September 2012.

The Statement of Work in both the 2006 and 2007 contract listed the following objectives in "Section 2.1 Public Affairs Research and Analysis":

> 1) greater awareness of developing trends in the media's coverage of DoD related events and policies; 2) alerts to . . . news that is growing from small localized coverage or blogs into national and international media coverage; 3) analysis of how the coverage reflects

[7] The first two contracts were awarded non-competitively under small business set aside programs. The third contract was competitively awarded because Omnitech revenues had grown beyond the set-aside program.

> or fails to reflect the DoD's stated policies or views (as expressed by its spokespeople and other representatives); 4) historical perspective on how media coverage of issues has evolved over time; 5) compilations of data (e.g., how many news reports on given topics within a certain time period); and 6) locating specific news articles or broadcasts and providing copies thereof.

The Scope of Work also stated: "[t]he following is an illustrative (but not comprehensive) listing of products" and include "… [a] compilation/analysis of coverage received by former DOD personnel now serving as military analysts to news organizations."

Under the contract terms, the members of the Office of the Deputy ASD(PA) for Community Relations and Public Liaison would notify (verbal or email) the Contracting Officer's Representative (the Director of Media Analysis) to have Omnitec Solutions, Inc. compile a Public Affairs Research and Analysis (PARA) report on media commentary for a specified time period. The Director reviewed and edited for grammar and syntax before emailing the report to the requesting official or a predetermined recipient list. The Director estimated that RMA-related media analysis was about one percent of the contract total, but did not have the actual data.

Our documents review included 48 PARA reports dealing with RMA commentary. The formats were not standard and the topics varied, e.g., media coverage analyzed on February 1, 2005, "Military Analyst Coverage Iraqi Elections," and media coverage during January 31 - February 5 2007, on "General Petraeus' Round Table with Military Analysts." Most PARA reports summarized RMA commentary during a specified time period, such as during evening news reports in the week(s) following a RMA travel event to the Guantanamo Bay Detention Facility.

With respect to the RMAs who believed they were removed from the RMA program, we found various PARA reports summarizing their commentary during periods after they stopped attending RMA outreach activities—three reports for General McCaffrey, three for General Clark, two for LTG Christman, and five for LtCol Cowan. Overall, while some PARA reports included quotes or other specific identification attributing comments to individual RMAs, generally, they were summaries without comment or opinion regarding the content. In addition, our review did not produce any information that a DOD official took action, either favorable or unfavorable, against a RMA based on commentary analysis in a PARA report.

The DOD policy in effect at the time did not specifically address media analysis. However, the current DODD 5122.05, "Assistant Secretary of Defense for Public Affairs (ASD(PA))," September 5, 2008, specifically provides for establishing " . . . a formal media analysis function to build greater awareness in developing trends, alert to breaking news, analyze media coverage of DOD policies and views, and compile data on coverage of DOD policies and views." The contracts were consistent with these provisions.

In its opinion (B-316443, July 21, 2009), GAO concluded that the DOD contracts to track RMA commentary and report on the media appearances, " . . . [do] not violate the publicity or propaganda prohibition." GAO further explained in its report:

> As a general matter, an agency may use appropriations to engage in information gathering and related activities such as analyzing media reports of agency programs, policies, and positions to further its legitimate interest in providing information to the public.

Our findings are consistent with the GAO findings. The Department used media analysis as a tool "to provide context about, or to make decisions on topics covered by various forms of media" and the use was not contrary to law, regulation, or policy. In addition, the information we reviewed did not indicate that the analytic results were used adversely to affect anyone's participation in the outreach activities.

Access to Classified Information

We identified two[8] RMA outreach activities at which classified information was presented.

Of the 63 RMAs interviewed, 10 thought they were given classified information during at least one event they attended. Based on the information the RMAs provided about the events and the topics covered, we identified five RMA outreach activities that potentially included classified information: three meetings at the Pentagon on October 31, 2002; January 10, 2003; and October 3, 2007; and two travel events to the Guantanamo Bay Detention Facility on June 24 and July 12, 2005. The other RMAs that we interviewed who attended the five RMA outreach activities did not recall receiving classified information.

October 31, 2002 Pentagon Meeting

Of the 12 RMAs who attended this meeting, 2 thought they had been provided classified information. Both General Clark and Colonel Allard attended this meeting and the information is consistent with the subject of the meeting in which they told us they received classified information on the War on Terrorism and weapons of mass destruction. General (Ret.) Wesley Clark told us he "thought" he received classified information concerning war planning or preparations at a meeting where General Myers was present. He could not recall specific classified information, only his impression that the information was classified. Colonel (Ret.) Kenneth Allard told us General (Ret.) Richard Myers, former Chairman, Joint Chiefs of Staff, briefed classified information at an event before the Iraq war began.[9] General Myers provided an "Update on the War on Terrorism;" and Mr. Jack D. Crouch, Assistant Secretary of Defense (International Security Programs) at the time, recalled his briefing on weapons of mass destruction. Both told us they did not brief classified information.

[8] We identified 147 RMA events.

[9] In his book "Warheads, Cable News and the Fog of War," Colonel (Ret.) Allard, wrote that General Richard C. Myers, Chairman, Joint Chiefs of Staff, presented classified and sensitive information at a RMA event where he appeared to ". . . stress that the campaign plan was a good one and . . . had been thoroughly vetted and agreed to by the Joint Chiefs . . . he talked about several things that were classified or sensitive and simply asked us to be careful."

January 10, 2003 Pentagon Meeting

Of the 16 RMAs who attended this meeting, five thought they may have received classified information. One thought the information concerned war planning; two thought the information concerned weapons of mass destruction, and two could not remember the subject matter involved. The agenda for this meeting included topics involving Iraq, the war on terrorism, and weapons of mass destruction. The event briefers, Dr. John Yurechko, then Defense Intelligence Officer for Information Operations, Defense Intelligence Agency; and General Norton Schwartz, the then Director for Operations, Joint Staff (J-3), told us their briefing did not include classified information.

October 3, 2007 Pentagon Meeting

Of the six RMAs who attended this meeting, one told us that then LTG Raymond Odierno, Commander, Multi-National Corps-Iraq, briefed classified information at a Pentagon meeting. The RMA explained "I'm sure everything Ray Odierno told me was officially classified."

General Odierno told us that the Office of the Secretary of Defense asked him to brief the military analysts. He did not recall the date, which staff members accompanied him to the briefing, or the specific information he briefed. However, he said he would have provided an overview of ongoing operations in Iraq to such a forum and the information would have been unclassified. Furthermore, he does not recall anyone announcing that the meeting was a classified meeting.

June 24 and July 12, 2005 Travel Events to Guantanamo Bay

Three RMAs told us they received classified information during the briefings at Guantanamo Bay Detention Facility. Two participated in the trip on June 24, 2005. The third participated in the trip on July 12, 2005. Ten RMAs participated in the June 2005 trip and seven participated in the July 2005 trip. The information we obtained from the accompanying OASD (PA) representatives confirmed that individuals with security clearances were provided classified briefings during the two trips.

Ms. Allison Barber, then Deputy ASD (PA) for Internal Communications/Public Liaison, confirmed that the initial trips involved classified information. When traveling to Guantanamo Bay in 2005,[10] she said she learned that the Guantanamo Bay briefers treated the travelers differently based on whether they had a clearance and she stopped the classified briefings. She also said she thought it was inappropriate to separate RMAs into different groups and some received information they could not share. The trip itinerary included " . . . Tour Camp V, View Interrogation (those with clearance)." The record was unclear whether her actions prevented classified briefings during the September 29, 2005 trip; however, no RMA who traveled to Guantanamo Bay on

[10] Our documentation showed Ms. Barber traveled with RMAs to Guantanamo Bay on September 29, 2005.

September 29, 2005, or the three subsequent trips in 2006 told us they received classified information.

In interviewing senior DOD officials such as the Secretary of Defense, we did not question them about individual events, but did ask them whether the RMA program involved classified information. The senior DoD officials told us they stayed away from using classified information in RMA outreach activities. One former ASD (PA) told us that using classified information would have been contrary to the intent of the RMA outreach activities, which was to share information with the public.

DOD security directives permit releasing classified information to personnel who "possess a valid and appropriate security clearance" and have a "need to know" (See Appendix A). We did not review whether RMAs with security clearances had a "need to know," as that decision was the responsibility of the Commander, Joint Task Force Guantanamo, and outside our review scope.

Access to Sponsored Travel Events

In reviewing access to sponsored travel events, we looked at RMA travel and reviewed the applicable policy and requirements (see Appendix A). We also reviewed OASD (PA) documents relating to the travel and interviewed the personnel involved.

In accordance with DOD 4515.13-R, "Air Transportation Eligibility," November 1994, with change 3, April 13, 1998, the ASD(PA) was authorized to approve travel or transportation for public affairs purposes, including travel for U.S. citizens who could make positive contributions to public understanding of DOD roles and missions. Travel that involved using military air transportation was subject to requirements in DODD 4500.56, "DOD Policy on the Use of Government Aircraft and Air Travel," March 2, 1997, and DODI 5435.2, "Delegation of Authority to Approve Travel In and Use of Military Carriers for Public Affairs Purposes," April 25, 1975. Specifically, this latter policy prohibited the Armed Forces from competing with commercial sea, air, or land transportation when that transportation existed, was adequate, and public affairs objectives could be accomplished through its use.

In addition, the travel was subject to DODD 4500.54, "Official Temporary Duty Travel Abroad," May 1, 1991 (Certified current as of November 21, 2003). DODD 4500.54 required "non-DOD personnel traveling under DOD sponsorship, except members and employees of Congress" to obtain a "theater clearance" from the Unified Commander and/or a "country clearance" from the U.S. Embassy.

RMA Travel

OASD (PA) sponsored 11 RMA travel events: 5 to Iraq and 6 to the Detention Facility at Guantanamo Bay, Cuba. Thirty-one RMAs participated in these trips, with most participating in multiple trips. The RMA trips to Guantanamo Bay began in June 2005 after Secretary Rumsfeld suggested the RMAs go there and see things for themselves.

Appendix C identifies the RMA travelers. Table 2 shows participation in the RMA sponsored trips based on documents included in our review.

The 11 RMA travel events all involved using military carriers for public affairs purposes. The trips also involved traveling to areas under a Combatant Commander's control. While the ASD (PA) could approve the travel for public affairs purposes, the Combatant Commander was responsible for approving the transportation requests and issuing needed country and theater clearances. For each trip, we found that the OASD (PA) requested military aircraft support and theater clearances from the Combatant Commander who then approved the requests. Commercial air was not an option in traveling to Iraq or Guantanamo Bay, Cuba.

For the first two and final trip to Iraq, each RMA paid for the round-trip airfare to Kuwait City. For the third and fourth trips, the OASD (PA) issued invitational travel orders for 12 RMAs and at least one other outreach group representative who participated in the two trips, thereby directly funding their commercial travel costs. The invitational travel orders were permissible under "The Joint Travel Regulations, Volume 2, Department of Defense Civilian Personnel," July 1, 1965.

Table 2. Retired Military Analyst Travel to Iraq and Guantanamo Bay, Cuba

Trips	Travelers Per Event		
	RMAs	Other*	DOD Staff*
Travel to Iraq			
September 22-25, 2003	10	6	3
January 9-12, 2005	5	6	3
October 5-10, 2005	6		2
December 6-11, 2005	6		3
September 14-19, 2006	4		2
Total: 5 events			
Travel to Cuba			
June 24, 2005	10		5
July 12, 2005	7		3
Sep 29, 2005	4		3
June 21, 2006	4	1	4
June 28, 2006	5	1	5
August 31, 2006	2	7	4
Total: 6 events			

*The "Other" column includes other outreach group and/or general media representatives. The "DOD Staff" column includes DOD officials and staff "escorts" for the travel.

Contractor Employee Travel

We examined the travel funding authorized for a RMA who was also a contractor employee working on an Army contract. The contract duties did not relate to the RMA outreach activities. In addition, both the contractor employee and the government supervisor (Army Deputy Chief of Staff J3/5) told us that neither the time devoted to RMA outreach activities nor the costs involved in traveling and participating in the RMA outreach activities were passed on to the Army contract. The Joint Travel Regulation provides that invitational travel "[m]ust not be authorized for . . . [c]ontractors . . . ." However, in this case, the individual was not traveling as a contractor employee and the travel was unrelated to the contract.

Access to High-Level Officials

To assess the RMA access to high-level officials, we examined whether:

- other outreach groups were included, and how well the various media were represented at RMA outreach activities; and
- the access RMAs received complied with DOD policy.

We also asked RMAs whether they thought they were given special access to high-level officials and senior DOD officials if they gave or intended to give RMAs special access to high-level officials. Of the RMAs asked:

- 42 did not believe that the outreach activities gave them better access than what was available to the mainstream media;
- 8 believed the outreach activities gave them better access; and
- 9 did not have an opinion or did not recall participating in the outreach activities.

In general, they did not believe DOD intended to give, or actually gave, a RMA information not available to the mainstream media. The eight RMAs who believed they were given access to better or more information stated: (1) the RMAs could ask better questions and, therefore, elicit better information; (2) the RMA outreach activities made it easier to collect information at one time and location; (3) a general assumption that the information would be better—one RMA advised he would not have attended otherwise; and (4) a general assumption that having the opportunity to ask the Secretary of Defense and other senior DOD officials direct questions would result in better information.

Similarly, we asked 14 OASD (PA) officials involved in managing the RMA outreach effort if they believed RMAs were given better or more access to information. None said yes. However, the more-senior officials believed that the mainstream media had better access. For example, according to former ASD (PA) Ms. Victoria Clarke, " . . . the first few months of the war, we were providing more information . . . more access to the reporters than anybody else." Based on Ms. Clarke's testimony and the testimony of Generals Peter Pace and Richard Myers, former Chairmen, Joint Chiefs of Staff, contacts with the press corps were much more frequent than with the RMAs. One testified that the press corps briefings occurred once or twice weekly, and

daily contacts with them were in the hundreds. According to Ms. Clarke, the "Pentagon press corps could and did walk freely throughout the building. They could go everywhere . . . they could talk to . . . people in the hallways . . . [t]hey could talk to them . . . in the stairs . . . [t]hey were perfectly free and . . . willing to do that . . . there was no cordoning."

Secretary Rumsfeld told us "[m]y staff checked, and I think we had maybe over 6 years, 15 meetings with them [RMAs] . . . . I had hundreds of meetings with all kinds of groups." Similarly, former Chairman, General Pace told us that in over the 6 years he was Chairman and Vice Chairman, he could recall only "three or four times, max" that he met with smaller groups other than the regular open sessions with the press. However, General Pace said that he did something with the press a couple of times a week to "make ourselves available to them and answer . . . their questions."

Other testimonies also supported this position. For example, a former OASD (PA) employee told us the access given to RMAs might be considered "extraordinary" to some, but not to ". . . members of the media who travel and spend . . . ten days on the road with the Secretary of Defense . . . ." Similarly, a former Community Relations director told us usually what happened when a General was in from Iraq, or the Pentagon was announcing new troop strategy or releasing a report, they would "blast that out" to the RMAs telling them "[i]f you want to talk to General so-and-so who is going to be available here at the Pentagon [and] right after . . . his . . . press briefing, [he would] walk across the hall and get on the phone and call the analysts, who can't get into the Pentagon in many cases . . . . They have less access than the reporters. . . ."

Principal Deputy ASD (PA) Mr. Bryan Whitman told us that RMA access was special in the sense that "we wouldn't take people off the street and . . . let them talk to the Secretary of Defense . . . they were invited in because of who they were . . . they were provided some special access . . . because of what they were doing, what they all had in common professionally." Otherwise, Mr. Whitman said that he never saw "any sort of special treatment." In addition, he said that "nobody was authorized to give the RMAs more than what they gave the general media."

Our review established that separate OASD (PA) operations granted and controlled access to media personnel and outreach groups, including RMAs. The Deputy ASD (PA) for Media Operations controlled all media access. The Deputy ASD (PA) for Internal Communications/Public Liaison controlled all outreach group access. However, testimony indicated that the press corps received the same information as the RMAs.

> In addition, based on our review, other outreach groups received the same access to DOD officials and information as the RMAs. In fact, almost one-third of the RMA outreach events (47 of 147 events) included representatives from other outreach groups and/or the mainstream media. Of the 147 RMA outreach events, 20 involved the Secretary of Defense and/or the Chairman, Joint Chiefs of Staff; more than a third of these events (8 out of 20) included representatives from other outreach groups. For example, in one event only one RMA attended a luncheon for journalists with the Secretary.

OASD (PA) actions regarding RMA outreach were consistent with the DODD 5122.5 requirement to ensure a free flow of news and information to the "news media, general public . . . and the other applicable . . . [forums]."

B. Did RMAs Have Defense Contractor Affiliations, and If So, Did They Benefit Financially From Participation in the RMA Outreach Activities?

Our objective was to determine whether the RMA outreach participants had ties to Defense contractors, and if so, whether the affiliation presented some benefit to the participants. To determine this, it was necessary to accomplish two things. First, analyze which laws and regulations were applicable to the participants under the circumstances, and second, identify RMA outreach participants with Defense contractor affiliations during the time they participated in RMA outreach events. We used the Joint Ethics Regulation definition of "Defense Contractor" to determine RMA contractor affiliation:

> Any individual firm, corporation, partnership, association, or other legal non-Federal entity that enters into a contract directly with DoD or a DoD Component to furnish services, supplies, or both, including construction. Subcontractors are excluded unless they are separate legal non-Federal entities that contract directly with DoD or a DoD Component in their own names. Foreign governments or representatives of foreign governments that are engaged in selling to DoD or a DoD Component are defense contractors when acting in that context.

This includes all legal "non-Federal entities," including not for profit agencies that have contracts with DOD. Additionally, we defined an "affiliation" as any contractual arrangement between a *defense contractor* and a participant in RMA outreach activities to include officers, board members, employees, or consultants.

No specific standard prohibits participants in RMA outreach activities from having Defense contractor affiliation(s). In a May 9, 2008, response to issues in the *New York Times* article, the Director, DOD Standards of Conduct Office (SOCO) stated that a RMA outreach participant with Defense contractor affiliation(s) does not violate Federal ethics requirements:

> . . . our initial analysis is that even if such conflicts exist, they do not implicate the Federal ethics statutes or DoD regulations implementing those statutes that apply to Government employees. Financial conflicts of interest in this context would be a matter between the military analyst and his or her nongovernment employer.

Contractor Affiliation(s)

We found that 43 RMAs had an affiliation with one or more Defense contractors during the time they participated in the RMA outreach (see Appendix C). In reaching our determination, we relied primarily on the RMA interviews. We also reviewed personnel security background investigations and other government indices in arriving at our determinations for those we interviewed and those we did not interview (see Scope and Methodology for more details).

Conflict of Interest/Financial Benefit.

We asked 35 of the 43 RMAs with Defense contractor affiliations whether the information presented during RMA outreach events gave them an opportunity to pursue new business, and

whether they benefited financially from the information. Thirty-four[11] RMAs told us they did not use the information to identify new business opportunities and did not otherwise benefit financially from the information. They indicated they did not suggest a new DOD contract requirement and did not benefit from DOD initiating a procurement action based on anyone identifying such a new requirement.

Our document review did not identify financial benefits. Since the documentation came primarily from OASD (PA), we questioned the public affairs members on the contractor affiliation issue. Except for RMAs who owned the companies involved, we did not interview the Defense contractors or government contracting officials.

We also inquired into the circumstances involving Major General James Marks, LtCol William Cowan, and Mr. Carlton Sherwood who were mentioned in the *New York Times* article. Although General Marks concurrently worked for a Defense contractor, we found no basis to conclude that General Marks used the RMA program to pursue DOD contracts. He attended two RMA outreach activities during a contract process that ultimately resulted in an award to the company he worked for. Based on the timing of the events and the subject of the events, we concluded it was unlikely he or the company would have benefited from the RMA outreach activities. We found that LtCol Cowan took advantage of being in Iraq for the September 2003 RMA-sponsored travel event to attempt to speak to a government official on non-RMA matters. Such activities are not contrary to law or regulation. Also, based on our interview, he did not benefit financially from the activities. As for Mr. Sherwood, he was not involved in the efforts to develop business in Iraq.

OASD (PA) had no policy to govern RMA outreach participation for RMAs with Defense contract-related interests. Of the 40 current and former DOD employees we interviewed regarding RMA-Defense contractor affiliations, only two knew of RMAs with Defense contractor affiliations.

There are potentially many other tangible and intangible benefits that an RMA may have gained from the being a part of the RMA outreach activities. This review only addressed the potential benefit to the contractor or the RMA by way of the contractor affiliation.

[11] One individual's answer was ambiguous.

CONCLUSIONS

RMA outreach activities were part of the DOD community outreach program to increase public awareness and understanding of DOD and the Military Departments, including their missions, activities, policies, and requirements.

RMA Outreach Activities Purpose and Operations

The RMA outreach activities were consistent with DOD directives and regulations outlined for the community relations program and the implementation of those activities was not inconsistent with law or regulation. Although we had to rely largely on interviews, we found the intent of the RMA outreach activities was to provide information to the public through former military members, as credible third party subject matter experts. In implementing the RMA outreach activities, we found that OASD (PA) included a reasonable cross section of media outlets based on our analysis of the in-Pentagon meetings and the travel events. In addition, OASD (PA) used media analysis contracts to provide information to OASD (PA) and other relevant DOD officials for analyzing media reports of agency programs, policies or positions of interest to the DOD. There was no specific policy that addressed media analysis during the time of the RMA outreach activities. However, the DOD Directive governing operations of the OASD (PA), issued after the RMA outreach activities ceased, provides for a media analysis function to build greater awareness of trends, breaking news and media coverage of DOD policies and views.

RMAs that we interviewed identified five events, which they believed contained classified information. We found that RMAs with security clearances were included in classified briefings at the first two of the five events at Guantanamo Bay; such briefings were under the purview of the Guantanamo Bay officials. However, when identified, OASD (PA) stopped the practice because classified information was inconsistent with the purpose of the RMA outreach activities. Based on testimonial evidence, we did not find that classified information was included in the other RMA outreach activities. DOD security directives permit releasing classified information to personnel who "possess a valid and appropriate security clearance" and have a "need to know." We did not review whether RMAs with security clearances had a "need to know," as that decision was the responsibility of the Commander, Joint Task Force Guantanamo, and outside our review scope.

RMAs made 11 trips paid, at least in part, by DOD: five to Iraq and six to Guantanamo Bay. DOD provided military air transportation to the RMAs in accordance with DOD policies and procedures and provided round trip commercial air cost for two of the trips between Virginia and Kuwait. Five of the 11 trips included other outreach group representative(s) or media. For the OASD (PA) sponsored trips, military air was provided from Kuwait into Iraq and from Andrews Air Force Base to Guantanamo Bay. All OASD (PA) sponsored trips used military air into Iraq and Guantanamo Bay. OASD (PA) used invitational orders to cover commercial flights into Kuwait for two of the five Iraq trips but the RMAs were responsible for getting to Kuwait for the other three trips.

As commented by the Principal Deputy ASD (PA), RMA access was special in that not just anyone could meet with the Secretary of Defense. However, the majority of RMAs we spoke to

as well as the DOD officials did not believe that the access to senior officials was more than that afforded the mainstream media. In fact, the more senior officials told us they believed that the mainstream media had better access. This is supported by the fact that approximately one third of the RMA outreach activities, including the Pentagon meetings and the travel events, included representatives from other outreach groups or media. Even those few RMAs who believed they had better access did so from the perspective that their experience and knowledge as former military members gave them a better understanding of defense issues. However, on two of the trips to Guantanamo Bay, RMAs with security clearances were given a classified briefing that the RMAs without a security briefing were not given. Therefore, with the exception of the two classified briefings, RMA access to senior officials, travel, and classified briefings was not special or different related to the other outreach groups or mainstream media.

Although the RMA outreach activities were consistent with public affairs policies, we found that the OASD (PA) lacked a clear plan or stated purpose for the RMA outreach activities that defined the overall purpose of the specific RMA outreach activities and guided selection and removal from the program. For example, a draft memorandum defined "TV Pundits" as retired military officers turned commentators for news and cable networks; this definition of RMA outreach activities was consistent with what we heard from both the current and former DOD officials and the RMAs that we interviewed. However, of the 74 RMAs we identified, only 53 had a media affiliation. For purposes of this review, we used a broad definition of media affiliation to include RMAs who were affiliated with television outlets such as CBS, NBC and FOX; some print media; and organizations, such as the Heritage Foundation. We included in the review former military members who participated in the RMA outreach activities but who left the military before qualifying for retirement. However, some of those who were part of the RMA outreach activities had no affiliation with a media outlet. Some of the RMAs were not aware they were part of the organized RMA outreach efforts. A preponderance of evidence indicates one of the 74 RMAs stopped receiving invitations because he was a critic. However, another, who thought he stopped receiving invitations because he was a critic, continued to receive invitations to activities after he was no longer affiliated with a media outlet.

RMA Contractor Affiliations

Forty three of the RMAs had some affiliation with a Defense contractor. However, in their capacity as participants in RMA outreach events, the former military members were not representing a contractor to government officials; therefore, the conflict of interest rules do not apply. As stated in the SOCO opinion, any financial conflict of interest would be a matter between the military analyst and his or her nongovernment employer. Since there was no specific prohibition or other records specifically related to identifying the RMA outreach participants' involvement or activities they may have engaged in relative to the contractor, we based our conclusions on our interviews with the RMA outreach participants. We also reviewed the specific examples mentioned in the *New York Times* article. Based on our interviews, we did not find that the RMA outreach participants used the RMA outreach activities to further their own or the affiliated Defense contractor's interests. In one case, we found that an RMA took advantage of a DOD sponsored trip to conduct non-RMA business. However, we noted that the individual had made previous such trips unrelated to RMA outreach activities. We also inquired

into one participant, who also worked for a Defense contractor and found there was no conflict of interest or violation of any rule or regulation.

The RMA outreach group was one of many different OASD (PA) outreach groups. Without a clear definition of the RMA group purpose, events and participants, our assessment necessarily depended to a large extent on testimonial evidence and our professional judgment in identifying participants, events, and operations. A former Principal Deputy ASD (PA) told us that he had looked for a plan or a strategy when the NY Times article was published; he was unsuccessful.

In our opinion, OASD (PA) should have an internal operating plan or guidance for activities such as the RMA outreach activities that clarifies the purpose of the specific group, who will be part of a group, the criteria for who will be invited or not to particular events, and what type of information (such as classified) will be provided based on the purpose of the group. Such an internal operating procedure will provide more clarity and transparency for future such programs and may avoid potential misunderstandings.

RECOMMENDATION

We recommend that the Assistant Secretary of Defense (Public Affairs), in consonance with DoD Directive 5122.5, "Assistant Secretary of Defense for Public Affairs (ASD (PA)," September 27, 2000, paragraph 3.1, develop a plan for groups such as the retired military analysts that clearly defines the outreach group, including its purpose, its make-up, and the nature of its activities.

MANAGEMENT COMMENTS AND OUR RESPONSE

The Principal Deputy Assistant Secretary of Defense (Public Affairs) concurred with the report findings and recommendation stating they will incorporate the guidance recommended if and when they engage in this specific type activity in the future. The comments are included at the end of this report**.** However, the comments are not fully responsive to the recommendation. To fully implement the recommendation, OASD (PA) should document the internal operating procedures or management controls that will provide and ensure outreach groups have a clearly defined purpose, group membership, the nature of the activities, and what type of information will be provided, such as classified, for existing groups that might have issues similar to those of the RMAs. This is especially critical for those outreach groups, like the RMA group, that have representatives with multiple roles, such as media and contractor affiliation. Such internal operating procedures and controls will enhance transparency and avoid misunderstandings and misperceptions. We ask that you provide additional comments by January 9, 2012 to clarify action to be taken.

Appendix A. Examples of Outreach Groups

The DoD Community Outreach Program produced up to as many as 32 different outreach groups since its existence. Examples of the different outreach groups are:

- "The Formers" (e.g., former Secretaries of Defense, State, Treasury, and Interior; former National Security Advisors; and former Directors of Central Intelligence)
- "Civilian Defense Experts" (e.g., from the Center for Security Policy Council on Foreign Relations, National Defense University, Heritage Foundation, Democratic Leadership Council, Colleges and Universities, and Carnegie Endowment for International Peace)
- "Religious Leaders" (e.g., from the Center for Religious Freedom, American Jewish Committee, and Islamic Center of America)
- "Opinion Communicators" (e.g., from the Democratic Leadership Council - Progressive Policy Institute, and the German Marshall Fund of the United States)
- "Good Government" (e.g., from OMB Watch, Citizens for a Sound Economy, National Taxpayers Union, Project on Government Oversight, and Jewish Institute for National Security Affairs)
- "Women's Groups" (e.g., from the National Asian Pacific American Women's Forum, General Federation of Women's Clubs, and Women in Government Relations)
- "Veteran Service Organizations" (e.g., from the American Legion, Veterans of Foreign Wars, and Blue Star Mothers of America)
- "Labor Leaders" (e.g., from International Union of Operating Engineers, representatives from chapter(s) of the International Brotherhood of Teamsters, International Longshoremen's Association, and International Association of Machinists)
- "JCOC Alumni" (individuals who completed a Joint Civilian Orientation Conference, which DoD sponsors twice annually for individuals interested in learning more about DoD programs and issues)

Appendix B. Relevant Policy and Requirements

The directives, instructions and other policies are those that were in place during 2002-2008 when RMA outreach activities occurred. They may have been updated since.

RMA Outreach Activities Purpose and Intent

DODD 5122.5, "Assistant Secretary of Defense for Public Affairs (ASD (PA)), " September 27, 2000. Provides ASD (PA) is the principal staff assistant and advisor to the Secretary and the Deputy Secretary of Defense for DOD news media relations, public information, internal information, community relations, public affairs and visual information training, and audiovisual matters and shall:

> 3.1. Develop policies, plans, and programs in support of DOD objectives and operations.
>
> 3.2. 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 form, limited only by national security constraints as authorized by Executive Order 12958 (reference (c)) and valid statutory mandates or exemptions. Enclosures 2 [Principles of Information] and 3 [Statement of DOD Principles for News Media Coverage of DOD Operations] delineate principles that guide the Department regarding public access to information and media coverage of DOD activities.
>
> Principles of Information
>
> It is Department of Defense policy to make available timely and accurate information so that the public, the 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 quickly. In carrying out that DOD policy, the following principles of information shall apply:
>
> > a. Information shall be made fully and readily available, consistent with statutory requirements, unless its release is precluded by national security constraints or valid statutory mandates or exceptions. The Freedom of Information Act will be supported in both letter and spirit.
> >
> > b. A free flow of general and military information shall 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 shall be withheld when disclosure would adversely affect national security, threaten the safety or privacy of U.S. Government personnel or their families, violate the privacy of the citizens of the United States, or be contrary to law.
> >
> > e. The Department of Defense's obligation to provide the public with information on DoD major programs may require detailed Public Affairs (PA) planning and coordination in the Department of Defense and with the other Government Agencies. Such activity is to expedite the flow of information to the public; propaganda has no place in DOD public affairs programs.

DODD 5400.13, "Joint Public Affairs Operations," January 9, 1996 (Certified Current as of November 21, 2003). (In effect throughout the period involved in our review.) Established

policy and assigned responsibilities for conducting public affairs programs supporting "joint, combined, and unilateral military operations" (i.e., effectively, all military operations). Provides:

> 3.1. It is DOD policy. . . that Commanders and Heads of the DoD Components involved in joint, combined, and unilateral military operations shall plan for, resource, and conduct public affairs activities to support such missions.
>
> 3.2. In implementing the DoD Principles of Information, the Combatant Commanders shall grant the news media, both civilian and military, access to unclassified joint, combined, and unilateral operations, consistent with operations security and prevailing public affairs guidance (PAG). Concern over the personal safety of journalists shall not be a factor in deciding the degree of access . . . .
>
> 4.1.1. [The ASD (PA) shall] Retain primary responsibility for the consistent implementation of DOD information policy in this Directive and in DoD Directive 5122.5. . . .
>
> 4.1.8. [The ASD (PA) shall] Conduct periodic news briefings on issues and events about ongoing joint, combined, and unilateral operations. . . .

DODD 5410.15, "DOD Public Affairs Assistance to Non-Government, Non-Entertainment-Oriented Print and Electronic Media," March 28, 1989. DOD policy is that government assistance in the form of access to DOD installations, equipment or personnel for interviews, photo and video opportunities, and the use of unclassified government-produced materials shall be provided to non-government, electronic, and print media when it is considered beneficial to the Department of Defense or in the national interest to do so. Paragraph E1.1.6. defines the term "Non-Government Electronic and Print Media" as:

> Organizations outside the Federal Government including foreign media and production organizations involved in the production of non-entertainment print, and VI and AV productions including electronic news media, industrial firms, advertising agencies, publishers, independent producers, educational institutions, and other commercial enterprises. The definition does not include entertainment-oriented productions addressed in DoD Instruction 5410.16 (reference (c)). . . .

DODD 5410.18, "Public Affairs Community Relations Policy," November 20, 2001, [Certified Current as of May 30, 2007]. Establishes policy for conducting public affairs community relations activities and programs throughout the Department of Defense. Assigns authority, responsibilities, and delineates command relationships for community relations activities and procedures. Defines "Community Relations" as "The interactions between the Department of Defense and civilian communities at home and abroad at all levels." Defines "Community" as "a group of people having common interests. Normally refers to a geographic location, such as a town, city or nation, or to a representative interest group, such as an organization or an association." Defines "Community Relations Activity" as "Any officially planned program, sequence or series of events, or individual action by a DOD Component, unit, or person designed to achieve and maintain good relations with an element of the civilian community or the community at large. Community relations activities are conducted at all levels of command, both in the United States and overseas, on or off military installations . . . ." Provides:

> 2.2. Encompasses all DOD community relations activities regardless of name, activity, or sponsorship. . . .
>
> 4.1.1. Community Relations Concept. It is DOD policy under DoD Directive 5122.5 (reference (b)) that fostering and furthering good relations with communities at home and abroad is in the best interest of the Department of Defense. Well-planned community relations programs help

earn public support and understanding of operations, missions, and requirements of the Military Services.

4.1.1.1. A principal goal of all community relations activity is to increase understanding of the mission of the Department of Defense and the U. S. defense posture and capabilities by increasing public exposure to, and understanding of, military personnel, facilities, equipment, and programs. . . .

4.1.3. Community Relations Objectives. Community relations activities implemented by DOD Component commands and organizations shall support the following objectives:

4.1.3.1. Fostering and sustaining good relations on mutually acceptable terms with the many elements of the public, at home and abroad, on which the Military Services depend for support and cooperation.

4.1.3.2. Supporting the equal opportunity goals of the Department of Defense with emphasis on the dignity and worth of each individual. . . .

4.1.3.4. Increasing public awareness and understanding of the Department of Defense and the Military Services, including their missions, activities, policies, and requirements. . . .

4.2.3. Common Interest of the Community. Community relations support must be confined to those activities that are of common public interest and benefit to a local, State, regional, national, or broadly representational community, unless support is specifically authorized by statutes or E.O.s.

4.2.3.1. Nonpartisan patriotic events open to the general public usually are of common interest and benefit.

4.2.3.2**. Events where attendance is only by invitation may also be considered to be of common interest and benefit if invitations are extended to a cross section of a broad community**, as defined in enclosure 2 (E2.1.4., "Community"). For example, an association convention representing an entire industry could be considered of common interest. A meeting of representatives from only one organization, firm, or business in that industry, however, shall not be considered of common interest. (Emphasis Added)

4.2.3.3. Nonpartisan events sponsored by local, State, or Federal governments; schools; civic organizations; veterans associations (see paragraph 3.16., "Veterans Association," above); or recognized organizations whose primary purpose is to foster public service, stimulate patriotism, promote understanding of national security issues, or foster public appreciation of our national heritage are generally considered to be in the common public interest.

DODI 5410.19, "Public Affairs Community Relations Policy Implementation," November 13, 2001. Implements policy, delineates command relationships for community relations activities and procedures, and prescribes procedures under DODD 5410.18 for conducting public affairs community relations activities and programs throughout DOD. Provides:

. . . The Department of Defense and the Military Services are public institutions. They belong to the American people and exist to serve them. DOD facilities and personnel are located in every State and numerous countries overseas. American communities are the source of most DOD personnel recruitment and materiel procurement. Well-planned community relations programs help earn public support and understanding of operations, missions, and requirements of the Military Services . . . . A principal goal of all community relations activity is to increase understanding of U.S. defense posture and capabilities by increasing public exposure to, and understanding of, military personnel, facilities, equipment, and programs

Access to High-Level Officials and Information

DODD 5122.5, "Assistant Secretary of Defense for Public Affairs (ASD (PA)), " September 27, 2000. Updates ASD (PA) responsibilities, functions, relationships, and authorities. Provides ASD (PA) shall:

> 3.2. Ensure a free flow of news and information to the news media, the general public, the internal audiences of the Department of Defense, and other applicable fora. . . .

DODD 5410.18, "Public Affairs Community Relations Policy," November 20, 2001, [Certified Current as of May 30, 2007]. Establishes policy for conducting public affairs community relations activities and programs throughout DOD. Assigns authorities and responsibilities, and delineates command relationships for community relations activities and procedures. Provides community relations activities implemented by DOD component commands and organizations shall support:

> 4.1.3.4. Increasing public awareness and understanding of the Department of Defense and the Military Services, including their missions, activities, policies, and requirements . . . .
>
> 4.2.3. Community relations support must be confined to those activities that are of common public interest and benefit to a local, State, regional, national, or **broadly representational community** . . . . (Emphasis Added)
>
> > 4.2.3.2. Events where attendance is only by invitation may also be considered to be of common interest and **benefit if invitations are extended to a cross section of a broad community**. For example, an association convention representing an entire industry could be considered of common interest. A meeting of representatives from only one organization, firm, or business in that industry, however, shall not be considered of common interest . . . . (Emphasis Added)
>
> 4.2.9. Community relations activities **shall not support, or appear to support**, any event that provides a selective benefit to **any individual, group, or organization**. When DoD support is provided to one non-Federal entity, the DoD Component commands or organizations providing such support **must be able and willing to** provide similar **support** to **comparable events** sponsored **by similar non-Federal entities**. (Emphasis Added)

DODI 5410.19, "Public Affairs Community Relations Policy Implementation," November 13, 2001. Implements policy, delineates command relationships for community relations activities and procedures, and prescribes procedures under DODD 5410.18. Requires ASD (PA) to:

> 5.1.12. Conduct programs at the Pentagon, such as tours and **briefings that help explain to various international and national communities** the **missions, operations, and requirements** of the Department of Defense and the DoD Components. (Emphasis Added)

Access to Classified Information

Executive Order 12958, "Classified National Security Information," April 17, 1995[12]. Prescribes a uniform system for classifying, safeguarding, and declassifying national security information. Information may be "originally" classified only if all of the following conditions are met:

> (1) an original classification authority is classifying the information;
>
> (2) the information is owned by, produced by or for, or is under the control of the United States Government;
>
> (3) the information falls within one or more of the following categories
>
> (a) military plans, weapons systems, or operations;
>
> (b) foreign government information;
>
> (c) intelligence activities (including special activities), intelligence sources or methods, or cryptology;
>
> (d) foreign relations or foreign activities of the United States, including confidential sources;
>
> (e) scientific, technological, or economic matters relating to the national security;
>
> (f) United States Government programs for safeguarding nuclear materials or facilities; or
>
> (g) vulnerabilities or capabilities of systems, installations, projects or plans relating to the national security; and
>
> (4) the original classification authority determines that the unauthorized disclosure of the information reasonably could be expected to result in damage to the national security and the original classification authority is able to identify or describe the damage.

DOD 5200.1-R, "Information Security Program," January 14, 1997. All DOD personnel are personally and individually responsible for properly protecting classified information under their custody and control. Persons shall be allowed access to classified information only if they possess a valid and appropriate security clearance, have executed an appropriate non-disclosure agreement and have a valid need for access to the information to perform a lawful and authorized governmental function. No person may have access to classified information unless that person has been determined to be trustworthy and access is essential to accomplishing a lawful and authorized government purpose. The final responsibility for determining whether an individual's official duties require possession of or access to any element or item of classified information, and whether the individual has been granted the appropriate security clearance by proper authority, rests with the individual who has authorized possession, knowledge, or control of the information and not on the prospective recipient. When necessary in the interests of national security, Heads of DOD Components, or their Senior Agency Official, may authorize access by persons outside the Federal Government, other than those enumerated above, to classified information upon determining that the recipient is trustworthy for the purpose of accomplishing a

[12] Subsequently revoked by Executive Order 13526, Classified National Security Information, December 29, 2009.

national security objective; and that the recipient can and will safeguard the information from unauthorized disclosure.

DODD 5200.2, "DoD Personal Security Program," April 9, 1999. Applies to DOD civilian personnel, members of the Armed Forces (excluding the Coast Guard in peacetime), contractor personnel, and other personnel affiliated with DOD. DOD policy is no person shall be deemed eligible for access to classified information unless such access is clearly consistent with the interests of national security as provided for in Executive Order 12968. Eligibility for access shall not be granted merely by reason of Federal service or contracting, licensee, certificate holder, or grantee status, or as a matter of right or privilege, or as a result of any particular title, rank, position, or affiliation. DOD 5200.2-R shall identify those positions and duties that require a personnel security investigation.

Access to Sponsored Travel Events

The Joint Travel Regulations, Volume 2, Department of Defense Civilian Personnel, July 1, 1965. Govern per diem, travel and transportation allowances, relocation allowances, and certain other allowances involved when DOD funds DOD employee or civilian travel. Invitational travel is used in authorizing civilian (nonemployee) travel related directly to, or in connection with official DOD activities. Travel and transportation allowances authorized for these individuals are the same as those ordinarily authorized for DOD employees on temporary duty assignment (TDY). Invitation travel also may be authorized when it is in the involved DOD component's interest to invite a college or university official, or industry representative, to observe the work performed by, or the operations of, a DOD activity.

DOD 4515.13-R, "Air Transportation Eligibility," November 1994 (Administrative Reissuance Incorporating Through Change 3, April 9, 1998). Implements DOD policy on using DOD-owned or DOD-controlled aircraft. Establishes criteria for passenger and cargo movement on such aircraft. Defines "Public affairs travel" as "any travel or transportation of individuals, groups, or materiel undertaken as a result of a request to or an invitation from, and authorized by, an approving authority in the interest of adding to the public understanding of DOD activities."

> C2.2. ELIGIBLE PASSENGERS
>
> C2.2.7. Invited Travelers
>
> C2.2.7.1. Non-Federal employees acting as technical advisors to DOD Component authorities.
>
> C2.2.7.2. For other approved invitational travel, refer to the Joint Travel Regulation Volume 1, and Volume 2 (references (b) and (c)).
>
> C3.1. GENERAL
>
> "Public affairs travel" is defined as "any travel or transportation of individuals, groups, or materiel undertaken as a result of a request to or an invitation from, and authorized by, an approving authority in the interest of adding to the public understanding of DOD activities." It includes travel or transportation involving individuals or things, military or civilian, Government or non-Government, U.S., or foreign requests. Travel may be local or nonlocal, point-to-point or public affairs orientation, reimbursable or nonreimbursable. Travel authorized for public affairs purposes must reflect the following considerations:

C3.1.1. It shall not compete with U.S. flag commercial sea, land, or air transportation when that capability exists, is adequate, and when public affairs objectives may be obtained through use of commercial transportation.

C3.1.2. Travel or transportation for public affairs purposes must be determined to be primarily in the interest of the Department of Defense. . . .

C3.3. RESPONSIBILITIES

C3.3.1. The Assistant to the Secretary of Defense for Public Affairs (ATSD (PA)) is responsible for approval of travel or transportation by DoD-owned or –controlled aircraft for public affairs purposes arranged by any Agency or command of the Department of Defense, jointly with, or at the request of, another Federal Department, Agency, or foreign government on a reimbursable basis. The ATSD (PA) shall also review and authorize all requests for nonlocal public affairs travel for news media representatives.

C3.3.2. The Commanders at all echelons are authorized to grant approval for local travel or transportation for public affairs purposes wholly within the scope of the mission and responsibilities of their respective command subject to the following conditions:

C3.3.2.1. The public affairs subject matter is not properly the responsibility of a higher command.

C3.3.2.2. The public interest in the public affairs purpose involved is confined primarily to the mission and vicinity of that command.

C3.3.2.3. The travel is being provided for the benefit of local media or individuals other than local media who are a part of an approved local public affairs activity, including community relations programs that meet a military public affairs objective.

C3.3.3. Authority for individuals other than news media representatives to use DoD-owned or -controlled aircraft for nonlocal travel for public affairs purposes may be exercised by the following:

C3.3.3.1. The commanders of the Combatant Commands for public affairs programs in their command responsibility. These commanders shall not delegate this authority below their Component commanders.

C3.3.3.2. The Secretaries of the Military Departments and directors of Defense Agencies for public affairs programs other than those of the Combatant Commands.

C3.3.3.2.1. Delegation of this authority, if deemed appropriate by the Secretaries, shall be no lower than the Chief, National Guard Bureau, commanders of Army areas, Naval-type commanders, and the USAF major commands.

C3.3.3.2.2. When units or areas of the joint-command structure are involved, coordination shall be effected with the appropriate commander-in-chief, as specified in paragraph C3.3.3.1., above.

C3.4. ELIGIBLE CATEGORIES OF TRAFFIC

The following are examples of public affairs activities which may qualify for travel in DoD-owned or controlled aircraft.

C3.4.1. Travel of Bona Fide Representatives of News Media. Individually, or in groups, for assignments to cover military exercises or military operations.

C3.4.2. Invitational and Other Authorized Travel. Transportation in support of approved public affairs activities, including community youth programs, civic leader tours, and conferences sponsored by the Department of Defense.

C3.4.3. Tours and Other Public Affairs Activities. Arranged jointly with other Federal Government Departments or Agencies, or with a foreign government.

C3.4.4. Public Affairs Orientation. U.S. citizens who, because of position and contacts with various public organizations, can make positive contributions to public understanding of the roles and missions of the Department of Defense. The flight must be accomplished within allocated flying hour funding, and passengers must be carefully selected to ensure that the greatest benefit to understanding DoD missions shall result from such orientation flights.

DODD 4500.54, "Official Temporary Duty Travel Abroad," May 1, 1991, Certified Current as of November 21, 2003.

1. REISSUANCE AND PURPOSE

This Directive:

1.1. Reissues and updates reference (a) to clarify and outline general policies governing official temporary duty travel abroad.

1.2. Authorizes the publication of DoD 4500.54-G, "DoD Foreign Clearance Guide (FCG)."

2. APPLICABILITY AND SCOPE

This Directive:

2.1. Applies to the Office of the Secretary of Defense (OSD); the Military Departments (including their National Guard and Reserve components); the Chairman of the Joint Chiefs of Staff and the Joint Staff; the Unified and Specified Commands; the Defense Agencies; and the DoD Field Activities (hereafter referred to collectively as "the DoD Components").

2.2. Applies to non-DoD personnel traveling under DOD sponsorship, except members and employees of Congress.

3. POLICY

It is DOD policy that the number of visits and visitors to overseas areas shall be minimal, and be made only when their purpose cannot be satisfied by other means. Visits shall be arranged with a minimum requirement on equipment, facilities, time and services of installations, and personnel being visited. When practicable, trips to the same general area and in the same general period shall be consolidated.

4.4. The Heads of the DoD Components shall:

4.4.1. Use the FCG as the official guide governing clearances for overseas travel. They may issue supplementary instructions to provide for addresses and internal administrative requirements.

4.4.2. Appoint officials to be responsible for ensuring compliance with the specific clearance requirements outlined in the FCG, including those contained in the FCG's General Information Booklet.

4.4.3. Require that clearance of, or notification to, the DoS be accomplished through the OUSD (Policy).

5. PROCEDURES

5.1. All proposed visits to overseas areas, other than those to U.S. possessions, by DoD civilian officials appointed by the President by and with the advice and consent of the Senate, members of the Joint Chiefs of Staff, the Vice Chairman of the Joint Chiefs of Staff, shall be cleared with the Executive Secretary of the Department of Defense, through the OUSD (Policy), before plans or arrangements are communicated abroad.

5.2. All travelers not listed in paragraph 5.1., above, must obtain a "theater clearance" from the Unified Commander and/or "country clearance" from the U.S. Embassy. The FCG outlines the procedures for obtaining these clearances. Requests for clearances shall include the information outlined in the General Information Booklet, chapter six, and the individual country sections of the FCG.

5.3. If travel includes a visit to a "special area" (as indicated in the country chapter of the FCG), concurrently request DoS clearance through the OUSD (Policy), which shall notify the traveler, through appropriate channels, when DoS clearance has been obtained.

5.4. In some cases, the OUSD (Policy), DoS, and country or theater clearance may not be required. However, host-government country clearance usually are required if the traveler visits a host-government activity or contractor facility where classified information might be discussed. In such cases, special care must be taken to comply with the personnel clearance provisions of the FCG and related host-government security requirements. If the FCG is not clear in this respect, the applicable U.S. Defense Attaché Office or Office of Defense Cooperation should be contacted for additional information on host-government requirements.

5.5. The detailed foreign travel itineraries of DOD civilian officials appointed by the President by and with the advice and consent of the Senate, members of the Joint Chiefs of Staff, and the Vice Chairman of the Joint Chiefs of Staff, shall be classified CONFIDENTIAL with declassification upon trip completion. Only the composite itinerary that contains the overall schedule, including arrival and departure times and places, is classified when associated with the DOD official. Necessary coordination and administrative arrangements to develop and execute the elements of the itinerary may be handled on an unclassified basis.

5.6. The DoS shall be notified, through the OUSD (P), of persons planning to travel to countries not otherwise requiring State clearance or notification when travel will involve:

5.6.1. Contacts or meetings with foreign government officials or industry representatives when foreign policy will be discussed with these individuals;

5.6.2. Meetings with information media personnel when matters affecting foreign policy will be discussed; or

5.6.3. Briefings or logistical support from U.S. Embassy or consular personnel.

5.7. Visits by personnel of U.S. noncryptologic organizations to U.S. cryptologic overseas activities must be coordinated in advance with the Director, National Security Agency (NSA), or his or her designated area and/or command representative. This does not apply to visits to U.S. cryptologic activities involving purely intradepartmental matters of a particular Service. Guidance pertaining to visits to foreign cryptologic activities is contained in DoD TS-5105.21-M-2 (reference (b)).

5.8. Occasionally, travel to certain countries or geographical areas may be considered sensitive, and additional approvals within the Department of Defense will be required. The USD (Policy) shall determine those areas, and prescribe and monitor the additional procedures to be followed.

5.9. When travel of persons will involve the disclosure or presentation of classified information or export controlled unclassified technical data, justification for the travel must include a statement that the appropriate disclosure authorization has been approved to comply with DoD Directives 5230.11, C-5230.23, 2040.2, or 5230.9 (references (c), (d), (e), and (f)). If the

traveler must carry classified material, he or she shall also state that they are aware of requirements to protect classified information as outlined in DOD 5200.1-R, Chapter VIII, Section 3 (reference (g)). If the traveler is expected to have access to foreign government classified information, additional certification may be required by the FCG.

5.10. When it is necessary for personnel in a travel status to carry classified material while performing official duties, the procedures in Chapter VIII, Section 3 of reference (g) shall be followed.

5.11. Theater clearance requests for visits to nuclear weapon storage sites shall be processed as required by applicable Unified Command directives.

DODD 4500.56, "DoD Policy on the Use of Government Aircraft and Air Travel," March 2, 1997. Includes a process for requesting government aircraft and air travel. Provides:

E2.6. REQUEST FOR USE OF MILAIR BY SENIOR DOD OFFICIALS

E2.6.1. A written request is required for travel on MilAir. The DOD Component that schedules and/or operates the aircraft may prescribe the request format required to satisfy documentation and reporting requirements. The amount of information provided by the requester may vary depending on the category of authorized use.

E2.6.1.1. Requests from approved "required use" travelers shall include the following:

E2.6.1.1.1. Names and titles (or grade and/or rank) of all travelers.

E2.6.1.1.2. Purpose of travel.

E2.6.1.1.3. Itinerary, including required departure or arrival times.

E2.6.1.1.4. Any special travel requirements (i.e., secure communications or others).

E2.6.1.2. Requests from other official travelers and those requesting approval for "required use" travel on a case-by-case basis shall include the following:

E2.6.1.2.1. Names and titles (or grade and/or rank) of all travelers.

E2.6.1.2.2. Travelers' Military Department and/or Agency.

E2.6.1.2.3. Purpose of travel.

E2.6.1.2.4. Itinerary, including required departure or arrival times, and an explanation as to why scheduling requirements cannot be changed to permit the use of commercial air.

E2.6.1.2.5. Justification for use of MilAir to include cost comparison with commercial service, if applicable.

E2.6.1.2.6. A statement that the travel policy requirements of this Directive have been met.

E2.6.1.2.7. Signature of the senior traveling official. That signature may not be delegated.

E2.6.1.3. Requests from any traveler that includes MilAir travel for personal reasons or unofficial travel must include the following:

E2.6.1.3.1. Amount required to be reimbursed to the Government (attach an airline reservation printout reflecting the full-coach fare).

E2.6.1.3.2. A statement of intent to reimburse the Government for the full-coach fare. (Payment is made by a personal check payable to the Treasurer of the United States and attached to the travel voucher along with a travel office printout showing the full-coach fare.)

E2.7. DOCUMENTING THE USE OF MILAIR BY SENIOR DOD OFFICIALS

E2.7.1. The DoD Components shall collect and retain, for 2 years, data on all uses of MilAir . . . .

E3.2.2. OSA. That is travel aboard aircraft procured and operated by military activities to meet high-priority and short-notice mission requirements that cannot be satisfied by commercial transportation, common-user airlift, or other organic airlift. OSA aircraft shall be used in peacetime to provide cost-effective training and seasoning of pilots, and for logistics needs to ensure military effectiveness in support of national defense policies. DoD Directive 4500.43 (reference (h)) provides OSA policy guidance, definitions, and responsibilities.

E3.2.3. SAM. That is travel aboard specially configured aircraft assigned to the 89th Airlift Wing used to support only the most important U.S. interest missions and DoD missions where other airlift do not provide the timeliness, security, or communications capability required. Senior officials identified as "DV Code 2 or 3" are eligible to request SAM travel.

DODD 5122.8, "Use of Military Carriers for Public Affairs Purposes," December 13, 1963, certified current as of November 25, 2003

1. PURPOSE

The purpose of this Directive is to designate the authority for approving travel in and use of military carriers for public affairs purposes.

3. APPLICABILITY AND SCOPE

In consonance with the public information responsibilities outlined in reference (a), the Assistant Secretary of Defense (Public Affairs) is the principal staff assistant to the Secretary of Defense for approving the use of military carriers for public affairs purposes with such delegations of authority as may be announced.

4. POLICY

It is the policy of the Department of Defense that the provision of sea, land, or air transportation in support of approved public affairs programs shall be provided on an economical basis for the activities of the Department of Defense. Such Instructions governing the travel in and use of military carriers as the Assistant Secretary of Defense (Public Affairs) may issue will:

4.1. Consider his responsibilities for directing the public affairs programs of the Department of Defense and the information necessary to effect this Directive.

4.2. Determine the scope of interest of the public affairs program involved and the contribution it can provide to the public and to the defense effort.

4.3. Provide for prudent utilization of resources.

4.4. Establish that the public affairs objective to be met transcends any direct or implied competition with commercial transportation facilities.

4.5. Delegate to the Secretaries of the Military Departments and to the Commanders of the Unified and Specified Commands these authorities for public affairs travel and transportation that will not adversely affect his responsibilities under reference (a).

4.6. Insure that the use of military carriers for public affairs purposes complies with transportation policies promulgated by the Office of the Secretary of Defense.

DODD 5410.18, "Public Affairs Community Relations Policy," November 20, 2001 (Certified Current as of May 30, 2007). Guidance on funding community relations activities. Paragraph 4.9.2.5 describes such events as being in the national interest or in the professional, scientific, or technical interest of a DOD component or element, when approved by ASD (PA) or a Combatant Commander.

DODI 5435.2, "Delegation of Authority to Approve Travel In and Use of Military Carriers for Public Affairs Purposes," April 25, 1975. The provisions of this Instruction apply to the Military Departments, the Organization of the Joint Chiefs of Staff, the Unified and Specified Commands, and the Office of the Secretary of Defense (hereinafter referred to as "DOD Components"); and to the following types of public affairs travel involving the use of military carriers:

> 2.1. Travel of bona fide representatives of information media individually or in groups in connection with assignments to cover military events, press tours, visits to military installations, military exercises, or military operations.
>
> 2.2. Invitational or other authorized travel or transportation in support of approved public affairs programs, including community relations programs, tours, or conferences in which a DOD Component is either a sponsor or a participant.

Includes the following definitions:

> 3.1. Travel or transportation for public affairs purposes is defined as any travel or transportation of individuals, groups, or materiel, undertaken as a result of a request to or an invitation from, and authorized by, competent authority in the Department of Defense in the interest of adding to the public understanding of Department of Defense activities. It includes travel or transportation involving individuals or things, military or civilian, Government or non-Government, United States or foreign. It may be reimbursable.
>
> 3.2. Local travel is defined as that travel which can be considered local both as to distance from the military headquarters or installation concerned and as to the scope of interest in the public affairs programs involved.
>
> 3.3. Nonlocal travel is defined as travel conducted in support of a public affairs program which affects more than one Military Department, geographic area, or major command, the scope of interest of such being of primary concern to a higher headquarters than the military headquarters or installation desiring the travel.
>
> 4.3 Nonlocal Travel. Authority to approve the use of military carriers for nonlocal travel, as previously defined, for those other than news media representatives may be exercised by:
>
> 4.3.1. The Chairman, Joint Chiefs of Staff.
>
> 4.3.2. The Commanders of Unified and Specified Commands for public affairs programs pertinent to their command responsibility. These commanders will not redelegate this authority below their Component Commanders.
>
> 4.3.3. The Secretaries of the Military Departments for public affairs programs other than those of Unified or Specified Commands. Redelegation of this authority, if deemed appropriate by the Secretaries, will be no lower than Commanders of Army Areas, Naval Districts, and major Air Commands. When units or areas of the Joint Command structure are involved, coordination will be effected with the appropriate commander in chief and the Assistant Secretary of Defense (Public Affairs). It is recognized that **some public affairs programs generated under this delegation will involve both non-news media representatives and news media representatives**. **In these cases**, the provisions of **subsection 4.4., below, will apply** as it concerns representatives of news media. (Emphasis Added)
>
> 4.4. News Media Representatives. The Secretaries of the Military Departments and the Commanders of the Unified and Specified Commands will obtain the approval of the Assistant Secretary of Defense (Public Affairs) before authorizing nonlocal travel, as defined herein, involving news media representatives. Such travel will be on a reimbursable basis when DOD industrially funded resources are utilized. When other than industrially funded resources are utilized the approving authority will determine whether the travel is to be on reimbursable or non-reimbursable basis. The Assistant Secretary of Defense (Public Affairs) will determine the

Military Department or civilian agency which will provide reimbursement, when appropriate. All such travel requested by a Military Department involving an area of interest to a Unified or Specified Command will be coordinated with the command concerned by the Assistant Secretary of Defense (Public Affairs) prior to approval.

5.1. Travel or transportation authorized by any element of the Department of Defense for public affairs purposes will reflect the following considerations:

5.1.1. The Armed Forces shall not compete with commercial sea, air, or land transportation when that transportation exists, is adequate, and public affairs objectives of the travel may be accomplished through its use.

5.1.2. In order to effect maximum utilization of travel or transportation requested for public affairs purposes, the approving authority will coordinate each request with any other Department, Command or Agency which may have a valid interest in the proposed public affairs activity concerned.

5.1.3. Prior to approval, travel or transportation for public affairs purposes must be determined to be primarily in the interest of the Department of Defense.

5.2. Travel will be approved by the Assistant Secretary of Defense (Public Affairs) for bona fide news media representatives only when one or more of the following considerations apply:

5.2.1. The military travel portion itself is an integral part of the story or stories to be covered by news media representatives, as in air evacuation, maneuvers, or the movement of troops. In such cases, the transportation will be limited to the extent and duration of the assignment requiring military travel and will not be used solely for point-to-point transportation.

5.2.2. The proposed news coverage is of a major emergency nature and coverage will be impaired or delayed, to the serious detriment of the interests of the Department of Defense if military transportation is not provided.

5.2.3. The travel is a matter of special interest to the Military Department or Command involved and is a part of an approved public affairs project.

6.1. No agency of the Department of Defense will commit Government transportation for public affairs purposes until the request has been coordinated and approved as provided by these Instructions.

6.2. If a Military Department or a Unified or Specified Command, acting under the provisions of this Instruction, disapproves a request for travel or transportation for nonlocal public affairs purposes, including travel of news media representatives, it will notify the Assistant Secretary of Defense (Public Affairs) by the most expeditious means.

6.3. All requests for travel or transportation for public affairs purposes will be submitted to the appropriate approving authority, as defined herein, through the appropriate command channels. In cases justified under the provisions of paragraph 6.2. above, involving nonlocal travel of news media representatives, the requests will be submitted by the most expeditious means, including telephone, to the Assistant Secretary of Defense (Public Affairs). Every effort will be made to expedite these requests. Justification will establish both the public affairs purpose to be served and the necessity of the use of military carriers within the policies of this Instruction.

6.4. Orders covering transportation approved as indicated above will be issued by the Military Department or other Agency having primary interest. Copies of such orders for each person involved will be furnished the Office of the Assistant Secretary of Defense (Public Affairs).

Contractor Affiliation(s)

5 C.F.R. §2641.201 Permanent restriction on any former employee's representations to United States concerning particular matter in which the employee participated personally and substantially.

(a) *Basic prohibition of 18 U.S.C. 207(a)(1).* No former employee shall knowingly, with the intent to influence, make any communication to or appearance before an employee of the United States on behalf of any other person in connection with a particular matter involving a specific party or parties, in which he participated personally and substantially as an employee, and in which the United States is a party or has a direct and substantial interest.

5 C.F.R. §2641.202 Two-year restriction on any former employee's representations to United States concerning particular matter for which the employee had official responsibility.

(a) *Basic prohibition of 18 U.S.C. 207(a)(2).* For two years after his Government service terminates, no former employee shall knowingly, with the intent to influence, make any communication to or appearance before an employee of the United States on behalf of any other person in connection with a particular matter involving a specific party or parties, in which the United States is a party or has a direct and substantial interest, and which such person knows or reasonably should know was actually pending under his official responsibility within the one-year period prior to the termination of his Government service.

5 C.F.R. §2641.204 One-year restriction on any former senior employee's representations to former agency concerning any matter, regardless of prior involvement.

(a) *Basic prohibition of 18 U.S.C. 207(c).* For one year after his service in a senior position terminates, no former senior employee may knowingly, with the intent to influence, make any communication to or appearance before an employee of an agency in which he served in any capacity within the one-year period prior to his termination from a senior position, if that communication or appearance is made on behalf of any other person in connection with any matter on which the former senior employee seeks official action by any employee of such agency. An individual who served in a "very senior employee" position is subject to the broader two-year restriction set forth in 18 U.S.C. 207(d) in lieu of that set forth in section 207(c). *See* §2641.205.

Appendix C. Participating RMAs

	Name	Rank/ Service	Inter-viewed	Media Affiliation	Defense Contractor Affiliation	RMA Trips Attended
1	Allard, C. Kenneth	COL (Ret)/ USA	X	X		1
2	Altenburg, Jr John D	MG (Ret)/ USA	X	X		
3	Babbin, Jed L	DUSD	X	X		3
4	Bevelacqua, Robert S	MAJ/ USA	X	X	X	
5	Blair, Dennis C	ADM (Ret)/ USN		X	X	
6	Brookes, Peter T	CDR (Ret)/ USNR		X		
7	Campbell, Frank B	Lt Gen (Ret)/USAF	X		X	1
8	Carafano, James J	LTC (Ret)/ USA		X	X	1
9	Carstens, Roger D	LTC (Ret)/ USA				
10	Christman, Daniel W	LTG (Ret)/ USA	X	X		
11	Clark, Wesley K*	GEN (Ret)/ USA	X	X		
12	Cowan, William V	LtCol (Ret)/ USMC	X	X	X	3
13	Coyne, John J	CAPT (Ret)/ USN	X			
14	Cucullu, Gordon C	LTC (Ret)/ USA	X	X		1
15	DeLong, Michael P	LtGen (Ret)/ USMC		X	X	
16	Dillon, Dana R	MAJ (Ret)/ USA	X	X		1
17	Downing, Wayne A	GEN (Ret)/ USA		X	X	1
18	Eads, Timur J*	LTC (Ret)/ USA	X	X	X	1
19	Finkelstein, David M*	LTC (Ret)/ USA	X		X	
20	Fogleman, Ronald R	Gen (Ret)/ USAF	X	X	X	1
21	Francona, Richard C	Lt Col (Ret)/ USAF	X	X		

	Name	Rank/ Service	Inter-viewed	Media Affiliation	Defense Contractor Affiliation	RMA Trips Attended
22	Garner, Jay M*	LTG (Ret)/ USA	X		X	
23	Garrett, John C	Col (Ret)/ USMC	X	X		3
24	Glosson, Buster C	Lt Gen (Ret)/USAF		X		
25	Grange, David L	BG (Ret)/ USA	X	X	X	
26	Greer, Steven J	CSM (Ret)/ USA	X	X	X	4
27	Haake, Timothy M	MG (Ret)/ USA		X		
28	Harrison, George B*†	Maj Gen (Ret)/USAF	X		X	
29	Hayward, Thomas B*	ADM (Ret)/ USN	X			
30	Horner, Charles A	Gen (Ret)/ USAF		X	X	
31	Jackson, James T*	MG (Ret)/ USA	X		X	
32	Jacobs, Jack H	COL (Ret)/ USA	X	X		1
33	Jeremiah, David E	ADM (Ret)/ USN	X		X	
34	Joulwan, George A*	GEN (Ret)/ USA	X	X	X	
35	Kernan, William F	GEN (Ret)/ USA	X	X	X	
36	Lackey, Glenn G	COL (Ret)/ USA	X	X		2
37	Lang, W. Patrick	COL (Ret)/ USA		X		
38	Larson, Charles R*	ADM (Ret)/ USN	X		X	
39	Lopez, Thomas J	ADM (Ret)/ USN	X		X	
40	Maginnis, Robert L	LTC (Ret)/ USA	X	X	X	4
41	Marfiak, Thomas F*†	RADM (Ret)/USN	X	X		
42	Marks, James A*	MG (Ret)/ USA	X	X	X	
43	McCaffrey, Barry R*	GEN (Ret)/ USA	X	X	X	

	Name	Rank/ Service	Inter-viewed	Media Affiliation	Defense Contractor Affiliation	RMA Trips Attended
44	McCausland, Dr. Jeffrey D	COL (Ret)/ USA	X	X	X	4
45	McInerney, Thomas G	Lt Gen (Ret)/USAF	X	X	X	3
46	Meigs, Montgomery C*	GEN (Ret)/ USA	X	X	X	2
47	Messing, Jr Frederick A "Andy"	MAJ (Ret)/ USA	X	X		2
48	Meyer, Edward C*	GEN (Ret)/ USA	X		X	
49	Molino, John M*	LTC (Ret)/ USA	X			
50	Moorman, Jr Thomas S*	Gen (Ret)/ USAF	X		X	
51	Nardotti, Jr Michael J	MG (Ret)/ USA	X	X		1
52	Nash, Charles T	CAPT (Ret)/ USN	X	X	X	3
53	Nash, William L*	MG (Ret)/ USA	X	X	X	2
54	Noonan, Robert W	LTG (Ret)/ USA	X		X	
55	Otis, Glenn K*	GEN (Ret)/ USA	X		X	
56	Prueher, Joseph W	ADM (Ret)/ USN	X			
57	Ralston, Joseph W*	Gen (Ret)/ USAF	X	X	X	
58	Rokke, Ervin J	Lt Gen (Ret)/USAF	X			1
59	Scales, Jr Robert H*	MG (Ret)/ USA	X	X	X	2
60	Shalikashvili, John M	GEN (Ret)/ USA			X	
61	Shelton, Henry H*†	GEN (Ret)/ USA	X	X	X	
62	Shepperd, Donald W	Maj Gen (Ret)/USAF	X	X	X	4
63	Sherwood, Carlton A	Cpl USMC	X	X		2
64	Simmons, Wayne S*	CIA (Ret)	X	X		2

	Name	Rank/ Service	Inter-viewed	Media Affiliation	Defense Contractor Affiliation	RMA Trips Attended
65	Smith, Perry M	Maj Gen (Ret)/USAF	X	X		
66	Strong, Martin L	CAPT (Ret)/ USN	X	X	X	1
67	Timberg, Robert R*	Capt (Ret)/ USMC	X	X		
68	Trainor, Bernard E	LtGen (Ret)/ USMC	X	X		
69	Vallely, Paul E	MG (Ret)/ USA	X	X		3
70	Warden III, John A	Col (Ret)/ USAF	X	X	X	1
71	Welch, Larry D	Gen (Ret)/ USAF	X		X	
72	West, Francis J "Bing"	ASD	X	X		2
73	Wilhelm, Charles E	Gen (Ret)/ USMC	X		X	
74	Wilkerson, Thomas L*	MajGen (Ret)/USMC	X	X	X	
	Total/Count		**63**	**53**	**43**	

* RMAs who described they were not aware they were in a program (24).
† RMAs who stated they attended no RMA outreach activities (3).

Appendix D. Senior DOD Staff Involved in RMA Outreach

Name	Rank/ Grade	Organization	Title and Position	When In the Position
Barber, Allison	SES	OASD (PA)	Deputy ASD(PA) for Internal Communications & (dual hat) Acting Deputy ASD(PA) for Public Liaison Special Assistant to ASD(PA)	Nov '03 - Oct '08 May '04 – Oct '08 May '01 – Nov '03
Casey, George	GEN (USA)	USCENTCOM	Commanding General, Multi-National Force - Iraq	Jul '04 – Feb '07
Chiarelli, Peter	LTG (USA)	USCENTCOM	Commanding General, Multi-National Corps - Iraq	Nov '05 - Dec '06
Clarke, Victoria	SES	OASD (PA)	ASD(PA)	May '01 – Jun '03
Conway, James T	GEN (USMC)	JCS	Director of Operations (J-3), Joint Staff (Briefer)	2004 – Nov '06
Crouch, J.D.	SES	OUSDP	ASD (International Security Policy) (Briefer)	Aug '01 - Oct '03
Dell 'Orto, Daniel	SES	OGC	Principal Deputy General Counsel, DOD (Briefer)	Jun '00 – Mar '09
Di Rita, Lawrence	SES	OASD (PA) OSD	Acting ASD(PA)* Special Assistant to SECDEF	Jun '03 - May '06 Feb '01 – Jun '03
Hadley, Stephen	SES	White House	National Security Advisor (Received Report)	Jan '05 – Jan '09
Hastings, Robert T	SES	OASD (PA)	Principal Deputy ASD(PA)	Mar '08 – Mar '09
Haynes, William J	SES	OGC	General Counsel, DOD	May '01 – Mar '08
Lute, Douglas	LTG (USA)	White House	Assistant to the President - Deputy National Security Advisor for Iraq and Afghanistan (Briefer) Director of Operations, J-3, JCS Director of Operations, J-3, CENTCOM	May 07 – present Sep 06 - May 07 Jun 04 - Sep 06
Myers, Richard	GEN (USAF)	JCS	Chairman, Joint Chiefs of Staff (Briefer)	Oct '01 – Sep '05
Ney, Paul	SES	OGC	Deputy General Counsel for Legal Counsel, DOD (Briefer)	Nov '06 – Jan '08
Odierno, Raymond	LTG (USA)	JCS	Commanding General, III Corps and Commander, Multi-National Corps-Iraq (Briefer)	Dec '06 – Feb '08
Pace, Peter	GEN (USMC)	JCS	Chairman, Joint Chiefs of Staff Vice Chairman, Joint Chiefs of Staff (Briefer)	Sep '05 – Oct '07 Sep '01 – Aug '05
Ruff, Richard	SES	OASD (PA)	Special Assistant to DEPSECDEF; Deputy ASD(PA); Press Secretary	Feb '04 – Feb '07
Rumsfeld, Donald	ES	DOD	Secretary of Defense	Jan '01 - Dec '06
Schwartz, Norton	LTG (USAF)	JCS	Director of Operations (J-3), Joint Staff (Briefer)	Sep '02 – Aug '05
Smith, Dorrance	SES	OASD (PA)	ASD(PA)	Jan '06 – Oct '07
Sorenson, Jeffrey	MG (USA)	ASA (ALT)	Deputy for Acquisition and Systems Management, Office of Assistant Secretary of the Army (Acquisition, Logistics and Technology)	Jan '04 – Jun '07
Thompson, Jonathan	SES	OASD (PA)	Deputy ASD(PA) for Iraq Communications and Global War on Terror	Apr '06 – Mar '07

Name	Rank/ Grade	Organization	Title and Position	When In the Position
Whitman, Bryan	SES	OASD (PA)	Public Affairs Specialist Deputy Director for Press Operations Deputy ASD(PA) for Media Operations Principal Deputy ASD(PA)	~1995 – Aug '97 Aug '97 – May '02 May '02 – Apr '10 Apr '10 - present
Willcox, Christopher	SES	OASD	Deputy ASD(PA) for Issues and Strategy Management	~2001 – Oct '04
Yurechko, John	SES	DIA	Defense Intelligence Officer for Information Operations (IO), Defense Intelligence Agency	Oct '98 – May '04

* Prior to being appointed as Special Assistant, Mr. Di Rita managed OASD (Legislative Affairs). After Mr. Dorrance Smith became ASD(PA) in 2006, Mr. Di Rita served as "Counselor to the Department" until he departed for the private sector in late 2006.

~ Denotes "Estimated"

Assistant Secretary of Defense (Public Affairs) Comments

OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE
1400 DEFENSE PENTAGON
WASHINGTON, DC 20301-1400

PUBLIC AFFAIRS

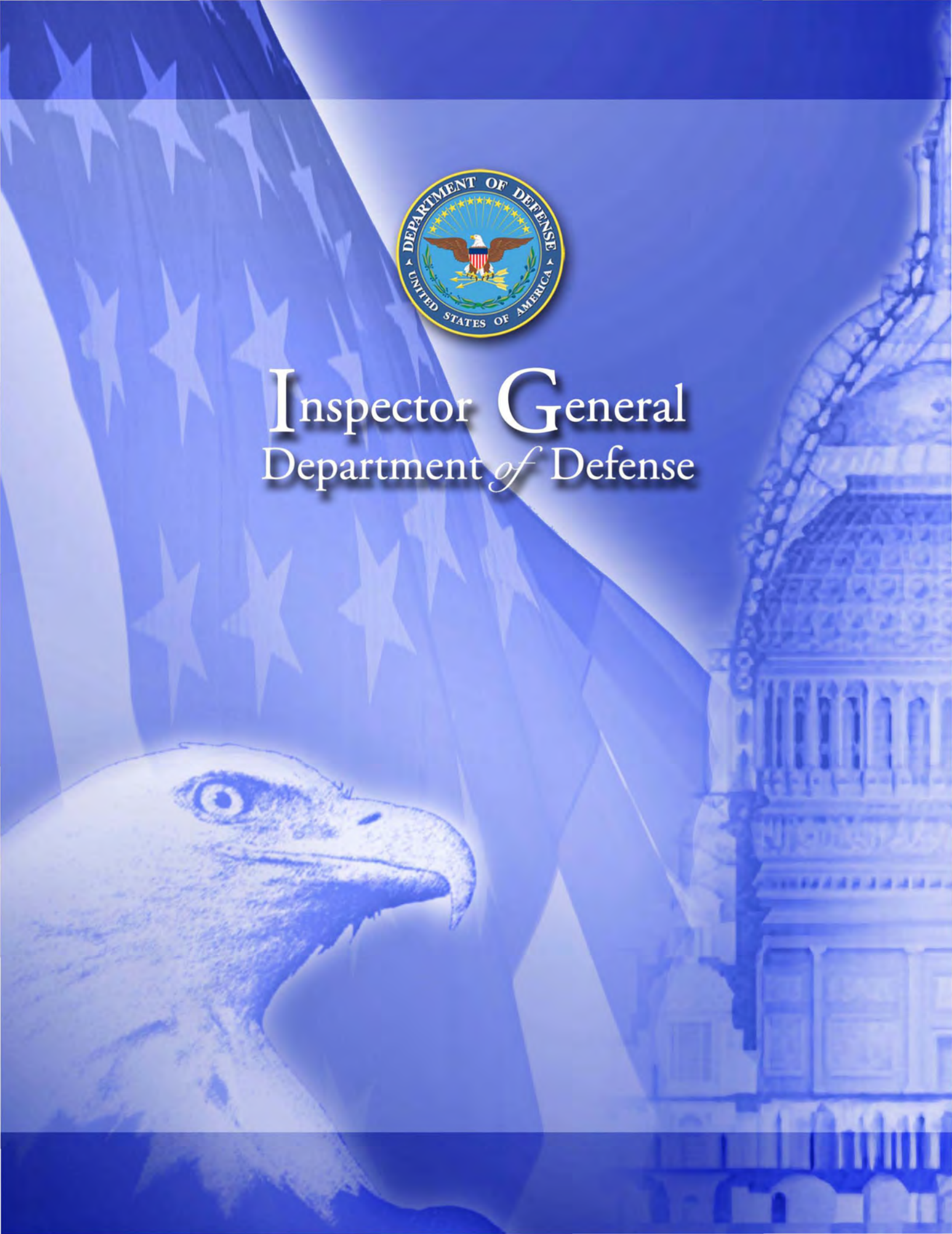
SEP 22 2011

MEMORANDUM FOR DOD INSPECTOR GENERAL

SUBJECT: Review of Matters Related to the Office of the Assistant Secretary of Defense (Public Affairs) Retired Military Analyst Outreach Activities – Draft Report (Project No. 2009C0003)

I appreciate the opportunity to review the results and provide comments on the findings and recommendation contained in the subject report. OASD(PA) concurs on the report. We are pleased that the IG found our outreach activities in compliance with DoD policies and directives. Should OASD(PA) leadership decide to engage in this specific type of activity in the future, the guidance recommended in the report would be incorporated.

Bryan G. Whitman
Principal Deputy Assistant Secretary of
Defense for Public Affairs



Inspector General
Department of Defense