



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



AUG 7 2008

300.8

MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS  
 CHAIRMAN OF THE JOINT CHIEFS OF STAFF  
 UNDER SECRETARIES OF DEFENSE  
 ASSISTANT SECRETARIES OF DEFENSE  
 ACTING GENERAL COUNSEL OF THE DEPARTMENT OF  
 DEFENSE  
 DIRECTOR, OPERATIONAL TEST AND EVALUATION  
 ACTING INSPECTOR GENERAL OF THE DEPARTMENT  
 OF DEFENSE  
 ASSISTANTS TO THE SECRETARY OF DEFENSE  
 ACTING DIRECTOR, ADMINISTRATION AND  
 MANAGEMENT  
 DIRECTOR, PROGRAM ANALYSIS AND EVALUATION  
 DIRECTOR, NET ASSESSMENT  
 DIRECTORS OF THE DEFENSE AGENCIES  
 DIRECTORS OF THE DOD FIELD ACTIVITIES

7 AUG 08

SUBJECT: Orderly Transition of DoD Leadership

Consistent with DoD Directive 5105.76, "Transition of Administration Appointees and Other Officials," and to provide for the effective and orderly transition of DoD leadership to the next Administration, there is established a DoD Transition Task Force within the Immediate Office of the Secretary of Defense, effective August 1, 2008.

The DoD Transition Task Force will operate under the authority of the Head of DoD Transition, Mr. Robert Rangel. The Director of the DoD Transition Task Force Staff will be Mr. Thomas Tesch. A DoD Transition Senior Steering Group is established to advise the Secretary and Deputy Secretary of Defense on matters associated with transition to the next Presidential Administration. The Secretaries of the Military Departments and the Direct Report OSD Principal Staff Assistants will identify respective Component Transition Assistance Coordinators who will serve as matrix members of the DoD Transition Task Force Staff. As such, they will focus their attention and efforts on transition matters directly involving their respective components, consistent with their organizational leadership and as directed by the Head of the DoD Transition and/or the Director of the DoD Transition Task Force Staff. This structure is depicted in Attachment 1.

05 JUL 08



OSD 09850-08



The DoD Transition Task Force will orchestrate support for transitioning the operations of the Department of Defense to the control of the incoming Presidential Administration on January 20, 2009. In accomplishing this task, the DoD Transition Task Force shall focus its efforts on improving the effectiveness and efficiency of transition support to DoD senior leadership in order to: contribute to the maintenance of continuity of national security; minimize the turmoil associated with the departure and arrival of key civilian leaders; and sustain smooth operations within the Department of Defense by contributing to proper flow of information and coordinating support, as required.

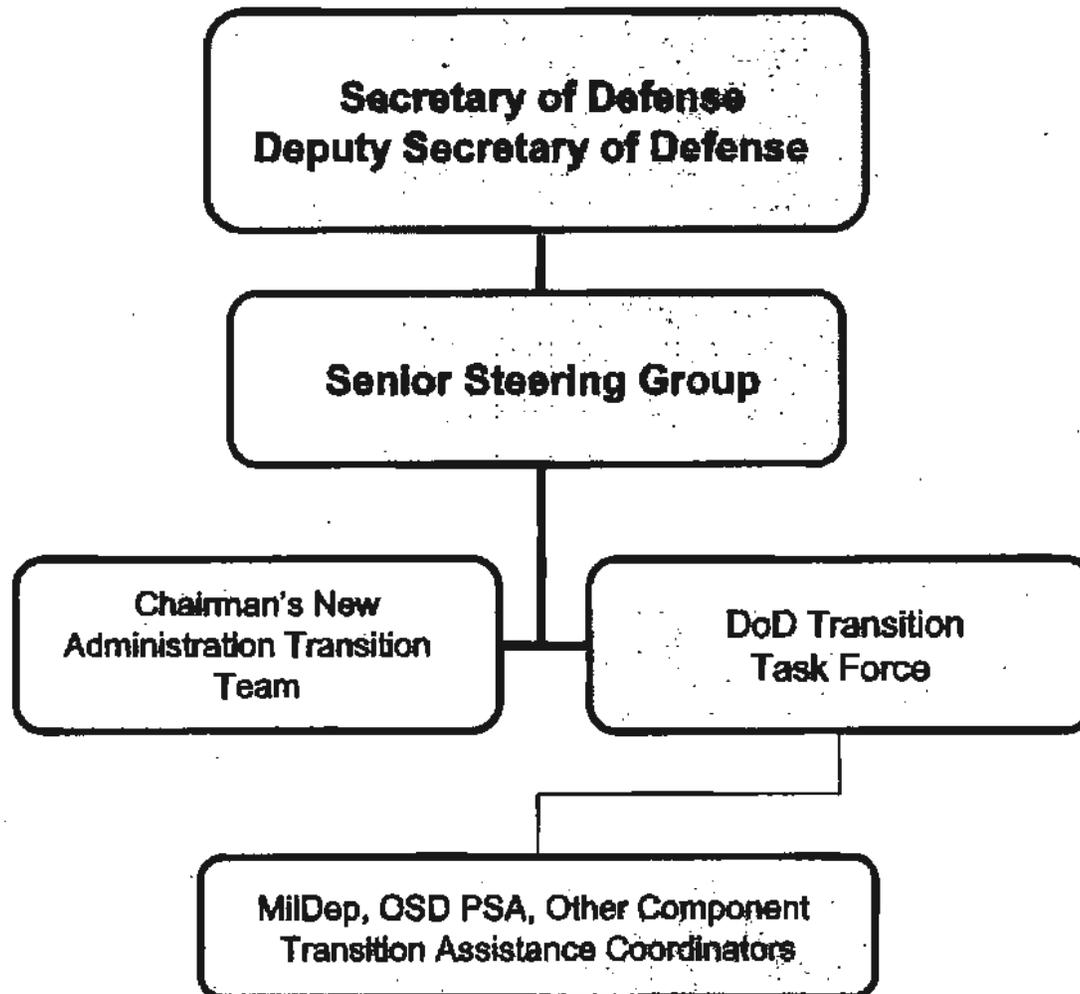
The guidance in Attachment 2 supplements the policy framework of DoD Directive 5105.76 by providing operational direction necessary to facilitate Departmental activities in support of the transition to the next Presidential Administration. Your leadership and attention to providing the next Administration the most seamless transition possible is deeply appreciated.

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

**Attachments:**  
As stated

cc:  
Commanders of the Combatant Commands  
Director, Joint Improvised Explosive Device Defeat Organization  
Director, Task Force for Business and Stability Operations, Iraq  
DoD Performance Improvement Officer

# DoD Transition Structure



## ATTACHMENT 2

### GUIDANCE FOR THE ORDERLY TRANSITION OF DOD LEADERSHIP

1. The DoD Transition Senior Steering Group shall:

a. Be convened at intervals determined by the Secretary of Defense.

b. Serve as advisors to the Secretary of Defense and the Deputy Secretary of Defense on matters involving transition of the Department of Defense to the next Presidential Administration.

c. Consist of:

(1) The Secretaries of the Military Departments;

(2) The Under Secretaries of Defense;

(3) The Chairman or Vice Chairman of the Joint Chiefs of Staff;

(4) The Head of DoD Transition;

(5) The Special Assistant to the Deputy Secretary of Defense; and

(6) Such other officials as the Secretary or Deputy Secretary of Defense shall direct.

d. The Director of the DoD Transition Task Force Staff shall serve as the Executive Secretary of the Senior Steering Group.

2. The Head of DoD Transition shall:

a. Report to, and receive guidance and direction on all DoD transition matters from, the Secretary of Defense.

b. Oversee and direct all DoD transition matters, both internal and external to the Department of Defense, for the transition of Presidentially-Appointed, Senate Confirmed officials and Non-career Senior Executive Service members of the Office of the Secretary of Defense (OSD) and the Military Departments.

c. Supervise and provide direction to the Director of the DoD Transition Task Force Staff on transition matters.

d. Communicate with the Secretaries of the Military Departments, OSD Principal Staff Assistants, and the Chairman of the Joint Chiefs of Staff, as necessary, to coordinate and communicate transition requirements consistent with the direction of the Secretary of Defense.

e. Serve as the sole interface with the Administration, the President-elect's DoD Focal Point for DoD Transition, and the Congress for all matters pertaining to DoD transition to the next Presidential Administration.

f. Participate as a member of the Department of Defense Transition Senior Steering Group.

3. The Director of the DoD Transition Task Force Staff shall:

a. Serve as the Deputy to the Head of DoD Transition and report directly to that official.

b. Direct and oversee the staff of the DoD Transition Task Force.

c. Communicate with the Secretaries of the Military Departments, OSD Principal Staff Assistants, and the Chairman of the Joint Chiefs of Staff, as necessary, through their designated DoD Transition Assistance Coordinators.

d. Consistent with guidance and direction of the Head of DoD Transition, be responsible for the assignment of responsibilities to DoD organizations and the coordination and integration of actions supporting DoD transition.

4. The Secretaries of the Military Departments and Direct Report OSD Principal Staff Assistants shall:

a. Designate a Transition Assistance Coordinator who shall serve as their representative for all component or organization-specific transition related matters; and any other such additional staff as may be necessary to carry out component or organization-specific transition actions.

b. Establish a "direct support" relationship for the component or organizational Transition Assistance Coordinator, and such additional staff members as may be identified, to perform their duties within the DoD Transition Task Force under a matrixed assignment.

c. Consistent with paragraph 1.c. above, serve as members of the DoD Transition Senior Steering Group.

**d. Conduct component or organization-specific transition planning and preparations. Such preparations shall include, at a minimum:**

**(1) The identification and maintenance of the list of designated career officials who shall be prepared to assume the responsibilities assigned, where consistent with law, to non-career leaders;**

**(2) To establish and maintain a list of both DoD-wide and component or organization-specific policy or program initiatives that require focused leadership attention throughout the transition to the next Presidential Administration; and**

**(3) Develop desk-top and turn-over files for presentation to the leadership of the next Presidential Administration for their use in familiarizing newly incoming leadership with the duties that they are assuming and such matters believed to be worthy of their early consideration.**

**5. The Chairman of the Joint Chiefs of Staff shall:**

**a. Identify a focal point for transition matters, who shall coordinate transition matters with the Senior Steering Group, the Head of DoD Transition, or the Director of the DoD Transition Task Force Staff, as appropriate.**

**b. Be responsible to the Secretary of Defense for provision of advice or recommendations on assigned DoD transition matters of a uniquely military nature.**

**c. Serve as a member of the DoD Transition Senior Steering Group, or be represented by the Vice Chairman of the Joint Chiefs of Staff.**

**6. The DoD Transition Task Force Staff shall:**

**a. Be under the authority, direction, and control of the Director of the DoD Transition Task Force Staff, who shall be responsible for making appropriate assignments and ensuring the accomplishment of identified tasks.**

**b. Consist of a small core organic staff, and the matrixed DoD and OSD Component Transition Assistance Coordinators.**

**c. Perform such tasks and accomplish such actions as may be assigned by the Director of the DoD Transition Task Force Staff or their respective Military Department Secretary or OSD Principal Staff Assistant.**



Department of Defense  
**DIRECTIVE**

NUMBER  
5105.76

DA&M

**SUBJECT:** Transition of Administration Appointees and Other Officials

- References:**
- (a) Section 113 of title 10, United States Code
  - (b) Section 3109 of title 5, United States Code
  - (c) Section 129b of title 10, United States Code
  - (d) Part 304, of title 5, Code of Federal Regulations
  - (e) through (j), see Enclosure 1

**1. PURPOSE**

This Directive, pursuant to the authority vested in the Secretary of Defense by Reference (a):

1.1. Establishes DoD policy for the transfer of authority from outgoing to incoming senior officials, whether incident to the transition between Presidential administrations or in the course of other personnel actions, including but not limited to reassignment, retirement, or resignation.

1.2. Establishes DoD policy for the departure and arrival of administration appointees, including those Presidentially-Appointed, Senate-confirmed (PAS) officials; other Presidential Appointees (PAs); Non-career Senior Executive Service (SES) members; Schedule "C" appointees; and such other officials as may be appointed consultants pursuant to this Directive under References (b) and (c).

1.3. Assigns responsibilities for the administration, management, and direction of transition activities.

1.4. Authorizes the publication of implementing DoD Issuances.

**2. APPLICABILITY AND SCOPE**

This Directive applies to:

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5.13. The Director, Pentagon Force Protection Agency (PFPA), under the DA&M and consistent with DoD Directive 5105.68 (Reference (g)), and in addition to the responsibilities identified in paragraph 5.8., shall:

5.13.1. Be responsible for all physical security requirements for the transition of administration appointees entering or departing OSD and those administration appointees of the Military Departments, Defense Agencies, and DoD Field Activities as may be directed by the DA&M.

5.13.2. Conduct Personal Security Vulnerability Assessments for newly confirmed or appointed officials, as appropriate.

5.13.3. Conduct personal security training for newly confirmed, appointed, or assigned officials, as appropriate.

5.13.4. Monitor newly confirmed, appointed, or assigned officials for threat indications or warnings and take actions necessary to provide for force protection consistent with law and regulations.

5.13.5. Establish comprehensive operational support and appropriate guidelines for administration of security support of all transition activities within the scope of responsibilities otherwise assigned. Such operational support and guidelines may include, but shall not be limited to appropriate training, physical security, driver support, alarms, and sensors.

## 6. RELEASABILITY

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

## 7. EFFECTIVE DATE

This Directive is effective immediately.



Robert M. Gates

Enclosures - 2

E1. References, continued

E2. Definitions



ADMINISTRATION AND MANAGEMENT

OFFICE OF THE SECRETARY OF DEFENSE  
1950 DEFENSE PENTAGON  
WASHINGTON, DC 20301-1950

ACTION MEMO

FOR: SECRETARY OF DEFENSE

DepSec Action: *[Signature]*  
7-25

FROM: Michael L. Rhodes, Acting Director of Administration and Management

SUBJECT: DoD Directive 5105.76, "Transition of Administration Appointees and Other Officials"

*RR* →  
**Robert Rangel**  
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- An earlier draft of the Directive was forwarded, under cover of DA&M Action Memo, Tab C, on January 30, 2008. The Directive was fully coordinated, as indicated at Tab D, and all comments had been accommodated and incorporated.
- The revised Directive establishes a new, enduring framework with associated institutional benefits while providing sufficient adaptability to suit the preferences of subsequent Secretaries and transitioning political teams.
- Approval of this Directive is sensitive to and complements other planning activities, which have been satisfied or are well underway. These include:
  - Your May Town Hall discussions with the Department's political cadre;
  - The Deputy Secretary's ongoing one-on-one discussions with Secretaries of the Military Departments and the Direct Report OSD Principal Staff Assistants;
  - Ongoing component succession planning efforts by the Department's leaders;
  - Recent and continuing reviews and reports of the Defense advisory boards;
  - Transition discussions in the Defense Senior Leadership Conference (DSLCC); and
  - Planning for the establishment of an integrated Departmental management structure to oversee and facilitate the transition to the next Administration.
- The memorandum at Tab B establishes the Department's transition management structure and contains implementing "tactical" guidance to leaders for a smooth and efficient transition.
- Both the revised Directive at Tab A and the memorandum at Tab B reflect discussions in the DSLCC and subsequent leadership guidance, and have been coordinated with Mr. (b)(6) for the Acting General Counsel.

RECOMMENDATION: Sign the Directive at Tab A and the memorandum at Tab B.

Attachments:

SD CA	<i>24 8/1</i>	DSD SA	
SD SMA	<i>24 8/1</i>	DSD SMA	
SD MA	<i>24 8/1</i>	DSD MA	
ESA	<i>24 8/1</i>	DSD CA	
ES	<i>24 8/1</i>		

(b)(6), DA&M (O&MP), (b)(6)

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ADMINISTRATION AND  
MANAGEMENT

OFFICE OF THE SECRETARY OF DEFENSE  
1950 DEFENSE PENTAGON  
WASHINGTON, DC 20301-1950

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MEMORANDUM FOR DIRECTORS, ADMINISTRATION AND MANAGEMENT  
DIRECTORS, PENTAGON FORCE PROTECTION AGENCY  
DIRECTORS, WASHINGTON HEADQUARTERS SERVICES

SUBJECT: DA&M Transition Management Framework

The Department is well underway in its planning for the upcoming Presidential transition. I have approved the attached framework to support our internal organization and guide our way forward. The framework establishes a DA&M Senior Leadership Group (SLG) to provide executive-level oversight of transition activities and a DA&M Transition Task Group (TTG) to coordinate, integrate and report on the day-to-day execution of our transition responsibilities. Mr. Peter Karounos has been designated as the DA&M TTG Lead. I believe this framework will enhance our ability to plan and conduct our transition activities in a synchronized and integrated manner across all of the DA&M equities.

While awaiting a permanent Director, Administration and Management to be appointed, I will remain the overall DA&M Focal Point for Presidential Transition activities. The Director, Organizational Management and Planning, Ms. Gina Meiners, will be the focal point for DoD- and OSD-level responsibilities. The Deputy Director, Washington Headquarters Services, Mr. Clai Ellett, will serve as Senior Leader Group Lead. You can expect additional guidance to be forthcoming from the SLG and TTG. Please provide them your full support.

  
Michael L. Rhodes  
Acting Director

Attachment:  
As stated



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## **DA&M TRANSITION MANAGEMENT FRAMEWORK**

### **Purpose**

- This framework establishes an internal Director, Administration and Management (DA&M) governance and management structure to support Presidential transition activities; prescribes the policy, organization and membership, administration, and roles and responsibilities of the DA&M transition framework; and authorizes the issuance of supplementing guidance to include Standard Operating Procedures and/or Operating Instructions.

### **Policy**

- DA&M transition planning and execution will be organized, structured, and managed in a manner that maximizes responsiveness, reinforces and enables new relationships, optimizes existing DA&M processes and resources, eliminates duplication, and increases operational efficiency and effectiveness in order to promote an orderly transition of personnel and sustain operations within the Office of the Secretary of Defense and other serviced elements, as appropriate.
- DA&M transition activities will be carried out consistent with guidance from the Head of the DoD Transition Task Force as promulgated by the DoD Transition Focal Point and executed in accordance with the roles and responsibilities as laid out in this framework.

### **Organization and Membership**

- The DA&M framework shall be composed of:
  - The Deputy Director, Administration and Management (DA&M) who shall serve as the overall DA&M Focal Point for Presidential transition activities.
  - A DA&M Senior Leadership Group (SLG) comprised of:
    - Director, Organizational and Management Planning (O&MP), ODA&M (representing all ODA&M components)
    - Deputy Director, Pentagon Force Protection Agency (PFPA)
    - Deputy Director, Washington Headquarters Services (WHS) (Lead)
  - A DA&M Transition Task Group (TTG) comprised of members from ODA&M, PFPA, and WHS.
  - Other ODA&M, PFPA, and WHS functional and operational experts as operational requirements emerge and require execution.

### **Administration**

- The SLG Lead will be the representative from the organization which has the most strategic, situational awareness within the DA&M institutions at the time. In the event that the strategic focus shifts to an organization other than that of the Lead, the Lead role may also shift.

- Recommendations from the SLG will be provided to the DDA&M for decision and will be documented for dissemination to the TTG and DA&M, PFFA, and WHS Directors.
- Tracking and reporting systems, project management capabilities, and other tools will be developed and utilized to support and manage the transition efforts.

#### **Roles and Responsibilities**

- The DA&M will manage and oversee DA&M transition activities, consistent with the responsibilities and functions identified in DA&M Charter Directive (DoDD 5105.53).
- The SLG will serve as the centralized, integrated executive leadership body to oversee transition activities and services and advise the DDA&M. The SLG will:
  - Provide leadership, oversight, and guidance on the structure and operations of the TTG.
  - Provide assistance to the TTG in areas that may require additional resources and clarification and/or reinforcement of existing processes, business rules, and lanes of responsibilities.
  - Identify a lead and alternate Point of Contact (POC) from their respective organizations to serve as a member of the TTG.
  - Ensure transition tasks are communicated to the TTG for appropriate tasking, tracking, and reporting.
  - Report on the status of DA&M transition activities to the DA&M and DDA&M.
- The TTG will integrate, synchronize, coordinate and streamline the administration, management, communication, and reporting for all DA&M transition responsibilities across the DA&M organizations. A DA&M TTG Lead will coordinate the integration efforts of the TTG. Specifically, the TTG will:
  - Be responsive to taskings and requests for support on DA&M type services from the DoD Transition Focal Point, Component Transition Coordinators, and internal DA&M transition focal points.
  - Capture and document ODA&M, PFFA, and WHS processes, responsibilities, relationships, and lessons learned for future transitions and build an archival library of products and instruments.
  - Develop effective DA&M-wide policies, procedures and Standard Operating Procedures and/or Operating Instructions, as required, for transition activities.
  - Establish and maintain working relationships with DA&M serviced community in a manner that complements existing organizational interfaces.
  - Report to the SLG and elevate issues that require executive leadership assistance, direction and/or decision.
  - Coordinate the execution of transition service and support within the DA&M organizations.
  - Develop integrated DA&M management tracking and reporting capability for plans, tasks, actions, and milestones.

- Be complemented by functional experts from ODA&M, WHS, and PFPA when necessary.
  
- The DA&M, PFPA, and WHS Directors will:
  - Execute assigned functional activities, consistent with their respective responsibilities and functions identified in DoDDs 5105.53, 5105.68, and 5110.4 in a manner that promotes maximum responsiveness to the customer and is consistent with the policies of the DA&M transition framework.
  - Identify appropriate transition POCs within their organizations.
  - Augment the TTG with functional experts, as required.
  - Ensure the TTG is informed, in a timely manner, of all transition-related tasks and provide copies of all products and services developed to support transition in order to promote transparency and build the historical record for future transitions.
  - Ensure assigned functional activities support integrated transition products and services.
  - Identify the need and opportunities for developing integrated transition products and services for the purposes of providing the most valued transition support.



THE SPECIAL ASSISTANT

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

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DEC 4 2008

MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS  
CHAIRMAN OF THE JOINT CHIEFS OF STAFF  
UNDER SECRETARIES OF DEFENSE  
ASSISTANT SECRETARIES OF DEFENSE  
GENERAL COUNSEL OF THE DEPARTMENT OF  
DEFENSE  
DIRECTOR, OPERATION TEST AND EVALUATION  
INSPECTOR GENERAL OF THE DEPARTMENT OF  
DEFENSE  
ASSISTANTS TO THE SECRETARY OF DEFENSE  
DIRECTOR, ADMINISTRATION AND  
MANAGEMENT  
DIRECTOR, PROGRAM ANALYSIS AND  
EVALUATION  
DIRECTOR, NET ASSESSMENT  
DIRECTORS OF THE DEFENSE AGENCIES  
DIRECTORS OF THE DOD FIELD ACTIVITIES

031.1 Transition

SUBJECT: Additional Guidance for Engagement with the President-Elect's  
Transition Team (PETT) regarding Pre-Decisional Budget  
Information

Pursuant to my memoranda of November 21, 2008 and November 19, 2008, the  
following is the second round of additional guidance regarding disclosure of sensitive  
information.

You are now authorized to provide information on the FY 2010 budget request up  
to the level of SECRET NOFORN to authorized DoD PETT members holding verified  
security clearances.

All procedures established in prior guidance memoranda must continue to be  
followed and all contacts between PETT members and DoD shall be through the  
undersigned or the appropriate Transition Assistance Coordinators (TACs) or members of  
the Transition Task Force. Questions should be addressed to Mr. Tom Tesch,

(b)(6)

YDEC 08

Robert S. Rangel  
The Special Assistant to the  
Secretary and Deputy Secretary of Defense



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DEPUTY SECRETARY OF DEFENSE  
 1010 DEFENSE PENTAGON  
 WASHINGTON, DC 20301-1010

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SEP 02 2008

MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS  
 UNDER SECRETARIES OF DEFENSE  
 ASSISTANT SECRETARY OF DEFENSE FOR NETWORKS  
 AND INFORMATION INTEGRATION/DOD CHIEF  
 INFORMATION OFFICER  
 ASSISTANT SECRETARY OF DEFENSE FOR  
 LEGISLATIVE AFFAIRS  
 ASSISTANT SECRETARY OF DEFENSE FOR PUBLIC  
 AFFAIRS  
 GENERAL COUNSEL OF THE DEPARTMENT OF  
 DEFENSE  
 DIRECTOR, OPERATIONAL TEST AND EVALUATION  
 INSPECTOR GENERAL OF THE DEPARTMENT OF  
 DEFENSE  
 DIRECTOR, ADMINISTRATION AND MANAGEMENT  
 DIRECTOR, PROGRAM ANALYSIS AND EVALUATION  
 DIRECTOR, NET ASSESSMENT

031.1 Transition

SUBJECT: Reminder on Transition Issues

My memorandum of July 22, 2008, provided policy guidance to the Department for contact between the campaign committees of the Presidential candidates and Executive Department federal employees in their official capacity. Now that Mr. Robert Rangel has been designated as the Head of DoD Transition, all requests for contact with campaign committees of the Presidential candidates shall be forwarded to him through normal administrative channels, for appropriate disposition. Further, with the completion of conventions this week, it is vitally important that any interaction with Presidential campaign committees be properly authorized, consistent with the established policy. Ensure the widest distribution of this policy within your respective Components to ensure complete Departmental conformance.

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Consistent with DoD Directive 5105.76, "Transition of Administration Appointees and Other Officials," and Secretary of Defense Memorandum, "Orderly Transition of DoD Leadership", this memorandum also requests that the Secretaries of the Military Departments and the OSD Principal Staff Assistants identify a career status individual within their respective organizations to serve as their Component Transition Assistance Coordinators (TACs). TACs shall be identified to the Director of the DoD Transition

28 AUG 08



OSD 11353-08

Task Force, Mr. Thomas Tesch, in the Immediate Office of the Secretary of Defense through normal correspondence channels not later than September 5, 2008.

Each TAC will serve as their Component's representative within the larger DoD Transition Task Force structure. They should be sufficiently senior to communicate directly with their respective Military Department Secretary or OSD Principal Staff Assistant, and possess sufficient knowledge of, and have stature within, their respective organizations to effectively work transition-related issues and achieve timely results.

TACs will focus their attention and efforts on transition matters directly involving their respective components, consistent with the guidance of their organizational leadership and as directed by the Head of the DoD Transition and/or the Director of the DoD Transition Task Force Staff. TACs will function under the administrative control of their respective Component Heads, but will establish a "direct support" relationship with the Director of the DoD Transition Task Force Staff. In this capacity, TACs will perform their transition duties within the DoD Transition Task Force framework as matrixed members of the DoD Transition Task Force Staff.

The first meeting of TACs will be scheduled for the week of September 8, 2008. The date and agenda for this meeting will be provided separately.

I appreciate your prompt attention to the requests contained herein.



cc:

Chairman of the Joint Chiefs of Staff  
Commanders of the Combatant Commands  
Assistants to the Secretary of Defense  
Special Assistant to the Secretary of Defense for White House Liaison  
Directors of the Defense Agencies  
Directors of the DoD Field Activities  
Director, Joint Improvised Explosive Device Defeat Organization  
Director, Task Force for Business and Stability Operations, Iraq  
Director, DoD Transition Task Force Staff

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1000 DEFENSE PENTAGON  
WASHINGTON, DC 20301-1000

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NOV 19 2008

031.1 TRANSDITION



THE SPECIAL ASSISTANT

MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS  
CHAIRMAN OF THE JOINT CHIEFS OF STAFF  
UNDER SECRETARIES OF DEFENSE  
ASSISTANT SECRETARIES OF DEFENSE  
GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE  
DIRECTOR, OPERATIONAL TEST AND EVALUATION  
INSPECTOR GENERAL OF THE DEPARTMENT OF DEFENSE  
ASSISTANTS TO THE SECRETARY OF DEFENSE  
DIRECTOR, ADMINISTRATION AND MANAGEMENT  
DIRECTOR, PROGRAM ANALYSIS AND EVALUATION  
DIRECTOR, NET ASSESSMENT  
DIRECTORS OF THE DEFENSE AGENCIES  
DIRECTORS OF THE DOD FIELD ACTIVITIES

- REFERENCES:
- (a) Executive Order 13476, "Facilitation of a Presidential Transition," October 9, 2008
  - (b) "Memorandum of Understanding Regarding Transition Procedures, Identification of Transition Contacts, and Access to Non-Public Information and Transition Information" between the Chief of Staff to the President and the Designated Chair of the PETT, November 8, 2008
  - (c) White House "Policy Statement Concerning Identification of Transition Contacts and Information Disclosure to Transition Personnel," November 12, 2008
  - (d) Counsel to the President Memorandum, "Transition Guidance - Issues to Consider When Responding to Requests for Non-Public Information," November 12, 2008
  - (e) Secretary of Defense Memorandum, "Orderly Transition of DoD Leadership," August 7, 2008
  - (f) DoD Directive 5195.76, "Transition of Administration Appointees and Other Officials," August 8, 2008

SUBJECT: Engagement with the President-Elect's Transition Team (PETT)

Pursuant to References (a) through (f) the Department of Defense will provide the maximum practicable assistance permissible under the law and White House guidance to members of the DoD PETT supporting the transition to the new administration. The PETT members who are authorized to interact with DoD are listed at Attachment 1.

19 NOV 08

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Attachment 1 also provides the focus areas of the individual PETT members and it will be updated as necessary to reflect changes provided by the White House and/or the PETT. Prior to your scheduled interaction with the PETT, please consult Attachment 1 to ensure that the PETT member(s) is properly designated for your focus area and has the appropriate clearance to receive the information.

Public information may be provided to authorized PETT members. Such disclosures need not be logged. Non-public information in any form, which includes classified and FOUO information, can only be provided to PETT members with the appropriate level security clearance who are listed in Attachment 1. Additionally, the following recordkeeping is required:

- Documents containing non-public information shall be logged by date provided, general subject matter(s), name of the DoD official providing the document(s), and the name of the PETT member receiving the document(s). If more than one document is provided during the same day to the same PETT member, only one log entry will be necessary. It will not be necessary to log subsequent oral discussions regarding such document(s).
- Information provided orally but not contained in document(s) provided to a PETT member shall be logged by date of conversation or meeting, the general subject matter(s), the name of the senior participating DoD official, and the name of the senior participating PETT member. If more than one conversation or meeting involving those subject matter(s) are held, then the range of dates on which they occurred may be recorded, rather than making separate log entries.
- Reports of disclosure of non-public information to the PETT must be provided by the Component TAC concerned at the close of business each day by email to: Captain (b)(6) USN, (b)(6) (b)(6) (b)(6) Classified reports should be e-mailed to Captain (b)(6) at (b)(6) Reports should be in the format at Attachment 2.

At the present time, disclosure of sensitive information in the following categories will not be provided until further guidance is issued: current military operations; special access programs; pre-decisional budget information; contingency operations/plans; personnel records; privileged and other legally protected information; competition sensitive acquisition information; and active National Security Council policy deliberations.

All contacts between PETT members and DoD shall be through the undersigned or the appropriate TACs or members of the Transition Task Force. These procedures are intended to enhance the ability of the PETT to prepare for the next administration

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consistent with the ongoing responsibilities of the current leadership team in the Department. Questions should be addressed to Mr. Tom Tesch, (b)(6)

(b)(6)



Robert Rangel  
The Special Assistant to the  
Secretary and Deputy Secretary of Defense

Attachments: As stated

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PETT POCs as of 11/16/08

1	Overall/Operations	Flournoy	Michele	A	TS/Interim SCI	Center for A New American Security	Former Clinton USDP official
2	Overall	White	John	P	None	Harvard Kennedy School	Former Clinton OSD
3	Policy	Campbell	Kurt		Interim TS/interim SCI	Center for a New American Security	Former Clinton USDP official
4	Intel/Accultation/Strategic Capabilities	Carber	Ashlon	B	Unconfirmed	Harvard University	Former Clinton USDP official
5	Air Force/Policy	Davidson	Janine	A	Unconfirmed	George Mason University	Former Bush II USDP official
6	SQCOM	Flavin	Matthew	C	TS/Interim SCI	DNC/ Obama for America	Former Navy Officer
7	Legal	Johnson	Jah	C	Interim TS/interim SCI	Paul, Weiss, Rifkind, Wharton & Garrison	Former AF General Counsel
8	Operations/Governance	Kerrick	Donald	L	TS/Interim SCI	Self-Employed	Former Deputy NSA
9	Budget	Maldonado	Ellen	R	Unconfirmed	Senate Appropriations Committee	Former USD (C ) Staff (Clinton, Bush II)
10	National Guard/P&R	McCleskey	James	S	None	State of North Carolina	
11	OPS/Army/P&R	Mullaney	Craig	M	None	Obama for America	Former Army CAPT; Obama Advisor
12	Leg Affairs/Policy	Shapiro	Andrew	J	TS/interim SCI	Senator Hillary Rodham Clinton	Lieberman staff; counsel to DoJ Intl Competition Advisory Committee
13	Policy/Public Affairs	Sherwood-Randall	Elizabeth	D	TS	Stanford University/Council on Foreign Relations	Former Clinton USDP DASD
14	Air Force/Acquisition	Smith	James	B	TS	Raytheon	AF General
15	Legal/National Guard	Verma	Rahul		Unconfirmed	Stepoe & Johnson	Senior National Security Adviser to Sen Majority Leader Harry Reid
16	Navy/ Marine Corps	Work	Robert	O	Unconfirmed	Center for Strategic and Budgetary Assessments	Former SecNav Danzig assistant

\*WH cleared list for authorized DoD contact, but individual has not had contact with PETT DoD review leads.



# Department of Defense Transition Task Force

Record of Disclosure of Non-Public Information to Authorized Member(s) of the President-Elect's Transition Team (PETT)

Date of Disclosure:

Form of Disclosure:

Classification of Disclosure:

DoD Component:

**General Description of Categories of Non-Public Information:**

**Names of PETT Member(s) to Whom Non-Public Information was Disclosed:**

**Name(s) of Administration Official(s) Who Authorized Disclosure:**

**Name:**

**Title:**

**Contact Number:**

**Name(s) of Administration Official(s) Who Disclosed the Information:**

**Name:**

**Title:**

**Contact Number:**

Possesses Appropriate Clearance

PETT Members Verified Against Authority List

Conducted Disclosure Briefing

Document Signature Field



GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE  
1600 DEFENSE PENTAGON  
WASHINGTON, D.C. 20301-1600

8

AUG 11 2008

GENERAL COUNSEL

MEMORANDUM FOR DISTRIBUTION LIST

SUBJECT: Review of Ethics Rules relating to Presidential Transition

- References:
- (a) Section 208, Title 18, U.S. Code
  - (b) Subpart B, Part 26, Title 5, U.S. Code of Federal Regulations
  - (c) DoD 5500.07-R, Joint Ethics Regulation (JER)

This is an important reminder of the ethical requirements triggered by the impending Presidential Transition for all Office of the Secretary of Defense (OSD) Presidential Appointees confirmed with the advice and consent of the Senate (PAS).

Seeking Post-Government Employment. Once you have started seeking post-government employment, you have an actual conflict of interest with prospective employers. As such, the financial conflict of interest rules mandate that you *not* take any official action that could affect the financial interests of a prospective employer (Reference (a)).

Disqualification. Government ethics regulations further require that you disqualify yourself from any official action that could affect prospective employers (5 C.F.R. § 2635.604). At the Department of Defense (DoD), supplemental ethics regulations mandate that you provide *written* notice of disqualification to your supervisor and a copy should also be provided to the Standards of Conduct Office (SOCO) (Reference (c), section 2-204(c)). For a sample disqualification memorandum, contact SOCO.

Ethics Briefing. Before leaving Federal service, all OSD PAS officials are required to have an ethics briefing conducted by a Deputy Designated Agency Ethics Official (DDAEO) at SOCO. The briefing provides information and guidance on applicable ethics restrictions affecting your official duties while seeking post-government employment, and post-government restrictions that may apply to you once you leave Federal service.

Termination Disclosure. As a Public Financial Disclosure Report filer, you are required to prepare and submit a termination report *no earlier than* your last day of Federal service and *no later than* 30 days thereafter.

For questions, concerns, or to schedule an ethics briefing, contact SOCO at

(b)(6) or (b)(6)

Daniel J. Dell'Orto  
Acting General Counsel and Acting  
Designated Agency Ethics Official



OSD 10654-08  
8/14/2008 11:17:19 AM

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JAN 15 2009

MEMORANDUM FOR PROSPECTIVE NOMINEES FOR SENATE-CONFIRMED  
PRESIDENTIAL APPOINTMENTS IN THE DEPARTMENT  
OF DEFENSE

SUBJECT: Guidelines on Activities Prior to Confirmation

During the period after you have been identified as a potential nominee for a Senate-confirmed Presidential appointment (PAS), but before you are confirmed by the Senate, there is a natural tendency to get into the job as soon as possible. Unfortunately, in the past, some nominees in their eagerness to start have acted in a manner that the Senate views as "presuming confirmation." Over time, the Senate Armed Services Committee has identified specific activities, listed below, that it considers to "presume confirmation." The basic principle is that until you are confirmed, you must act in a manner consistent with your role, which is limited to preparing for your new duties and responsibilities. You must avoid acting or appearing as if you had already been confirmed.

An individual may be employed as an advisor or counselor to the Secretary prior to announcement, nomination, and confirmation, but after being selected as a potential nominee. (In this Department, such advisors will be employed as consultants (special Government employees).)

**The advisor/counselor must:**

- act in a manner consistent with that of an advisor preparing for additional duties and responsibilities and not presume any authority that could come only as a result of Senate confirmation and appointment by the President. For example, do not use the office space, dining facilities, etc., that are available only to a confirmed appointee in that position.
- comply with all applicable ethics rules.

**The advisor/counselor may:**

- consult within the Department on current policy topics, receive briefings, and become familiar with relevant issues related to the duties he or she may be confirmed to undertake.
- offer informed advisory views on policy issues, but on a strictly informal basis related to the duties he or she may be confirmed to undertake.

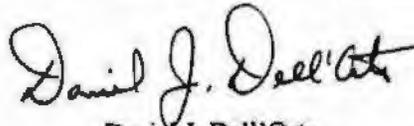
**The advisor/counselor must not:**

- serve as an official Department representative in meetings or on travel.
- have access to classified materials until a security clearance is issued.
- sign any documents that give the appearance of having assumed official duties or take any other actions that give the appearance of issuing authoritative guidance. For example, the advisor must not originate an action, receive routing of official actions of the Department, or approve/disapprove any actions of the Department. However, consistent with his or her security clearance, the advisor may receive information copies of action proposals and other official memoranda.



- undertake to hire, transfer, or terminate members of a potential future organization, or otherwise reorganize its management. It is not permissible to interview applicants or to advise officials on personnel and organizational issues.
- use the term "designate" in connection with a presumptive title prior to formal nomination by the President ( e.g., "Assistant Secretary of Defense-Designate").
- meet with anyone outside the Department concerning the business of the Department unless accompanied by a "responsible official" of the Department who can speak for the Department. The limited role as a consultant to the Department, and not an official of the Department, should be made clear.
- represent or speak for a component of the Department, or a prospective component, in a meeting within the Department.
- meet or speak with the press, other than in connection with the confirmation process, and then only after consultation with the Public Affairs Office.
- give speeches or make any appearance outside the Department on any issue relating to the business of the Department.
- attend a meeting with a contractor, a foreign official, or an interest group, unless the advisor or consultant has the express permission of the Secretary of Defense and is accompanied by a "responsible official" who can speak for the Department.

If you have questions or seek guidance on specific events, please do not hesitate to contact me at (b)(6), or the Standards of Conduct Office at (b)(6)



Daniel J. Dell'Orto  
Principal Deputy General Counsel