



## DoD INSTRUCTION 5400.18

# PUBLIC AFFAIRS PROCEDURES AND OPERATIONS FOR POLITICAL CAMPAIGNS AND ELECTIONS

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<b>Originating Component:</b>	Office of the Assistant to the Secretary of Defense for Public Affairs
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**Purpose:** In accordance with the authority in DoD Directive (DoDD) 5122.05 and the guidance in DoDDs 1442.11 and 1344.10, this issuance establishes:

- Policy and assigns responsibilities for DoD activities relating to Federal, State, and local political campaigns and elections.
- Reporting procedures and guidelines for media coverage of installation visits.
- Guidelines for media questions concerning political campaigns and elections.
- Guidelines to address inquiries to DoD Components from political campaign organizations.

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## **SECTION 1: GENERAL ISSUANCE INFORMATION**

### **1.1. APPLICABILITY.**

This issuance applies to OSD, the Military Departments (including the Coast Guard at all times, including when it is a Service in the Department of Homeland Security by agreement with that Department), the Office of the Chairman of the Joint Chiefs of Staff and the Joint Staff, the Combatant Commands, the Office of Inspector General of the Department of Defense, the Defense Agencies, the DoD Field Activities, and all other organizational entities within the DoD (referred to collectively in this issuance as the “DoD Components”).

### **1.2. POLICY.**

Public affairs procedures and operations will reflect DoD policy to encourage and actively support its personnel in their civic obligation to vote and to avoid any actions that could create the perception of DoD sponsorship, approval, or endorsement of any political candidate or campaign.

## **SECTION 2: RESPONSIBILITIES**

### **2.1. ASSISTANT TO THE SECRETARY OF DEFENSE FOR PUBLIC AFFAIRS (ATSD(PA)).**

The ATSD(PA):

- a. Maintains release authority for all media inquiries to address political campaign organizations and Federal candidate interactions that may involve DoD personnel, facilities or installations, resources, or events.
- b. Reviews all media inquiries regarding presidential, vice presidential, and congressional campaigns.
- c. Coordinates public affairs guidance and media responses with the Assistant Secretary of Defense for Legislative Affairs (ASD(LA)) and the General Counsel of the Department of Defense (GC DoD) concerning political campaigns and election matters that involve the DoD.

### **2.2. DIRECTOR, DEFENSE MEDIA ACTIVITY.**

Under the authority, direction, and control of the ATSD(PA), and in addition to the responsibilities in Paragraph 2.5., the Director, Defense Media Activity ensures the free and balanced flow of U.S. news and political reporting is available to DoD personnel serving overseas and at sea through the DoD radio and television networks of the American Forces Network.

### **2.3. UNDER SECRETARY OF DEFENSE FOR PERSONNEL AND READINESS (USD(P&R)).**

In addition to the responsibilities in Paragraph 2.5., the USD(P&R), through their Office of Legal Policy (OLP) and in coordination with GC DoD, advises the ATSD(PA) regarding political activities by Service members in response to media inquiries.

### **2.4. GC DOD.**

In addition to the responsibilities in Paragraph 2.5., the GC DoD provides legal advice regarding public affairs guidance or media responses requiring ATSD(PA) approval concerning political campaigns, elections, and activities that may draw national or international media attention.

### **2.5. OSD AND DOD COMPONENT HEADS, EXCEPT FOR THE ATSD(PA).**

The OSD and DoD Component heads inform the ATSD(PA) of reported improper political activity by military or civilian personnel, or incidents that may involve DoD facilities, resources, or events associated with a candidate for a national office, such as Congress or the President, or that could otherwise result in national media attention.

## SECTION 3: PUBLIC AFFAIRS PROCEDURES, GUIDANCE, AND RESTRICTIONS

### 3.1. PUBLIC AFFAIRS POSTURE.

#### a. Procedures for Media Inquiries Concerning Political Activity.

(1) Public affairs personnel and DoD leadership will actively seek opportunities to clarify and articulate DoD guidance on partisan political activities, elections, and campaigns to ensure DoD personnel, political candidates, staff, and the American public are informed and aware of such guidance.

(2) Media questions regarding DoD public affairs policy guidance concerning political campaigns and elections will be addressed to the Office of the ATSD(PA) (OATSD(PA)), Defense Press Operations (DPO) Office, at commercial (703) 697-5131 or DSN 227-5131.

(3) Military Service public affairs personnel will notify DPO of all concerns, disputes, unresolved issues, or potential problems regarding candidates for national, State, or local office or that could otherwise result in national media attention.

(4) Inquiries from members of Congress will be addressed through Service legislative affairs offices to the Office of the ASD(LA) (OASD(LA)).

(a) All DoD personnel must forward inquiries from political campaign organizations to a public affairs officer (PAO) for awareness and appropriate action or response. PAOs should consult with their respective legal counsel before responding. Components without a PAO will forward the inquiry to the DPO. Any requests for access to records, including records protected by the Privacy Act, will be referred to the Component Freedom of Information Act Program Office prior to any release determination.

(b) In response to specific inquiries, PAOs will only provide responsive information that is available to the general public. PAOs must inform the DPO through Service public affairs channels of inquiries from presidential or vice presidential, and congressional campaigns. OATSD(PA) will inform the Office of the USD(P&R) (OUSD(P&R)), OLP and the Office of the GC DoD (OGC) Standards of Conduct Office (SOCO) of any reports of improper political activities by military or civilian personnel.

(5) Common and frequently asked media questions are provided in Table 1. These responses are intended to generate messaging concepts and model responses.

(a) PAOs must review all responses before officially submitting a response to the media to ensure accuracy, clarity, correctness, and compliance with applicable security requirements.

(b) PAOs and press desk officers must tailor their response based on the situation and the question that is being asked.

(c) PAOs and press desk officers must not reuse the sample responses in Table 1 verbatim, unless deemed appropriate by the authorized release authority stated in supplemental Public Affairs Guidance in accordance with DoD Instruction 5405.03.

(d) PAOs should consult with their respective legal counsel before providing responses.

**Table 1. Sample Responses to Frequently Asked Questions from the Media.**

Question	Sample Response
What is the DoD policy regarding political activities by Service members?	The DoD encourages Service members to carry out the duties of citizenship, including voting and encouraging others to vote. However, Service members on active duty may not engage in certain activities directed toward the success or failure of a political party, candidate for partisan political office, or partisan political group. The longstanding and well-defined policy of the DoD regarding political campaigns and elections is to avoid any perception of DoD sponsorship, approval, or endorsement of any political candidate or campaign. For a complete list of permissible and prohibited activities for Service members, please consult DoDD 1344.10.
Can political candidates visit a DoD installation or facility for campaign or election-related activities?	No. A candidate will not be permitted to engage in campaign or election-related activities (e.g., public assemblies, town hall meetings, speeches, fundraisers, press conferences, post-election celebrations, and concession addresses) while on a DoD installation, which includes overseas installations and areas under the control of the U.S. military.
Can political candidates visit a DoD installation or facility for non-campaign or for non-election-related activities during their campaign for office?	Yes. A candidate who currently holds elected office may visit a DoD installation or facility for the purpose of conducting official business (i.e., business not related to campaigning) or to access entitlements or benefits the candidate is authorized to use. However, no candidate running for office is permitted to use their access for campaign or election purposes.
When does a political campaign begin?	A political campaign or election begins when a candidate, including an incumbent officeholder, makes a formal announcement to seek political office or when any individual files for candidacy with the Federal Election Commission or equivalent regulatory office. For guidance on when candidacy begins, please consult the Federal Election Commission's regulations at Part 9033.7 of Title 11, Code of Federal Regulations.

**Table 1. Sample Responses to Frequently Asked Questions from the Media, Continued**

Question	Sample Response
What political activities can a Service member participate in, and which ones are prohibited?	All Service members will at all times avoid participating in any activities that may be reasonably viewed as directly or indirectly associating DoD, (DHS in the case of the Coast Guard), or any component of these Departments with activity that is aimed at the success or failure of any political party, partisan political group, or candidate for partisan political office. For a complete list of permissible and prohibited activities for Service members, please consult DoDD 1344.10.
Does that mean a Service member can vote, but not actively support a particular candidate or cause?	Unquestionably, Service members can exercise their right to vote. However, Service members may not engage in any activity aimed at the success or failure of any political party or candidate for partisan political office and will avoid the appearance that their activities imply or appear to imply DoD sponsorship, approval, or endorsement of any political party or candidate for partisan political office. Service members may be able to participate in activities related to nonpartisan causes or issues. For a list of permissible and prohibited activities, please consult DoDD 1344.10.
Does DoD support and encourage its personnel to vote?	DoD encourages all DoD military and civilian personnel to register and vote. The DoD actively supports the Federal Voting Assistance Program (FVAP) to ensure DoD personnel have the resources, time, and ability to participate in their civic duty. Additionally, DoD leaders and military commanders appoint voting assistance officers, at every level of command, who are trained and equipped to provide voting assistance.
Can a DoD installation be used as a polling place in an election?	DoD facilities that meet the criteria of Section 2670 of Title 10, United States Code may be designated as polling places.  Additionally, DoD provides voting assistance via the FVAP. FVAP works to ensure Service members, their eligible family members, and overseas citizens are aware of their right to vote and have the tools and resources to successfully do so – from anywhere in the world – via FVAP.gov. The Military Services also provide voting assistance officers at the unit level to facilitate in-person assistance when required.

**b. Procedures for Media Coverage of Installation Visits.**

(1) There may be situations where a candidate, who holds elected office, makes an official visit to an installation. For example, the candidate, who is also a member of Congress may visit an installation to receive an official briefing. Before a candidate visits a military installation for official business (e.g., business not related to campaigning), the media may be granted access to cover the candidate's official business by the installation commander. Installation commanders will inform their Service public affairs office if it is necessary to deny media access and provide a justification or reasoning for their decision.

(2) When an installation commander approves a candidate to visit an installation to participate in official business and the media is granted access to cover the event, the candidate may:

(a) Appear on camera and in photographs as an official participant.

(b) Make a statement or answer questions about the official business being conducted.

(3) Installation officials must inform visiting candidates and their professional staffs that:

(a) Candidates must refrain from making campaign or election-related statements or responding to a campaign or election-related media query while on the installation.

(b) Footage, photographs, or statements taken or recorded during official business visits cannot be used for campaign or election-related purposes. While the candidate or campaign staff may highlight these candidates' support of the Military Services, nothing should be used to imply or appear to imply sponsorship, approval, or endorsement of the candidate by the DoD or DoD personnel.

(4) The installation commander cannot request that the candidate's remarks be reviewed beforehand.

(5) When a candidate for partisan political office who is also currently serving as an elected Federal, State, or local official arrives or departs a military installation, and part of their itinerary includes a political campaign or election activity in the local community, care must be exercised to separate any official business with DoD from campaigning. Appearance of military personnel in photos and videos with such individuals that is unrelated to any official business with DoD should be avoided. Where the candidate is the President or Vice President, the installation commander can approve a photo opportunity for the media to cover the arrival or departure of the President or Vice President.

(6) Installation commanders anticipating a visit by the President or Vice President that may involve a partisan political campaign or election activities in the local community must report, through their Service legislative affairs offices, to OASD(LA). The OASD(LA) will ensure close coordination with the White House Military Office, OATSD(PA), OUSD(P&R) OLP, and OGC SOCO.



### 3.2. USE AND ACCESS OF INSTALLATION FACILITIES BY CANDIDATES AND FOR POLITICAL ACTIVITIES.

#### a. Guidance for Installation Commanders and Their Public Affairs Office.

(1) Due to the public nature of political campaigns, installation commanders must be aware of the visible presence of a candidate while on their installation. Installation commanders and their public affairs office will use the information in Paragraph 3.2.b. to address various instances when political candidates visit or appear on their installation. This information is not to replace or supersede policy established by the ASD(LA), GC DoD, or OUSD(P&R). Installation commanders should consult their Service legislative affairs office for specific guidance or instructions.

(2) Installation commanders through their public affairs offices will communicate to candidates who are visiting DoD installations or facilities that they may not engage in campaign or election-related activities while on the installation or facility.

#### b. Procedures and Instructions for Installation Visits by Political Candidates.

(1) As directed in Volume 3 of DoD Manual 5200.08, a candidate who holds an elected office with responsibilities that affect a military installation or those who live or work on the installation may be granted access to the installation to conduct official business (e.g., business not related to campaigning) and to take advantage of activities, services, or resources that are available to them by virtue of law or policy, such as recreational activities open to the public or entitlements or benefits such as medical facilities, commissaries, or post/base exchanges.

(2) In accordance with Volume 3 of DoD Manual 5200.08, candidates who are not current office holders or serving U.S. Government officials, **and candidates who hold an elected office or who live or work on the installation and seek access to conduct business related to campaigning**, will be granted the same access to installations as any unofficial visitor.

(3) Installation commanders must coordinate with their legal advisor and forward notice of contact from a presidential or vice-presidential campaign representative, or from an incumbent for Congress, to their local Service public affairs office for coordination with the Military Department concerned.

(4) Installation commanders will, through their Service legislative affairs offices, consult the OASD(LA) for guidance or instructions regarding specific visitation requests. The OASD(LA) will ensure that both the OUSD(P&R) OLP and the OGC SOCO are informed of any reports of a request from a presidential or vice-presidential campaign to visit a military installation.

(5) When analyzing a candidate's request for access to an installation, the commander must first determine whether the request is to conduct official, personal, or campaign business. The following types of requests are presumed to be for political campaign purposes and will be denied:

(a) Requests for access to military installations or facilities from campaign organizations as opposed to the official staff of the office that the candidate currently holds.

(b) Requests for access to military installations or facilities by family members of candidates when such family members are not otherwise entitled to access by law or policy or who otherwise do not have an independent official purpose.

(c) Requests for access to military installations or facilities that include accompaniment by campaign staff.

(6) Installation commanders will not permit candidates to use military facilities for political campaign or election events, including public assemblies or town hall meetings, speeches, fundraisers, press conferences, post-election celebrations, and concession addresses.

(7) Members of Congress and other elected or appointed officials are allowed to visit military installations to receive official briefings, tours, or other official DoD information. Installation commanders will prohibit candidates from engaging in any political campaign or election activity during the visit.

(8) An installation commander may permit nonpartisan voter registration activities on an installation by State and county officials, or groups recognized in accordance with Section 501(c)(19) of Title 26, United States Code, subject to all applicable military installation rules and regulations governing such activities on military installations. The installation voting assistance officer and installation staff judge advocate must be notified before access is granted.

(9) Installation commanders will not allow candidates or their agents to obtain still or video imagery of military equipment (e.g., ships, tanks, and aircraft) for use in political campaign or election advertisements, commercials, or literature. Absent operations security concerns, candidates or their assistants are not restricted from documenting equipment from a location outside the control of a DoD facility or military installation. This restriction does not apply to imagery of elected or appointed officials photographed while on official business or travel (e.g., not related to campaigning).

### **3.3. USE OF OFFICIAL DOD SEALS AND EMBLEMS.**

a. The seals of the DoD and the Military Services may only be used for official department use. In accordance with DoD Instruction 5535.12, Service marks, including those appearing on flags, may not be licensed or used on promotional products or services in a manner that creates a perception of DoD endorsement of any non-Federal organizations, including political candidates, political parties, or any organization that is actively engaged in activity to promote the success or failure of a partisan political candidate or party.

b. DoD employees permitted to participate in political activities in their personal capacities must not sanction use of Service flags, or heraldry items such as, but not limited to, distinctive unit crests, regimental flags, or unit patches; or otherwise create an actual or apparent endorsement of a candidate or campaign by the DoD.

### **3.4. DOD PUBLICATIONS AND MEDIA.**

DoD publications, including DoD Component official websites and social media, will not contain advertisements, discussions, cartoons, editorials, or commentaries advocating for, or appearing to advocate for, the success or failure of any political party or candidates for partisan political office. DoD newspapers and civilian enterprise publications may not conduct or publish polls, surveys, or straw votes relating to elections or political campaigns, candidates, causes, or issues. This paragraph does not apply to the Stars and Stripes publication; publication and editorial policies for Stars and Stripes are addressed in DoDD 5122.11.

## **SECTION 4: DOD ELECTION SUPPORT**

In accordance with Section 2670 of Title 10, United States Code, the following principles apply concerning the use of DoD installations.

a. In accordance with Section 2670 of Title 10, United States Code, the Secretary of Defense or Secretary of a Military Department may not prohibit the designation or use of “qualifying facility” as an official polling place for local, State, or Federal elections. Qualifying facilities include an installation facility previously designated as an official polling place by a State or local election official as of December 31, 2000, or a facility that has been used as such polling place since January 1, 1996.

b. The Secretary of Defense or the Secretary of the Military Department concerned may grant a waiver of the requirement to allow use of the facility if the Secretary of the Military Department concerned determines that local security conditions require prohibition of the designation or use of that facility as an official polling place for any election.

c. Installation commanders will ensure that all Service members in uniform remain clear of such polling places except as necessary to exercise their individual voting rights.

d. With respect to any installation facility not covered in Paragraphs 4.a. and 4.b., installation commanders will not allow the use of installation facilities as polling places for Federal, State, or local elections.

## GLOSSARY

### G.1. ACRONYMS.

ACRONYM	MEANING
ASD(LA)	Assistant Secretary of Defense for Legislative Affairs
ATSD(PA)	Assistant to the Secretary of Defense for Public Affairs
DoDD	DoD directive
DPO	Defense Press Operations
DSN	Defense Switched Network
FVAP	Federal Voting Assistance Program
GC DoD	General Counsel of the Department of Defense
OASD(LA)	Office of the Assistant Secretary of Defense for Legislative Affairs
OATSD(PA)	Office of the Assistant to the Secretary of Defense for Public Affairs
OGC	Office of the General Counsel of the Department of Defense
OLP	Office of Legal Policy
OUSD(P&R)	Office of the Under Secretary of Defense for Personnel and Readiness
PAO	public affairs officer
SOCO	DoD Standards of Conduct Office
USD(P&R)	Under Secretary of Defense for Personnel and Readiness

### G.2. DEFINITIONS.

Unless otherwise noted, these terms and their definitions are for the purpose of this issuance.

TERM	DEFINITION
<b>installation official</b>	A designated DoD civilian employee or Service member who is assigned or attached to the installation or garrison command, authorized to enforce DoD and Service policy, regulations, or rules.
<b>military installation</b>	Defined in Section 2801 of Title 10, United States Code.
<b>partisan political activity</b>	Defined in DoDD 1344.10.

<b>TERM</b>	<b>DEFINITION</b>
<b>political candidate or candidate</b>	Any person who has made known their intention to seek, or campaign for, local, State, or Federal office in a general, primary, or special election.
<b>senior civilian official</b>	Employees serving as presidential appointees confirmed by the Senate, non-career members of the Senior Executive Service, career members of the Senior Executive Service, or contract appeals board members.

## **REFERENCES**

- Code of Federal Regulations, Title 11, Part 9033.7
- DoD Directive 1344.10, “Political Activities by Members of the Armed Forces,”  
February 19, 2008”
- DoD Directive 1442.11, “Political Activity Rules for DoD Political Appointees,”  
November 8, 2021
- DoD Directive 5122.05, “Assistant to The Secretary of Defense for Public Affairs (ATSD(PA)),”  
August 7, 2017
- DoD Instruction 5405.03, “Development, Submission, and Approval of Proposed Public Affairs  
Guidance (PPAG),” February 18, 2016
- DoD Instruction 5535.12 “DoD Branding and Trademark Licensing Program Implementation,”  
September 13, 2013, as amended
- DoD Manual 5200.08, Volume 3, “Physical Security Program: Access to DoD Installations,”  
January 2, 2019, as amended
- United States Code, Title 10
- United States Code, Title 26, Section 501(c)(19)