<u>FREQUENTLY ASKED QUESTIONS ABOUT DoD ISSUANCES</u>

All supporting documents referenced here (identified in UPPER CASE on first mention in the text) are available from the Issuance Process pages at:

    http://www.dtic.mil/whs/directives (unclassified)
    https://www.dtic.smil.mil/whs/directives (classified)

"You" refers to the action officer in charge of the issuance. "We" refers to the Directives Division (DD).

What types of issuances are there?

Why should a directive be changed to an instruction?

What is the purpose of the five stages of the issuance process (development, precoordination, formal coordination, presignature, and publication)?

What are the legal reviews and why are they required?

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Why does DD make so many changes when reviewing issuances?

Why do analysts change particular sentences or words when the issuance has been written for a group of experts in the style and vocabulary they are accustomed to?

Where is all this guidance located? Where can I find additional guidance?

Q. What types of issuances are there?

<u>A</u>. The three primary types of DoD issuances are directives (policy documents signed by the Secretary or Deputy Secretary of Defense – 10 pages or less), instructions (policy and/or procedures documents signed by the cognizant OSD Component head – 50 pages or less), and manuals (procedures documents authorized by a directive or instruction – no page limit, but manuals over 100 pages are divided into volumes).

Administrative instructions provide guidance within the Washington Headquarters Services, and directive-type memorandums are used for high priority, time sensitive issues. (See DoD ISSUANCES DEFINED for detailed information.)

Q. Why should a directive be changed to an instruction?

A. To comply with the requirement in DoD Instruction 5025.01, "DoD Issuances Program," that the OSD Component heads that report directly to the Secretary of Defense establish policy within their assigned functional areas. Originally, only directives could establish policy, but now instructions can. Only minor changes typically need to be made to convert a directive to an instruction.

Q. What is the purpose of the five stages of the issuance process (development, precoordination, formal coordination, presignature, and publication)?

A. Development allows the owning OSD Component to properly develop and coordinate the issuance internally within their Component. During precoordination, the compliance analysts help you make sure that your issuance is clear and is in compliance with applicable guidance and procedures. During formal coordination, all DoD Components with equity in an issuance get a chance to provide comments and suggestions within a set period of time. At presignature, the analysts help you make sure that all comments from the DoD Components are clearly adjudicated and any changes are properly made. When the issuance is signed, your analyst makes a final check to make sure it is ready for publication and that you've provided all the information needed for archiving. (See PROCESSING DoD ISSUANCES for detailed information.)

Q. What are the legal reviews and why are they required?

A. There are two legal reviews in the DoD issuance process: legal objection review (LOR) and legal sufficiency review (LSR). The Office of the General Counsel, Department of Defense (OGC) reviews DoD issuances to ensure that they don't contain any information that contradicts U.S. law or existing DoD policy.

LORs may be done after we've completed a precoordination review. Your Component focal point sends the request for LOR to the DoD Directives Portal and OGC will respond there. Whether or not you get an LOR is up to your judgment and your Component's policies.

LSRs are done after we've completed the presignature review. Your focal point sends the request for LSR to the Portal and the OGC response will be sent there. Every issuance **must** have an LSR.

You can of course consult with General Counsel at any time if you have legal questions.

Q. How long should I wait for my legal review to be completed?

A. LORs should be completed within 5-15 workdays (10 for directives; 15 for instructions, manuals, and administrative instructions; 5 for DTMs). If you don't receive an LOR by the suspense, you can get the DD 106 signed and proceed to the formal coordination stage.

LSRs should be completed in 25 workdays for directives; 30 workdays for instructions, manuals, and administrative instructions; and 15 workdays for DTMs. LSRs **must** be completed in order for the issuance to be signed. You should contact your focal point to get help with the LSR once the deadline has passed.

Q. What is the Portal?

A. The DoD Directives Program Portal is used by the OSD Components to post all requests for external coordination of DoD issuances and by the DoD Components to post all coordinations and substantive and critical coordination comments. It is also used for LORs and LSRs from OGC.

Check with your focal point to determine your Component policy for posting things to the Portal – some Components will let you do it, while others restrict this ability to the focal point. If you'll be posting to the Portal, be sure to select the primary (P) and collateral (C) coordinators as they appear on the signed DD FORM 106, "DoD ISSUANCES PROGRAM COORDINATION INITIATION." The mandatory (M) coordinators are preselected in the Portal and don't need to be manually selected. Once we approve an issuance for formal coordination through the Portal, the Portal automatically generates an e-mail message to the coordinators selected in the task notifying them of the tasking and when the coordinations are due.

The Components post their coordination responses and comments using the DD FORM 818, "DoD ISSUANCE COORDINATION RESPONSE," to the Portal task during the formal coordination stage. The Portal notifies you by e-mail as each coordination is posted.

For coordinators that don't have access to the Portal, such as the Department of Homeland Security (identified as "Other" in Block 11 of the DD Form 106), you must send a signed DD Form 106, blank DD Form 818, and the issuance to them through the DoD Executive Secretariat by mail, e-mail, or facsimile. The coordinators will respond directly to you. **Be sure** to send copies of these coordinations to us.

Q. What is "signature authority" and why is it so important?

A. Only certain positions in the DoD community are authorized to request coordination, provide coordination, and sign DoD issuances. If a DD 106 is sent to the Portal for formal coordination with an unauthorized signature in Block 13, the issuance won't be released. If issuances are submitted for presignature review and a DD Form 818 has been signed by an unauthorized individual, signature of the issuance may be delayed until an authorized coordination response is received. It is important that you are aware of the proper signature authorities to prevent delays

in the issuance process. (See the LIST OF SIGNATURE AUTHORITIES for detailed information.)

Q. What should I do if a Component nonconcurs during coordination?

A. You'll need to make every effort to resolve nonconcurs, if possible. The resolution process is the responsibility of the owning Component, including the manner in which it is conducted. The process should reflect the Component's best practices in reconciling differences and achieving accord.

    If the nonconcurrence is resolved by incorporating the coordinating Component's required change or removing the offending text, document that on the DD Form 818-1. If settled through discussion and compromise, you'll need to get written documentation of the coordinating Component's concurrence, in the form of a memo, DD Form 818, or digital e-mail signed by either the original coordinating authority, an official at a higher level, or the **primary** issuance focal point.

    If the issue cannot be resolved and the Component's nonconcur remains, you must be sure that the action memo requesting that the appropriate official sign the issuance describes the Component's objections and efforts to resolve the nonconcur, and provides a justification for signing the document as it is.

Q. How are numbers for new issuances assigned?

A. You'll select a 4-digit number from the list in the DoD ISSUANCES NUMBERING SYSTEM that best represents the major subject group of the issuance (first 2 numbers) and subgroup (3rd and 4th numbers). For the last 2 digits following the decimal point, we'll assigns temporary letters, such as "aa" or "bb," for identification while the issuance is processed. Following approval and signature of the issuance, prior to posting, we assigns a permanent number for the last 2 digits. (See the DOD ISSUANCES NUMBERING SYSTEM for detailed information.)

Q. What is the best way to contact and send materials to the DD?

A. All **unclassified** issuance-related materials and questions must be e-mailed to our organizational mailbox at whs.mc-alex.esd.mbx.dod-directives@mail.mil. **Classified** materials must be sent to whs.pentagon.esd.mbx.dod-directives@mail.smil.mil. We constantly monitor e-mail correspondence to these accounts to ensure that requests are promptly addressed by the appropriate personnel.

Q. How do I write and process an operating instruction (OI)?

A. OIs are documents that are internal to the Washington Headquarters Services and are not managed by the Directives Division. For help and direction on OIs, contact the Immediate Office and WHS Staff, WHS (see http://www.whs.mil/our-organization/whs-immediate-office-and-staff).

Q. Are DoD issuances legally binding? Or are they just guidance?

A. DoD issuances are not "guidance;" rather, they establish DoD policy and procedures and are binding on DoD Components to which they apply. If you feel your DoD Component should be an exception to any requirement in a DoD issuance, you must contact the office of primary responsibility (OPR) listed on our website to discuss.

Q. Why does DD make so many changes when reviewing issuances?

A. The DoD Issuances Program has established format and content standards that must be followed for each type of issuance for consistency throughout the DoD. DoD Instruction 5025.13, "DoD Plain Language Program," also requires that DoD issuances are clearly written and comply with the Plain Writing Act of 2010. (See the issuance STANDARDS and TEMPLATES for detailed information.)

Q. Why do analysts change particular sentences or words when the issuance has been written for a group of experts in the style and vocabulary they are accustomed to?

A. DoD issuances are written for a diverse population and must be understood by as large a group of readers as possible. The issuance writing style and preferred usage have been developed to serve that purpose including, for example, the practice of using short simple words and limiting sentences to one thought. Although writing style is not a hard-and-fast rule, the basic principles of effective writing should be followed. DoD Instruction 5025.13 requires that DoD issuances comply with plain language requirements as much as possible. (See the WRITING STYLE GUIDE AND PREFERRED USAGE document for detailed information.)

Q. Where is all this guidance located? Where can I find additional guidance?

A. The DoD Issuances Website, especially at http://www.dtic.mil/whs/directives/corres/writing/process_index.html, is the best place to start. The Issuance Process pages on that site contain many useful tools and guidance that provide detailed answers to a number of common questions, and online and in-house training classes are available. Your alternate focal point, appointed by each OSD Component head, is another great resource for you through all stages of the process. And, of course, we are here to help keep the process moving in the right direction and can explain why we made a particular type of change to or comment on an issuance.