



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

5/8/19

MEMORANDUM FOR CHIEF MANAGEMENT OFFICER OF THE DEPARTMENT OF  
DEFENSE

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

SUBJECT: Congressional Requests for Access to Operational Plans and Orders

This policy applies to requests from Congress, including individual Members of Congress, the congressional defense committees, and the Government Accountability Office, for access to plans and operational orders, including Execute Orders (EXORDs). The Under Secretary of Defense for Policy (USD(P)), delegable only to the Deputy USD(P), shall establish and supervise the implementation of policies and procedures for accommodating congressional requests for access to operational orders in accordance with this policy.

When a DoD component receives a congressional request for access to an operational plan or operational order, the DoD component will forward the request to the USD(P) for the appropriate action for that specific case. The USD(P) will coordinate responses with the Chairman of the Joint Chiefs of Staff, the Assistant Secretary of Defense for Legislative Affairs, and the General Counsel of the Department of Defense. In evaluating requests under this policy, the reviewing officials will consider the following:

1. Whether the request contains sufficient information to demonstrate a relationship to a legislative function;
2. Whether the request implicates presidential decision-making or the President's prerogatives as the Commander in Chief, such that coordination with White House staff is warranted;



3. Whether the plan or order relates to a past activity or is still in effect and applicable to current or future operations;
4. Whether the possibility of disclosure presents an unreasonable risk to the conduct of operations, such as the exercise of the command function, force protection, operational security, or any other risk to the operation or personnel;
5. Whether the request has been or may be reasonably accommodated by means other than providing the actual plan or order, such as providing a briefing;
6. Whether the degree of protection from unauthorized disclosure that Congress will afford to the plan or order is equivalent to that afforded within the Department of Defense; and
7. Any other factors that may be relevant to the specific circumstances of the request.

The USD(P) will report to the Secretary of Defense all decisions taken under this policy.

This policy is effective immediately and will remain in effect until explicitly updated or superseded.



Patrick M. Shanahan  
Acting