

APR 25 2013

MEMORANDUM FOR: SEE DISTRIBUTION

SUBJECT: Public-Private Partnerships Supporting the DoD Mission

During the next decade, the Department of Defense (DoD) will operate in an increasingly complex and interdependent global environment while facing significant fiscal constraints. Given these two realities, DoD will benefit from collaboration with non-Federal entities (NFEs), including the private sector and nonprofit organizations. Public-Private Partnerships (PPP) are voluntary, non-contractual collaborations between DoD and NFEs through which both parties leverage the expertise, resources, and incentives of the other to achieve mutually agreed goals. The Department also encourages the use of PPPs by DoD Components to facilitate innovation and creative thinking.

PPPs can be a valuable method of enhancing the Department's capacity by leveraging the expertise and resources of NFEs. In every instance, the primary benefit of a PPP must be to further the accomplishment of the DoD mission as reflected in the National Security Strategy and other relevant documents. When permitted under current law and of primary benefit to the accomplishment of DoD's mission, Defense leaders may enter into PPPs with NFEs, including industry, nongovernmental organizations (NGOs), academia, international organizations, and other private entities. The heads of DoD Components are encouraged to be forward thinking in order to resolve concerns and eliminate unnecessary impediments to cooperation.

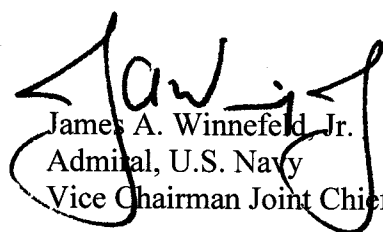
Public-Private Partnerships are not a new concept. DoD Components currently use PPPs across a broad spectrum of areas such as logistics, cyber, humanitarian assistance and disaster relief, theater sustainability, and wounded warrior support. Examples include DoD assistance to the American National Red Cross and humanitarian assistance programs that permit DoD to provide services and support, as well as to transport goods and equipment using DoD assets to countries in need, as authorized by statute (e.g., the Denton Act). As these examples illustrate, PPPs may be applicable to a wide range of DoD activities and can vary in scope and scale. Current DoD issuances provide guidance on legal, ethical, fiscal, and security requirements and concerns. An illustrative list of key DoD authorities and guidance is attached (Attachment A).

DoD Components shall seek legal advice when considering prospective partnerships or refining existing ones. In considering PPPs, DoD Components must ensure they do not use their authority and resources in inappropriate ways for the private gain of partners. DoD Components also must avoid the appearance of or actual preferential treatment, improper endorsement, special access, or unfair competitive advantage. DoD Components should be especially careful when dealing with NFEs that have or seek DoD contracts. Should DoD Components identify a lack of statutory authority to establish a PPP, they may submit legislative proposals through the DoD legislative process.




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The head of each DoD Component should assess the Component's priorities, resources, and authorities and determine whether engaging in a partnership is appropriate. To institutionalize DoD Component efforts, we ask that DoD Components promulgate appropriate PPP guidance, outlining the parameters of engagement and anticipated benefits, and identify a single point of contact responsible for interpreting the guidance and coordinating on PPPs. The Combatant Commanders should consult with the Joint Staff J-5 Deputy Directorate for Partnership Strategy for support on PPP matters. All other organizations should consult with the Office of the Deputy Assistant Secretary of Defense for Homeland Defense Strategy and Force Planning for PPP matters within the Homeland, or the Office of the Deputy Assistant Secretary of Defense for Partnership Strategy and Stability Operations for PPP matters overseas.



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Vice Chairman Joint Chiefs of Staff



Ashton B. Carter  
Deputy Secretary of Defense

Attachment:  
As stated

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# Attachment

A

## Attachment A. Authorities and Guidance on DoD PPP

- 5 U.S.C. Chapter 71, Labor Organizations (see DoD 1400.25-M, subchapter 711).
- 10 U.S.C. 177, American Registry of Pathology.
- 10 U.S.C. 178, Henry M. Jackson Foundation for the Advancement of Military Medicine.
- 10 U.S.C. 182, Center for Excellence in Disaster Management and Humanitarian Assistance.
- 10 U.S.C. 401, Humanitarian and Civic Assistance Provided in Conjunction with Military Operations.
- 10 U.S.C. 402, Transportation of Humanitarian Relief Supplies to Foreign Countries.
- 10 U.S.C. 404, Foreign Disaster Assistance.
- 10 U.S.C. 1050, Latin American Cooperation.
- 10 U.S.C. 1050a, African Cooperation.
- 10 U.S.C. 2012 & 2648; 32 U.S.C. 508, ASYMCA.
- 10 U.S.C. 2474, Centers of Industrial and Technical Excellence.
- 10 U.S.C. 2551, National Veterans' Organizations.
- 10 U.S.C. 2552, 2602, American National Red Cross.
- 10 U.S.C. 2553, Presidential Inaugural Ceremonies.
- 10 U.S.C. 2554, Boy Scout Jamborees.
- 10 U.S.C. 2555, Girl Scouts International Events (Transportation).
- 10 U.S.C. 2556, Shelter for Homeless.
- 10 U.S.C. 2558, National Military Associations (See 4.10 of DoDD 5410.18 and Enclosure 10 of DoDI 5410.19 for guidance).
- 10 U.S.C. 2561, Humanitarian Assistance.
- 10 U.S.C. 2564, Provision of Support for Certain Sporting Events (see DoDD 2000.15).
- 10 U.S.C. 2604, United Seaman's Service.
- 10 U.S.C. 2606, Scouting: Cooperation and Assistance in Foreign Areas.
- 10 U.S.C. 9441& 9442; 36 U.S.C. 40301, Civil Air Patrol.
- 12 U.S.C. 1770, Federal Credit Unions (see DoDD 1000.11).
- 32 U.S.C. 508, Assistance for Certain Youth and Charitable Organizations (see DoDI 3025.17).
- 36 U.S.C. 220101, USO.
- 42 U.S.C.1856a, Fire Protection Agreements.
- E.O. 12353; 5 C.F.R. part 950; DoDI 5035.01; DoDI 5035.05, Combined Federal Campaign.
- Chairman's Capstone Concept for Joint Operations.
- Defense Industrial Base Sector-Specific Plan Annex to the National Infrastructure Protection Plan.
- Defense Strategic Guidance.
- DoD 4515.13-R, Air Transport Eligibility.

- DoD 5500.07-R Joint Ethics Regulations (JER), Standards of Conduct.
- Department of Defense Directive (DoDD) 1000.11, Financial Institutions on DoD Installations.
- DoDD 1100.20, Support and Services for Eligible Organizations and Activities Outside the Department of Defense.
- DoDD 4500.56, DoD Policy on the Use of Government Aircraft and Air Travel.
- DoDD 5410.18, Public Affairs Community Relations Policy.
- Department of Defense Instruction (DoDI) 1000.15, Procedures and Support for Non-Federal Entities Authorized to Operate on DoD Installations.
- DoDI 1015.9, Professional United States Scouting Organization Operations at United States Military Installations Located Overseas.
- DoDI 1400.25-M, DoD Civilian Personnel Management System.
- DoDI 3000.05, Stability Operations.
- DoDI 3025.20, Defense Support of Special Events.
- DoDI 4151.21, Public-Private Partnerships for Depot-Level Maintenance.
- DoDI 5111.20, State Partnership Program (SPP)
- DoDI 5410.20, Public Affairs Relations with Business and Non-Governmental Organizations Representing Business.
- DoDI 5410.19, Public Affairs Community Relations Policy Implementation.
- Joint Publication (JP) 3-08, Interorganizational Coordination During Joint Operations.