

**BY ORDER OF THE
SECRETARY OF THE AIR FORCE**

AIR FORCE INSTRUCTION 90-401

15 SEPTEMBER 2020

Special Management

RELATIONS WITH CONGRESS



COMPLIANCE WITH THIS PUBLICATION IS MANDATORY

ACCESSIBILITY: Publications and forms are available for downloading or ordering on the e-Publishing website at www.e-Publishing.af.mil.

RELEASABILITY: There are no releasability restrictions on this publication.

OPR: SAF/LLZ

Certified by: SAF/LL
(Maj Gen Christopher Finerty)

Supersedes: AFI 90-401, 14 June 2012

Pages: 25

This instruction implements Air Force Policy Directive (AFPD) 90-4, *Relations with Congress*. This instruction applies to all civilian employees and uniformed members of the Regular Air Force and Air Force Reserve who respond to inquiries from and interact with Congress. This instruction does not apply to the Air National Guard. This publication does not apply to the Air National Guard. Ensure that all records created as a result of processes prescribed in this publication are maintained in accordance with Air Force Instruction 33-322, *Records Management and Information Governance Program*, and disposed of in accordance with the Air Force Records Disposition Schedule located in the Air Force Records Information Management System. Refer recommended changes and questions about this publication to the office of primary responsibility (OPR), the Air Force Congressional Action Division (SAF/LLZ), using the Air Force Form 847, *Recommendation for Change of Publication*; route Air Force Form 847s from the field through the Major Command (MAJCOM) publications/forms managers. This publication may be supplemented at any level, but all supplements must be routed to the office of primary responsibility of this publication for coordination prior to certification and approval. The authorities to waive wing/unit level requirements in this publication are identified with a Tier (“**T-0, T-1, T-2, T-3**”) number following the compliance statement. See Air Force Instruction 33-360, *Publications and Forms Management*, for a description of the authorities associated with the Tier numbers. Submit requests for waivers through the chain of command to the appropriate Tier waiver approval authority. For non-tiered compliance items, submit requests for waivers through the office of primary responsibility, or alternately, to the requestor’s commander. The use of the name or mark of any specific manufacturer, commercial product, commodity, or service in this publication does not imply endorsement by the Air Force.

SUMMARY OF CHANGES

This document has been substantially revised and must be completely reviewed. This revision provides organizational updates, clarifications, administrative, and formatting changes. It also establishes the Office of Legislative Liaison, Congressional Correspondence Division (SAF/LLC), as the office of primary responsibility to ensure that congressional reports and briefings are delivered to Congress in accordance with laws and statutes such as the National Defense Authorization Act. Additionally, this document establishes the appropriate routing for congressional inquiries, and revises the commander Capitol Hill Program.

Chapter 1—RELEASING INFORMATION	5
1.1. Classified Information.	5
1.2. "For Official Use Only" Information.	5
1.3. Privacy Act Information.	5
1.4. Protected Health Information.	5
1.5. Information for Air Force Personnel.	6
1.6. Locally Sensitive Information.	6
1.7. Congressional Security Clearances and Special Access.	6
1.8. Industry and Contract Information.	7
Chapter 2—ROLES AND RESPONSIBILITIES	8
2.1. Congress is a critical partner with the Department of the Air Force.	8
2.2. Secretary of the Air Force.	8
2.3. Office of Legislative Liaison (SAF/LL).	8
2.4. Office of the Assistant Secretary for Financial Management and Comptroller (SAF/FM).	9
2.5. Office of the General Counsel (SAF/GC).	10
2.6. The Judge Advocate General (AF/JA).	10
2.7. Commanders and Department of the Air Force Personnel	10
Chapter 3—CONGRESSIONAL CORRESPONDENCE	11
3.1. Communications with Congress.	11
3.2. Congressional Inquiries.	11
3.3. Congressional Requests for Information.	12
3.4. Reports/Briefings to Congress.	12

3.5.	Status of Forces Agreements.	13
3.6.	Department of the Air Force Personnel Combat-Related Casualty/Significant Injury Notifications.	13
Chapter 4—TRAVEL		14
4.1.	Invitation to Travel.	14
4.2.	Base Visits.	14
4.3.	Travel Support.	14
4.4.	Transportation Approval.	14
4.5.	Trip Progress.	14
4.6.	Schedule Changes.	15
4.7.	Government Funds.	15
4.8.	Unescorted Trips.	15
4.9.	Post-Trip Actions/Accountability.	15
Chapter 5—CONGRESSIONAL FIELD HEARINGS AND INVESTIGATIONS		17
5.1.	Hearings and Investigations.	17
5.2.	Controlled Area Access.	17
5.3.	Official documents.	17
5.4.	Deficiencies.	17
5.5.	Unescorted Investigations.	17
Chapter 6—CONGRESSIONAL VISITS		18
6.1.	Commander Capitol Hill Program.	18
6.2.	Commander Invitations.	18
6.3.	Special Events.	18
6.4.	Electoral Candidates.	19
6.5.	Photographic/Media Documentation.	19
6.6.	Recurring Visits.	20
Chapter 7—OFFICIAL REPRESENTATION FUNDS AND USE OF GOVERNMENT-OWNED VEHICLES (GOVs)		21
7.1.	Official Representation Funds.	21

7.2. Use of GOVs.	21
Attachment 1—GLOSSARY OF REFERENCES AND SUPPORTING INFORMATION	22
Attachment 2—OFFICE OF LEGISLATIVE LIAISON (SAF/LL), BUDGET & APPROPRIATIONS LIAISON (SAF/FMBL), AND LEGISLATIVE AFFAIRS SECURITY OFFICE (OSD/LA) TELEPHONE FAX, AND EMAIL DIRECTORY	25

Chapter 1

RELEASING INFORMATION

1.1. Classified Information. Department of the Air Force personnel must properly safeguard classified information in the interests of national defense (according to Air Force Instruction (AFI) 16-1404, *Air Force Information Security Program*). In accordance with Department of Defense Instruction (DoDI) 5400.04, *Provision of Information to Congress*, Prepared Statements, transcripts, Question for Record, Insert for Record, advance policy questions, Selected Acquisition Reports, and budget documents will be submitted to the Department of Defense Office of Security Review for security and policy review with the consent of the Secretary of the Air Force before going to Congress. (T-0). On behalf of the Secretary, the Office of Public Affairs (SAF/PA) will conduct a security and policy review as the approval authority for release of Department of the Air Force classified information to Congress. Refer congressional requests for classified information to SAF/PA through the Office of Legislative Liaison (SAF/LL) or the Office of Budget and Appropriations Liaison (SAF/FMBL). Department of the Air Force officials shall not disclose classified information to Congress for release to a Congressional constituent.

1.2. "For Official Use Only" Information. According to Department of Defense Manual 5400.07, *DoD Freedom of Information Act (FOIA) Program*, and DODM 5400.07_AFMAN 33-302, *Freedom of Information Act Program*, Department of the Air Force officials may generally not disclose For Official Use Only (FOUO) information to the public that falls within Exemptions 2 through 9 of the Freedom of Information Act (FOIA) (Title 5, United States Code, section 552). However, the Department of the Air Force may release such information to chairpersons of congressional committees or subcommittees if the information relates to matters within their jurisdiction. An Department of the Air Force official who decides the information should not be released to the congressional committee must staff the congressional request for information with a recommendation to the Secretary of the Air Force through SAF/LL or SAF/FMBL as appropriate. (T-1). Requests from members of Congress not seeking records on behalf of a congressional committee, subcommittee, either house sitting as a whole, or made on behalf of their constituents shall be considered the same as any other requester.

1.3. Privacy Act Information. Department of the Air Force officials must protect personal information about military and civilian employees according to the guidelines of the Privacy Act. (T-0). Without an individual's written consent to release information, Department of the Air Force officials may provide only general information according to the provisions of AFI 33-332, *The Air Force Privacy and Civil Liberties Program*, which sets forth the Privacy Act procedures. The Department of the Air Force may, however, disclose an individual's records without the individual's consent when requested by a chairperson or ranking member of a Congressional committee or subcommittee, if requested in their official capacity and if the information relates to matters within their jurisdiction. When making such a disclosure, the Department of the Air Force will tell the committee or subcommittee members about any sensitive information and the need to safeguard it.

1.4. Protected Health Information. Regarding the release of protected health information, medical treatment facility personnel must comply with the Privacy Act (Title 5, United States Code, Section 552a) as well as the Health Insurance Portability and Accountability Act (HIPAA) (Public Law 104-191), as outlined in DoDM 6025.18, *Implementation of Health Insurance*

Portability and Accountability Act (HIPAA) Privacy Rule in DoD Health Care Programs, and AFMAN 41-210, *Tricare Operations and Patient Administration*. (T-0). As a general rule, an individual's protected health information can be released to a member of Congress in response to a congressional inquiry only with the individual's HIPAA-compliant authorization. If no authorization is provided, the medical treatment facility personnel would make a direct reply to the individual instead of the member of Congress. When a request for protected health information comes from a chairperson or ranking member of a congressional committee or subcommittee with jurisdiction over the matter, release of that information without the individual's authorization is permitted under HIPAA as a "required by law" disclosure; DoDI 5400.04 requires the release of the information. (T-0).

1.5. Information for Air Force Personnel. Department of the Air Force personnel have the legal right to petition, furnish information to, or communicate with Congress.

1.6. Locally Sensitive Information. Information on significant changes in the status of Department of the Air Force units, installations, and industrial facilities may have an impact on states and congressional districts. Therefore, Department of the Air Force officials must not release any information governed by AFI 10-503, *Strategic Basing*, without the proper authorization. For any other information not governed by AFI 10-503, basing actions concerning changes in status of Department of the Air Force units, installations, and industrial facilities that might have an impact (positive or negative) on the local community/congressional district, local commanders should check with SAF/LL or SAF/FMBL prior to release of that information.

1.7. Congressional Security Clearances and Special Access. Per Office of the Secretary of Defense Policy, Congressional Member clearances are automatic once the member is elected into their current position in the United States Senate or United States House of Representatives. Once a member is elected as a seated member of Congress, the member is automatically read into special compartmented information (SCI) and any other classification needed. To verify the security clearance and special access information of Congressional staff members, contact the Office of the Secretary of Defense, Legislative Affairs Security Office (OSD/LA), or SAF/LL Security for proper direction.

1.7.1. In accordance with DoDD 5205.07, *Special Access Program Policy* (Paragraph 4f), "Members of Congress assigned to designated defense and intelligence committees shall be authorized access to DoD SAPs within the respective committee's SAP oversight role, except for waived programs pursuant to Reference (c) [Title 10, United States Code, section 119]. (T-0). Unless approved by the Secretary or Deputy Secretary of Defense, only the chair, the ranking minority member, and the staff directors of the defense and intelligence committees shall be authorized access to waived SAPs within their committee's respective SAP oversight role."

1.7.2. Acting on behalf of the chairman and the ranking member of the defense and intelligence committees, only the majority and minority staff directors of those committees will be granted access to waived special access programs (SAPs), Chairmen and Ranking Members may request the Deputy Secretary of Defense to grant exception to this restriction on a case-by-case basis.

1.7.3. Access to non-waived SAPs by professional staff members of the defense and intelligence committees will be determined by the majority and minority staff directors on behalf of the Chairman and Ranking Member, respectively. (T-0). Access will be coordinated

with the Department of Defense Special Access Program Coordination Office (SAPCO) to ensure compliance with personnel security requirements.

1.7.4. Members of Congress not assigned to the defense committees (and to the intelligence committees only for intelligence SAPs) will be granted access to Department of Defense SAPs (non-waived SAPs only) with the concurrence of the Department of Defense after consultation with the Chairman and Ranking Member of the defense committees. **(T-0)**.

1.7.5. The personal staff of a member of Congress shall not be granted access to Department of Defense SAPs. **(T-0)**.

1.8. Industry and Contract Information. Information concerning contractor proprietary information must be safe-guarded. Trade secrets statutes (Title 18, United States Code, Section 1905 and 18 USC 1836) restrict the release of contractor information both before and after the award of contracts. Title 41, United States Code, Chapter 21, also restricts the unauthorized release of contractor bid and proposal information. Information about contractor employees may be protected from disclosure under the Privacy Act (Title 5, United States Code, Section 552a). These statutory restrictions are reflected in the Federal Acquisition Regulation (Title 48, Code of Federal Regulations, Sections 3.104 and 15.207). Therefore, special care must be exercised when releasing information during and after the acquisition source-selection process. Proper use of non-disclosure statements must be exercised. **(T-0)**.

Chapter 2

ROLES AND RESPONSIBILITIES

2.1. Congress is a critical partner with the Department of the Air Force. The Air Force or Space Force works with Congress to ensure Airmen are properly organized, trained, and equipped to conduct the range of missions the nation expects and needs. Therefore, timely, transparent, and candid dialogue with members of Congress and their staffs is expected at all levels of the Air Force.

2.2. Secretary of the Air Force. Only the Secretary may deny congressional requests for information or approve Air Force or Space Force-funded congressional travel to Air Force or Space Force activities.

2.3. Office of Legislative Liaison (SAF/LL). Headquarters Mission Directive 1-22, *Legislative Liaison*, gives SAF/LL the authority and responsibility for relations with Congress, the Executive Office of the President and Vice President, the Office of Secretary of Defense, and other governmental agencies. Official legislative liaison duties include:

2.3.1. Developing, coordinating, and supervising the Department of the Air Force legislative program.

2.3.2. Ensuring accuracy and consistency on all Department of the Air Force information intended for Congress.

2.3.3. Keeping members and committees of Congress advised of Department of Air Force activities in their area of interest through such means as verbal communications, written correspondence, briefings, meetings, office calls, travel, and social events (e.g., breakfasts, luncheons, dinners, icebreaker meet-and-greets, or Department of the Air Force anniversary events).

2.3.4. Evaluating, reporting, and disseminating pertinent legislative information to the Department of the Air Force.

2.3.5. Cooperating fully with Congress and giving full and timely responses to congressional inquiries.

2.3.6. Answering executive office and congressional correspondence, including correspondence from state elected officials (Governors, Mayors, etc.).

2.3.7. Initiating, where appropriate, recommendations for possible remedial action on inquiries reflecting criticism of Department of the Air Force policy.

2.3.8. Preparing witnesses for congressional hearings.

2.3.9. Arranging for and coordinating Department of the Air Force testimony at congressional hearings.

2.3.10. Supervising Secretariat and Air Staff review of transcripts, inserts from Department of the Air Force congressional hearing testimony, and actual hearing questions taken for the record.

2.3.11. Supervising congressional travel arrangements and requirements designated as official responsibility of the Department of the Air Force.

- 2.3.12. Supporting MAJCOM, Numbered Air Force, and wing commanders during congressional member or staff visits.
- 2.3.13. Tasking, tracking, and delivering responses to congressional reporting requirements.
- 2.3.14. Tasking, tracking, and delivering responses to congressional requests for information.
- 2.3.15. Scheduling and oversight of the wing commander Capitol Hill Program.
- 2.3.16. Coordinating and processing unified legislative budget and omnibus legislative proposals from HAF and MAJCOMs.
- 2.3.17. Securing advance notice of congressional committee hearings, investigations, or visits to the field. In these cases, SAF/LL or SAF/FMBL notifies the relevant Air Force organizations and helps committees with their visits.
- 2.3.18. Coordinating and synchronizing SAF/LL and SAF/FMBL activities to ensure effective congressional relations.
- 2.3.19. Coordinating with the proper HAF offices on legislative and budgetary issues.
- 2.3.20. Obtaining Office of Management and Budget (OMB) and Office of the Secretary of Defense clearance of Department of the Air Force witness statements, slides, handouts, and so forth before testimony at congressional committee hearings.
- 2.3.21. Directing the HAF review of transcripts of Department of the Air Force testimony from congressional committee hearings, and subsequent preparation of inserts and responses to questions for the record.
- 2.3.22. Directing the preparation of Department of the Air Force responses required by congressional committee reports and enacted laws.
- 2.3.23. Maintaining a legislative research library and other source records on congressional matters that affect Department of the Air Force programs and budgets.
- 2.3.24. Informing SAF/PA of action on congressional requests for information that have potential public relations implications.
- 2.3.25. Giving SAF/PA copies of unclassified Department of the Air Force testimony for release to the media through the Office of the Assistant to the Secretary of Defense for Public Affairs (ATSD PA).
- 2.3.26. Directing Air Force or Space Force field organizations to communicate directly with SAF/LL or SAF/FMBL and to immediately notify the appropriate MAJCOM of congressional inquiries and correspondence.

2.4. Office of the Assistant Secretary for Financial Management and Comptroller (SAF/FM). HAF MD 1-12, *Assistant Secretary of the Air Force (Financial Management and Comptroller)*, gives SAF/FM the authority and responsibility for relations with the Appropriations and Budget Committees, the Congressional Budget Office, and the Department of Treasury on financial and budgetary matters. The Assistant Secretary of the Air Force Financial Management and Comptroller (SAF/FM) is responsible for all Department of the Air Force budget and appropriations matters. SAF/FMBL performs SAF/FM's official congressional liaison duties, and is responsible for responding to the needs and issues of those committees and their members on financial and budgetary matters.

2.5. Office of the General Counsel (SAF/GC). HAF MD 1-14, *General Counsel and The Judge Advocate General*, gives SAF/GC responsibility for overseeing many legal aspects of legislative processes. SAF/GC coordinates, in accordance with HAF MD 1-14, with the Judge Advocate General (AF/JA), as necessary, to ensure accurate and timely legal support. SAF/GC Responsibilities include:

- 2.5.1. Providing final legal coordination on legislative proposals and related matters.
- 2.5.2. Advising on legislative appeals and statements of administration policy.
- 2.5.3. Advising on release of information to Congress.

2.6. The Judge Advocate General (AF/JA). Provides legal support, in accordance with HAF MD 1-14, to Department of the Air Force organizations, units, and commanders for legislative proposals, requests for information and legislative visits. AF/JA coordinates, in accordance with HAF MD 1-14, with the SAF/GC, as necessary, to ensure accurate and timely legal support.

2.7. Commanders and Department of the Air Force Personnel

- 2.7.1. Department of the Air Force commanders or personnel who receive notice of a committee hearing, investigation, or a visit directly from a congress committee or a member of Congress must inform SAF/LL or SAF/FMBL within forty-eight (48) hours of receipt. (T-1).
- 2.7.2. Installation commanders will designate and provide an appropriate point of contact to their respective MAJCOM legislative affairs office for congressional inquiries and visits. (T-1).

Chapter 3

CONGRESSIONAL CORRESPONDENCE

3.1. Communications with Congress. Communications with Congress are extremely sensitive; therefore, consistent with AFD 90-4, it is Department of the Air Force policy to respond promptly and accurately to requests from members of Congress and their staffs within 30 calendar days of receipt. If a comprehensive response is not possible within that time, then an interim response should be provided. The responsible Secretariat or Air Staff action officer must notify SAF/LL or SAF/FMBL no later than 7 days prior to suspense date that an interim response is needed. **(T-1)**. The office of primary responsibility is responsible for writing the interim response and coordinating with SAF/LL to ensure a timely delivery. **(T-1)**.

3.2. Congressional Inquiries. Department of the Air Force policy is to respond promptly and factually to direct requests for information from members of Congress and their staffs within 30 days of receipt. If a comprehensive response is not possible within that time, then an interim response should also be sent. **(T-1)**.

3.2.1. At the HAF level, the Congressional Correspondence Division (SAF/LLC) receives congressional inquiries and tasks them to the appropriate Secretariat, Air Staff office or agency, or MAJCOM. The tasked organization will be instructed to respond within fourteen (14) days in one of the following manners:

3.2.1.1. Provide a comprehensive, draft response to SAF/LLC, approved by an O-6/GS-15 or higher within the organization's chain of command. Responses for Secretary of the Air Force, Under Secretary of the Air Force, Chief of Staff of the Air Force, Chief of Space Operations, Vice Chief of Staff of the Air Force, or Vice Chief of Space Operations signature require a legal review from SAF/GC or AF/JA. **(T-1)**.

3.2.1.2. Provide a final response on organizational letterhead to SAF/LLC, signed by the wing commander or equivalent, for review and delivery to the member of Congress by SAF/LLC. **(T-1)**.

3.2.1.3. Simultaneously, provide a copy of the final letter to SAF/LLC for awareness and historical reference. **(T-1)**. A legal review by the servicing staff judge advocate or designee is recommended.

3.2.2. When congressional inquiries are received outside the HAF-level, directly from a member of Congress, field commanders will notify and provide a copy to SAF/LLC and the parent MAJCOM legislative liaison within 5 business days of receipt. **(T-1)**.

3.2.2.1. SAF/LLC will review the inquiry within 5 business days of receipt and provide further direction on whether the organization is authorized to respond directly to the member of Congress, or if the organization will provide a draft response to SAF/LLC instead. In either case, responses will conform to **paragraph 3.1.**, and a final response will be sent to the member of Congress within thirty (30) calendar days of the original receipt. **(T-1)**.

3.2.2.2. SAF/LLC reserves the opportunity to review and approve any response before it is sent to a member of Congress.

3.3. Congressional Requests for Information. Department of the Air Force policy is to respond promptly and accurately to direct requests for information from members of Congress, their staffs, and committees in accordance with Headquarters Operating Instruction (HOI) 33-10, *Suspense and Control of Congressional and White House Correspondence*.

3.3.1. At the HAF level, requests for information should traditionally be received by the SAF/LL or SAF/FMBL division responsible for the subject or issue, but may be received by any division within SAF/LL or SAF/FMBL.

3.3.2. Regardless of which SAF/LL or SAF/FMBL division action officer receives the request for information, the request for information should be assigned to the appropriate SAF/LL or SAF/FMBL division which will then task the request for information to the appropriate office of responsibility.

3.3.2.1. Send the proposed response back to the assigned SAF/LL or SAF/FMBL division to quality check the response for accuracy and completeness in coordination with the appropriate HAF office of primary responsibility, and then the response will be provided to the member of Congress, their staff, or the committee that submitted the request for information. The entire process should be completed at the soonest opportunity, but within no more than 3 days unless a longer timeline is specified or coordinated with the requesting congressional office or committee.

3.3.2.2. During periods when the congressional defense committees are considering either the National Defense Authorization Act, the Defense Appropriations Act, or the Military Construction / Veterans Affairs Appropriations Act in committee or on the floor, SAF/LL or SAF/FMBL should maintain extended staffing hours as needed to respond as quickly as possible to request for information. The appropriate Secretariat or Air Staff office should be prepared to respond to congressional requests for information within 24 hours or less as required by the specific situation.

3.3.3. Outside the HAF-level, field commanders will establish appropriate procedures to:

3.3.3.1. Inform SAF/LL or SAF/FMBL and parent MAJCOM of all congressional requests for information. **(T-1)**. Email a scanned copy of the request for information to the applicable SAF/LL division (usually SAF/LLP or SAF/LLW) and the MAJCOM legislative affairs function within twenty-four (24) hours of receipt. **(T-1)**. For a request for information received by telephone, transcribe and email it to SAF/LLP for programs (e.g., logistics, maintenance, medical, personnel, and other mission support areas) or SAF/LLW for weapon systems (e.g., aircraft, nuclear, space, cyber, etc.) within twenty-four (24) hours of receipt or by the first duty day following a weekend or holiday (see [Attachment 2](#) for phone numbers and email addresses). **(T-1)**. Include contact information for the person filing the request for information.

3.3.3.2. Send the MAJCOM legislative affairs function and SAF/LL or SAF/FMBL a copy of all congressional communications, including original inquiries and proposed replies. **(T-1)**.

3.4. Reports/Briefings to Congress. The Assistant Secretary of Defense for Legislative Affairs (OSD/LA) is the tasking and management authority for all Department of Defense congressional reporting requirements. The Office of Air Force Legislative Liaison (SAF/LL), specifically SAF/LLC, manages the congressional reporting process for the Department of the Air Force in

accordance with HOI 33-10. Based on the requested information and the most efficient response, SAF/LL will determine which format is appropriate for each reporting requirement in consultation with the office of primary responsibility. SAF/LLC tasks the report in the Task Management Tracker (TMT) to the office of primary responsibility and office(s) of coordinating responsibility. All reports will be approved by the Air Force or Space Force “Two- Letter” office of primary responsibility with “Two-Letter” offices of coordinating responsibility before being submitted to SAF/LL for approval by HAF Director of Staff, Vice Chief of Staff of the Air Force or Vice Chief of Space Operations, Chief of Staff of the Air Force or Chief of Space Operations, Undersecretary of the Air Force, and Secretary of the Air Force. (If the office of primary responsibility cannot complete the report by the congressional due date, an interim memorandum will be written and delivered to Congress not later than 7 days prior to the suspense, stating why the Department of the Air Force cannot meet the due date and proposing a new delivery date. The date in the memorandum will become the new suspense). (T-1). SAF/LL will deliver all reports to Congress required from the Department of the Air Force.

3.5. Status of Forces Agreements. Process all inquiries about cases dealing with status of forces agreements, individual privileges or rights while stationed outside the continental United States, legal or policy problems, or issues that may become sensitive or controversial in the same manner as all other congressional inquiries. (T-0).

3.6. Department of the Air Force Personnel Combat-Related Casualty/Significant Injury Notifications. SAF/LLC is the office of primary responsibility within the Department of the Air Force for providing information to members of Congress regarding casualty/significant injury notification of Department of the Air Force personnel involved in combat-related incidents.

3.6.1. Notifications are made in coordination with the Washington Headquarters Service/White House Military Office, the Air Force Personnel Center, and SAF/PA. Congressional notifications cannot be made until twenty-four (24) hours after the last next of kin notification has been made.

3.6.2. AF/SG will secure a signed Wounded Warrior Privacy Release from combat wounded Airmen evacuated from the combat zone who are admitted to any medical treatment facility. AF/SG will send the signed form via email to Air Force Services (AF/A1S). When consent is authorized by member or next of kin, AF/A1S will forward information to SAF/LL for distribution to the appropriate congressional offices.

Chapter 4

TRAVEL

4.1. Invitation to Travel. The Secretary of Defense or secretaries of the military departments may extend invitations for sponsored travel within the United States to members and employees of Congress. Department of Defense Directive (DoDD) 4515.12, *DoD Support for Travel of Members and Employees of Congress*, assigns the responsibility for approving and coordinating requests for transportation from Congress to the Assistant Secretary of Defense for Legislative Affairs (OSD/LA). DoDD 4515.12 also describes the procedures for travel at the invitation of the SECDEF or Service secretaries.

4.2. Base Visits. Members of Congress and their staffs may need to visit Department of the Air Force activities. The Department of the Air Force fully supports and encourages these visits. With Secretary of the Air Force (SecAF) approval, the Department of the Air Force may provide transportation for congressional visits.

4.2.1. Requests for travel by Secretary of the Air Force invitation should benefit the Department of the Air Force by supporting Department of the Air Force priorities and focus areas. Examples of valid requests would be to visit a base to assess the training and employment capabilities of a multi-mission wing, or to visit a MAJCOM for updates on aircraft modernization, upgrades, maintenance, and sustainment activities.

4.2.2. Travel to joint organizations or locations of interest to other services may not be completed under Secretary of the Air Force invitation.

4.3. Travel Support. Congress may request Department of Defense support for worldwide travel under Title 31 United States Code Section 1108 (g).

4.3.1. Designation of Travel Escorts for SAF/LL. Staff delegation travel conducted by congressional defense committee professional staff should be organized and escorted by a designated action officer responsible for the portfolio within the SAF/LL and SAF/FMBL divisions for which the topic of interest or issue for the travel resides.

4.3.2. Travel requests made by committee professional staff through the SAF/LLH and SAF/LLS divisions should be referred to the appropriate SAF/LL division chief. Travel requests made by a member of Congress or their personal staff should be organized and escorted by action officers within SAF/LL divisions. Travel requests involving Air Force Reserve interests may be supported by action officers within Air Force Reserve Directorate of Policy Integration (AF/REI) with the approval of SAF/LL.

4.4. Transportation Approval. Do not commit the Department of the Air Force to providing transportation until SAF/LLZ provides notification transportation is approved. SAF/LLZ will issue invitational travel orders authorizing travel and expenditure of funds related to congressional travel. (T-1).

4.5. Trip Progress. Escorts will email or call SAF/LLZ on a regular basis to provide updates on trip progress or to coordinate any travel adjustments. (T-1).

4.5.1. Photographic documentation of the travel will be handled in accordance with [paragraph 6.5](#) of this instruction. (T-0).

4.5.2. A contact report will be generated and disseminated by the escort official not later than 14 business days upon completion of the trip. (T-1).

4.6. Schedule Changes. Escorts will coordinate each schedule change with SAF/LLZ (and SAF/FMBL, if applicable) and with all affected facilities, activities, and personnel to avoid unannounced arrivals. Cancellations should be reported immediately to SAF/LLZ.

4.7. Government Funds. Through coordination with SAF/LLZ, escorts will be issued government funds to be used in support of congressional travel. For continental United States travel, member and congressional staff expenses directly related to official trips (meals, hotels, airline tickets, etc.) will be paid by the escort officer.

4.7.1. Expenses related to travel (or congressional visits) completed without invitational travel orders will not be paid using funds issued through SAF/LL.

4.7.2. Department of the Air Force Legislative Fellows. Air University currently funds fellows to conduct travel for one trip to the congressional district/state to familiarize fellows regarding congressional operations and issues at the district/state level. Authorization of additional Department of the Air Force paid travel to the district/state for fellows is on a case-by-case basis and must meet the requirement of furthering the Department of the Air Force mission. Fellows are not currently authorized to travel on congressional staff delegations. Overseas congressional travel is currently not authorized for fellows, with the exception of travel to outside the continental United States states/territories where the fellow is currently performing duties for a congressional member representing that state/territory.

4.8. Unescorted Trips. For unescorted trips, the MAJCOM legislative liaison of the host commander notifies SAF/LL or SAF/FMBL of pending visits, itinerary changes, and any new or changed requests during the scheduled MAJCOM legislative liaison telecoms. (T-1). The host will coordinate directly with all affected facilities, activities, and personnel regarding briefings, transportation, quarters, or other support. (T-1).

4.8.1. Upon completion of unescorted trips, the MAJCOM legislative liaison should inform SAF/LL or SAF/FMBL at the next MAJCOM legislative liaison telecom about the outcome of the visit or investigation. Field commanders should also provide information to other interested echelons at their discretion.

4.8.2. Convey the following information to SAF/LL or SAF/FMBL: the site and length of the visit; names of visiting members of Congress and staff representatives; highlights or deficiencies disclosed by the visit; requests for information; information or observations, in general, provided by the member or staff related to the visit; any corrective action(s), if applicable; and, any information in addition to the list that the host commander feels would be beneficial pertaining to the performance of duties by SAF/LL or SAF/FMBL.

4.9. Post-Trip Actions/Accountability. Not later than 30 calendar days after completion of a congressional delegation/staff delegation, the paying agent (Escort) will complete and submit to the Travel Branch (SAF/LLZO) an accounting package and trip report. (T-1).

4.9.1. The Travel Branch will maintain a record of overdue deliverables and provide a summary weekly to applicable division chiefs and monthly to SAF/LL.

4.9.2. The Travel Branch will maintain all trip records and will maintain/archive them on the network in accordance with HOI 33-17, *Headquarters Air Force Records Management Program*.

Chapter 5

CONGRESSIONAL FIELD HEARINGS AND INVESTIGATIONS

5.1. Hearings and Investigations. SAF/LL or SAF/FMBL is the commander's liaison with the Secretary of the Air Force on all requests for inspection, investigation, and summary reports that require the Secretary's attention. Preparation and procedures for witnesses participating in congressional hearings will be in accordance with HOI 90-4, *Procedures for Air Force Witnesses Participating in Congressional Committee Hearings*. (T-1).

5.2. Controlled Area Access. Commanders must ensure all personnel fully cooperate with committees during field hearings and investigations. (T-1). Allow access to controlled areas in accordance with AFI 16-1404. (T-0). Proper identification admits members to any base, field installation, or facility and allows them to use private working space and facilities at a central location. (T-1).

5.3. Official documents. When a committee wants to examine official documents, files, or records within its area of interest or pertinent to its investigation, provide the material in a room set aside for the committee unless release of these materials is not allowed under [paragraph 1.1](#) and [1.6](#) (T-1). Assign an Department of the Air Force representative to assist if needed.

5.3.1. Refer any requests from a congressional committee to copy, remove, or retain official files, documents, or records (or copies of these documents) to SAF/LL or SAF/FMBL. (T-1). SAF/LL or SAF/ FMBL, as appropriate, will coordinate requests to remove files with the appropriate agencies.

5.3.2. Coordinate with SAF/GC and AF/JA concerning release of documents related to congressional investigations when there are legal issues involved such as the Privacy Act and claims of privilege. (T-1).

5.4. Deficiencies. If a committee notes deficiencies in Department of the Air Force operations or procedures during its field investigation and the Department of the Air Force can take immediate corrective action, the travel escort officer will advise the committee and either SAF/LL or SAF/FMBL, as appropriate. If no travel escort officer is present, the wing commander shall notify SAF/LL and SAF/FMBL, and in turn, SAF/LL or SAF/FMBL will notify the congressional committee via written or oral communications. (T-1).

5.5. Unescorted Investigations. If SAF/LL or SAF/FMBL personnel do not escort members of Congress or their staffs, field commanders shall inform SAF/LL or SAF/FMBL about the outcome of the visit or investigation. (T-1).

5.5.1. Convey the following information to SAF/LL or SAF/FMBL: the site and length of the visit; names of visiting members of Congress and staff representatives; deficiencies disclosed by the visit; requests for information; information or observations, in general, provided by the Member or staff related to the visit; and, any corrective action(s), if applicable. (T-0).

5.5.2. Field commanders should also provide information to other interested echelons at their discretion.

Chapter 6

CONGRESSIONAL VISITS

6.1. Commander Capitol Hill Program. The Air Force Congressional Action Division (SAF/LLZ) is responsible for developing a targeted engagement plan that encompasses wing, Numbered Air Force, and MAJCOM commander visits with members of Congress, personal and professional staff members in Washington, D.C. SAF/LLZ will support wing staffs to develop engagements with members and district staffs in the base local area.

6.1.1. The primary engagement window will run from March to July and September to November to coincide with the greatest number of in-session days. The engagement window will be adjusted to account for recesses tied to the election cycle.

6.1.2. SAF/LLZ, in coordination with the MAJCOM legislative liaisons and the HAF staff, will select monthly themes and focus areas for commander Capitol Hill engagements, associated House and Senate outreach programs, and other dedicated events.

6.1.3. With the help of MAJCOM legislative liaisons and appropriate HAF staff, SAF/LLZ will determine missions (bases/commanders) that align with focus areas and solicit participation by those commanders. Commanders participating should be able to discuss their mission in detail and how it aligns with the Department of the Air Force strategic messages in general and specific to the theme. SAF/LLZ will assign an escort officer, provide strategic level preparation materials and, along with other SAF/LL divisions, recommend relevant members of Congress and staff for targeted meetings.

6.2. Commander Invitations. At any time, commanders may extend an invitation to the congressional district office to visit their respective installation. MAJCOM legislative liaisons and SAF/LLZ must be notified of events involving members of Congress and/or staff prior to the event, at a minimum of 5 days before the event. These visits are valuable opportunities to build relationships, provide members of Congress and staff with a first-hand view of what the bases are doing, and allow them to meet Airmen and see them in action. **(T-1)**.

6.2.1. All requests for Washington, D.C. congressional office visits will be scheduled through SAF/LL to the greatest extent possible. **(T-1)**.

6.2.2. Within 48 hours following a visit, the commander will provide a brief contact report to SAF/LLZ and their MAJCOM legislative liaison office. **(T-1)**. Action officers should use the latest template provided by SAF/LLZ.

6.3. Special Events. If a wing, Numbered Air Force, or MAJCOM commander makes a regular visit to Capitol Hill for an annual or special event, they will notify SAF/LLZ through their respective MAJCOM legislative liaison, at a minimum of 5 days before the event. **(T-1)**. SAF/LLZ will assign an escort officer, provide strategic level preparation materials, and schedule meetings with relevant members of Congress and staff. **(T-1)**.

6.3.1. Local Visits. Commanders and staff agency chiefs should inform or coordinate with SAF/LL or SAF/FMBL on all matters of congressional interest including participation in local activities and visits with members of Congress, their staffs, or congressional committees. Notify SAF/LL or SAF/FMBL when local plans or activities generate significant community interest and may interest members of Congress. **(T-1)**.

6.3.2. Congressional Travel. When initiated by Congress, SAF/LL or SAF/FMBL will immediately notify the affected MAJCOM when a congressional visit is expected. (T-1).

6.4. Electoral Candidates. Commanders should support and welcome visits by political candidates seeking to receive briefings, tours, or other official Department of Defense information. However, Department of Defense personnel acting in their official capacity may not engage in activities that associate Department of Defense with any partisan political campaign or election, candidate, cause, or issue. Interaction with candidates for political office must not imply or appear to imply sponsorship, approval, or endorsement of any such candidates or political views, including the use of installation facilities by any candidate for political campaign or election events. (T-0). This prohibition does not apply to the President, Vice President, or Speaker of the House of Representatives. Contact SAF/LL, SAF/PA, SAF/GC, AF/JA, or Major Command Staff Judge Advocate with questions regarding these restrictions.

6.4.1. When an installation commander approves a Member of Congress who happens to be running for reelection to visit an installation to participate in Department of the Air Force official business (e.g., air show, ribbon cutting, and events that are widely attended) and the media is granted access to cover the event, the candidate may appear on camera and in photographs as an official participant and may make a statement or answer questions specifically about the official business of the event being conducted.

6.4.2. Installation officials shall inform visiting electoral candidates and their professional staffs that footage, photographs, or statements taken or recorded during Department of the Air Force official business visits (i.e., business visits not related to campaigning) may not be used for campaign or election-related purposes. (T-0). However, while the candidate or campaign staff may highlight these candidates' support of the Armed Forces, nothing should be used to imply or appear to imply Department of Defense or military personnel sponsorship, approval, or endorsement of the candidate. Absent exceptional operational security concerns, this guidance does not apply to candidates or their assistants who elect to document equipment from a location outside the confines of an installation. This does not apply to imagery of elected or appointed officials photographed while on official business or travel (i.e., not related to campaigning).

6.5. Photographic/Media Documentation. Photographic documentation of congressional visits to Department of the Air Force installations and facilities is required. When photography is completed, the host PA organization must notify the military escort within 24 hours that digital photographs are available upon request. (T-1). Images must include caption and visual information record identification number (VIRIN) information in accordance with AFI 35-109. (T-1). Captions should include congressional delegation/staff delegation designation, occasion, location, dates, names, and duty titles of individuals in the photograph, and contact information for the individual responsible for the photograph. The Secretary of the Air Force (or designated office of primary responsibility) is the authority for public release of any imagery.

6.5.1. Original imagery must be accessioned in accordance with AFI 35-109 with caption and visual information record identification number information. (T-0).

6.5.2. The Department of the Air Force may print copies of the images by Department of the Air Force government-owned or government-contracted facilities, or arrange for printing by commercial entities.

6.6. Recurring Visits. If a wing, Numbered Air Force, or agency commander makes a regular visit to Capitol Hill for an annual or special event, they will notify SAF/LLZ through their respective MAJCOM legislative liaison, at a minimum of 5 days before the event. (T-1). SAF/LLZ will assign an escort officer, provide strategic level preparation materials, and schedule meetings with relevant members of Congress and staff. (T-1).

Chapter 7

OFFICIAL REPRESENTATION FUNDS AND USE OF GOVERNMENT-OWNED VEHICLES (GOVS)

7.1. Official Representation Funds. Per Department of the Air Force policy and SAF/GC, Official Representation Funds cover those in Congress who work primarily on national defense issues, including congressional members, defense and intelligence committee professional staff members, national security advisors, and military legislative assistants (not other congressional personal staff members). Official Representation Funds will be used in accordance with applicable Department of Defense and Department of the Air Force guidance, such as HOI 65-3, *Headquarters Air Force Official Representation Funds*. Questions of qualification of individual coverage for Official Representation Funds should be addressed to SAF/LL or SAF/FMBL leadership.

7.2. Use of GOVs. GOVs assigned to SAF/LL and SAF/FMBL may be used to support transportation requirements related to the official liaison responsibilities stipulated in [paragraph 2.3](#), and in accordance with applicable Department of Defense and Department of the Air Force guidance, such as AFI 24-301, *Ground Transportation*, AFI 24-302, *Vehicle Management*, and AFMAN 24-306, *Operation of Air Force Government Vehicles*.

CHRISTOPHER E. FINERTY
Major General,
USAF Director, Legislative Liaison

Attachment 1**GLOSSARY OF REFERENCES AND SUPPORTING INFORMATION*****References***

Privacy Act (5 U.S.C. §552a)

18 U.S.C. §1904

31 U.S.C. §1108(g)

41 U.S.C., Ch. 21, §§2101-07

Federal Acquisition Regulation (48 CFR §§3.104, 15.207)

48 C.F.R. § 15.207

Public Law 104-191, *Health Insurance Portability and Accountability Act*, 21 August 1996

DoDD 4515.12, *DoD Support for Travel of Members and Employees of Congress*, 15 January 2010

DoDD 5205.07, *Special Access Program Policy*, 1 July 2018

DoDI 5400.04, *Provision of Information to Congress*, 17 March 2009

DoDM 5400.07, *DoD Freedom of Information Act (FOIA) Program*, 27 April 2018

DoDM 6025.18, *Implementation of Health Insurance Portability and Accountability Act (HIPAA) Privacy Rule in DoD Health Care Programs*, 13 March 2019

AFPD 90-4, *Relations with Congress*, 6 November 2018

AFI 10-503, *Strategic Basing*, 28 July 2017

AFI 16-1404, *Air Force Information Security Program*, 29 May 2015

AFI 24-301, *Ground Transportation*, 22 October 2019

AFI 24-302, *Vehicle Management*, 26 June 2012

AFI 33-322, *Records Management and Information Governance Program*, 6 March 2020

AFI 33-332, *The Air Force Privacy and Civil Liberties Program*, 12 January 2015

AFI 33-360, *Publications and Forms Management*, 1 December 2015

AFI 35-102, *Security and Policy Review Process*, 4 May 2016

AFI 35-109, *Visual Information*, 1 June 2017

AFMAN 33-302, *Freedom of Information Act Program*, 27 April 2018

AFMAN 41-210, *Tricare Operations and Patient Administration*, 10 September 2019

HAF MD 1-14, *General Counsel and The Judge Advocate General*, 29 December 2016

HAF MD 1-22, *Legislative Liaison*, 24 August 2011

HAF MD 1-12, *Assistant Secretary of the Air Force (Financial Management and Comptroller)*, 25 November 2015

HOI 33-10, *Suspense and Control of Congressional and White House Correspondence*, 16 December 2003

HOI 33-17, *Headquarters Air Force Records Management Program*, 26 December 2013

HOI 65-3, *Headquarters Air Force Official Representation Funds*, 12 October 2017

HOI 90-4, *Procedures for Air Force Witnesses Participating in Congressional Committee Hearings*, 8 July 2005

Adopted Forms

AF Form 847, *Recommendation for Change of Publication*.

Abbreviations and Acronyms

DoD—Department of Defense

DoDD—Department of Defense Directive

DoDI—Department of Defense Instruction

FOIA—Freedom of Information Act

FOUO—For Official Use Only

GOV—Government Owned Vehicles

HAF—Headquarters Air Force

HIPAA—Health Insurance Portability and Accountability Act

HOI—Headquarters Operating Instruction

MAJCOM—Major Commands

MD—Mission Directive

OMB—Office of Management and Budget

Terms

Advance Policy Questions—Official questions submitted by the Senate Armed Services Committee to nominees for positions requiring a congressional hearing. Answers to the Advance Policy Questions must be provided by the nominee to the Senate Armed Services Committee prior to their hearing.

Briefing—Similar to a Report, but presented in a less formal manner such as through a personal briefing with Powerpoint slides.

Commander Capitol Hill Program—A targeted engagement plan that encompasses wing, Numbered Air Force, and MAJCOM commander visits with members of Congress, personal and professional staff members in Washington, D.C.

Congressional Inquiry—Correspondence originating from a private citizen/constituent and transmitted through a member of Congress, Committee, the White House, DoD channels, or other elected official requesting a response on a particular subject related to the Department of the Air Force.

Notification—Information the Department of the Air Force is required by statute to deliver to Congress, or a proactive dissemination of information to Congress.

Question for Record—These are additional questions received post-hearing from the committee of jurisdiction. Must be answered using information that was available at the time of the hearing.

Insert for Record—These are questions that were asked during the hearing by a committee member but were not answered or not answered fully by the witness at that time. Must be answered using information that was available at the time of the hearing.

Report—An official report to Congress directed by the National Defense Authorization Act, other law, or statute.

Request for Information—Written or verbal communication originating from a member of Congress or congressional committee requesting information on a specific policy, program, decision, or activity related to the Department of the Air Force. This may also include follow-up requests from a previous congressional engagement.

Two-Letter—Headquarters Air Force Directorates.

Attachment 2**OFFICE OF LEGISLATIVE LIAISON (SAF/LL), BUDGET & APPROPRIATIONS LIAISON (SAF/FMBL), AND LEGISLATIVE AFFAIRS SECURITY OFFICE (OSD/LA) TELEPHONE FAX, AND EMAIL DIRECTORY****Office of the Director (SAF/LL)**

DSN 227-4142/(703) 697-4142/FAX: 227-2001/(703)697-2001

Email: safll.workflow@pentagon.af.mil**House Liaison Office (SAF/LLH)**

DSN 325-4531/(202) 685-4531/FAX: 325-2592/(202)685-2592

Email: safllh.workflow@pentagon.af.mil**Senate Liaison Office (SAF/LLS)**

DSN 325-2573/(202) 685-2573/FAX: 325-2575/(202)685-2575

Email: saflls.workflow@pentagon.af.mil**Congressional Correspondence Division (SAF/LLC)**

DSN 227-3783/(703) 697-3783/FAX: 223-6340/(703) 693-6340

Email: safllm.workflow@pentagon.af.mil**Programs and Legislation Division (SAF/LLP)**

DSN 227-7950/(703) 697-7950/FAX: 227-3520/(703) 697-3520

Email: safllp.workflow@pentagon.af.mil**Weapon Systems Liaison Division (SAF/LLW)**

DSN 227-6711/(703) 697-6711/FAX: 227-8623/(703) 697-8623

Email: safllw.workflow@pentagon.af.mil**Congressional Action Division (SAF/LLZ)**

DSN 225-1292/(703) 695-1292/FAX: 224-4518/(703) 614-4518

Email: safllz.workflow@pentagon.af.mil**Office of Budget & Appropriations Liaison (SAF/FMBL)**

DSN 224-8110/(703) 614-8110/FAX: 227-6904/(703) 697-6904

Email: saffml.workflow@pentagon.af.mil**Legislative Affairs Security Office (OSD/LA)**

DSN 227-6210/(703)697-6210/FAX: 223-5530/(703) 693-5530

Email: osdla.constituentinquiries@osd.mil**Secretary of the Air Force Public Affairs (SAF/PA)**

DSN 227-6061/(703) 697-6061

Email: safpa.workflow@pentagon.af.mil