



DEPARTMENT OF THE NAVY
BUREAU OF MEDICINE AND SURGERY
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FALLS CHURCH VA 22042

IN REPLY REFER TO
BUMEDINST 5721.3D
BUMED-MOOP
12 Jan 2018

BUMED INSTRUCTION 5721.3D

From: Chief, Bureau of Medicine and Surgery

Subj: APPROVAL PROCESS FOR PUBLIC RELEASE OF INFORMATION

Ref: (a) SECNAVINST 5720.44C
(b) DoD Directive 5500.07 of 29 November 2007
(c) DoD Directive 5230.09 of 22 August 2008
(d) 5 CFR §2635.807
(e) SECNAVINST 5211.5E
(f) SECNAVINST 5510.36A
(g) BUMEDINST 3070.1
(h) NAVSO P-5728.18
(i) BUMEDNOTE 3070 of 16 Oct 2017
(j) BUMEDNOTE 5700 of 12 Jan 2018

Encl: (1) Navy Medicine Authored Works Disclaimers

1. Purpose

a. To revise policy and prescribe procedures for obtaining timely review and approval for release of all works authored by Navy Medical Department personnel, in either an official or private capacity, before publication or presentation per references (a) through (i). This instruction is a complete revision and supersedes any local Navy Medicine instructions and forms currently in use. This instruction is a lawful general order as such, individuals who fail to comply may be subject to disciplinary action under the Uniformed Code of Military Justice and adverse administrative action as appropriate.

b. Navy Medical Department personnel are encouraged to submit authored work for publication. Publication encourages the exchange of information, promotes professional growth, and the professional standing of Navy personnel and the Navy Medical Department.

2. Cancellation. BUMEDINST 5721.3C.

3. Applicability and Scope

a. Applies to Navy Medical Department personnel and includes:

(1) All active duty and Reserve Navy Medical Department officer, enlisted, and civilian personnel, including those in training programs at Navy medical facilities, academic programs funded by the Navy Medical Department, or participating in joint program operations at U.S. Army or U.S. Air Force medical or dental facilities;

(2) Intergovernmental Personnel Act appointees;

(3) Experts, consultants, or researchers employed pursuant to title 5, United States Code (U.S.C.), §3109 including Navy Medical Department personnel participating in joint research operations at Defense Health Agency, U.S. Army; or U.S. Air Force research facilities.

(4) Contractors supported by military funding at Navy medical or dental facilities.

b. For purposes of this instruction, “authored work” refers to any journal articles, abstracts, manuscripts, first-person narratives or blog submissions, PowerPoint and other slideshow presentations, books and book chapters, posters and graphics, newsletters with intent to release to the general public, stakeholder reports, technical reports, and podcasts or any other form of written or oral presentation prepared for release in your official capacity or prepared for release in your personal capacity but which may be subject to review under this instruction.

4. Action

a. Personnel, prior to seeking to publish or present an authored work, must first complete all local training related to public release of information. If there is required training at a command this information can be found with the local training officer, publications manager or Director for Administration (DFA).

b. Personnel must submit all proposed authored works via their chain of command for review and approval prior to publication or presentation. If the authored work has been presented or published previously, that documentation must be provided when the work is submitted to the command for review.

c. Per reference (d), personnel are prohibited from receiving compensation from any source other than the Government for an authored work that relates to the author’s official duties. Authors will seek advice from their command ethics counselor prior to accepting compensation for authored work. In addition, authors are prohibited from using information from official sources, which is not available to outside writers (such as U.S. Government statistics, research data, etc.), for private gain.

d. If authored work contains sensitive material, it must be reviewed at a minimum by the appropriate echelon 3 command prior to publication or presentation. If the echelon 3 command is the release authority, the public affairs officers (PAO) must forward the authored work in question to Bureau of Medicine and Surgery (BUMED) Office of Communications (BUMED-M09B7) for situational awareness per references (h) and (i).

e. Authors must not make any commitments to furnish any authored work, abstract, or presentation, other than to Department of Defense publications or organizations, until the manuscripts or articles have been fully cleared through the review process and approved for release.

5. Responsibilities

a. Commanders, commanding officers, officers in charge, or designated appointees must:

(1) Review, approve, and release or disapprove and not release all non-sensitive authored works generated from personnel from their command.

(2) Forward all sensitive authored works generated from personnel from their command to the appropriate release and approval authority for a release determination.

b. Command PAO must:

(1) Ensure each authored work has undergone appropriate reviews by the operations security officer, command ethics counselor, local subject matter expert, and appropriate subject matter experts as necessary prior to their respective commanding officer's review and approval for release.

(2) If necessary, verify each authored work adheres to the standards regarding the protection and use of animals in research, the appropriate use of data and intellectual property, and the standards regarding scientific misconduct.

(3) Identify and recommend works requiring approval from a higher authority be forwarded when necessary due to the sensitive nature of the authored work. Submit authored works for review to BUMED via e-mail only to the following address: usn.ncr.bumedfchva.mbx.pao-review@mail.mil. In the body of the e-mail submission, the author must indicate the title of the product; all of the locations and organizations where and when the product will be presented or submitted for publication; and whether or not the product has previously been approved; and provide a brief synopsis.

(4) Keep the relevant author apprised of all updates regarding the status of his or her authored work while pending review for approval and release.

c. BUMED-M09B7 must:

(1) Provide and maintain a standardized NAVMED 5721/2 Navy Medicine Clearance of Authorized Works for enterprise-wide use.

(2) Track and monitor materials approved by all subordinate commands ensuring each authored work submitted for release contains all the necessary information and has undergone all applicable reviews.

(3) Provide guidance to subordinate commands regarding what issues are sensitive in nature and are required to be forwarded to BUMED for situational awareness.

(4) Identify and forward authored works requiring approval from a higher authority when necessary due to the subject matter of the authored work.

d. Authors must:

(1) Complete all local training related to public release of information prior to submitting their authored work for approval. If there is required training at a command this information can be found with the local training officer, publications manager or Director for Administration (DFA).

(2) Submit an electronic copy of the authored work in its final form and in its entirety at least 21 business days prior to the presentation or publication of the product.

(3) If necessary, ensure each authored work adheres to the standards regarding the protection and use of animals in research, appropriate use of data and intellectual property, and the standards regarding scientific misconduct.

(4) Submit a completed NAVMED 5721/2 to their command PAO. Each submitted NAVMED 5721/2 must be signed digitally with a common access card (CAC).

(5) Contact their legal officer, staff judge advocate, or command ethics counselor prior to accepting an honorarium.

6. Review Process

a. For journal articles, one to three publications may be simultaneously approved for release. All publications must be clearly outlined in the NAVMED 5721/2. Approval for these article submissions expire 1 year following the initial approval date. Approval is only valid for those publications outlined in the NAVMED 5721/2.

b. First person narratives and blog articles must be coordinated with the local PAO prior to drafting any text, layout, or coordinating with a publisher.

c. PowerPoints and other slideshow presentations must be submitted in Microsoft PowerPoint Presentation or other applicable original format. Presentations will be approved for use at multiple venues for a period of 1 year from the date annotated in the NAVMED 5721/2. If a presentation is updated or revised, the author will need to resubmit for review as a new presentation

d. All books and book chapters must be submitted via their local PAO to the Navy Office of Information East in New York, per reference (h). If there are authors from other U.S. Military Services, the books and book chapters must be submitted to BUMED-M09B7 and the Office of the Secretary of Defense public affairs office. BUMED-M09B7 will not review books or chapters without documentation of approval from the Navy Office of Information East.

e. Posters must be submitted in their original format. If approved, the poster will be approved for use at multiple venues for a period of 1 year from the date annotated in the NAVMED 5721/2.

f. Stakeholder reports should be coordinated with the local PAO before drafting any text, layout, or identifying contract support.

g. Newsletters must be submitted for review by the local PAO if distribution includes recipients external to Navy Medicine or if the newsletter contains information regarding topics listed in reference (i) and (j). Before developing newsletters, authors must disclose the topics discussed in the newsletter, and how and where they plan to distribute the newsletter with their local PAO.

h. Technical reports should be submitted for review if the author plans to distribute to the public.

i. Podcasts must be submitted as audio files with a transcript of the information discussed. Podcasts may be simultaneously approved for release on up to three platforms. All platforms must be clearly outlined in the NAVMED 5721/2. Approval for these podcast submissions expire after 1 year and are only valid for those platforms outlined in the NAVMED 5721/2.

j. Abstract approval does not constitute approval of subsequent posters, articles, presentations, or any other products created as a result of said abstract. The subsequent product must also be submitted for review, with documentation of abstract approval.

k. Approval of a manuscript or other longer work does not constitute approval of shorter works or presentation if the content of the secondary works are different from the original longer work. Authors who are extracting other works from a longer authored work must contact their command publication officer for guidance, submit their work with a new NAVMED 5721/2, and provide documentation that the parent manuscript has been approved.

l. Allow echelon 3 public affairs 10 business days to review authored works. These 10 days are exclusive of the time necessary for external or higher headquarters coordination. Under no circumstance should correspondence about an authored work take place via traditional mailing services or letters. Authored work and accompanying materials received with insufficient time for proper review may not be completed in time to meet presentation or publishing deadlines. Additionally, local public release forms and checklists should not be used and will not be accepted or reviewed by echelon 3.

m. Once determined by the echelon 3 command that the product requires BUMED review, the echelon 3 PAO must submit via e-mail an electronic version of the product and the NAVMED 5721/2 signed by the appropriate points of contact. Products submitted to BUMED should be final. Once approved, no modifications are authorized without prior coordination and approval by all appropriate points of contact.

7. Finalization Procedures

a. Once an authored work reviewed by BUMED is published, the author must furnish a link or electronic version of the publication to the echelon 3 command and BUMED-M09B7 within 7 business days of publication.

b. Navy Medicine personnel, to include active duty, reservists, government employees, and contractors are encouraged to voluntarily submit any authored work, not otherwise covered by this instruction, to properly ensure that classified information is not disclosed and the work does not contain information that may adversely affect national security, threaten the safety or privacy of U.S. Government personnel or their families, violate the privacy of citizens of the United States, or be contrary to law.

8. Records Management. Records created as a result of this instruction, regardless of media format, must be managed per SECNAV Manual 5210.1 of January 2012.

9. Review and Effective Date. Per OPNAVINST 5215.17A, BUMED will review this instruction annually on the anniversary its effective date to ensure applicability, currency, and consistency with Federal, Department of Defense, Secretary of the Navy, and statutory authority using OPNAV 5215/40 Review of Instruction.

10. Forms and Information Management Control

a. Forms. NAVMED 5721/2 Navy Medicine Clearance of Authored Works Form is available electronically as a fillable PDF from Naval Forms Online at: <https://navalforms.daps.dla.mil/web/public/home>.

b. Information Management Control. The reports required in this notice are exempt from reports control per SECNAV M-5214.1 of December 2005, part IV, paragraph 7l.



C. FORREST FAISON III

Releasability and Distribution:

This instruction is cleared for public release and is available electronically only via the Navy Medicine Web site at: <http://www.med.navy.mil/directives/Pages/BUMEDDirectives.aspx>.

NAVY MEDICINE AUTHORED WORKS DISCLAIMERS

1. Authored work completed in an official capacity, or funded by the U.S. Government, must identify the author with complete name, military grade, title, and command, and must prominently show one of the two following disclaimers:

“The views expressed in this [insert type of publication] are those of the author and do not necessarily reflect the official policy or position of the Department of the Navy, Department of Defense, nor the U.S. Government.”

or

“The views expressed in this [insert type of publication] reflect the results of research conducted by the author(s) and do not necessarily reflect the official policy or position of the Department of the Navy, Department of Defense, nor the U.S. Government.”

2. All publications and presentations must disclose all sources of funding, including the author’s command or institution. An example statement is:

“This work is supported by funding work unit number _____.”

3. Authored work involving research with human subjects or animal research data must include acknowledgements the research has received applicable Institutional Review Board or Institutional Animal Care and Use Committee review and approval and must be referenced in the NAVMED 5721/2. Certifications must include the name of approving institution, and relevant human research or animal research Department of Defense Navy Medicine protocol number and title on clearance and approval forms only. All publications and presentations concerning research involving the use of human subjects must prominently show the following disclaimer:

“The study protocol was approved by the (pertinent organization/command) Institutional Review board in compliance with all applicable Federal regulations governing the protection of human subjects.”

4. If material is a report of Clinical Investigation Program – sponsored research, the following statement must be included in written materials:

“Research data derived from an approved _____, Institutional Review Board protocol number _____.”

5. All publications and presentations concerning research involving animals must prominently show the following disclaimer:

“The experiments reported herein were conducted in compliance with the Animal Welfare Act and per the principles set forth in the “Guide for Care and Use of Laboratory Animals,” Institute of Laboratory Animals Resources, National Research Council, National Academy Press, 1996.”

6. If submitting authored work for publication, not in conjunction with official duties, authors must ensure the subject matter is not in conflict with reference (c), and the writing is not done during normal working hours or with the use of U.S. Government facilities, property, or personnel. Per reference (c), if the author uses or permits the use of their military grade, or includes or permits the inclusion of their title or position as one of several biographical details given to identify them in connection with the work to be published, the author is required to make the following disclaimer:

“Neither the Department of the Navy nor any other component of the Department of Defense has approved, endorsed, or authorized this produce [or promotion, or service, or activity].”

The disclaimer must be prominently positioned in the work or, if orally presented, the disclaimer may be provided orally at the beginning of the presentation. Failure to provide the above disclaimer may result in disciplinary action for both military and civilian personnel.

7. Commands forwarding authored material to echelon 3 commands for review will be notified via e-mail with an electronically signed NAVMED 5721/2 once the approval process is complete. Authors must not enter into an agreement that offers the publication exclusive rights. Authored work prepared by U.S. Government employees in the course of their official duties cannot be copyright protected. The following copyright statement must be attached to all Government work when submitted to civilian media for publication:

“I am a military Service member [or employee of the U.S. Government]. This work was prepared as part of my official duties. Title 17, U.S.C., §105 provides that copyright protection under this title is not available for any work of the U.S. Government. Title 17, U.S.C., §101 defines a U.S. Government work as a work prepared by a military Service member or employee of the U.S. Government as part of that person’s official duties.”

8. If copyrighted photos or graphics are used in an authored work, they must have permission to do so and must give credit to the source in their presentation.

9. It is common practice and acceptable for publications to copyright the layout and design of an article. However, if the authored work is released as a U.S. Government work, in addition to the civilian publication, there is no copyright limitation on its distribution.