



DEPARTMENT OF THE NAVY
BUREAU OF MEDICINE AND SURGERY
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IN REPLY REFER TO
BUMEDINST 5721.3E
BUMED-M00P
16 Apr 2021

BUMED INSTRUCTION 5721.3E

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 Instruction 5230.09 of 25 January 2019
(d) 5 CFR §2635.807
(e) SECNAVINST 5211.5F
(f) SECNAVINST 5510.36B
(g) BUMEDINST 3070.1
(h) BUMEDINST 5870.1A
(i) Navy Public Affairs Guidance for Sailors (NAVSO P-5728.18)
(j) BUMEDNOTE 5700 of 11 Sep 2020

Encl: (1) Navy Medicine Authored Works Disclaimer Statements

1. Purpose

a. The purpose of this guidance is to revise policy and prescribe procedures for obtaining timely review and approval for release of all works authored by Navy Medical Department personnel in an official capacity before publication or presentation per references (a) through (j). In addition, guidance will provide clarification and greater specificity with regard to several issues introduced by previous policy. This instruction is a complete revision and should be reviewed in its entirety.

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 5721.3D.

3. Scope and Applicability

a. Scope of Authored Works:

(1) The authored works process is designed to facilitate the publication and presentation of official products by ensuring their integrity and the alignment to the principles of the Navy Medical Department, Defense Health Agency, Department of Navy, and Department of Defense.

(2) An authored work is defined as official products that will be released outside of the author's command through publication, or presentation in a public forum (e.g., conference, panel discussion, offsite).

(3) For purposes of this instruction, "authored work" refers to any journal articles, abstracts, manuscripts, case reports, first-person narratives or blog (or vlog) submissions, oral or written presentations, panel presentations, books and book chapters, posters and graphics, newsletters (with intent to release to members of the general public), stakeholder or technical reports (that will be released outside of the command), podcasts, pre-recorded video, or any other form of written or oral presentation prepared for release in the author's official capacity.

(4) "Official capacity" refers to working on or producing an authored work as part of official job duties or expertise; related in any capacity to Navy or Navy Medicine; use of rank, job title, or affiliation in authored work byline or biography. Official capacity does not necessarily preclude working on authored work during non-work hours or "free-time."

(5) Public release is defined as disseminated or shared outside of authors' or editors' command, specialty community, or agency and accessible to media or to members of the general public.

(6) "Sensitive" refers to authored works related to topics identified in reference (j) or any subsequent notice identifying topics that are deemed sensitive in nature. A sensitive topic also refers to any topic likely to attract the attention of national or international media.

b. Applicability of Instruction:

(1) All active duty and Reserve Navy Medical Department officers, enlisted, and civilian personnel, including those in training programs at Navy medical and dental 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. This includes all Navy personnel assigned to the Navy Medicine Readiness and Training Commands, as well as medical treatment facilities.

(2) Personnel appointed under the Intergovernmental Personnel Act.

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

c. Contractors supported by military funding at Navy medical, dental, or research facilities. A contractor cannot be the sole author or clinical and principal investigator for any work, and must co-author with military or government civilian personnel.

4. Policy. This policy requires that all authors must submit their authored works through their respective chain of command for professional review and clearance prior to submission for publication or presentation.

5. 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 training required by the local command, this information can be found with the local training officer, publications manager, or Director for Administration.

b. The lead author must submit all proposed authored works electronically through their local chain of command for review and must have approval prior to publication or presentation. For the purpose of this instruction, a lead author is defined as an author of an authored work with multiple authors who is the principal investigator or is responsible for obtaining approvals, submitting work to a journal or conference, or correspondence related to the work. In instances of newsletters, the lead author will be managing editor or other designated personnel.

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 or Judge Advocate General prior to accepting compensation for their authored work.

d. If an authored work produced by an author at an echelon 4 or 5 level contains sensitive material per reference (j), it must be reviewed at a minimum by their appropriate echelon 3 public affairs officer (PAO) or designated appointee prior to release, and the operations security (OPSEC) program manager per reference (g). If the echelon 3 command is the release authority, the PAO or designated appointee and the OPSEC program manager can choose to forward the authored work in question with the completed NAVMED 5721/2 Navy Medicine Clearance of Authored Works Form, to the Bureau of Medicine and Surgery (BUMED) Office of Communications (BUMED-M09B7) for situational awareness or additional review per references (h) and (i).

e. Authors must not make any commitments to provide any authored work, other than to Department of Defense publications or organizations, until the authored work has been fully cleared through the review process and approved for public release. All abstracts must be reviewed through the authored works process prior to submission to conference organizers. Approval of an abstract does not guarantee approval of the final product (e.g., poster, presentation, or journal article).

f. Any trainee assigned to a training institution, under orders issued by the U.S. Navy, is prohibited from publishing any materials developed as a result of the training experience that have not been approved for release, in writing, by the parent command and the training institution.

6. Responsibilities

a. PAO or Designated Appointee, BUMED-M09B7 must:

- (1) Provide and maintain a standardized NAVMED 5721/2 for enterprise-wide use.
- (2) Provide guidance to subordinate commands regarding what issues are sensitive in nature and are required to be forwarded to BUMED.
- (3) Identify and forward authored works requiring higher authority when necessary due to the subject matter of the authored work.
- (4) Coordinate higher level review and clearance as needed.
- (5) Prepare a summation report of all authored works prepared by Navy Medical Department personnel within a given calendar year for internal dissemination. The report must include the title of authored work, name of authors, brief summary (200 words or less), type of authored work, date submitted and cleared for release by approval authority, and final disposition, if known. The calendar year report will be prepared in January of the following calendar year and be released by the end of the month.

b. Regional (Echelon 3) PAO or Designated Appointees at Naval Medical Forces Atlantic, Naval Medical Forces Pacific, and Naval Medical Forces Support Command must:

- (1) Review, approve, and release or disapprove any sensitive or non-sensitive authored works that are received for review. This does not mean echelon 3 PAO or designated appointee reviews all non-sensitive works.
- (2) At their discretion, forward to BUMED all sensitive authored works generated from their commands to the appropriate release and approval authority (e.g., immediate superior in command) for a release determination.
- (3) Keep echelon 4 PAO or designated appointee apprised of updates regarding the status of their authored work submission while pending review for approval and release. Notify subordinate command or corresponding author (as applicable) when authored work has been reviewed and is ready for release.
- (4) Manage authored works archive of higher-level reviews and submit bi-monthly (every 2 months) reports electronically to usn.ncr.bumedfchva.mbx.pao-review@mail.mil identifying all works received from subordinate commands. The reports will include the basic data that commands and activities should be tracking each month in a Microsoft Excel Spreadsheet upon receipt of an authored work. Report must include title of authored work, name of authors, brief summary (200 words or less), type of authored work, publication, or

venue, date authored work was received, date of disposition (i.e., clearance, or sent for higher review) and a brief synopsis. If the due date falls on a Federal holiday or weekend, report must be sent by the next business day. If the due date falls on a weekend, report must be sent by that following Monday. Additional time to complete this report will be granted upon request and at the discretion of the higher echelon PAO. Report deadlines are:

January-February – Due 5 March
March-April – Due 5 May
May-June – Due 5 July
July-August – Due 5 September
September-October – Due 5 November
November-December – Due 6 January

(5) Ensure a review is coordinated with and conducted by the echelon 3 OPSEC program manager per reference (g).

c. PAO or Designated Appointee (Echelon 4 and 5) Command or Activity must:

(1) Ensure each authored work has undergone reviews by appropriate subject matter experts as applicable prior to their respective commander or commanding officer review and approval for public release or sending up for higher review.

(2) If necessary, ensure appropriate subject matter expert has verified each authored work adheres to the standards regarding human research protections and use of animals in research, the appropriate use of data and intellectual property, and the standards regarding scientific integrity.

(3) Identify and recommend works requiring approval from a higher authority be forwarded when necessary due to the sensitive nature of, or potential media interest in the authored work. Submit authored works to regional PAO for higher level review electronically.

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

(5) Echelon 4 and 5 PAOs or designated appointees will be required to provide to their immediate superior in command a record of all non-sensitive and sensitive authored works received, reviewed, cleared at their level, or forwarded for higher review in a bi-monthly (every 2 months) report. The reports will include the basic data that commands and activities should be tracking each month in a Microsoft Excel spreadsheet upon receipt of an authored work. The report must include title of authored work, name of authors, brief summary (200 words or less), type of authored work, publication or venue, date authored work was received, date of disposition (i.e., clearance, or sent for higher review) and a brief synopsis. If the due date falls on a Federal holiday or weekend, report must be sent by the next business day. Additional time to complete this report will granted upon request and at the discretion of the higher echelon PAO. Report deadlines are:

January-February – Due 2 March
March-April – Due 2 May
May-June – Due 2 July
July-August – Due 2 September
September-October – Due 2 November
November-December – Due 3 January

(6) Ensure a review is coordinated with and conducted by the echelon 4 or 5 OPSEC program manager per reference (g).

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 training required by local command this information can be found with the local training officer, publications manager, or Director for Administration.

(2) Submit an electronic copy of the authored work in its final form and in its entirety to their local command PAO at least 30 business days prior to deadline for submission. Authored works submitted less than 30 business days prior to submission deadline will be reviewed on a case-by-case basis at the discretion of the PAO or designated appointee.

(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 integrity. When using media content including photographs or video, appropriate credit must be given. For material in copyright, authors are responsible for following the guidelines identified in reference (h).

(4) Submit a completed NAVMED 5721/2 to their command PAO or designated appointee. Each submitted NAVMED 5721/2 must be signed digitally. In cases of computer issues and an inability to digitally sign document, please notify command PAO for alternate course of action. Hard signatures and scanned signatures will be permitted only when digital signatures cannot be obtained.

(5) Lead authors must notify their command PAO when their authored work has been published or presented and provide either a link to the online location or a copy of the publication via a portable document format (PDF) file within 30 days of publication.

(6) Lead authors must ensure the review process is initiated at the command to which they were assigned when the authored work was prepared, to include data collection and analyses.

(7) Lead authors who have bypassed the guidance contained in this instruction on more than three documented occasions will be reported to their command leadership by, and at the discretion of, their command PAO.

(8) In cases when the lead author is not affiliated with the Navy (such as when Navy Medical Department personnel are assigned to non-Navy medical commands and activities), and the authored work is co-authored by Navy Medical Department active duty, reserve, or civilian personnel, the Navy Medical Department co-author will ensure coordination of review within Navy Medicine.

(9) Ensure all appropriate disclaimer statements are included in the body of the authored work.

(10) In cases of multiple Department of Defense commands and activities involved with creating an authored work, it is the responsibility of the lead author to ensure their work is properly vetted and cleared for release through their chain of command. The other authors should submit via their chain of command as a courtesy review.

7. Review Process

a. For journal articles, the final draft must be submitted for review, and the author may request simultaneous approval for one to three publications. All publications must be clearly listed in the NAVMED 5721/2 and all authored works must be final drafts with no tracked changes visible. If cleared for public release, approval for these article submissions expire 1 year from the approval date and is only valid for those publications outlined in the NAVMED 5721/2.

b. Presentations must be submitted in their original format. If cleared, presentations will be approved for use at up to three venues for a period of 1 year from the date annotated in the NAVMED 5721/2 clearance form. If a presentation is updated or revised, the author will need to resubmit for review as a new presentation.

c. All books and book chapters must be submitted to lead author's local command PAO and include a local ethics review from their command legal counsel. The local command PAO will decide if the product will need to be submitted to the Navy Office of Information East in New York City, per reference (i). Reference (i) is available online at <https://www.public.navy.mil/surfor/lcsron1/Documents/publicaffairsguide.pdf>. Command PAO will notify BUMED-M09B7 and regional PAO for situational awareness.

d. Posters must be submitted in their original format. If approved, the poster can be approved for use at three venues, which must be listed on the NAVMED 5721/2 clearance form, for a period of 1 year from the date annotated in the NAVMED 5721/2.

e. Stakeholder reports intended for public release should be coordinated with the local command PAO before drafting any text, layout, or identifying contract support.

f. All newsletters created by Navy Medical Department personnel about Navy Medicine programs, activities, and initiatives or those related to research, development, testing, and evaluation must be submitted for review by the managing editor's local command PAO.

Command PAOs or designated appointees must notify BUMED-M09B7 through their immediate superior in command of the release of any command newsletter and provide a link or PDF copy if available. Authors, editors, or PAOs are encouraged to send courtesy copies of all newsletters with BUMED-M09B7 electronically to usn.ncr.bumedfchva.mbx.pao-review@mail.mil.

g. Technical reports should be submitted for review if the author plans to distribute to members of the general public.

h. Participation in podcasts and audio interviews must be cleared by the local command PAO or designated appointee. Prior to the airing of the podcast the author must provide the local command PAO or designated appointee with the name of the podcast, the topics to be discussed, and potential questions and answers for clearance.

i. 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. These separate products cannot be submitted simultaneously and must each be reviewed on their own merits.

j. Once determined by the echelon 3 command that the product requires BUMED review, the echelon 3 PAO must submit the product electronically along with 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.

k. If the corresponding author is Department of the Navy assigned, but their data, subjects, or the resources used to conduct the research come from a medical treatment facility or other Defense Health Agency command, a courtesy copy of their Authored Work will be shared with Defense Health Agency, as applicable.

8. Finalization Procedures

a. Once an authored work has been cleared and is published or presented, the author must furnish a link to the online location or provide an electronic version of the publication to their local command PAO within 30 days. Command PAOs must share with BUMED-M09B7 and their regional PAO or designated appointee upon receipt.

b. Navy Medical Department personnel, to include active duty, reservists, government employees, to include personnel appointed under the Intergovernmental Personnel Act, and contractors, are encouraged to voluntarily submit any authored work, not otherwise covered by this instruction, to properly ensure 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.

c. The PAO or designated appointee of the lead author's command is responsible for submitting the final authored work that has been accepted for publication to the Defense Technical Information Center (DTIC). If the lead author changes assignment while the authored work is under review and prior to acceptance of publication, the lead author's former command will be responsible for submitting the final manuscript to DTIC. The final manuscript will include all of the editorial changes made throughout the review process, as well as by the publication. Instructions for electronic document submissions can be found at <https://discover.dtic.mil/>.

d. The PAO or designated appointee of the lead author's command will be required to keep a monthly log in a Microsoft Excel spreadsheet of all manuscript submissions to DTIC. The spreadsheet must include the name of authors, title of article, title of journal or other venue, date published, date submitted to DTIC, and name of the submitter. Spreadsheet must be shared with their regional PAOs on a monthly basis and can be submitted along with their monthly reports. On a quarterly basis, regional PAOs will be required to share a summary of all DTIC submissions to BUMED electronically to usn.ncr.bumedfchva.mbx.pao-review@mail.mil.

9. Records Management

a. Records created as a result of this instruction, regardless of format or media, must be maintained and dispositioned per the records disposition schedules located on the Department of the Navy Directorate for Administration, Logistics, and Operations, Directives and Records Management Division portal page at <https://portal.secnav.navy.mil/orgs/DUSNM/DONAA/DRM/Records-and-Information-Management/Approved%20Record%20Schedules/Forms/AllItems.aspx>.

b. For questions concerning the management of records related to this instruction or the records disposition schedules, please contact the local records manager or the Department of the Navy Directorate for Administration, Logistics, and Operations, Directives and Records Management Division program office.

10. Review and Effective Date. Per OPNAVINST 5215.17A, BUMED-M09B7 will review this instruction annually around the anniversary of its issuance date to ensure applicability, currency, and consistency with Federal, Department of Defense, Secretary of the Navy, and Navy policy and statutory authority using OPNAV 5215/40 Review of Instruction. This instruction will be in effect for 10 years, unless revised or cancelled in the interim, and will be reissued by the 10-year anniversary date if it is still required, unless it meets one of the exceptions in OPNAVINST 5215.17A, paragraph 9. Otherwise, if the instruction is no longer required, it will be processed for cancellation as soon as the need for cancellation is known following the guidance in OPNAV Manual 5215.1 of May 2016.

11. 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 subparagraphs 6a(5), 6b(4), 6c(5), 6d(7), 7g, and 8d of this instruction are exempt from reports control per SECNAV Manual 5214.1 of December 2005, part IV, subparagraph 7k.


G. D. SHAFFER
Acting

Releasability and distribution:

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

NAVY MEDICINE AUTHORED WORKS DISCLAIMER STATEMENTS

1. An 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 include one of the two disclaimers listed:

“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 human subjects must prominently show the following disclaimer:

“The study protocol was approved by the [pertinent organization or 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, this statement must be included in written materials:

“Research data were derived from an approved [pertinent organization or command] _____, Institutional Review Board protocol number _____.”

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

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

Note: 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 disclaimer listed in paragraph 6 of this enclosure 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 through 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 copyright statement provided 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, the author must have permission to do so and must give credit to the source in their presentation per reference (h). Authors may contact their local command PAO for additional guidance.

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.