DEPARTMENT OF THE NAVY
BUREAU OF MEDICINE AND SURGERY
2300 E STREET NW
WASHINGTON DC 20372-5300

IN REPLY REFER TO

BUMEDINST 5721.3
BUMED-OOP
13 Apr 98

BUMED INSTRUCTION 5721.3

From: Chief, Bureau of Medicine and Surgery

Subj: APPROVAL PROCESS FOR PUBLICATION OF PROFESSIONAL MANUSCRIPTS AND ARTICLES

Ref: (a) SECNAVINST 5720.44A
(b) DODINST 5500.7R dtd August 30, 1993 (NOTAL)
(c) DOD Directive 5230.9 of April 9, 1996 (NOTAL)

Encl: (1) Clearance for Publication or Presentation

1. Purpose. To clarify procedures and provide guidance for obtaining timely security review and approval for release of professional manuscripts and other material submitted by Navy Medical Department personnel, either in an official or private capacity, before publication or presentation.

2. Cancellation. NAVMEDCOMINST 5721.1C

3. Applicability and Scope

a. This instruction applies to:

(1) Active and Reserve military, civilian personnel, and contractors supported by Navy funds who are assigned to Navy medical and dental facilities.

(2) Active and Reserve officers in the Medical Corps, Nurse Corps, Medical Service Corps, and Dental Corps as well as enlisted personnel in the Hospital Corps and Dental Technician ratings, including those who are in training programs or supported by the Navy performing joint research, regardless of where assigned.

(3) Navy researchers (military, civilian, and contractors as defined above) including those performing joint research either in a Navy facility or at an activity located at another Service's facilities.

b. Naval Medical Department personnel (as defined above) are encouraged to submit professional articles and manuscripts to appropriate media for publication. Such participation encourages the exchange of information, promotes professional growth, and promotes the professional standing of naval medical and dental personnel and the naval Medical Department.

c. Security review and approval for release of certain types of materials is required before presentation or publication. This is necessary because of sensitivity of the topic; the significance of findings; political, economic, or civic impact; potential interest of professional organizations, local, regional, national, or international media, or any combination of these factors.

d. Per references (a) through (c), manuscripts, articles, reports, and presentations designed for professional and general public, shall be submitted in a timely manner via the chain of command for review and clearance before submission for publication or presentation. At a minimum, a security and policy review shall take place at the command level, to include review by the command public affairs officer to determine potential media interest.

e. If the information or material deals with a subject matter requiring higher review, as explained in paragraph 3f (below), authors or speakers must ensure appropriate authority has reviewed and cleared it for dissemination before submitting the manuscript for consideration by a publication and before releasing or presenting the information.

f. Manuscripts, presentations, or professional articles involving policy, potential or inherent controversy, or which are likely by their own nature to be highlighted by media coverage or publicity shall be forwarded to the Bureau of Medicine and Surgery (BUMED)(MED-00P) for review and approval. This includes but is not necessarily limited to the following specific subjects:

(1) All acquired immune deficiency syndrome (AIDS)/Human immunodeficiency virus (HIV) related information and material.

(2) All Persian Gulf Illness information.

(3) Any subject of special sensitivity, such as women's health issues.

(4) Any material or presentation that involves experimental data derived from research in which nonhuman primates, dogs, cats, or marine mammals are involved.

g. Per reference (c), manuscripts submitted for publication or public release that address plans, polices, programs, or operations of the Department of Defense (DoD) or the U.S. Government shall be submitted to the Assistant Secretary of Defense (Public Affairs) via the chain of command. BUMED will determine which materials and documents need to be forwarded for additional review and will coordinate the review process. This information includes, but is not limited to, the following:

(1) Information originated or proposed for publication or release at the seat of government.

(2) Information that has the potential to become an item of national or international interest.

(3) Information intended for publication in a foreign country or has foreign relations implications or sensitivities.

(4) Information which describes research involving non-human primates, cats, dogs, or marine mammals as subjects.

(5) Information that concerns subjects of potential controversy among DoD components or with other Federal agencies.

4. Action

a. Authors or speakers who are naval medical department personnel as explained in paragraph 3a shall:

(1) Submit written material via their chain of command for review in a timely manner before submission for publication or public release of information. Completed manuscripts and research articles are preferable, but in some cases an abstract or summary being considered for a poster session may be sufficient.

(2) Manuscripts and professional articles completed in an official capacity, or funded by the Government, shall identify the author with complete name, military grade, title, and command, and shall show the following disclaimer in a prominent place:

"The views expressed in this article 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."

(3) If writing for publication, not in conjunction with official duties, authors shall ensure the subject matter is not in conflict with reference (b), and the writing is not done during normal working hours or with the use of Government facilities, property, or personnel.

(4) Authors are prohibited from using information from official sources which is not available to outside writers such as Government statistics, research data, etc., for their private gain.

(5) Authors should not make any commitments to furnish manuscripts or abstracts or to present information, other than to DoD publications or organizations, until the manuscripts/articles have been fully cleared through the review process and approved for release. See paragraph 5a for information on timelines.

(6) Once approved through the appropriate chain-of-command, authors may submit Government work to civilian publications. Commands who forward manuscripts and articles to BUMED for review will be notified via letter once the approval process has been completed. However, authors of official manuscripts shall not enter into an agreement that offers the publication exclusive rights. Government work, articles, and manuscripts prepared by Government employees in the course of their official duties, cannot be copyright protected. Therefore, the words and figures of official manuscripts and reports cannot be copyrighted.

The following copyright statement should 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 United States Government.' Title 17 U.S.C. 101 defines a United States Government work as a work prepared by a military service member or employee of the United States Government as part of that person's official duties."

It is common practice for publications to copyright the layout and design of the article, and this is acceptable. However, if the manuscript or report is released as a Government work in addition to the civilian publication, there is no copyright limitation on its distribution.

(7) An embargoed release is often used by civilian publications to alert media of an upcoming event or news story that is being held until a specific release date. Authors should contact their command public affairs officer before agreeing to a publisher's request to place a hold or embargo on the release of information. Exclusive rights cannot be given to a civilian publication when releasing official Government work. However, on a case-by-case basis, the Navy and civilian publication may mutually agree to place an embargo on a release. This must be coordinated with the BUMED Public Affairs Office to ensure embargo of information is not jeopardized. Requests for exclusive rights on major stories of obvious widespread news value will not be honored.

(8) Speakers who are offered an honorarium should contact their legal officer, staff judge advocate, or ethics counselor before accepting the honorarium.

b. Navy Medical Department Commands:

(1) Appoint a member of their command to be responsible for maintaining and tracking manuscripts.

(2) Commands should ensure appropriate review of material, and if required submit to higher authority for review.

(3) Manuscripts forwarded to BUMED Public Affairs Office (MED-00P) need to be under cover of an official Navy letter via the chain of command along with enclosure (1) format.

(4) Forward manuscripts involving sensitive issues to BUMED for approval as addressed in paragraph 3c.

c. Bureau of Medicine and Surgery:

(1) Ensures each submission is reviewed and approved or disapproved by an appropriate subject matter expert or specialty leader.

(2) If review by higher authority (DoD/Secretary of the Navy/Chief of Naval Operations) is required due to the nature of the manuscript, BUMED (MED-00P) coordinates the review process.

(3) BUMED (MED-00P) notifies the originator by letter once the manuscript is approved or disapproved.

5. The Review Process

a. Commands must allow sufficient time for the review process. Allow a minimum of 20 working days exclusive of mailing time for review of manuscripts and material forwarded to BUMED. An additional 20 working days should be allowed for manuscripts and materials requiring review from higher authority (DoD/Secretary of the Navy/Chief of Naval Operations). Review may take longer depending upon the complexity or sensitivity of the subject or the number of commands who must review the material.

b. Due to the volume of manuscripts and materials reviewed at the BUMED level, submissions must be forwarded in a timely manner. Manuscripts and materials received at BUMED with insufficient time for proper review may not clear the review process in sufficient time to meet presentation or publishing deadlines. The material may not be presented or published until approval is received from BUMED.

c. Criteria to be considered by the chain-of-command when reviewing manuscripts and presentations for public release or publication:

(1) Is the material of significant interest to the media? This includes Gulf War, women's health, and HIV or sexually transmitted diseases studies. If yes, it requires review at the BUMED level.

(2) Does the material present contradictions to generally accepted thought or policies? If yes, forward to BUMED for review.

(3) How will the material impact the Navy and Navy Medicine? If material will have a major impact on the Navy or Navy Medicine, forward to BUMED for review.

(4) Does the material have national security or classifications considerations? If yes, forward to BUMED for higher review.

(5) Does the manuscript or research paper contain valid research? If no, it should be returned to author for correction or additional information.

S. T. FISHER
Deputy

Distribution:
SNDL, FH (BUMED command activities)

Available from:
http://support1.med.navy.mil/bumed/instruct/external/external.htm

Clearance for Publication or Presentation

Section (1) To be completed by researcher or submitter

Author(s) Name, Command, and Rank:

Title of Work:

Purpose/Forum: (Check all appropriate)

_____ Presentation/Briefing _____ Journal article

_____ Book _____ Other (Please explain)

Name, Place, Dates of Presentation/Journal Title/Book Publisher:

Synopsis of the manuscript/article/research paper in layman's terms:

Review Findings	Action/Comments
☐ Higher review not required by BUMEDINST 5721.3	OIC/CO authorized to approve. If uncertain about sensitivity of a subject, contact BUMED Public Affairs Office at (202) 762-3218.
☐ Animal Use ☐ Human Use ☐ Foreign Journal	Following command review, forward to BUMED for review and approval or disapproval.
☐ AIDS/HIV ☐ Persian Gulf Illness ☐ Controversial/Sensitive ☐ Potential Media Interest	Following command review, forward to BUMED for review and approval or disapproval. If higher review is required, BUMED will coordinate with appropriate commands. If uncertain about sensitivity of a subject, contact BUMED Public Affairs Office at (202) 762-3218.

Coordinator's Name, Command, and Telephone Number: