



DEPARTMENT OF THE NAVY

BUREAU OF MEDICINE AND SURGERY
2300 E STREET NW
WASHINGTON DC 20372-7300

IN REPLY REFER TO

BUMEDINST 5721.3C
BUMED-M00P
12 May 2010

BUMED INSTRUCTION 5721.3C

From: Chief, Bureau of Medicine and Surgery

Subj: APPROVAL PROCESS FOR PRESENTATIONS AND PUBLICATION OF
PROFESSIONAL MANUSCRIPTS, AUTHORED WORKS, AND ARTICLES

Ref: (a) SECNAVINST 5720.44B
(b) BUMEDINST 5728.1
(c) DoD 5500.7-R of August 30, 1993
(d) DoD Directive 5230.9 of August 22, 2008
(e) 5 CFR § 2635.807
(f) SECNAVINST 5211.5E
(g) SECNAVINST 5510.36A

1. Purpose

a. To update procedures and provide guidance for obtaining timely security and ethical review and approval for release of all works authored by Navy Medical Department personnel, either in an official or private capacity, before publication or presentation.

b. To ensure all Navy Medical Department personnel only present or publish authored works that have received proper approval. Failure to comply with this instruction may result in disciplinary action for both military and civilian personnel.

2. Cancellation. BUMEDINST 5721.3B.

3. Applicability and Scope

a. This instruction augments the general information in references (a) through (c) and complies with references (d) through (f). This instruction provides guidance on how to submit authored works (oral and written) for publication using NAVMED 5721/1, (Rev. 10-2009), Request for Clearance for Authored Work.

b. This instruction applies to Navy Medical Department personnel defined as:

(1) Active and Reserve military, civilian personnel, Intergovernmental Personnel Act (IPA) appointees, experts and consultants employed pursuant to Title 5, United States Code (USC), § 3109, and contractors supported by military funding at Navy medical and dental facilities.

(2) Active and Reserve Navy Department officers and enlisted personnel, including those in training programs at Navy medical facilities, or participating in joint program operations at Army or Air Force medical and dental facilities.

(3) Navy Department researchers (military, civilian, IPA appointees, temporary experts, and consultants) employed pursuant to Title 5, USC, § 3109 and contractors as defined above in 3b(1), at Navy medical research activities, including Navy Department personnel participating in joint research operations at Army or Air Force research facilities.

c. For purposes of this instruction, “authored work” means any written document or oral presentation, prepared in your professional capacity, intending to be published or presented to the general public. Additionally, “authored work” shall include any written document or oral presentation prepared in your personal capacity that contains 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 U.S., or be contrary to law. This includes any authored work that is to be transmitted via the internet (i.e., blogs, podcasts, twitter, etc.), mass broadcast, or mass e-mail where the general public may be able to obtain the authored work.

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

e. Per reference (a), and in compliance with reference (g), security review and approval is required prior to the release of any authored work by Navy Medical Department personnel. Review of authored works is necessary due to the sensitivity of the topic; the significance of findings; political, economic, or civic impact; the potential interest of professional organizations, local, regional, national, or international media; or a combination of these factors.

f. Per references (a) through (e), authored works must be submitted via the chain of command for review and clearance before submission for publication or presentation. Commanders, commanding officers, and officers in charge must review and approve publication of authored works in compliance with this instruction. Works involving material or issues mentioned in paragraphs 3g and 3h, require review at a higher level.

g. Authored works involving potential or inherent controversy, or which are likely to receive media coverage or publicity, must be forwarded via the chain-of-command to the Bureau of Medicine and Surgery (BUMED) public affairs officer (PAO) for review and approval. Authored works may not state a position on the subject of pending legislation.

h. Per references (d) and (g), authored works submitted for publication or public release that address plans, policies, programs, or operations of the Department of Defense (DoD) or the U.S. Government must be submitted to the Assistant Secretary of Defense (Public Affairs) via the chain of command.

i. Navy Medicine personnel, to include active duty, reservists, government employees, and contractors are encouraged to voluntarily submit any authored works, not otherwise covered by this instruction, to ensure that properly classified information is not disclosed and that 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 U.S., or be contrary to law.

4. Action

a. Authors and speakers who are Navy Medical Department personnel must:

(1) Submit authored works via their chain-of-command for review and approval, in a timely manner, before submission for publication or public release. Commanders, commanding officers, and officers in charge have review and approval authority regarding authored works for peer reviewed publications or for presentation before professional communities or organizations, except under certain conditions as outlined in this instruction (see paragraphs 3g and 3h above). All other authored works prepared for a more general audience must be reviewed by a professional PAO and may require a review at a higher level in the chain-of-command. Failure to submit authored works for review and approval may result in disciplinary action for both military and civilian personnel.

(2) Authored works 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 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) Authored works 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 reviews and approvals. Such certifications must include the name of approving institution and relevant human research or animal research DoD/Navy Medicine protocol number and title on clearance and approval forms only.

(4) If submitting authored works 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 must make a required disclaimer that the views presented are those of the speaker or author and do not necessarily represent the view of the DoD or its Components. The disclaimer must be placed in a prominent position 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.

(5) Per reference (e), Navy Medical Department 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 works. 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 their private gain.

(6) Authors must not make any commitments to furnish any authored work, abstract, or presentation, other than to DoD publications or organizations, until the manuscripts or articles have been fully cleared through the review process and approved for release. See paragraph 5b for timeline information.

(7) Commands forwarding authored material to BUMED for review will be notified via e-mail once the approval process has been completed. Authors must not enter into an agreement that offers the publication exclusive rights. Authored works 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, USC, §105 provides that ‘Copyright protection under this title is not available for any work of the U.S. Government.’ Title 17, USC, §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) It is common practice for publications to copyright the layout and design of the article and this is acceptable. 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.

(9) 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 must contact their command PAO before agreeing to a publisher's request to place a hold or embargo on the release of information. Exclusive release rights cannot be given to a civilian publication when releasing official U.S. Government work. However, on a case-by-case basis, the Navy and civilian publication may agree to place an embargo on a release. This must be coordinated with the BUMED PAO to ensure exclusive rights on major stories of obvious widespread news value will be honored.

(10) Speakers offered an honorarium will contact their legal officer, staff judge advocate, or command ethics counselor before accepting the honorarium. The general rule is that military officers and government employees cannot accept honorarium of any kind if they are acting in their official capacity.

(11) Commands submitting authored works for higher level review and authors who are submitting authored works for review must ensure the authored work has not already been presented or published prior to submission for approval.

(12) Every authored work must be submitted for security review and approval, even if the same authored work was previously approved but is used for a different publication, presentation, etc. NAVMED 5721/1, Request for Clearance for Authored Work, must be attached to all authored works submitted for security review and approval.

(13) Upon submitting the authored work for review, the author or command must:

(a) Submit a copy of the authored work electronically in its entirety.

(b) In the body of the e-mail, include a brief synopsis of the authored work (i.e., 2-3 sentences).

(c) Identify if regional coordination has taken place.

(d) Attach completed NAVMED 5721/1, Request for Clearance for Authored work. Authored work will not be approved without the attached NAVMED 5721/1. NAVMED 5721/1 must be completed in its entirety:

1. Part A and B must be completed by the author.

2. Part C must be completed by the local/region PAO. Section C, item 5, is Common Access Card (CAC) enabled allowing the PAO to sign electronically via CAC.

3. Part D must be completed by BUMED Public Affairs. Section D, item 2e, is CAC enabled allowing the PAO to sign electronically via CAC.

b. Navy Medical Department Commands must:

(1) Appoint a member of the command to be responsible for maintaining and tracking authored works.

(2) Ensure appropriate review of material by the command PAO and command ethics counselor, and if required, submit to a higher authority for review.

(3) Ensure that authored works are properly reviewed and approved utilizing the NAVMED 5721/1.

c. BUMED PAO must:

(1) Ensure that authored works are reviewed and approved or disapproved by an appropriate subject matter expert or specialty leader at the appropriate level of authority.

(2) Coordinate the review process when reviewed by higher authority (DoD, Secretary of the Navy (SECNAV), or Chief of Naval Operations (CNO)) is required due to the subject matter of the authored work.

(3) Notify the originator by e-mail once the authored work is approved or disapproved.

(4) Coordinate the review process with BUMED subject matter experts using the Secretariat data management system to ensure appropriate communication.

5. The Review Process

a. Commanders, commanding officers, and officers in charge have approval and release authority for authored works prepared by their personnel for submission to publications or for presentation before professional communities or organization, except under certain conditions as outlined in this instruction provided the authored works have been properly reviewed by the command PAO and ethics counselor.

b. Commands must allow sufficient time for the chain-of-command higher review process. Allow a minimum of 21 working days, exclusive of mailing time, for review of authored works forwarded to BUMED PAO. An additional 21 working days should be allowed for authored works requiring review from higher authority (DoD, SECNAV, or CNO). Review may take longer depending upon the complexity or sensitivity of the subject.

c. Review of authored works and accompanying materials received by BUMED PAO with insufficient time for proper review may not be completed in time to meet presentation or publishing deadlines.

6. Form. NAVMED 5721/1, (Rev. 10-2009), Request for Clearance for Authored Work, is available electronically as a fillable PDF from Naval Forms Online at:
<https://navalforms.daps.dla.mil/web/public/home>.


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<http://www.med.navy.mil/directives/Pages/BUMEDDirectives.aspx>