



UNIFORMED SERVICES UNIVERSITY OF THE HEALTH SCIENCES

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September 22, 2020

SUBJECT: Clearance for Public Release of Information and Scientific Materials By USU Personnel

Instruction 5202.1

(VPE)

ABSTRACT

This Instruction assigns responsibilities and prescribes the procedures to be followed for the appropriate, accurate, and timely clearance and public release of information, including but not limited to the public release of manuscripts, presentations, posters, videos, blog posts, podcasts and other information written or produced for submission to external audiences.

A. Reissuance and Purpose. This Instruction reissues Uniformed Services University of the Health Sciences (USU) Instruction 5202.1 (*Reference (a)*) and delineates requirements for clearance, control and disposition of information for public release, so as to ensure that USU policies conform to Department of Defense (DoD) public information directives.

B. References. *See Enclosure 1.*

C. Applicability. The provisions of this Instruction apply to all civilian and military employees of the USU, including the Armed Forces Radiobiology Research Institute (AFRRI) and Centers.

D. Definitions. *See Enclosure 2.*

E. Policy. It is USU policy that:

1. Accurate and timely information will be made available to the public, Congress and news media for analysis and understanding of USU issues and programs;
2. Public release of official DoD information is limited only as necessary to safeguard information requiring protection in the interest of national security or other legitimate governmental interest, as authorized by enclosed references; USU information officially released should be consistent with established Federal and DoD policies and programs. In all instances,

the release of information must be approved by the USU Vice President of External Affairs (VPE) or VPE designee. USU authors may take issue with U.S. policy as long as such policy is accurately portrayed and it is clear that the opinion expressed is an individual opinion, and not that of the USU or the DoD. USU authors should keep in mind the advice of paragraph 8.a. of this Instruction (i.e., that the public may judge their profession, their institution, and the DoD by their public statement);

3. Public release of USU information (to non-Federal sources) pertaining to military matters, national security issues, or subjects of significant concern to DoD will be reviewed for clearance in conformity with the appropriate DoD security review process. In general, information must be considered for review if it:

- a. Has the potential to become an item of national or international interest (e.g., an issue or information that contradicts or challenges national policy), or has foreign policy or foreign implications,
- b. Concerns a high-level U.S. Government policy,
- c. Concerns subjects of potential controversy among the DoD components or with other Federal agencies, and /or
- d. Is classified information that cannot be released to any unauthorized individual or organization without the expressed approval of a designated U.S. Government authority responsible for the information;

4. To ensure a climate of academic freedom and to encourage intellectual expression, USU faculty (civilian and military) and students do not ordinarily need to submit papers or materials prepared in response to academic requirements. However, papers or materials that are intended for public release (i.e., outside the USU), or will be made available to public access libraries must be submitted to the appropriate Department Chair or Activity Head for review using the USU Publication Clearance system. The appropriate school Dean or Vice President may opt to review or forward for final clearance to VPE without their review. Final clearance will be determined by the VPE, or VPE designee. Clearance will be granted if classified information is not disclosed, controlled unclassified information is not disclosed, DoD interests are not jeopardized, the author accurately portrays official policy, the author adheres to non-disclosure agreements, the appropriate disclaimer statements are included (*Enclosure 3*), and if required (see paragraph 3. above), release has been approved by the DoD;

5. The USU will authorize public release of information as follows:

- a. "Approved." Cleared with no changes;

b. "Conditional Approval." Cleared, if changes are made. Note changes made by the reviewer are binding on the submitter. Such amendments will be identified in red (items to be added) or in brackets (items to be deleted). The reviewer may also provide alternate wording for deleted material, or

c. "Approval Declined." The information submitted for review may not be released to the public;

6. When in doubt about procedures, areas of concern or applicability of DoD Directives or Instructions, USU faculty and students will contact VPE for guidance;

7. Writing, revising, editing, and publishing scientific, academic and professional publications (including by electronic means) considered in the academic interest of the USU members must at all times be accurate, exercise appropriate restraint and show proper respect for the opinions of others;

8. Faculty, staff and students shall be:

a. Aware that the public may judge their profession, their institution and the DoD by their public statements. As a consequence, they should at all times be accurate, exercise appropriate restraint, show respect for the intellectual property and the opinions of others, and make every effort to indicate that they are not USU spokespersons, unless designated as such, and

b. Free from institutional censorship or discipline when they speak, write, or publish through hard copy or electronically, so long as they are speaking and/or writing within their field of expertise and it is within the scope of their duties to do so. Moreover, they are still subject to certain other restrictions, such as those embodied by the consequences of scientific misconduct. The special position of USU faculty and staff within the DoD imposes certain limitations on the dissemination of information as defined in the Glossary of DoD Instruction 5230.09 (*Reference (b)*) and DoD Instruction 5230.27(*Reference (c)*);

9. Sensitive material which is planned for release to the general public, including, but not limited to written releases, interviews for newspapers, magazines, the public internet (computer systems communication), social media, radio and/or television will be coordinated by the VPE or VPE designee, for coordination with the Office of Assistant Secretary of Defense for Health Affairs (HA) and the DoD/ Office of Public Affairs (PAO). The VPE, or VPE designee, is the only authorized liaison between the USU and representatives of the media.

10. Non-official material: In accordance with DoD Instruction 5230.09 (*Reference (b)*), when not performing official duties, a DoD employee may write, edit, or publish material without restriction, if such effort:

- a. Is consistent with U.S. law;
- b. Complies with DoD ethical standards in DoD 5500.7-R (*Reference (d)*);
- c. Is not performed at a DoD facility or property nor utilizes DoD resources; and
- d. Does not use official DoD information not generally available to the public and/or not releasable under DoD Manual 5400.07 (*Reference (e)*).

11. Non-billeted faculty will obtain clearance from appropriate authorities at the institution at which they are billeted. This will ordinarily be accepted as meeting USU clearance requirements. To the extent papers or materials involve USU or work performed pursuant to a USU faculty appointment, clearance will be coordinated with the appropriate Department Chair or Activity Head at the USU.

12. Research performed under budget category code 6.1 for basic research will be considered to be fundamental research not containing any critical military technology except in rare, exceptional cases, as for example, where there is a high likelihood of disclosing performance characteristics of military systems, or of manufacturing technologies unique and critical to defense (*see Enclosure 2*).

F. Responsibilities.

- 1. The President, USU, shall:
 - a. Make the final determination as to whether material intended for public release (especially information dealing with critical technologies) must be forwarded to the DoD/PAO for review before publication if this issue cannot be resolved by the appropriate Dean or Vice President (VP) and the VPE.
 - b. Ensure that granted clearances are documented and appropriate records are maintained by the respective clearance authority (the Department Chair or Activity Head, or VP).
- 2. The VPE shall:
 - a. Provide guidance and information as requested by faculty and/or staff reference the publication, presentation, release of information or written material;
 - b. Consult with the DoD/PAO when necessary for clarification of issues;
 - c. Provide a decision on the release of information in accordance with DoD Instruction 5230 .09 (*Reference (b)*) within 20 working days of receipt of the request to publish; and

d. Monitor the submission to the DoD/PAO which will confirm or overrule DoD Instruction 5230.09 (*Reference (b)*) and DoD Instruction 5230.27 (*Reference (c)*); the proposed action within 30 working days.

3. The Deans, School of Medicine (SOM), Graduate School of Nursing (GSN), Postgraduate Dental College (PDC), or College of Allied Health Sciences (CAHS) shall:

a. Resolve questions or disputes that may arise between the authors of material for publication or presentation and their Department Chair or Activity Head;

b. Contact the VPE for clarification when in doubt; and

c. Forward, when necessary, disputes to the President, USU, for final resolution within 14 working days.

d. Review and clear any material for publication or presentation requiring their level of review prior to final VPE review/clearance.

4. The Department Chairs and Activity Heads shall:

a. Retain responsibility for the initial step in clearing publications or presentations;

b. Approve/Disapprove the material submitted for review within 14 working days of receipt of the request to publish or present;

c. Document and maintain appropriate records on the submitted material; and

d. Forward all unresolved disputes to the appropriate Dean, SOM or GSN.

5. Faculty or Staff with Material for Publication or Presentation shall:

a. Follow the guidance set forth in this Instruction at *Enclosures 2 and 5* when determining whether or not sensitive material is contained within the information proposed for release;

b. Use the automated USU Publication/Presentation Clearance Process steps set forth in *Enclosure 4*;

c. Seek guidance as required from the VPE, or VPE designee;

d. Submit requests for the public release of information to the appropriate Department Chair or Activity Head;

e. Seek assistance in resolving a dispute from the VPE designee, and/or forward a request for resolution of the dispute through their Chair or Activity Head to the appropriate Dean or VP;

f. Forward reprints of articles after publication to the Director, Learning Resource Center (LRC) and the Vice President for Research (VPR); and

g. Sign Author Agreements, only after receiving written concurrence from the appropriate Department Chair or Activity Head and the Office of General Counsel.

G. Procedures. USU Publication/Presentation Clearance Standard Operating Procedures for Faculty, Staff, and Students. *See Enclosure 5.*

H. Effective Date. This Instruction is effective immediately.

Richard W. Thomas, M.D., DDS, FACS
President

A handwritten signature in black ink, appearing to read "Rw Thomas", written over a horizontal line.

Date 22 SEP 2020

Enclosures:

1. References
2. Definitions
3. USU Publication/Presentation Clearance Process
4. Publication/Presentation Clearance Standard Operating Procedure (SOP)

REFERENCES

- (a) USU Instruction 5202.1, "Clearance for Public Release of Information and Scientific Material by USU Personnel," dated September 13, 2006.
- (b) DoD Instruction 5230.09, "Clearance of DoD Information for Public Release," dated January 25, 2019.
- (c) DoD Instruction 5230.27, "Presentation of DoD Related Scientific and Technology Papers at Meetings," dated November 18, 2016, incorporating change from October 15, 2018.
- (d) DoD 5500.7-R, "Joint Ethics Regulation (JER)," dated August 1993, with change November 17, 2011.
- (e) DoDM 5400.7, "DoD Freedom of Information Act Program," dated January 25, 2017.

DEFINITIONS

Media refers to any non-USU source requesting information for external publication, including but not limited to, newspaper, television, radio outlets; web-based publications; blogs; professional medical, academic or other societies/professional organizations; institutions of learning; other DoD or military Service public affairs offices or writers.

USU PUBLICATION/PRESENTATION CLEARANCE PROCESS

1. The USU has established an efficient publication and presentation clearance process using an electronic submission and approval system. Authors/presenters will submit their presentation, poster, article, abstract, etc.
2. The form allows the submitter to upload the file as part of the form submission. The document will then be routed electronically for approval using the Google Drive "Approval" process. The submission process is:
 - a. Submitter (author/presenter or their support staff) USU Publication/Presentation Clearance Form and completes the online form. At the end of the form is the mechanism to upload a file. This form link will also be posted at the bottom on the EA web page: <https://www.usuhs.edu/vpe/publication-presentation-poster-clearance>.
 - b. The publication/presentation in the submitter's Drive can now be assigned approvers, following the guidelines outlined at "Get Approvals on Files in Google Drive" online.
 - c. The submitter will assign the file to the respective Department Chair (or her/his designee) for approval. Once that person approves it, the file automatically goes back to the submitter.
 - d. The submitter will then assign the file to the respective Dean (if the Dean requires such a step). Once the Dean approves it, again if required by the Dean to do so, it will automatically go back to the submitter.
 - e. The submitter will then assign the file to the EA review box, usupubclearance@usuhs.edu, for final approval. When an/ if the VPE approval is granted, the submitter will receive a notice and the approval process is then complete.

**PUBLICATION/PRESENTATION CLEARANCE STANDARD OPERATING
PROCEDURE**

1. These procedures are relevant to the Google Drive and Approvals functions available within the USU information technology platform. As of February 2020, it is the only system to be utilized. USU VPE will review all products created within the scope of employment of those who are employed by or work at USU (military, civilian, contract) in advance of them being presented, displayed or distributed to an audience outside the USU campus (in person, in writing, or virtually). The goal is to have VPE review all submissions within five business days.
2. Initial Processing.
 - a. Ensure submission has been entered into the institutional database by the submitter.
 - b. Ensure submission has been approved by the Department Chair, or the Chair's representative, and the Dean, unless the Dean has delegated review to the Department Chair.
3. Content Review.
 - a. Are the title, narrative text, photos, videos appropriate for public release.
 - 1) Not containing offensive material.
 - 2) Not containing classified information. If containing sensitive information, that which may concern the DoD or USG, have the proper entities reviewed the content or is that review pending.
 - 3) Avoid using animal photos, especially if in research context. If so, prior Institutional Animal Care and Use Committee (IACUC) approval is required.
 - 4) Avoid using human photos where potentially identifiable. If so, need release from the individual depicted on file.
 - 5) Obtain written permission from owner for content that is copyrighted.
 - 6) Cite references for borrowed material.
 - 7) Authors noted correctly. Authors listed, and authors' academic affiliation listed.
 - a) Academic affiliation is correct.
 - b) Corresponding author, if USU, uses only official email, address, and phone.

4. Branding.

- a. Presentations, posters and other materials will optimally be created using the approved USU templates. If not possible to use the template, then utilize USU color scheme to match logos as defined by USU Brand Guidelines.
- b. Educational videos should be appropriately branded, logo at beginning and end, and hosted on the USU YouTube channel on Education and Training playlist.
- c. Posters should have no more than one logo each in the upper corners, one of which is USU. Avoid excess logos, but if they must be used, they should be along the footer.
- d. Only one of the approved USU logos should be used on each product and that same logo used throughout the product, as determined by USU Brand Guidelines.

5. Mandatory Disclaimers for Publications, Posters, and Presentations

All USU personnel are required to include the following disclaimer statements, as indicated below, on all publications, posters, and presentations presented outside of USU, or with the potential to be distributed outside of USU.

a. Required.

- 1) The opinions and assertions expressed herein are those of the author(s) and do not necessarily reflect the official policy or position of the USU or the DoD.

b. As appropriate.

- 1) Mention of a specific product, service, or organization does not imply or constitute endorsement on the part of the author or the U.S. Government.
- 2) The authors/presenters, nor their family members have a financial interest in any commercial product, service, or organization either mentioned in this publication/presentation/poster or providing financial support for this research.
- 3) This study was funded and/or supported in part/all by (insert entities).
- 4) This research protocol was reviewed and approved by the [insert entity name] [insert either Institutional Review Board (IRB) or IACUC] in accordance with all applicable Federal regulations governing the protection of humans and/or animals in research.
- 5) This work was prepared by a military or civilian employee of the US Government as part of the individual's official duties and therefore is in the public domain and does not possess copyright protection (public domain information may be freely distributed and copied; however, as a courtesy it is requested that the USU and the author be given an appropriate acknowledgement).

6. Disposition.

a. If the Chair or the Dean forwards a product for review, the final disposition of any product will be determined by the VPE.

- 1) If the VPE determines that a higher-level VPE review is necessary, the USU VPE will forward and await their opinion prior to disposition.
- 2) If the VPE has questions or concerns about the submission, it may be returned to the submitter, the Chair, and/or the Dean for clarification and/or situational awareness.
- 3) If the Dean disagrees with the VPE disposition, then the clearance determination will be forwarded to the President, USU.

b. The VPE will make one of three determinations for a final disposition. That disposition will then be returned to the submitter.

- 1) Approved.
 - a) Clearance provided with content as is. VPE reviewer may offer comments that do not require modification by the submitter.
- 2) Approved (Conditionally).
 - a) Clearance provided only if content is modified per the VPE reviewer's comments. If changes are made, resubmission is not necessary.
- 3) Declined.
 - a) Clearance rejected. VPE reviewer may require changes, and if made by the submitter, the modified product must be resubmitted through the entire review process.