SECNAVINST 5720.44C
21 February 2012

DEPARTMENT OF THE NAVY PUBLIC AFFAIRS POLICY AND REGULATIONS

RECORD OF CHANGES

IDENTIFICATION OF CORRECTION OR CHANGE	DATE OF CHANGE	DATE OF ENTRY	ENTERED BY

DEPARTMENT OF THE NAVY
OFFICE OF THE SECRETARY
1000 NAVY PENTAGON
WASHINGTON DC 20350-1000

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CHINFO
October 14, 2014

SECNAV INSTRUCTION 5720.44C CHANGE TRANSMITTAL 1

From: Secretary of the Navy

Subj: DEPARTMENT OF THE NAVY PUBLIC AFFAIRS POLICY AND REGULATIONS

Ref: (a) OPNAVINST 5721.1G
(b) DoD Instruction 8410.01 of 14 April 2008
(c) DoD Instruction 8550.01 of 11 September 2012

Encl: (1) Revised Table of Contents
(2) Revised Chapter 1
(3) Revised Chapter 2 pages 2-27 through 2-31a
(4) Revised Chapter 7

1. Purpose. To transmit new Table of Contents; Chapter 1; Chapter 2, pages 2-27 through 2-31a; and Chapter 7. The revised Chapter 1 includes a new section 0102, Canon of Ethics for Department of the Navy Public Affairs and Visual Information, and revisions to section 0104 regarding who public affairs reports to in an organization and updated responsibilities for Director of Marine Corps Communication. The revised pages 2-27 through 2-31a of Chapter 2 aligns this instruction with approved responses in reference (a). The revised Chapter 7 aligns this instruction with references (b) and (c).

2. Action. Remove the Table of Contents and Chapter 1 of the basic instruction and insert enclosures (1) and (2), respectively. Remove pages 2-27 through 2-31 of Chapter 2 and replace with enclosure (3). Remove Chapter 7 of the instruction and insert enclosure (4).

3. Reports. The reporting requirements contained in chapter 7, 0701, paragraph 3c(2) are exempt from reports control per Secretary of the Navy M-5214.1 of December 2005, Part IV paragraph 2a(4).

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SECNAVINST 5720.44C
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SECNAV INSTRUCTION 5720.44C

From: Secretary of the Navy

Subj: DEPARTMENT OF THE NAVY PUBLIC AFFAIRS POLICY AND REGULATIONS

1. Purpose. To provide basic policy and regulations for carrying out the public affairs and internal relations programs of the Department of the Navy. This instruction is a complete revision and should be reviewed in its entirety.

2. Cancellation. SECNAVINST 5720.44B and SECNAVINST 5720.47B.

3. Scope. This instruction is applicable throughout the Department of the Navy. Procedural guidance on implementing regulations and policy is provided separately in CHINFOINST 5720.8, The Public Affairs Tactics Manual, available via public affairs channels.

4. Administration and Maintenance. The Chief of Information (CHINFO) is assigned responsibility for the implementation and administration of these regulations and is authorized to issue any subsequent changes. Submit recommendations for changes and improvements, with supporting data, to CHINFO.

5. Records Management. Records created as a result of this instruction, regardless of media and format, shall be managed per Secretary of the Navy Manual 5210.1 of November 2007.

6. Forms. The following forms are available electronically on the Department of Defense (DoD) Forms Management Program Web site at http://www.dtic.mil/whs/directives/infomgt/forms/dd/ddforms2500-2999.htm.

a. DD 2535 Request for Military Aerial Support.

b. DD 2536 Request for Armed Forces Participation in Public Events (Non-Aviation).

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DEPARTMENT OF THE NAVY
PUBLIC AFFAIRS POLICY AND REGULATIONS

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CHAPTER 1 : PUBLIC AFFAIRS (PA) FUNDAMENTALS

0100 PA MANDATE AND AUTHORITY

1. General. The United States faces broad and complex challenges to national security, which depend on the successful ability to prevent war, deter attacks, and respond to aggression. An important aspect of achieving success in these endeavors is the ability to communicate effectively with the U.S. public and the international audience, which includes foreign leadership, host-nation populations, and actual and potential adversaries. In the U.S., public servants are obliged to inform the citizens about the full scope of governmental activity, consistent with national security and privacy concerns. In addition, it is in the national interest to discuss and provide context about actions and intentions with international audiences. The intent of Department of the Navy (DON) public affairs (PA) is to provide strategic counsel, contribute to operational planning, and execute communication activities in support of national objectives, joint combat operations, and the naval mission. DON PA not only provides routine, accurate, truthful, and timely information to the domestic and international audiences in peacetime, but it is also a critical supporter of the joint war fighter in all phases of the warfare spectrum. Throughout this instruction, all references to releasing, providing, or otherwise disseminating information carry the mandate that the information be accurate, truthful, and timely. DON PA personnel formally designated by rating, military occupational specialty, designator, or civilian series lead the DON's public communication efforts.

2. Department of Defense (DoD). DoD Instruction 5400.13 of 15 October 2008 and Joint Publication (JP) 3-61 dictate that PA policy applies to all levels of command and to all DoD employees, and that the authority for PA activities comes directly from the Secretary of Defense (SECDEF). DoD directives and doctrine mandate that:

a. Accurate, truthful, and timely information will be made available to the public, Congress, and the news media to help in the analysis and understanding of defense strategy and national security issues.

b. Commanders and heads of the DoD components involved in joint, combined, and unilateral military operations should plan, resource, and conduct PA activities to support such missions.

3. DON. PA is a function of command in the DON. The DON will implement and follow DoD policies. Therefore, DoD PA policy applies to all levels of the DON and to all DON employees. The authority for appropriate DON PA activities comes directly from the Secretary of the Navy (SECNAV), as specified in U.S. Navy Regulations, chapter 3, section 2, paragraph 0311; published at chapter VI, subchapter A, part 700.311 of title 32. Navy and Marine Corps leaders are responsible for providing accurate, truthful, and timely information to the public about Navy and Marine Corps activities. This responsibility to the public complements their responsibility to provide confidential professional military advice to the national authorities in support of the Constitution.

0101 PA PRINCIPLES

1. General. PA principles include accountability to the public, full disclosure, expeditious release of information, alignment, and professional ethics. No PA disclosure or provision of DON information shall run contrary to the spirit or the letter of the Privacy Act, Freedom of Information Act (FOIA), or the DoD or DON implementing regulations.

a. Full Disclosure. For a government founded on the principle of an empowered public, the default position on decisions about releasing information is full and prompt disclosure. Withholding information must be the exception and justified for specific and legally defensible reasons. Potential embarrassment is not a justification to withhold information.

b. Expeditious Release. Information will be released as expeditiously as practical and from the lowest possible level, consistent with release policies and required reviews (See chapter 2). All DON members are communicators and must commit to full and expeditious release of information appropriate to their level. Delay in the release of information can damage the DON’s reputation and cast public doubt on its capabilities or motives.

c. Breaches of Confidence. An activity will quickly lose public confidence if it:

(1) Lies.

(2) Misinforms or disinforms by putting accurate information in a misleading context.

(3) Unnecessarily delays responses to queries from the public and the news media.

(4) Gives preferential treatment to specific media, community groups, or individuals, except as provided by higher guidance.

(5) Creates public expectations far beyond its capacity to accomplish.

(6) Purposely fails to communicate with the public.

2. DoD Principles of Information. As codified in DoD Directive 5122.05, Assistant to the Secretary of Defense for Public Affairs, "It is the policy of the Department of Defense to make available timely and accurate information so that the public, Congress, and the news media may assess and understand the facts about national security and defense strategy. Requests for information from organizations and private citizens shall be answered in a timely manner. In carrying out the policy, the following principles of information will apply:

a. Information will be made fully and readily available, consistent with statutory requirements, unless its release is precluded by current and valid security classification. The provisions of the Freedom of Information Act will be supported in both letter and spirit.

b. A free flow of general and military information will be made available, without censorship or propaganda, to the men and women of the Armed Forces and their dependents.

c. Information will not be classified or otherwise withheld to protect the Government from criticism or embarrassment.

d. Information will be withheld only when disclosure would adversely affect national security, threaten the safety or privacy of the men and women of the Armed Forces, or if otherwise authorized by statute or regulation.

e. The Department of Defense's obligation to provide the public with information on its major programs may require detailed public affairs planning and coordination within the Department of Defense and with the other Government agencies. The sole purpose of such activity is to expedite the flow of information to the public; propaganda has no place in DoD public affairs programs."

3. PA Versus "Press Agentry." Used in Federal, State, and local governments, the terms "PA" and "public information" (PI) resulted from the 1913 Gillett Amendment to an appropriation bill in the House of Representatives. The Amendment stated that no money be spent for publicity, i.e., press agentry, unless specifically authorized by Congress. This was reaffirmed in Public Law 92-35 1, section 608(a), enacted 13 July 1972. This law expressly prohibits government spending for "publicity or propaganda purposes designed to support or defeat legislation pending before Congress." A recurring provision in the yearly Defense Appropriations Act prohibits the use of any appropriated funds for these publicity purposes. Therefore, "PA" and "PI" are used to describe the government function of building and maintaining relationships with key publics through the public release of information to inform, while public relations often uses information to influence. The DON focuses on the dissemination of accurate, truthful, and timely information to help people develop their viewpoints. The DON is prohibited, legally and ethically, from using disingenuous, dishonest, and undue influence to try to form opinions.

0102 CANON OF ETHICS FOR DON PUBLIC AFFAIRS AND VISUAL INFORMATION PERSONNEL

1. Ethics. Ethics are the rules or standards governing the conduct of a person, organization, or the members of a profession. The DON holds itself to a high ethical standard with the DON Core Values of Honor, Courage, and Commitment. To earn and maintain the trust and credibility essential to properly represent the DON, all military and civilian personnel in the PA and visual information (VI) fields shall be:

(a) Loyal. Act in the best interest of the nation, the DON and the command, and drive the fulfillment of the obligation to inform U.S. citizens about their Navy and Marine Corps. Loyalty must be to the institution first.

(b) Honest. Ensure all information for release is accurate, truthful, timely, and presented in its proper context.

(c) Trustworthy. Fulfill the obligations accompanying unique access to information about operations, organizations, programs, and people by being committed to requirements for security, privacy, and propriety.

(d) Honorable. Maintain the integrity of relationships with contacts in the government, the media, and the public.

(e) Courageous. Always be ready and willing, even in the face of opposition, to provide the principled, candid advice and counsel that must be asserted to aid commanders and other leaders in making decisions.

(f) Fair. Receive all requests for information and support with respect, treating each equitably and expeditiously while preserving the integrity of DON communication.

2. DON PA/VI professionals. All DON PA/VI professionals are members of the organizational function that communicates for the department. This is true regardless of whether they are in a billet with the duty to release information directly to the public or the media. It also applies when they are not in uniform and not "on the job." Statements made about military and political issues, including those expressed on personal social media accounts, could be perceived as the official views of the government. This may undermine the credibility of the DON and the effectiveness of the individual to serve as a communicator for the department. While this does not abridge their individual rights under the First Amendment, DON PA/VI personnel must maintain their value to the organization by observing a higher standard of discretion than typically expected of federal civilian employees and military personnel. DON PA/VI personnel must remain impartial and even disinterested in the development of social, political, and cultural issues. DON PA/VI professionals should always regard themselves as representatives of the department.

0103 POLITICAL ACTIVITIES AND INFLUENCES

1. Commands. As a matter of law, commands must scrupulously avoid any action, or appearance thereof, that attempts to influence contact with elected officials by any citizens or groups, including the internal DON audiences. The U.S. Armed Forces must refrain from any activity or association that could be interpreted as linking the Services with political causes, candidates, or organizations. For detailed information, see the Joint Ethics Regulation, (DoD 5500.07-R of 1 August 1993), current DoD Public Affairs Guidance for Political Campaigns and Elections, and legal counsel.

2. Personnel Acting in an Official Capacity. As a matter of long-standing policy, DoD members acting in their official capacity may not engage in activities that associate the DoD with any partisan political campaign or election, candidate, cause, or issue.

a. Employees, both military and civilian, of the Executive Department and agencies, i.e., "Federal agencies", in their official capacities, are prohibited contact between a campaign organization and DoD (except as necessary in connection with scheduling, advance, logistics, security, and legal compliance matters) without the prior written approval of the Counsel to the President. This restriction applies even if the contact is otherwise permissible by law and agency policy. This restriction, however, would not apply to a contact from a campaign organization seeking information from a Federal agency (or a Federal agency providing to the campaign organization) that the Federal agency makes available to members of the public on request as permitted by law and agency policy. This restriction would also not apply to a contact from a candidate's legislative office that relates to official business. Such contacts should be handled in the same manner as any request from a legislative office.

b. This policy is not intended to prevent social or personal contacts between Federal employees in their private capacities and any acquaintances who happen to be campaign organization personnel, nor is it designed to prevent Federal employees from engaging in political activities in a private capacity to the extent that such activities are otherwise permitted by law and agency policy.

3. Personnel Acting in a Personal Capacity. While the Hatch Act (sections 7321 through 7326 of title 5, United States Code (U.S.C.)) allows most civilian Federal employees to actively participate in political activities on their own time and outside of the Federal workplace, there are significant restrictions on fundraising, running for office in partisan elections, and using one's official authority or influence to interfere with or affect the result of an election.

a. Career members of the Senior Executive Service (SES) and members of certain intelligence organizations are subject to additional restrictions. Permitted political activities for Senate-confirmed Presidential appointees (PAS) and non-career SES employees are further restricted. Deputy Secretary of Defense's memo, "Civilian Employees' Participation in Political Activities," of 14 November 2007 provides an excellent discussion of the permitted and prohibited political activities for the various classes of civilian employees.

b. Per DoD Directive 1344.10 of 19 February 2008, members of the Armed Forces who are on active duty are permitted to express their personal opinions on political candidates, sign petitions to place a candidate's name on the ballot, and attend a political event as a spectator, provided they are not in uniform and when on inference or appearance of official sponsorship, approval, or endorsement can be reasonably drawn. They, however, may not participate in partisan political activities, e.g., solicit or engage in partisan fundraising activities, serve as the sponsor of a partisan club, or speak before a partisan gathering when in uniform and when an inference or appearance of official sponsorship, approval, or endorsement can reasonable be drawn.

4. Gifts and Attendance at National Party Conventions. Federal employees may not accept a gift, as defined in section 2635.203(d) of title 5, Code of Federal Regulations (CFR), from a prohibited source, or a gift that is given because of the employee's official position, unless an exception applies. Attendance at convention activities is subject to the Hatch Act and other Federal laws and regulations governing the political activities of Federal employees. Employees permitted to attend a convention or participate in a convention must use personal leave or vacation time to do so, or otherwise comply with the Hatch Act and applicable regulations.

a. As a matter of DoD policy, career SES officials and employees of National Security Agency, Defense Intelligence Agency, and National Geospatial Intelligence Agency may attend a political convention, caucus, or rally as a spectator, but are prohibited from serving as delegates, alternates, or proxies to a political convention or addressing a political convention, caucus, or rally.

b. PAS (appointed by the President with the advice and consent of the Senate) and non-career SES officials are subject to the same restrictions, however, PAS officials are further prohibited from attending a presidential nominating convention.

c. Per DoDI 1344.10, active duty members may attend political conventions as a spectator when not in uniform and when no inference or appearance of official sponsorship, approval, or endorsement can reasonably be drawn. They may not, however, participate in partisan political conventions (including making speeches in the course thereof), without respect to uniform or inference or appearance of official sponsorship, approval, or endorsement. Participation includes more than mere attendance as a spectator.

5. Questions about Permissible Activities. DON employees who have questions concerning the scope of permissible political activities are encouraged to consult with their supporting judge advocate or office of general counsel attorney before engaging in such activity.

6. PA Personnel. In addition to the above laws governing the political activities of Service members and Federal Government civilians, DON PA professionals are all official spokespersons, regardless of whether or not currently in a traditional media relations assignment. PA professionals represent the U.S. Navy, U.S. Marine Corps (USMC), and the U.S. military at all times, even when not in uniform or not "on the job." Because of this, DON PA professionals must adhere to a higher standard of discretion in expressing publicly any views on politics, parties, and candidates. For further guidance, see CHINFOINST 5720.8, The Public Affairs Tactics Manual (NOTAL).

0104 PA ORGANIZATION AND CHANNELS OF AUTHORITY

1. General. The PA organization within the DON is designed to provide official and attributable information to key domestic and foreign publics, subject only to operational security, statutory limitations, and the safety of personnel. U.S. national policy is multifaceted and a number of agencies execute portions of that policy. This gives rise to multiple channels of authority within government.

2. Unified Commands and Joint Task Forces. These commands issue PA and VI and combat camera (COMCAM) policy, guidance, procedures, and operational tasking to assigned Service component commanders and forces.

3. Combined, Allied, and Overseas Channels. Special considerations in combined and overseas operations require adherence to requirements that may differ considerably from this instruction. International agreements between member nations of a combined command govern the conduct of PA in matters not considered a national prerogative.

a. Multiple Chains of Authority. It is possible that a command may be subject concurrently to the PA direction of this instruction, additional guidance by the Chief of Information (CHINFO) or the Director of Marine Corps Communication (DIROMCC), the immediate superior in the administrative chain, e.g., the type commander, the operational commander in the North Atlantic Treaty Organization or combined task force organization, and the applicable U.S. Embassy and Country Team. The Public Affairs Officer (PAO) shall determine the impact of a particular decision in light of multiple chains of authority and keep all informed.

b. U.S. Embassy and Country Team. Every U.S. Embassy has a Country Team composed of representatives of the Defense Attaché Office, State Department PA Office, and the Press Attaché. The Press Attaché representative normally heads the PA section of the embassy or consulate. The Country Team oversees PA programs implemented by any agency of the U.S. Government within that country. In some countries, information guidance is contained in a document known as the Country Plan. Among the goals and procedures outlined in the plan are broad U.S. policy objectives

for that country and coordination procedures for routine and emergency actions. Unified commands usually take the lead in coordinating PA matters with Country Teams, or will specifically delegate this responsibility in certain cases to component commands.

4. DON. SECNAV is responsible for establishing DON PA policy and directing its implementation. The Secretary monitors and controls Navy and Marine Corps relations with Congress, the Office of the Secretary of Defense (OSD), other principal government officials, and the public. Implementation of SECNAV's policies is the responsibility of the Chief of Naval Operations (CNO), the Commandant of the Marine Corps (CMC) and other senior commanders who report directly to the Secretary.

5. CHINFO. CHINFO is assigned as a direct report to SECNAV. As SECNAV's direct representative for PA, CHINFO is delegated the responsibility for coordinating, planning, implementing, and assessing the PA policies and programs of the Department. This includes exercising command of CHINFO field activities and providing direction to PA programs throughout the DON. CHINFO is assigned additional duty to the CNO and is designated Special Assistant for PA Support (OPNAV (N09C)). As N09C, CHINFO advises and assists the CNO in the conduct of U.S. Navy service internal information and community outreach programs; implements CNO responsibility for the SECNAV PA and VI policy and directives; issues guidance on the implementation of PA, VI, and COMCAM programs to subordinate commanders; provides subject matter expertise on PA and VI capabilities and requirements; serves as the lead for Doctrine, Organization, Training, Materiel, Leadership and Education, Personnel, Facilities, and Policy for the Navy's PA/VI community; and serves as program sponsor for Navy COMCAM.

a. Functionally, CHINFO:

(1) Acts as DON public spokesperson for the U.S. Navy in coordination with the Marine Corps DIROMCC, who serves as the Deputy CHINFO for Marine Corps Matters.

(2) Advises the SECNAV and CNO on matters of policy; the public's understanding of the Navy and Marine Corps team; methods of information dissemination; means to increase public

awareness; and PA aspects of operations, Navy activities, and public events or incidents.

(3) Coordinates, evaluates, and forwards to the Office of the Assistant Secretary of Defense (PA) [OASD(PA)] information of national or international interest concerning the DON for public release.

(4) Originates and disseminates information on developments within the Navy.

(5) Provides community outreach and internal information program policy guidance.

(6) Develops DON policy proposals for requirements and applications of audiovisual resources and products for PA and VI purposes.

(7) Advises the Chief of Naval Personnel on the procurement, training, and assignment of Navy officers and enlisted PA personnel.

(8) Acts as community leader and program or rating sponsor for the Active and Reserve components of special duty PA officers (165X), photographic limited duty officers (647X), mass communication specialists, and civilian personnel in the media and PA series.

(9) Advises the Commander, Navy Recruiting Command (COMNAVCRUITCOM), on "creative" material (print, direct mail, radio, and television) produced by or for COMNAVCRUITCOM and intended for distribution publicly (as with direct mail) or through media (on either a paid or "public service" basis).

b. To accomplish the PA mission in an efficient and cost-effective manner, CHINFO must communicate at the regional, as well as national, level with local and regional news media; local governmental leaders; key community leaders; key educators; and local and/or regional business leadership. Through its field activities, CHINFO is responsible for Navy reputation management, including national image and branding efforts, by bringing the Navy message directly to the American public.

(1) Navy Office of Community Outreach (NAVCO). NAVCO is CHINFO's national community outreach field activity. It serves as the central point of coordination for Navy community outreach programs throughout the continental United States with the exception of fleet concentration areas and the Los Angeles and New York metropolitan areas. The goal of this coordination is to conduct and align the national Navy image, awareness, and branding efforts by coordinating existing assets for maximum community-relations impact.

(2) Navy Public Affairs Support Element (NPASE). NPASE consists of teams of PAOs, photographic officers, and enlisted mass communication specialists who promote support for the Navy by releasing timely news and imagery highlighting the accomplishments and achievements of Navy units and Sailors.

(3) Navy Office of Information East (NAVINFO East). NAVINFO East serves as a Navy contact for book authors requesting Navy support. It establishes and maintains professional relationships with local, regional, and national media in the New York City tri-state area; maintains liaison with local, national, Federal, and military organizations assisting with media and community outreach events in the New York area.

(4) Navy Office of Information West (NAVINFO West). NAVINFO West maintains liaison with the major film, television, and documentary production companies both throughout Los Angeles and worldwide to assist with requests for Navy support. NAVINFO West provides guidance during all phases of production as well as in all phases of the creative process in order to develop an authentic, accurate, and supportable project.

6. Deputy CHINFO for Marine Corps Matters. Chapter 6, part 700, subpart C, section 700-334 of title 32, CFR, designates DIROMCC as Deputy CHINFO for Marine Corps Matters. DIROMCC may report directly to SECNAV on matters pertaining solely to the Marine Corps, but must inform CHINFO promptly regarding the substance of all independent contact with the Secretary. DIROMCC has direct responsibility to the CMC for development, planning, and implementation of PA programs within the Marine Corps. Deputy CHINFO for Marine Corps Matters shall:

a. Advise CMC on matters of policy relating to foreign and domestic publics' understanding and support of the Marine Corps, policies and methods of global communication, dissemination of PA products, evaluation of communication strategies, and PA aspects of operations and activities.

b. Advise and assist the CMC in the conduct of Marine Corps public engagement activities, provides subject matter expertise on PA and VI capabilities and requirements, and serves as the proponent for the PA and COMCAM communities.

c. Exercise operational control over the Marine Corps Public Affairs Support Element (MCPASE) which contains PA and COMCAM Marines that task organize into teams to support operational and supporting establishment requirements and requests. The MCPASE also supports DIROMCC's doctrine, organization, training, materiel, leadership, personnel, and facilities responsibilities as a proponent for USMC PA and COMCAM.

d. Coordinate PA programs and activities of Marine Corps-wide impact; evaluate and coordinate with CHINFO and OASD(PA); release and disseminate information of international, national or regional interest about the Marine Corps; inform the Marine Corps internal audience of current Marine Corps policies and programs; and coordinate material for public release for security review and clearance.

e. Exercise release authority for all official service-level, attributable PI, and communication by reviewing all communication products prior to release at the HQMC level; manage the Marine Corps' official, attributable digital presence to include the Marine Corps website and social media engagements; assist commanders in identifying and delegating release authority in the absence of a dedicated PAO; and ensure command communication strategies and release processes are nested within higher and joint communication strategies and policies.

f. DIROMCC's delegated release authority applies to all official service-level, attributable content and communication to include multimedia, video, and still imagery stored to publicly accessible repositories or released via any official,

attributable means, i.e., official unit website, newsletter, civilian media, etc.

g. Maintain open channels of communication to inform foreign and domestic publics about the Marine Corps and gain understanding and support, and provide support to policy and curriculum development to the senior Marine Corps representative at the Defense Information School.

h. Ensure that no PA disclosure or provision of DON information shall run contrary to the spirit or the letter or the Privacy Act, FOIA, or the DoD or DON implementing regulations.

7. Navy Component Command, Fleet and Force PA Coordination. In view of the fundamental premise that PA responsibility is one of command, the conduct of PA down through the chain within the naval establishment generally divides into two channels of authority: the operational and the administrative. Matters falling under the cognizance of an operational commander vary widely, from media queries about force employment to U.S. or overseas community outreach to planning for operations and exercises. Equally diverse are those PA matters falling under the cognizance of an administrative commander. For example, the surface force commander may be tasked to exercise authority in matters such as press inquiries concerning the cost of a regular overhaul of a destroyer or a personnel casualty aboard a non-deployed unit within the force. It will often be necessary for an individual unit commander to coordinate a PA matter with both operational and administrative superiors in the chain of command.

8. Command-Level PA. Subject to the direction of senior authority, each officer who exercises command authority is responsible for the conduct of PA, which includes internal information, PI, community outreach, and planning within that command. The PAO is the principal advisor and assistant to the officer in command for all PA matters. The PAO reports directly to the officer in command, keeping the executive officer (or chief of staff) informed.

a. Commanders:

(1) Are responsible for the PA program at their command including identifying requirements and providing the resources to establish and manage PA programs.

(2) Shall not assign non-designated personnel to lead public communication activities when designated PA personnel of appropriate rank are assigned to the command or activity. If no designated PA personnel of appropriate rank are assigned, commanders and heads of activities will consult designated PA personnel in the chain of command.

(3) Will ensure communication activities are synchronized and integrated across functions and connected to higher headquarters communication plans and activities through an approach of research, planning, execution, and assessment.

(4) Will ensure the dissemination of accurate and timely information with appropriate consideration for security, accuracy, and propriety, adhering to the principle of "maximum disclosure, minimum delay."

(5) Will give the PAO direct access to all policy makers and other relevant senior officers, and include the PAO in all operational planning.

(6) Can delegate release authority for the command to the command PAO, who will release information to the public or the news media in response to the specific situation such as routine inquiry, media embark, emergency, or contingency operations.

(7) Should pursue regular encounters with the media and make staff available to support media requests. This is especially relevant during military operations and exercises.

(8) Within the parameters of the command anti-terrorism and force protection posture, will allow credentialed news media representatives access to their command (with command escort as feasible) and not interfere with the reporting process. News media representatives should be permitted open access to unclassified aspects of military vehicles, locations, personnel,

aircraft, and vessels, except where restricted by law, security classification, or privacy statutes.

(9) Will provide or support transportation for news media representatives when necessary and per DoD regulations (see chapter 3, section 0305).

(10) Will not use or allow information activities or deception operations intended to disinform, deny releasable information to or mislead the U.S. public, the government, or the U.S. and international media. This includes misinforming the media about military capabilities and intentions in ways that could influence U.S. decision makers and public opinion.

(11) Should not assign to PA personnel collateral duties that have the potential to conflict or impede with their primary responsibility as command spokespersons. For example, assigning a PA person as the investigating officer in a mishap or incident with the potential for media interest would place them in a compromising position and disqualify them from being the command spokesperson or handling public and media inquiries.

(12) Shall ensure their PA personnel receive periodic training in the performance of PA functions, FOIA, and the Privacy Act.

b. PAOs:

(1) Will lead the command’s communication activities in support of the command and mission objectives.

(2) Will facilitate open, timely, and uninhibited access to PI, except where restricted by law, security classification, or privacy statutes. When so restricted, will seek unrestricted information that may meet news media needs.

(3) Will communicate information about Navy and Marine Corps programs, activities, missions, and responsibilities to both external and internal U.S. audiences, as well as international and host-nation populations.

(4) Will protect the privacy of those who use or request information, as well as those about whom information exists in government records.

(5) Will act as liaisons, but not interfere with the reporting process (except to correct inaccuracies); expedite the flow of information through the civilian and military news media to both external and internal U.S. audiences and international audiences; and work to ensure accurate media coverage by encouraging media understanding of both facts and context.

(6) Will advise the commander on all relevant PA matters that may impact the command. This requires a broad knowledge of the naval services, in-depth awareness of operations, and the ability to project the potential impact of proposed actions on internal and external publics.

(7) Will communicate with other military and civilian PAOs as appropriate for coordination or mutual assistance.

(8) Will inform the immediate next senior PAO in the operational chain of command about items with national or international media interest; those with local media interest when expected to reach the attention of flag or general officers; and those involving real, perceived, or anticipated security breaches, unless specifically directed otherwise by the commander.

(9) Will promote positive relations between the command and local communities.

(10) Will participate in all phases of operational planning to ensure PA and VI requirements are considered and resourced.

(11) Will plan, budget, execute, and assess the effectiveness of PA programs, aligning them with DON priorities, communication objectives, and messaging.

(12) Will provide visual documentation support for operational, informational, training, research, legal, historical, and administrative needs.

9. Contract PA and Communications Management Personnel

a. Are not authorized to act as official Navy or Marine Corps spokespersons, including being interviewed as subject matter experts.

b. Are not authorized to serve as approval authorities for the release of information, such as press releases, articles, videos, photos, or any content published to a publicly available Web site. Only a government employee can be the approval authority for public release of information.

10. Protocol Duties. The protocol function is not a core capability of PA personnel. Frequently, the need occurs to accommodate news media or the general public simultaneously with distinguished visitors. The requirements of such visits can be significantly different, and these functions should be separate unless extraordinary circumstances dictate otherwise.

11. DON Personnel Acting in an Official Capacity. The official duties of many DON personnel require them to provide information and agency records to members of the public. Nothing in this instruction should be construed to limit their authority to do so consistent with those duties. DON personnel whose duties require interaction with the public should be sensitive to the functions performed by PA personnel and bring matters that may have PA implications to their attention as they learn of them. DON personnel whose official duties do not include providing information or records to the public should refer all requests for information to the appropriate PA or FOIA authorities.

12. DON Personnel in a Private Capacity. DON personnel who are acting in a private capacity have the First Amendment right to further release or share publicly-released unclassified information through non-DoD forums or media provided that no laws or regulations are violated. Some of the applicable laws and regulations are:

a. Uniform Code of Military Justice.

b. Joint Ethics Regulation, notably the provision that preparation activities are not conducted during normal duty hours or using DoD facilities, property, or personnel except as authorized (See DoD 5500.07-R of 1 August 1993.).

References:

For all DoD Issuances, please see
http://www.dtic.mil/whs/directives/index.html

JP 3-61, Doctrine for PA in Joint Operations

32 CFR 700.102

DoD Directive 1344.10 of 19 February 2008

DoD Directive 5122.05 of 5 September 2008

DoD Directive 5400.07 of 2 January 2008

DoD Instruction 5400.13 of 15 October 2008

DoD Instruction 5400.14 of 22 January 1996

DoD 5500.07-R, The Joint Ethics Regulation, 1 August 1993

For all SECNAV and OPNAV instructions, please see the Department of the Navy Issuances Web site at http://doni.daps.dla.mil/

SECNAVINST 5720.42F

CHINFO Memo 5700 Ser 00/487, 08 October 2004, Contracted Public Affairs Services and Support Review (NOTAL)

CHINFO Memo for the Secretary of the Navy, 11 February 2004, Contracted Public Affairs Services and Support Review (NOTAL)

The Ethics Compass, http://ethics.navy.mil

CHAPTER 2 : INFORMATION RELEASE POLICIES AND GUIDANCE

0200 PRINCIPLES

1. Disclosure as Default. Information about DON and its components will be made fully and readily available, consistent with statutory requirements, unless its release is precluded by current and valid security classifications, privacy regulations or business proprietary guidelines. Requests for information from organizations and private citizens will be answered quickly and accurately. Information will be made available without censorship or propaganda and will not be classified or otherwise withheld to protect the government from criticism or embarrassment, when the information itself is unclassified. The Freedom of Information Act (FOIA) and the Privacy Act, which are discussed in articles 0201 and 0202 of this chapter, will be supported in both letter and spirit.

2. Accuracy is a Responsibility and a Requirement. Distorting the facts or publishing inaccurate information creates a sense of mistrust with both the DON internal and external audiences and damages DON credibility with the media and with the public at large. As such, distorting facts and or disseminating inaccurate information is prohibited

3. Timeliness is a Responsibility and a Requirement. Every effort will be made to have maximum disclosure with minimum delay. In the instance of accidents or incidents that require an operational report (OPREP), the PAO will submit a proposed news release to the designated PA office within 1 hour of the release of the OPREP. Difficult issues and events potentially unfavorable to DON should be addressed openly, honestly, and as soon as possible.

4. The Internet is a Powerful Information Tool. The appearance, accuracy, currency, and relevance of the information presented by Navy and Marine Corps commands on the Internet reflect upon DON's professional standards and credibility. Additionally, information residing on a Web server associated with a "navy.mil" or "marines.mil" domain is interpreted by the worldwide public, including the American taxpayer and media, as reflecting official Navy or Marine Corps policies or positions. Therefore, all information presented must be accurate, truthful, current and in compliance with DON public information policies.

0201 FOIA

1. Policy. Individuals, including foreign citizens, partnerships, corporations, associations, states, states' agencies, and foreign governments may request information under FOIA. FOIA does not distinguish between U.S. and foreign citizens. A request for information does not constitute a FOIA request unless it is in writing, cites or implies FOIA, reasonably describes the records being sought so that a knowledgeable official of the agency can conduct a search with reasonable effort. If fees are applicable, the request should include a statement regarding willingness to pay all fees or those up to a specified amount or request a waiver or reduction of fees. If the request does not meet these minimum requirements, the requester should be advised and assisted in revising the request. There are times when information that would normally be released as a matter of course is requested under FOIA. In these cases, the PAO should advise the requester a FOIA request is not necessary and provide the information requested or direct the individual to the proper release authority.

2. FOIA Responsibilities. Because exchanges with the public on matters relating to FOIA often require parallel and simultaneous actions, FOIA responsibilities will be assigned to non-PA personnel unless the size of the command, manning or other circumstance leaves no alternative. This also helps serve as a check and balance between PA and FOIA authorities by promoting an exchange of knowledgeable views. PAOs must be familiar with the major elements of FOIA.

3. Release of Information Without a FOIA Request. DoD and DON policy encourage the release of information and records deemed to be of interest to the public in the most expeditious manner practicable. Information and records deemed especially useful to inform the public of governmental activity may be released in the absence of specific requests, FOIA or otherwise.

4. Keystone of the FOIA. FOIA should be administered with a clear presumption of openness. Whoever advocates withholding of information bears the burden of justifying such withholding. Individuals denied access under FOIA have a right to seek legal action.

5. FOIA Exemptions. A variety of conditions exempt the government from releasing information under FOIA. Most news media will not initially request information through FOIA, but instead will submit a request as a media query. PAOs must consider whether that information is releasable under FOIA. If there is any doubt, the activity's FOIA authority should be consulted.

6. Further Guidance. For FOIA guidance, policy, points of contact, and an electronic reading room of certain released documents, see the Department of the Navy FOIA office Web site: www.foia.navy.mil.

0202 PRIVACY ACT

1. Background. The Privacy Act of 1974 as amended protects individual privacy from unwarranted invasion by the government. The act is applicable to all Federal agencies. For PAOs, the act is especially applicable to information taken in support of visits by civilians to units and to information taken from personnel for internal news article production. Major features of the act include:

a. The government is prohibited from keeping personal record systems that are secret or unreported.

b. Agencies may collect only such personal information that is relevant and necessary to carry out a purpose required by statute or executive order.

c. Personal information collected for one purpose cannot be used for another purpose without the consent of the individual on whom information is maintained. When collecting personal information, agencies must provide the four-point Privacy Act Statement to the individual.

d. Agencies must publish System of Records Notices regarding the "routine" uses of collected personal information. They must obtain written consent from the individual to use personal information for any other unstated purpose or to transfer such information to another agency where "need to know" has not been previously and officially established.

e. Individuals have the opportunity under law to see what information about them is being kept and to correct information that "is not accurate, relevant, timely or complete."

f. Agencies must establish appropriate administrative, technical and physical safeguards for records and documents and must also establish rules of conduct and training for employees concerning their rights and responsibilities under the act.

g. Limits the use of Social Security numbers.

h. PAOs should take great care to protect the private information of individuals gathered in the performance of their duties. Examples include using a reporter's driver's license number when arranging for base access or using Social Security numbers of Service members to verify their identity to gather releasable information from their official record. This personally identifiable information should not be forwarded by e-mails to anyone without a need to know and must be encrypted. Further, the information should be deleted from records as soon as it is no longer needed.

2. Privacy Act Exceptions. The Privacy Act allows the disclosure of personal data without the consent of the individual under one of 12 conditions. For this purpose, DoD components are treated collectively as a single entity. PAOs should consult the Navy's Privacy Act instruction and or the activity's legal advisor to discuss the applicability of such disclosures. Exemptions include:

a. When a transfer of personal information is made within an agency and the receiving officer or employee has a bona fide need to know. For this purpose, DoD components are treated collectively as a single agency.

b. When required under FOIA.

c. When the record or document is used as part of the published "routine uses."

d. When requisite information is furnished to the U.S. Census Bureau.

e. For bona fide statistical use in a form in which subjects cannot be identified.

f. To the National Archives and Records Administration as a historical document.

g. With the written request of an agency head specifying the specific portion desired and the law enforcement activity for which the record is sought, to another agency and for law enforcement purposes.

h. In compelling circumstances when personal health or safety is threatened.

i. To either House of Congress or – to the extent of matters within its jurisdiction – any congressional committee, but not to an individual member of Congress acting on his or her own behalf, or on behalf of a constituent.

j. To the Comptroller General.

k. By order of a court from a court of competent jurisdiction (signed by a State or Federal court judge). Consult with a legal advisor before making any disclosure under this exception.

l. To a consumer reporting agency, but only for purposes of reporting a bad debt after the person to whom the information pertains has been afforded due process and an opportunity to repay the debt.

0203 THE BALANCING TEST

1. Background. According to the Privacy Act, "records" will not be disclosed without the written consent of the person to whom the records refer unless disclosure of the records falls within an exception, including disclosure required by FOIA. FOIA requires – with certain exceptions – that properly requested records be made available to anyone. FOIA exemption 6 applies to "personnel and medical files and similar records, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy." FOIA exemption 7(c) applies to "records and information compiled for law enforcement purposes…to the extent that production of such law enforcement

records…could reasonably be expected to constitute an unwarranted invasion of personal privacy." The legislative history of FOIA notes that the act "enunciates a policy that will involve a balancing of interests between the protection of an individual's private affairs from unnecessary scrutiny, and the preservation of the public's right to governmental information." The Supreme Court has also commented on the balancing test, noting "Congress sought to construct an exemption that would require a balancing of the individual's right to privacy against the preservation of the basic purpose of the FOIA, to open agency action to the light of public scrutiny."

2. Considerations. The following have general application to DON PA, and should be taken under consideration by PAOs when applying the balancing test:

a. Federal employees have no expectation of privacy regarding their names, titles, grades, salaries, duty phone numbers and duty stations as employees.

b. Military personnel have no expectation of privacy regarding their name, rank, date commissioned or enlisted, designator or rating, date of rank, home of record (state only), gross salary, official photograph, duty assignments (current and prior), duty phone numbers, source of commission or enlistment, promotion, military education, duty status, awards and decorations and other non-sensitive details of individual military personnel, as well as comparable information concerning individual civilian employees. Certain restrictions may apply to personnel information when the release of that information would endanger personnel. (See article 0206.)

c. If the information is particularly well known or is widely available within the public domain as a result of prior official agency statements on the matter, there is generally little or no expectation of privacy.

d. If the information was at some time or place available to the public, but is now hard to obtain, the individual to whom it pertains may have a privacy interest.

e. That some members of the public may know the information does not negate the individual's privacy interest in preventing further dissemination.

f. An individual does not have any expectation of privacy with respect to information made public by that individual. Individuals do not surrender all rights to privacy by placing themselves in the public eye, but their expectations of privacy should be diminished, particularly regarding the information they made public.

g. Death generally extinguishes an individual's privacy rights. However, surviving family members may have a legitimate privacy interest. Particularly sensitive personal details about the circumstances surrounding an individual's death may be withheld when necessary to protect the privacy interests of surviving family members.

h. Individuals who testify at criminal trials do not forfeit their rights to privacy except on those matters becoming part of the public record. Witnesses who provide information to investigative bodies - administrative, civil or criminal - ordinarily are accorded privacy protection.

i. Any general public interest in mere allegations of wrongdoing does not necessarily outweigh an individual's privacy interest in unwarranted association with such allegations. Even when allegations of misconduct are known, the accused individual ordinarily has an overriding privacy interest in not having the details of the matter disclosed.

j. Proven wrongdoing of a serious and intentional nature by a high-level government official is of sufficient public interest to outweigh the privacy interest of the official. Less serious misconduct by lower-level agency personnel generally is not considered of sufficient public interest to outweigh the privacy interest of the individual.

k. In general, DON regards flag and general officers, and civilian personnel in SES or similar positions high-level officials whose diminished expectation of privacy results from DON's need to retain the public's confidence and trust. Commanding officers, executive officers, officers in charge and

other personnel of lower rank may also have a diminished expectation of privacy due to their official position and contact with the public.

l. Publicly releasable biographies and official portraits are required for all officers in command, executive officers (chiefs of staff, chief staff officers, deputies, etc.) and senior enlisted advisors.

0204 SECURITY AND POLICY REVIEW

1. General. All commanders shall ensure PAOs have the adequate clearance and access to policy and classified information in order to best serve the government's interests.

2. Reviews by Releasing Authority. Each activity shall review material prepared for public release to ensure it reveals no classified information or controlled unclassified information. While other commands, including subordinate commands, and other U.S. Government entities must be consulted when they are the originators of the information at issue, the release authority cannot avoid its responsibility to safeguard classified or sensitive unclassified information.

3. Reviews by Higher Authority. Certain categories of official DoD information must be submitted for review and clearance, as described in the DoD directive on security and policy review. These categories include information that:

a. Originates or is proposed for release in the Washington, DC, area.

b. Is or has the potential to become an item of national or international interest.

c. Affects national security policy or foreign relations.

d. Concerns a subject of potential controversy among the DoD components or with other Federal agencies.

e. Is presented by a DoD employee, who by virtue of rank, position or expertise would be considered an official DoD spokesperson.

f. Contains technical data, including data developed under contract that may be militarily critical and subject to limited distribution, but on which a distribution determination has not been made.

g. Relates to any of the following subjects:

(1) New weapons or weapons systems or significant modifications or improvements to existing weapons or weapons systems, equipment, or techniques.

(2) Military operations, significant exercises, and operations security (OPSEC).

(3) National command authorities; command, control, communications, computers and intelligence; information operations and computer security.

(4) Military activities or application in space; nuclear weapons, including nuclear weapons effects research; chemical warfare and defensive biological warfare; and arms control treaty implementation.

(5) Any other contemporary topic that is designated by the head of a DoD component.

(6) Open investigations by the Naval Criminal Investigative Service (NCIS) or other military criminal investigative organization or civilian law enforcement.

4. Voluntary Review. Sources outside of DoD, or DoD personnel acting in a private capacity, may volunteer to have information reviewed.

5. Submission Procedures. After command and, if necessary, chain of command review, information releases falling into any of the above categories must be submitted to CHINFO Media Operations and Planning (OI-3) or DIRPA for policy review and or to Director, NCIS or Commandant Marine Corps Intelligence(HQMC Code: I) for security review.

0205 SENSITIVE AND CLASSIFIED INFORMATION

1. Protection of Sensitive and Classified Information. The protection of sensitive and classified information is paramount when preparing information for public release. This principle also extends to visitors, such as not permitting uncleared persons access to classified information and ensuring spaces which may have classified information displayed or easily accessible are sanitized prior to entry. Security of classified information and material is the responsibility of every individual within DON. The person communicating, whether in a media interview, in a speech, in an Internet post, blog, or in any other means of electronic or verbal communication manner, is responsible for protecting classified information from unauthorized disclosure. This is the principle of "Security at the Source."

2. Release of Sensitive Information. In rare and extreme circumstances, rapidly perishable sensitive information may be given to news media representatives (NMR), such as when embedded with DON units and it supports the safety of the NMR and or provides appropriate context to follow-on reporting. NMRs may receive sensitive information on an impending operation in which they will be participating if they agree to withhold publication until authorized by a senior military or specifically designated authority. In all cases, specific approval must be given by the appropriate authority with cognizance over the operation or activity, such as a joint force commander, naval component commander, combatant commander or OASD(PA).

3. Release of Classified Information. Classified information must be reviewed by an officially designated security review analyst, or subject matter expert, or an originally classification authority subject authority for declassification and approval for public release.

4. Actions in Case of Inadvertent Disclosure of Classified Information. If classified information is disclosed inadvertently to uncleared persons, such as an NMR, the command security manager shall be notified immediately. The security manager will in turn notify his or her immediate chain of command, then Director, NCIS. Actions to deal with the possible compromise on the scene of the possible compromise must be immediate and fair. These actions may include:

a. Reviewing the NMR's visual or written record of the information to make a preliminary determination whether the information was actually compromised.

b. Notifying the NMR they have inadvertently been given classified information and respectfully request they delete the material, turn over the specific information in their notes or otherwise relinquish any record of the classified information.

c. Contacting the NMR's superiors, if the NMR refuses to turn over the information, and requesting the action described in the paragraph above.

d. If necessary, seizing any record of the information in the NMR's possession, deleting the classified information, and returning any unclassified information remaining. In no instance will material be confiscated by a command without prior approval from CHINFO and OASD(PA).

e. To not advise the NMR so as not to draw attention to the information.

0206 PROTECTION OF CLASSIFIED MATERIAL

1. Accident on a Military Installation. If classified material is exposed at an accident site, the command shall remove it or otherwise protect classified material from view consistent with the need to preserve the integrity of a site for accident investigators. After rescue and damage control, the command shall follow these priorities in order to: protect classified material from further unauthorized disclosure; preserve the site for investigation; and meet the need of the public for information. If the material cannot be removed from the site (e.g., for sole purpose of the investigation), the command should inconspicuously cover the material with opaque or non-transparent substance or material around it to prevent unauthorized viewing and or disclosure. Opportunities to cover the accident scene shall not normally be granted to news media until the classified material is removed, covered, or otherwise officially secured.

2. Accidents Outside Military Jurisdiction. In the civilian domain, preventing news media access to an accident site in

order to prevent compromise of classified material is far more difficult. The actions prescribed above pertain with the following exceptions:

a. The military cannot officially restrain or prevent media from covering a newsworthy event in the public domain outside military jurisdiction unless martial law has been declared or a national defense area has been established.

b. Civil law enforcement officials should be contacted immediately upon learning of an accident in the civilian domain and informed if there is likelihood that classified information and or material could be visible on the scene.

c. If it is ascertained that classified material is visible, the command should respectfully request that law enforcement officials immediately cover the material and cordon off the area or, preferably, allow military personnel to do so.

3. Security Review

a. New electronic formats for still and video photography make on-site security review more feasible than in the past. If compromise of classified material is suspected, this procedure allows the commander to protect the classified information and material while at the same time meeting the needs of reporters on deadline. The PAO should make clear to those reporters that the command has no wish to restrain news coverage and is interested only in retrieving any classified information, which might have been inadvertently obtained.

b. In some cases, personnel or compatible equipment will not be readily available to conduct an on-site security review in order to determine positively and promptly that classified material has been inadvertently exposed. When a security review is warranted and shipping material to another activity for processing and security review is necessary, the following steps shall be taken.

(1) If, based on the commander's judgment and the best information available, it is probable that classified material has been exposed, the officer in command should exercise his or

her right U.S. Navy Regulations 1990, article 1121] to confiscate photographic media (digital, video, or film) that contains or is suspected to contain classified material.

(2) Once all classified information has been removed, confiscated news materials shall be returned.

(3) When photographic media are confiscated, commands shall arrange a new opportunity to photograph or videotape the accident area once classified material has been removed or otherwise secured.

(4) The PAO should make clear to affected reporters that the command has no wish to restrain news coverage and is interested only in retrieving any classified information that may have inadvertently been obtained.

c. Reporting requirements and further guidance. The following actions will help mitigate concern, confusion, or misunderstanding following a security review.

(1) Commands shall make a telephonic report of the circumstances (including names of correspondents and their news agency) to CHINFO or DIRPA. This report should be followed up by an immediate precedence message. The telephone report and message should be provided to other superiors in the chain for information.

(2) The PAO should telephone or visit the reporter’s or photographer’s superiors (i.e., station managers, editors, etc.) to explain the situation and request cooperation. The PAO should advise that publication or airing of classified information (or refusal to surrender it to the military authority) is a violation of Federal law, especially sections 793(d), 793(e), 795 and 797 of title 18, U.S.C.

(3) The PAO will assure media leaders that the command’s interest lies solely in protecting classified material and that all cleared material shall be returned to the correspondent with minimal delay. The command may offer a new photographic or video opportunity at the accident scene.

(4) If seat-of-government level review is required, the command will expeditiously forward the material directly to

CHINFO or DIRPA, which shall coordinate with Director, NCIS or CMC (HQMC Code: I) and other officials as appropriate.

(5) Personnel conducting security review, especially those on-site when such a capability exists, should understand that the intent of security review is only to determine the presence of classified material, and is not an opportunity to identify and remove critical, derogatory or embarrassing material.

0207 CONTROL OF VIDEO AND PHOTOGRAPHY AT ACCIDENT SITES

1. On U.S. Military Installations. If no classified material is exposed, the commander may permit credentialed news photographers and electronic newsgathering teams to cover the event.

a. Applicable Guidelines. Upon arrival at the scene of an accident or incident, the senior military official should ask military police or other law enforcement authorities to secure the area to protect the public from injury, the site from further disturbance, and classified information from compromise. Once the area is secured, the PAO should brief the media on safety hazards and the need to preserve the site for investigators. If classified material is exposed, the PAO should further explain the need to restrict access until it can be covered or removed. DON members cannot physically restrict the movement of the news media at accident sites except on DoD property or in the civilian domain when martial law has been imposed or a national defense area established.

b. Escorts. A PA escort shall be provided to ensure that reporters do not interfere with official activities, such as accident investigations, or search and rescue. Escorts must be briefed on approved statements and command-approved answers to likely questions.

c. Classified and Sensitive Information. If classified information or material is exposed and cannot be covered or removed, the command shall prevent the press from photographing that information or material. Information that may pertain to sensitive military technology, operations and activities also must be protected.

d. Commander Responsibilities. When classified or sensitive information is at risk of compromise, the commander shall:

(1) Notify the news media of the situation;

(2) Bar photographers from the site; and

(3) Take custody of any photographic media (film, video, or digital imagery) and promptly conduct a security review. Promptly return the media if nothing is compromised, or when compromised material is removed.

2. Off-base in the United States or Territories. The authority of naval officials over news media is limited when an accident occurs outside military jurisdiction. The senior Navy or Marine Corps official at the scene must determine whether classified information is present. The following guidelines apply:

a. No Compromise. If no classified information is exposed, or if it has been removed or covered, the senior Navy or Marine Corps official should support media coverage.

b. Compromise Status Unclear. If it cannot be determined whether classified information is exposed, the senior official should explain concerns to the news media and advise them that photography cannot be authorized until a preliminary investigation of the scene confirms that no classified material is visible. This preliminary investigation should be accomplished thoroughly, yet quickly. If reporters persist and do not agree to wait until material is secured, warn them that taking pictures of the scene without permission may violate Federal law. Notify local law enforcement officials and request assistance, but do not physically restrain photographers.

c. Compromise Likely. If classified material is discovered and would be visible to media, the senior official shall explain that media coverage can proceed without delay once the material is covered or removed. Delays should be as brief as possible. If reporters persist and do not agree to wait until material is secured, warn them that taking images of the scene without permission may violate Federal law. Notify local law enforcement officials and request assistance, but do not physically restrain photographers or video operators.

d. Compromise Has Occurred. If classified information or material is exposed and cannot be removed or covered, the senior Navy or Marine Corps official shall:

(1) Explain the situation and ask the news media to cooperate;

(2) Explain that Federal law prohibits photography when official permission is expressly withheld (sections 795 and 797 of title 18, U.S.C.);

(3) Ask civil law enforcement officials to help cover exposed classified material.

(4) Immediately contact the managing editor or station manager of the NMR and explain the situation.

(5) Explain that publication, transmission, or communication of classified material, or failure to return the material to military authorities, violates section 793(e) of title 10, U.S.C.

(6) Request the submission of the suspect film, videotape or storage media for the purpose of immediate review.

(7) Rapidly review the film, tape or storage media.

(8) Return the unclassified images or portion to the photographer without delay.

(9) Keep the chain of command up through CHINFO or DIRPA continuously informed, and seek guidance when necessary.

3. Off-base in a Foreign Country. Navy and Marine Corps officials at the scene must conform to the requirements of any status-of-forces agreements, the laws of the host nation, and the instructions of the applicable unified combatant command. The U.S. Embassy military mission chief and public diplomacy section must be immediately notified.

4. Confiscation Guidelines. If as a last result, an NMR has photographic media and that media (equipment) is confiscated, the command shall provide the NMR a receipt for any items taken. The command must not detain the photographer because of the

photographic media. After the photographic media is reviewed and all classified portions are removed, the edited media should be returned to the photographer. Photographic media with information that is believed to be classified or sensitive shall be forwarded for seat-of-government level review by the Director, NCIS or CMC Intelligence Counterintelligence/Human Intelligence Branch (HQMC Code: IO/IOC). Any case of confiscation of photographic media from an NMR shall also be reported rapidly via the chain to CHINFO or DIRPA and the chain of command, preferably by telephone with message follow-up using the reporting system prescribed by OPNAVINST F3100.6J, Special Incident Reporting (OPREP-3 PINNACLE, OPREP-3 Navy Blue and OPREP-3 Navy Unit SITREP) Procedures.

0208 OPSEC

1. General. Information must be reviewed and approved at the appropriate level before release. As sources of information, each DoD member should be aware of OPSEC issues, whether participating in a formal PA event or an informal family event.

2. Releasable and Non-releasable Information. The following guidelines apply unless otherwise specified.

a. Releasable. The following information is generally releasable:

(1) Confirmation of ships and aircraft plainly visible to the public. Ship and unit departures and arrivals are generally of high visibility due to family involvement or other reasons. Guidelines for the release of departure and return dates are usually specified by the echelon 2 commander.

(2) Approximate size of friendly forces embarked aboard ships and aircraft (exact numbers of forces or complete lists of units will normally not be provided).

(3) Casualty figures aboard the embarked vessel or aircraft (names will not be released until confirmation of notification of primary and secondary next-of-kin plus 24 hours subsequent to that confirmation has passed. Names may not be released even after notification if such release may endanger or hinder rescue or recovery operations).

(4) Results of completed missions.

(5) Types and general amounts of ordnance expended (e.g., more than 25,000 pounds of high-explosive ordnance dropped from air wing).

(6) Number of aerial combat missions flown in the area of operations.

b. Non-releasable. The following information is generally not releasable unless declared otherwise by applicable public affairs guidance (PAG) or higher operational authority, or declassified for public release:

(1) Future plans or operations;

(2) Detailed information about vulnerabilities or weaknesses;

(3) Rules of engagement;

(4) Security measures, force protection, or deceptive actions used as part of the operation;

(5) Intelligence collection activities (past and present), including intelligence methods, targets, and results;

(6) Information about downed aircraft or ships while search and rescue operations are being planned or in progress unless clearly in plain sight of media;

(7) Specific types of ordnance expended, and (in some cases) the methods;

(8) Location and activities of special operations forces; and

(9) Details of active law enforcement investigations.

3. Equipment, Procedures, and Operations. Classified aspects of equipment, procedures, and operations must be protected from disclosure because of potential jeopardy to future operations, the risk to human life, possible violation of host nation and or allied sensitivities, or the possible disclosure of intelligence

methods and sources. While these guidelines serve personnel who speak with the media, they may also be used as ground rules for media coverage. The list is not necessarily complete and should be adapted to each operational situation per the operation's applicable PAG.

a. Any information that reveals details of future plans, operations, or strikes, including postponed or canceled operations.

b. For U.S. (or allied) units, specific numerical information on fleet or troop strength, aircraft, weapons systems, on-hand equipment, or supplies available for support of combat units. General terms should be used to describe units, equipment, and or supplies.

c. Specific operating methods or tactics (e.g., offensive and defensive tactics or speed and formations). General terms such as "low" or "fast" may be used.

d. During an operation, specific information on friendly force troop movement or size, tactical deployments, and dispositions that would jeopardize OPSEC or lives. This would include unit designations and names of operations.

e. Information on the effectiveness or ineffectiveness of weapon systems and tactics (to include, but not limited to adversary camouflage, cover, deception, targeting, direct and indirect fire, intelligence collection, or security measures).

f. Special operations forces' unique methods, equipment, or tactics, which, if disclosed, would cause serious harm to the ability of these forces to accomplish their mission.

g. Identification of mission aircraft points of origin, other than as land or carrier-based.

h. Information on operational or support vulnerabilities that could be used against U.S. or allied units until that information no longer provides tactical advantage to the adversary and is therefore released by the joint force commander. Damage and casualties may be described as "light," "moderate," or "heavy."

i. Information and imagery that would reveal the specific location of military forces including in imagery metadata and EXIF files or show the level of security at military installations or encampments. For datelines, stories will state that the report originates from general regions unless a specific country has acknowledged its participation.

0209 PERSONS UNDER CONTROL. The need to give accurate and timely information to the public regarding persons under control (PUCs), civilian internees, prisoners of war (POWs) or enemy prisoners of war (EPWs) must be weighed against the need for OPSEC and personal privacy. For EPWs, the requirements of the Third Geneva Convention of 1949 must also be met. Initial release of information concerning POWs is the responsibility of DoD, unless delegated. Interview and filming of PUCs by media representatives or other members of the public will be coordinated in advance through the staff judge advocate, legal advisor's office or higher authority to ensure compliance with the Law of Armed Conflict. All imagery of PUCs is initially non-releasable until authorized by the designated authority.

0210 MEDICAL MATTERS

1. General. The personal privacy rights of those receiving medical care at Navy facilities will be observed as a matter of law and courtesy. Release of certain information without the proper consent of the patient or patient representative is considered a crime under Federal laws as described below.

2. Health Insurance Portability and Accountability Act (HIPAA). The HIPAA Privacy Rules, effective April 2003, expressly prohibit disclosure of protected health information without specific authorization by the patient or by exception in the HIPAA regulations. PAOs must discuss the release of medical information with the staff judge advocate or Office of the General Council (OGC) legal advisor and facility privacy officer in advance to ensure HIPAA and other applicable requirements are met in each circumstance.

3. Release of Medical Condition. Without a HIPAA-compliant patient authorization or a specific exception stated in HIPAA, it is still permissible to release a one-word condition description of a medical condition without reference to the patient by name or other identifier. A patient's location or

room number may not be given to the media without the patient's authorization. This includes a general location such as intensive care unit, burn unit, etc. Only medical professionals are authorized to determine the description as one of the following:

a. Good.

b. Fair.

c. Serious.

d. Critical.

e. Undetermined.

4. Release Authorization Requirement. An authorization may be signed by a legal representative or parent or guardian of a minor, but the validity of such a release should be confirmed with the judge advocate general (JAG) and or privacy officer. A signed patient authorization is required when:

a. Drafting a detailed statement beyond the standard one-word condition;

b. Taking photos and or video of the patients; and

c. Interviewing patients.

5. HIPAA Non-Applicability. HIPAA regulations do not apply to:

a. A drug testing program of the DoD carried out under the authority of DoD Directive 1010.1 of 9 December 1994 or DoD Directive 1010.9 of 23 August 1988;

b. The provision of healthcare to foreign national beneficiaries of the military health system when such care is provided in a country other than the United States;

c. The Armed Forces Repository of Specimen Samples for the Identification of Remains, established and operated under the authority of DoD Directive 5154.24 of 03 October 2001;

d. The provision of healthcare to EPW, retained personnel, civilian internees and other detainees under the provisions of DoD Directive 2310.01E of 5 September 2006;

e. Education records maintained by domestic or overseas schools operated by DoD;

f. Records maintained by day-care centers operated by DoD;

g. Reserve component medical activities that are not practicing in a military medical treatment facility (MTF);

h. Military entrance processing stations; and

i. Reserve component practicing outside the authority of MTFs who do not engage in electronic transactions covered by DoD 6025.18-R, DoD Health Information Privacy Regulation, of 24 January 2003.

0211 MILITARY JUSTICE MATTERS. Military justice matters, particularly those involving individuals, are of frequent interest to the public. DON activities must balance the individual's rights, the public interest, and the best interests of the Navy, with emphasis in that order. Unauthorized disclosure of details on a matter referred to a court-martial or under investigation may result in a violation of the rights of the accused, the hampering of the government's case, undue influence on the litigation process, or a violation of the Department of Justice guidelines on trial publicity. PA personnel must consult the staff or command judge advocate and the specific documents that apply to the particular issue. Unnecessary rejection of information release can violate the DoD Principles of Information, result in loss of public confidence in the Navy, and can heighten public interest, thereby extending reporting on the matter.

0212 INVESTIGATIONS. The substance, details, or preliminary findings of ongoing investigations will not be publicly disclosed unless the proper authority authorizes disclosure. Not all findings will always be determined releasable. Therefore, PAOs will ensure that any public statement made about an investigation before its conclusion does not imply that all findings will be eventually disclosed.

1. Release Authority. Commands requested to provide information from investigations must have chain-of-command clearance prior to releasing information.

a. Director, NCIS for naval investigative matters and security or other law enforcement matters under the purview of NCIS.

b. Naval Inspector General (NAVINSGEN) for Inspector General investigations and law enforcement matters under the purview of NAVINSGEN that concern Navy organizations or personnel.

c. Commander, Naval Safety Center, for mishap investigation reports and other safety investigations.

d. General court martial convening authority who provides the final review for a command investigation convened under chapter 2 of the JAG Manual investigation.

e. Assistant Judge Advocate General (Code 20, Military Law) for any request for release outside DON concerning courts martial records, and article 69 and 73 petitions.

f. Office of the Judge Advocate General, Claims and Tort Litigation (Code 15) is the release authority for litigation report investigations

g. Office of the Judge Advocate General, Administrative Law (Code 13) is the release authority for article 138, Complaint of Wrongs.

h. Director, NCIS is the release authority for investigations involving actual or possible loss or compromise of classified information.

i. The cognizant echelon 2 commander is the release authority for courts and boards of inquiry.

2. Imagery. Imagery of an event may be eligible for release even if it is “attached” to a legal or safety investigation. However, all imagery must be approved by CHINFO or DIRPA, as appropriate, for release. Saying it is part of an investigation is not an exemption. An aircraft carrier’s pilot’s landing aid

television tapes or other official video or still photography of accidents or incidents may be immediately releasable if judged in the Navy's and publics' interest. CHINFO or DIRPA, as appropriate, is the final release authority.

0213 PROPRIETARY INFORMATION. DON is responsible for protecting information derived from proprietary data of a private party per the Trade Secrets Act (section 1905 of title 18, U.S.C.) and other laws. Such information must be withheld from public release, when it is in DON's control and is not otherwise releasable.

1. Copyrighted Information. The written permission of the copyright holder must be obtained before copyrighted material may be used. This includes reproduction by duplication machine and dissemination in that form. Be aware that information, including VI (i.e., photographs, graphics, video, animation) and especially audio (i.e., music and interviews), is copyrighted unless the publication (including World Wide Web sites) indicates otherwise.

2. Distribution of Press Clips. PAOs may select, reproduce, and distribute press clips and summaries of broadcasts for official review in order to inform commanders and other key officials of news developments relating to or impacting their mission. Such clips and summaries must be distributed with an advisory that warns against any personal use of the service. A sample advisory is provided below:

> "These press clips and broadcast summaries are prepared by the command public affairs office to inform key personnel of news items of interest to them in their official capacities. They are not intended to be a substitute for newspapers, periodicals and news and public affairs programming as a means of keeping informed about the meaning and impact of news developments. Selection or distribution of articles does not imply endorsement. Further reproduction for private use or gain is subject to original copyright restrictions."

0214 CONGRESSIONAL INQUIRIES

1. General. Because most media inquiries parallel the concerns and interests of Members of Congress, PAOs need to understand the congressional issues that drive media interest. PAOs also need to understand the extent of influence by media publications on both government officials and their constituents.

2. Authorized Local Response. If a command is in routine contact with a State's congressional delegation and if the information requested is of routine nature and of negligible national or DON-wide impact, the command may respond to the inquiry without resort to higher authority.

3. Response Guidelines. When answering an inquiry, the following guidelines apply:

a. Congressional inquiries will be answered in a timely and professional manner: a full reply within 10 working days, or an interim reply within 5 working days.

b. Commands will reply directly on all routine and non-policy matters, and will send copies of both incoming and outgoing correspondence to the Office of Legislative Affairs (OLA).

c. As a matter of protocol, Members of Congress should receive the information before it is released to the media or the public, unless instructed otherwise by CHINFO or OLA.

4. When to Contact CHINFO or OLA. When the subject matter of a news release is of interest to a Member of Congress, the command will forward copies of the release to CHINFO for release to interested members and to other members or committees as appropriate. A command will consult OLA or CHINFO for guidance in handling a request for information if:

a. The command has no routine contact with the Member of Congress, staff member or other official making the request.

b. The request is unusual or extraordinary.

c. The request has potential for wider impact beyond the local level.

5. Communication as Private Citizens. Nothing in this article is intended to modify existing regulations concerning communication between Members of Congress and DON members acting as private citizens.

0215 NAVAL NUCLEAR PROPULSION

1. General. The disclosure of any information pertaining to naval nuclear propulsion matters is made on a strict need-to-know basis pursuant to agency regulations and Federal statutes. For information that is to be made public, special care is required to ensure it contains nothing prohibited from public dissemination for security reasons and it contains the proper perspective recognizing overall public sensitivity to nuclear issues.

2. Responsibilities. The Director, Naval Nuclear Propulsion Program (CNO (N00N)), is responsible for overseeing, in close coordination with CHINFO, all PA matters related to naval nuclear propulsion. This includes ensuring responses to the public, the news media and any foreign audience are properly formulated, reviewed for security, and correctly handled in both routine and emergent situations.

a. Commands shall keep CHINFO and CNO (N00N) informed via the chain of command of any PA matter related to naval nuclear propulsion, including matters that may appear only indirectly related to nuclear propulsion. Proposed releases to news media, individuals, or non-Navy organizations must be submitted to CHINFO for further review and clearance by CNO (N00N) and other cognizant officials as necessary.

b. In the event of a nuclear or radiological emergency involving a nuclear propulsion plant or support facility, CNO (N00N) will exercise principal responsibility for PA regarding the emergency. This includes establishing and maintaining direct communication with the ship or activity involved and the appropriate Navy and Marine Corps fleet, force, and region commanders.

c. CNO (N00N) must concur in all statements and responses to press inquiries prior to their release if they are related to local naval nuclear propulsion program work at shipyards and nuclear-powered ship support facilities not otherwise requiring clearance by CHINFO.

0216 NUCLEAR WEAPONS

1. Security Review. Unless specified otherwise below, information pertaining to nuclear weapons matters, including unclassified controlled nuclear information (UCNI), must receive security review at the OASD(PA) level before public release. Because national security can be compromised when elements of unclassified information are combined with available or previously released information, all nuclear weapons information will be afforded adequate security protection.

2. Releasing Authority. Authority to release information on nuclear weapons matters rests with OASD(PA). Any command proposing to initiate a release relating to nuclear weapons matters, including UCNI, will forward the proposal through the chain of command to Director, Strategic Systems Program (SSP). NMRs will be referred to CHINFO. FOIA requests will be forwarded to the Director of Navy Staff. Coordination points within the DON areas are as follows:

a. Nuclear weapons safety, inspections, accidents, or incidents: Director, SSP.

b. Physical security of nuclear weapons: Director, SSP.

c. Research and development of nuclear weapons: Director, SSP.

d. Nuclear weapons operations, any politico-military implications and "confirm/deny" policy: Deputy Chief of Naval Operations (Operations, Plans, and Policy) (CNO (N3/N5).

3. Inquiries about the Presence of Nuclear Weapons. Commands will respond to inquiries about the presence of nuclear weapons with one of the following statements, unless otherwise specified in this article or in other governing directives and orders.

a. The approved response to questions about the presence of nuclear weapons on U.S. Navy surface ships, attack or guided missile submarines, and naval aircraft not in Japan, Latin America, or Antarctica is:

> "It is the policy of the U.S. Government not to deploy nuclear weapons aboard U.S. Navy surface ships, attack or guided missile submarines, and aircraft. However, we do not discuss the presence or absence of nuclear weapons."

b. The approved response to questions about the presence of nuclear weapons on U.S. Navy shore installations, ballistic missile submarines (strategic submarines), supporting, and container ships is:

> "It is the policy of the U.S. Government to neither confirm nor deny the presence or absence of nuclear weapons at any general or specific location."

c. The approved response to questions about the presence of nuclear weapons on U.S. Navy surface ships, attack or guided missile submarines, and aircraft making port visits to Japan is:

> "It is the policy of the U.S. Government not to deploy nuclear weapons aboard U.S. Navy surface ships, attack or guided missile submarines and aircraft. However, we do not discuss the presence or absence of nuclear weapons. The U.S. Government understands the special sentiment of the Japanese people concerning nuclear weapons and has faithfully honored its obligations under the treaty of mutual cooperation and security, and will continue to do so."

d. The approved response to questions about the presence of nuclear weapons on U.S. Navy shore installations in the Latin American (including all of South and Central America, and the entire Caribbean) nuclear weapon free zone is:

> "The United States has ratified Additional Protocols I and II to the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean, known as the Treaty of Tlatelolco. We are in full compliance with our commitments under Additional Protocols I and II to the Treaty of Tlatelolco."

e. The approved response to questions about the presence of nuclear weapons on U.S. Navy commands located in Antarctica (south of 60 degrees south latitude, including all ice shelves) is:

> "It is the position of the U.S. Government that nothing in the Antarctica Treaty shall prejudice or in any way affect the rights, or the exercise of the rights, of any State under international law concerning the high seas within that area. We are aware of our commitments under that Treaty and are in full compliance with those commitments."

4. Nuclear Weapons Accidents and Incidents

a. In the United States, its territories and possessions, OASD(PA) retains initial PA responsibility for nuclear weapons accidents and incidents. In overseas areas, the appropriate combatant commander retains initial PA responsibility (except for cases of weapon loss, theft, or seizure) in coordination with OASD(PA).

b. In a nuclear weapon accident occurring in the United States, its territories, or possessions, OASD(PA) and the initial response force (IRF) and response task force (RTF) commanders are required to confirm to the general public the presence or absence of nuclear weapons or radioactive nuclear components, when necessary, in the interest of public safety or to reduce or prevent widespread public alarm.

c. In a nuclear weapon accident overseas, OASD(PA) or the combatant commander, with the concurrence of the foreign government through the appropriate chief of U.S. mission, may confirm the presence of nuclear weapons or radioactive nuclear components in the interest of public safety. Notification of public authorities is required if the public is, or may be, in danger of radiation exposure or other danger posed by the weapon or its components.

d. PA actions may include the release of statements to the news media to expedite the implementation of safety procedures.

e. IRF and RTF commanders are authorized to consult OASD(PA) to obtain initial PA policy guidance or request an exemption to policy.

f. In the event of loss, seizure, or theft of a nuclear weapon or component or seizure of a nuclear weapons storage site, OASD(PA) shall release information in coordination with the Federal Bureau of Investigation and Special Assistant for Naval Investigation Matters and Security (N09N). This does not apply outside the United States, its territories, and possessions where specific U.S. Government agreements exist for the release of this information.

0217 THE DON SEAL, THE NAVY EMBLEM, AND OTHER INDICATORS

1. Use of the DON Seal. Use of the DON seal is approved for DON purposes only. Sections 506 and 1017, of title 18, U.S.C., prohibits use of the DON seal by anyone other than bona fide commands and activities of the DON and DoD where appropriate. SECNAVINST 5030.4A restricts the use of the DON seal to official use only and to the exclusive use of the DON and DoD.

2. Navy Office of Primary Responsibility. Per SECNAVINST 5430.7Q, the Chief of Naval Research shall supervise, administer, and control activities within or for the DON relating to trademarks and copyrights and matters connected therewith. See also SECNAVINST 5870.7.

3. Use of the Navy Emblem. An optional graphic, the Navy emblem (right), may be used with permission. Non-DoD or non-DON entities wishing to use the emblem should contact the Office of Naval Research and request an application for a license to use the emblem. The contact information is:

Department of the Navy
Office of Naval Research
Office of Counsel, Code 00CC
ATTN: Trademark Licensing Office
875 N. Randolph Street
Arlington, VA 22203-1995
Fax: 703.696.6909
E-mail: tmlicense@onr.navy.mil

4. Marine Corps Trademarks. The official Marine Corps seal, emblem, and initials "U.S.M.C." are deemed to be insignia of the United States (10 U.S.C. §7881).

5. Use of the Marine Corps Seal. Reproduction and use of the Marine Corps seal, as designated in Executive Order 10538 of 22 June 1954, is restricted to materials emanating from Headquarters Marine Corps. Except for the manufacture of official letterhead and stationery and related items of official Marine Corps use, reproduction and use of the Marine Corps seal is prohibited (Section 765.14 of title 32, CFR).

6. Marine Corps Office of Primary Responsibility. Per Chief of Naval Research delegation through the CMC, the organization responsible for administering permission to use USMC trademarks is the Marine Corps Trademark Licensing Office.

7. Use of Marine Corps Trademarks

a. The Marine Corps reserves the right to review, screen, or license any USMC-themed private-sector product or advertisement to ensure the proposed usage upholds the dignity and reputation of the USMC and to ensure such use does not subject the Marine Corps to discredit or adversely affect the health, safety, welfare, or morale of members of the Marine Corps, or is otherwise objectionable, per Marine Corps Order 5030.3B. The use of Marine Corps trademarks by third parties for any purpose, including reproduction on merchandise, is expressly prohibited unless the producer enters into a license agreement with, or is otherwise granted permission by, the Marine Corps. Use is governed by the terms of the license agreement (10 U.S.C. §2260).

b. Except for trademark licenses or other grants of permission, DoD and Marine Corps policy and regulations prohibit use of official Marine Corps markings and symbols in ways that imply endorsement of a commercial entity or activity (See part 2635.702 of title 5, CFR, and DoD 5500.07-R, Joint Ethics Regulation, of 1 August 1993).

c. The contact information is:

Headquarters United States Marine Corps Public Affairs (PA)
Trademark Licensing Office
3000 Marine Corps Pentagon

Washington DC, 20350-3000
703-614-7678 (phone); 703-697-5362 (fax)
Trademark licensing@usmc.mil (e-mail)
www.marines.mil/trademark (Web site)

8. Use of Other Indicators. The term "indicator" is any DON word, symbol, ship, aircraft, or other platform name, designator, logo, unit or squadron patch, sound, slogan, phrase, official seal, emblem, domain name, name of any historical battle, or other official adopted visual or auditory identifier in use, or intended to be used by the DON. Licensing procedures for these indicators are also accomplished through the Office of Naval Research. See SECNAVINST 5870.7.

9. Required Disclaimer. Ethics regulations prohibit the DON and its employees from using or permitting the use of U.S. Government position, title, or organization names in any manner that would suggest Navy or U.S. Government endorsement or preferential treatment of any non-Federal entity, event, product, service, or enterprise. Any use of the Navy Emblem, logos, or other insignia must be accompanied with the prominent 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].*"

0218 WRITING AND SPEAKING FOR COMMERCIAL PURPOSES

1. Commercial Publication. DON authors may write signed articles and books for commercial publications as long as they comply with rules of DoD 5500.07-R, Joint Ethics Regulation, of 1 August 1993, and the following rules:

a. Articles written in unofficial capacity shall not replace customary public information channels as the public's principal means of receiving prompt, complete Navy and Marine Corps information.

b. If the writing concerns or affects the plans, policies, programs or operations of the U.S. Government, DoD or DON, the author must submit the material for security and policy review (see article 0204.4).

c. A DoD employee who uses or permits the use of their military grade or who includes or permits the inclusion of their title or position as one of several biographical details given to identify himself in connection with teaching, speaking or writing, per DoD 5500.07-R of 1 August 1993, section 2-207, shall make a disclaimer if the subject of the teaching, speaking or writing deals in significant part with any ongoing or announced policy, program or operation of the DoD employee's agency and the DoD employee has not been authorized by appropriate agency authority to present that material as the agency's position. The disclaimer shall be made as follows:

(1) The required disclaimer shall expressly state that the views presented are those of the speaker or author and do not necessarily represent the views of DoD or its components.

(2) Where a disclaimer is required for an article, book or other writing, the disclaimer shall be printed in a reasonably prominent position in the writing itself.

2. Commercial Speaking. Where a disclaimer is required for a speech or other oral presentation, the disclaimer may be given orally provided it is given at the beginning of the oral presentation.

3. Compensation. DON employees may not receive compensation from anyone other than the government for work conducted as part of official duties.

4. Copyright. DON employees may not copyright any work conducted as part of official duties.

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5 U.S.C. §552
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5 U.S.C. §552a
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http://www.usdoj.gov/oip/foi-act.htm

E.O. 12344
http://www.archives.gov/federal_register/executive_orders/1982.html

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http://www.dtic.mil/whs/directives/index.html

JP 3-07.2, Joint Tactics, Techniques, and Procedures for Antiterrorism

JP 3-61, Doctrine for Public Affairs in Joint Operations

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DoD Directive 1010.9 of 20 January 1992

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DoD Freedom of Information Act Handbook
http://www.dod.mil/pubs/foi/docs/FOIAhandbook.pdf

DoD Manual 3150.8-M, Nuclear Weapons Accident Response Procedures (NARP), 22 February 2005

National Response Framework, December 2008
http://www.fema.gov/pdf/emergency/nrf/nrf-core.pdf

For all SECNAV and OPNAV instructions, please see the Department of the Navy Issuances Web site at http://doni.daps.dla.mil/

Manual for Courts-Martial, United States policy on information release pertaining to courts martial
http://www.jag.navy.mil/documents/mcm2008.pdf

SECNAVINST 5211.5E

SECNAVINST 5239.3B

SECNAVINST 5430.7Q

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SECNAVINST 5700.9E

SECNAVINST 5720.42F

SECNAVINST 5730.5J

SECNAVINST 5870.7

OPNAVINST F3100.6J

OPNAVINST 3104.1A

OPNAVINST 3440.15B

OPNAVINST 5721.1F

OPNAVINST 8110.18C

CHAPTER 3 : PUBLIC INFORMATION

0300 PUBLIC INFORMATION

1. General. An open, ambitious public information policy is the Navy and Marine Corps assurance that DON remains accountable to the public. (See chapter 1, article 0101.)

a. Information release will be coordinated with the appropriate offices, subject matter experts, and or activities both internal and external to the command. (See chapter 2, article 0200 and chapter 3, article 0301.)

b. Information will be released at the lowest appropriate level of command unless other guidance dictates. Commands will evaluate factors, such as the subject matter, anticipated impact, the scope of expected media coverage (local or national), and in the case of speeches, the prominence of the speaking venue. Commands will also determine if coordination with other commands, offices, or government agencies is necessary.

c. Information cannot be withheld arbitrarily or merely to avoid criticism or embarrassment.

d. CHINFO and DIRPA may direct other DON offices and activities to support PAOs in preparing the appropriate information release. News media will be treated as a priority.

2. Roles and Responsibilities

a. Commanders

(1) Are ultimately responsible for the PA program at their command, as PA is a function of command. (See chapter 1, article 0102.)

(2) Shall ensure accurate and continuous flow of timely information with appropriate consideration for security, accuracy, policy and propriety – "maximum disclosure, minimum delay." (See chapter 1, articles 0100 and 0101, and chapter 2, article 0200.)

(3) Will give the PAO direct access to all policy makers and other relevant senior officers, and include the PAO in all operational planning.

(4) May delegate release authority for the command to the command PAO.

(5) Should pursue regular encounters with the media and will make staff available to support media requests. This is especially relevant during military operations and exercises.

(6) Are strongly encouraged to allow credentialed journalists access to their command (with command escort as feasible). Journalists should be permitted open access to unclassified aspects of military vehicles, locations, personnel, aircraft and vessels.

(7) Will provide or support transportation for journalists when necessary and per DoD regulations. (See article 0302.)

(8) Will not use or allow disinformation activities or deception operations intended to disinform, deny releasable information to or mislead the U.S. public, the government, or the U.S. and international media. This includes disinforming the media about military capabilities and intentions in ways that could influence U.S. decision makers and public opinion.

b. PAOs

(1) Are responsible for the successful execution of the PA mission in support of the commander's communication objectives.

(2) Will facilitate open, timely and uninhibited access to public information, except where restricted by law, security classification, or privacy statutes. (See chapter 1 and chapter 2.) When so restricted, will seek unrestricted information that may satisfy news media needs.

(3) Will communicate information about Navy and Marine Corps programs, activities, missions, and responsibilities to both external and internal U.S. audiences as well as international and host-nation populations.

(4) Will protect the privacy of those who use or request information, as well as those about whom information exists in government records.

(5) Will act as liaisons but not interfere with the reporting process (except to correct inaccuracies); expedite the flow of information through the civilian and military news media to both external and internal U.S. audiences and international audiences; and work to ensure accurate media coverage by encouraging media understanding of both facts and context.

(6) Will advise the commander on all relevant PA matters that may impact the command. This requires a broad knowledge of the naval services, in-depth awareness of operations, and the ability to project the potential impact of proposed actions on internal and external publics.

(7) Should consult or create applicable PA guidance.

(8) Will closely collaborate with other military and civilian PAOs as appropriate for coordination or mutual assistance to ensure accuracy and comprehensiveness, and that all spokespersons have the same information.

(9) Will inform the immediate next senior PAO in the operational chain of command about items with national or international media interest; those with local media interest when expected to reach the attention of flag or general officers; and those involving real, perceived, or anticipated security breaches, unless specifically directed otherwise by the commander.

(10) Will promote positive relations between the command and local communities.

c. PAOs and the Protocol Function. The protocol function is not part of the PA mission. These functions should be separate unless extraordinary circumstances dictate otherwise.

d. Unofficial Roles. Off-duty PAOs and other DON members who are acting in an unofficial capacity can positively multiply public information efforts when acting with forethought. Like other Service members, PAOs acting in a private capacity not

connected with their official duties have the right to prepare information for public release through non-DoD forums or media if:

(1) No laws or regulations are violated.

(2) Ethical standards and compliance are maintained. (See DoD Directive 5500.07 of 29 November 2007, and chapter 1, article 0102.)

(3) The preparation activities are not conducted during normal duty hours or using DoD facilities, property, or personnel except as authorized. (See DoD 5500.07-R of 1 August 1993, section 2-301).

(4) No official DON information is released which is not generally available to the public. A disclaimer may be necessary in some cases. (See DoD 5500.07-R of 1 August 1993, section 2-207.)

0301 MEDIA RELATIONS

1. General. A core PA mission for all commands is to provide a timely, accurate and truthful flow of information to local, national, and international publics. Use of the mass media is a primary means of disseminating information, and is often the most rapid and credible means. Commanders will take a proactive posture to build and maintain key relationships between their units and the media. These relationships are proven to support accomplishment of commanders' objectives, establish trust with the media and the public, and reduce misinforming the public and command personnel. Commanders will prepare for potential media interest in all command programs, plans and actions.

2. Release of Information. Commands will release information as candidly and as rapidly as the situation and issue permits. Commands will not contribute to misinformation by neglecting to consider releasing information pertinent to establishing the character and context of an issue. Media deadlines challenge the command's ability to respond comprehensively. Commanders should release the best information available by deadline and prepare to provide more information as warranted to ensure an accurate portrayal of the issue. The media should be advised that more information may be forthcoming and, when applicable,

be advised as to the reason for the delay, i.e., the names of casualties must be withheld until 24 hours after verified notification of next of kin. Commanders will not delay or reduce disclosure of information based on its unfavorable or embarrassing nature.

3. Coordination. All information provided to national or international news media must be coordinated with the chain of command and approved in advance by CHINFO or DIRPA, unless release authority is already delegated. Command spokespersons will consult applicable PAG, if any, and applicable PAO(s) in the chain of command before providing information to the media. If a command learns that a news report will receive wide attention, the command must inform CHINFO or DIRPA via the chain of command. Include a description of the circumstances and responses proposed (or, in the case of fast-breaking news, already made) by the command.

4. News Media Representatives (NMR). An NMR is defined in JP 1-02 as, "An individual employed by a civilian radio or television station, newspaper, newsmagazine, periodical, or news agency to gather and report on a newsworthy event." Given the capabilities of the Internet, DON commands must also treat persons who gather and publish news by non-traditional means, such as bloggers and other Internet-based media, as NMRs to ensure consistency in relations across external information organizations and representatives.

a. Berthing and Messing. Basic services, such as messing, will be provided to NMRs on a reimbursable basis. NMRs will normally be granted the privileges of an officer in the grade of O-4 or above for messing and transportation, and also for billeting when such accommodations are conveniently available.

b. Passports and Visas. Media are responsible for obtaining their own passports and visas, when required. Some countries may be unwilling to grant access and may place restrictions on the number of NMRs and their freedom of movement.

c. Travel Orders. Hosting units may issue no-cost invitational travel orders for media when necessary.

d. Equipment Movement. NMRs are responsible for loading and carrying their own equipment at all times.

5. Foreign Media Based in the United States. Assistance to foreign correspondents based in the United States and listed by the U.S. State Department's Foreign Press Center shall be provided in the same manner as that to U.S. media persons following current directives. Routine assistance to nominal requests for releasable material may be provided to all media persons if deemed in the best interest of the DoD.

0302 MEDIA VISITS

1. General. A media visit is when one or more NMRs are with a unit for a short duration, ranging approximately from a part of a day to up toward a week, usually with a firm definition of length. Media visits are typically for becoming familiar with one or more of a unit's missions, observing training and exercises or conducting interviews. Within the limits as specified in chapter 2, required elsewhere within DON directives or necessitated by local circumstances, NMRs will be given broad access to DON commands and personnel. Media access may include embarkation aboard ships and aircraft. It may also include embedding with specific units on the ground. A primary point of contact will be designated by the command to facilitate planning and execution of the visit.

2. Escorts. An escort will normally be assigned by the unit commander. The primary point of contact referenced in paragraph 1 may also be the escort. Escort duties can shift between unit representatives depending on the requirements of the situation, but commanders should minimize such changes because the frequency of changing escorts has proven directly proportional to the effectiveness of a visit for both the NMR and the command. Although an escort is frequently with the NMR, the escort is not required to be with the NMR at all times. The escort's proximity to the NMR will be based on the circumstances of the visit, as determined by the unit commander. The escort's duties include, but are not limited to:

a. Being the NMR's primary informational resource for execution of the visit.

b. Ensuring the NMR has access to unit personnel and spaces agreed to during visit planning, and to additional personnel and spaces as may be agreed upon during the visit.

c. Ensuring the NMR is familiar with safety requirements.

d. Supporting "security at the source." (See chapter 2, article 0205).

e. Supporting adherence to ground rules by the NMR and unit personnel.

f. Familiarizing unit personnel with the purpose of the media visit.

g. Coordinating logistics within the visit.

h. Performing other tasks as necessary to meet the mutual objectives of the unit and the NMR.

3. Media Embarkation in Ships and Aircraft

a. Fleet commanders have approval authority for all media embarks with the exception of national and international media, which require approval at least 24 hours in advance by CHINFO (via the Assistant Chief of Information for Media Operations and Plans). Fleet commanders may approve requests in emergent situations with less than 24 hours advance notice with immediate notification to CHINFO (via the Assistant Chief of Information for Media Operations and Plans). Fleet commanders may delegate media embark approval authority to three-star subordinates. These commands should also coordinate with their associated combatant commander, when necessary.

b. Only OASD(PA) has the authority to approve PA travel arranged by the Navy or Marine Corps in conjunction with another Federal department or agency or with a foreign government. OASD(PA) may delegate this authority to help expedite the approval of media requests for embarks, especially during ongoing operations.

c. Commander, U.S. Fleet Force Command; Commander, Pacific Fleet; Commander, U.S. Naval Forces Europe (COMUSNAVEUR); Commander, U.S. Navy, Central Command; Commander, U.S. Naval

Forces Southern Command (COMUSNAVSO); Commander, Navy Education and Training Command (COMNAVEDTRACOM); CMC; Commander, Naval Air Forces; Commander, Naval Air Systems Command; Commander, Naval Reserve Forces Command; and Chief of Naval Air Training (CNATRA) may authorize carrier onboard delivery (COD) and or vertical onboard delivery transportation for media, civilian guests and other designated personnel not otherwise qualified for government air transportation.

4. After Action Reporting

a. Navy commands shall provide feedback to CHINFO Media Operations and Planning (OI-3) via the chain of command via the most expeditious method possible as soon as possible after embark completion. Feedback should include:

(1) Name of command embarking journalists;

(2) Name and title of journalists embarked;

(3) Location of embark;

(4) Date of embark;

(5) Overview of events covered by the news media during the embark;

(6) Specific feedback or requests from media (if applicable);

(7) Expectations for media coverage (focusing on any specific issues affecting other commands);

(8) Print and video news clips (if available);

(9) Any follow-up required (e.g., unanswered questions or additional requests); and

(10) Lessons learned.

b. Marine commands shall provide feedback to Headquarters Marine Corps Division of Public Affairs (DivPA) media branch as soon as an operation or incident occurs. After completion of a deployment, PA should submit lessons learned to the Marine Corps

Center for Lessons Learned. A common access card (CAC) is necessary for logon. The center can be found at https://www.mccll.usmc.mil/.

0303 MEDIA EMBEDDING

1. General. A media embed is when a media representative remains with a unit for an extended period, such as a week or more, and sometimes without a firm definition of embed length. An embarkation of approximately a week or less, particularly when learning about the unit's missions or observing exercises, is not usually considered an embed. Media may be embedded with unit personnel at air and ground bases and afloat to ensure a full understanding of all operations. Embedded media operate as part of their assigned military unit.

2. Access. Commanders at all levels will provide access to forces under their command by NMRs. NMRs will be given access from the first stages of an operation through completion and subsequent post-operation activity. Commanders will ensure the media are given the opportunity to observe actual operations, including mission preparation and debriefing, whenever possible. The personal safety of reporters is not a blanket reason for exclusion.

3. Ground Rules. When embedding media, it is essential that specific ground rules be established and thoroughly understood by both the media and the embedded unit.

4. Security. PA personnel must be particularly aware of the need to balance media access with OPSEC. As a commander's counsel and advocate for PA, PA personnel must be well-versed in OPSEC.

5. Logistical Support. Units should plan lift and logistical support to assist in moving media products to and from the battlefield and supporting them while in the area of responsibility (AOR).

a. Communications. NMRs will generally file their product via self-contained or commercial communications facilities, and they should be encouraged to do so whenever possible. When commercial facilities are not available or feasible, commanders will provide media with communications support via military

communications systems. While this should not come at the expense of critical military communications, commanders must give every consideration to allowing timely transmission of media product. Communication restrictions, if required, must be included in the media ground rules.

b. Transportation. Transportation assets for NMRs and media products during the embed will be dedicated to support maximum coverage of the operation, to include support for news media embedded while units deploy to the AOR. Use of priority inter-theater airlift for embedded media to cover stories, as well as to file stories, is highly encouraged. Seats aboard vehicles, aircraft, and ships will be made available to allow maximum coverage of U.S. forces. Coordinating and demonstrating media transportation in and out of the AOR is the responsibility of the embedding unit, and will be accomplished on a space available, no-additional-cost-to-government basis. To the extent possible, space on military transportation will also be made available for any necessary media equipment. NMRs are responsible for loading and carrying their own equipment at all times.

c. Termination. A media organization may terminate its embed at any time. Unit commanders will provide, as the situation permits and based on availability, military transportation for reporters to the nearest source of commercial transportation. Once the media terminates the embed, there is no guarantee it can embed again with the same unit.

0304 TRANSPORTATION OF NMRs. The following guidelines apply to the embarkation and movement of NMRs in DON vessels and aircraft. They apply regardless of whether the embarkation in the vessel or aircraft is the subject of reporting or if it simply constitutes logistical support. It applies to all personnel who are performing in the role of news generation or who work normally in the role of news generation, typically such as reporters, bloggers, producers and editors. Visits by news executives such as managing editors, publishers, and presidents are normally part of distinguished visitor programs, but if the visit will result in news generation, the same rules will apply to the executives and non-executives alike.

1. Use of Military Transportation. Military transportation shall not compete with commercial sources. This does not apply

to orientation flights, or when military transportation is deemed in DON's best interests in order to meet the commander's obligation to provide accurate and timely information.

2. Aircraft Types. Preferred aircraft to transport NMRs include helicopters or multi-engine, dual-piloted aircraft, as available within commercial resources and not to interfere with operational priorities. This does not apply to orientation flights. (For passenger safety requirements such as survival training, see OPNAVINST 3710.7U)

3. Travel for Coverage of Emergent News. To facilitate travel authorization to cover an emergent situation, the most expeditious means should be recommended by commands initiating the request via telephone or e-mail requests. Justification for the travel should state the PA purpose and the need for military (as compared to civilian) transportation.

4. Local Travel. Commanders are authorized to approve local travel or transportation for PA purposes wholly within the scope of their mission and responsibilities if:

a. The PA subject matter is not properly the responsibility of a higher command.

b. The public interest is limited primarily to the mission and vicinity of that command.

c. The travel focuses on local media as part of an approved local PA program that meets a DON PA objective.

d. It supports NMR arrival and departure. Short trips between an airport (or other transportation center) and a command are authorized. Command vehicles may be used for this purpose.

5. Non-Local Travel. For non-local travel that does not fall within the scope of responsibility of a unified command, submit requests to CHINFO or DIRPA, who will forward with a recommendation to CNO or CMC and, if necessary, to OASD(PA). Submit non-local travel requests to the unified command when the travel is expected to occur within that AOR. Non-local travel requests to foreign countries must be coordinated well in

advance with the applicable embassies and senior operational PA organization in theater, since many countries require theater and country clearances.

6. Travel Aboard Military Sealift Command (MSC) Ships. Media may be embarked in MSC vessels on either a space-required or space-available basis when travel is determined to be in the best interests of DON or DoD. Requests must be coordinated with MSC PA.

7. Embarkation Aboard Maritime Pre-positioning Ships. Commands receiving requests from media to embark maritime pre-position ships shall forward those requests to CHINFO via DIRPA.

8. Reimbursable Travel. OASD(PA) is responsible for approving travel or transportation by DoD-owned or -controlled aircraft used for PA programs. This includes requests arranged by any agency or command of DoD, jointly with, or at the request of another Federal department, agency, or foreign government on a reimbursable basis.

9. Advance Coordination. The length of advance notice required or requested to arrange media travel will depend on many variables. PAOs and others involved in requesting or arranging travel must be aware of the standards expected or desired by the command providing or approving the transportation.

0305 THE INTERNET AS A PUBLIC INFORMATION TOOL. The Internet is a powerful information tool for both internal and external use. PAOs must understand how to use and manage it, along with its associated technological tools. This technology is a PA outreach force-multiplier, and can greatly enhance the ability to provide strategic advice to leaders, contribute to morale and readiness, and increase public trust and support for the command. Commands must create and maintain a clear process for establishing, reviewing, and ensuring ongoing maintenance and accuracy of public Web presences (See chapter 7, article 0700.4). The command’s release authority for public information (usually the commander or the PAO) must establish effective review of information posted on a publicly-accessible Web presence to ensure the information is appropriate for public release.

0306 ENTERTAINMENT MEDIA, DOCUMENTARIES, AND OTHER EXTERNAL PRODUCTIONS

1. General. Movies, television programs, documentaries, videos and similar media are powerful venues for conveying messages and impressions. Requests for support are evaluated on many factors including authenticity, informational value, and impact on an accurate image of the U.S. military.

a. OASD(PA) is the sole authority to approve DoD assistance to these types of productions. CHINFO and DIRPA are responsible for approval and coordination of naval involvement with the entertainment industry.

b. NAVINFO WEST and the Marine Corps PA office in Los Angeles (LA) execute naval policy for this support and maintain direct liaison between CHINFO and DIRPA and the industry. NAVINFO WEST or DIRPA also coordinates with OASD(PA) and operational commanders. In many cases, a NAVINFO West, Marine Corps PA (LA) or other PA representative will be sent to assist with on-site production.

c. Unit commanders that are asked for support from production companies must contact NAVINFO WEST or Marine Corps PA (LA) to analyze the request, determine whether any support will be approved and decide the extent of support that can be provided on a non-interference with mission basis.

2. Unauthorized Commitments. Requests for support often become much more detailed and demanding than they first appear. Promises of support to the requesting company may not be granted by individual units. It will be made clear to requesters that the unit does not have decisional authority on these matters.

3. Production Agreements. A production agreement will normally be established that governs specific requests for support (personnel, facilities, and equipment) and identifies the respective responsibilities of the parties involved. OASD(PA), which has final authority on the parameters for support of any project, CHINFO or DIRPA, and the production company sign the agreement.

4. Screenings. When a commercial film produced with Navy or Marine Corps cooperation is screened, units may provide exhibits

for display in theater lobbies, coordinate displays of recruiting material, and arrange for personal appearances of DON military and civilian personnel, provided such cooperation is approved by CHINFO or DIRPA.

5. Support for Local Productions. Local productions largely refer to local television and radio programs, including, but not limited to, televised community events, talent shows, career-oriented shows, game shows, and sports programs. These may be authorized by local commanders. Article 0501, paragraphs 1, 3 and 4 of these regulations should be consulted when making decisions about supporting the local production.

6. Participation by Navy and Marine Corps Personnel

a. Participation in external productions is authorized when all of the following are met:

(1) The individual desires to participate.

(2) Participation is dignified and in keeping with Navy and Marine Corps standards of excellence.

(3) Participation is compatible with operational commitments.

(4) Participation does not place military members in competition with professional performers seeking employment.

(5) In those instances in which the military member is not officially representing the Navy or Marine Corps, the individual is in an unofficial and off-duty status (liberty or leave). Commands and activities may not infringe upon the rights of individuals who seek to participate in productions in their personal capacity. While an individual may not use his or her uniform, official status, or official position to imply DON or DoD promotion, endorsement, or sponsorship of a non-Federal entity, individuals may promote, endorse, and sponsor non-Federal entities in their personal capacities as private citizens. Refer individuals who seek to participate in a production in their personal capacities to a JAG or general counsel attorney for legal advice.

(6) Participation does not provide a selective benefit to, or involve, or give the appearance of involving the promotion, endorsement, or sponsorship of, any individual, group, or organization, including any religious or sectarian organization, ideological movement, political campaign or organization, or commercial enterprise.

b. Approval is not required when DON personnel attend as members of an audience, even though they may be selected as a participant during the broadcast.

7. Off-Duty Status as Actors

a. Naval members in an off-duty status may be hired by a production company to perform as actors or "extras," provided there is no conflict with existing Navy or Marine Corps directives.

b. Contractual arrangements are solely between the individual and the production company, though payment should be consistent with current industry standards.

c. The producer is responsible for resolving any disputes with unions governing the hiring of non-union actors and extras.

d. A Service member may wear his or her personal uniform only in those roles in which he or she is portraying himself or herself or a character in the service to which the individual belongs and at the same pay grade and specialty.

e. Navy and Marine Corps units may advise military personnel of opportunities to participate in productions being supported by the U.S. Government. Units may also help identify for the production company personnel who may be most appropriate for participation in the production.

8. Commercial Advertising, Publicity, and Promotional Activities. Requests from commercial enterprises, including military contracts that allow the use of Navy and Marine Corps members, equipment, and facilities for advertising purposes, must be submitted for approval by OASD(PA) via CHINFO or DIRPA. Navy and Marine Corps cooperation with commercial advertising, publicity, and other promotional activities must conform to the applicable standards of conduct and DoD 5500.07-R, Joint Ethics

Regulation, of 1 August 1993. The decision regarding DON support is based primarily on whether an endorsement of a commercial product is made or implied, and whether such support could bring discredit to the Navy or Marine Corps.

0307 USE OF MILITARY UNIFORMS AND INSIGNIA

1. DON personnel will not grant, suggest or imply authorization to use uniforms with military insignia except as authorized by Public Law. Section 772 of title 10, U.S.C., permits the wearing of a military uniform by actors. "While portraying a member of the Army, Navy, Air Force or Marine Corps, an actor in a theatrical or motion-picture production may wear the uniform of that armed force if the portrayal does not tend to discredit that armed force."

2. In certain other instances, OASD(PA) may approve the wear of uniforms with military insignia, but will only be considered in cases where there is no violation of Public Law or of DoD policy.

3. When the wearing of uniforms with military insignia is permitted by OASD(PA), it may be in DON's best interests to provide counsel or documentation on the appropriate wear of uniform articles. Such assistance must meet other pertinent criteria, as appropriate, contained in article 0304 and article 0504.

4. Government authorization is not required to use uniform clothing that does not include military insignia.

5. Requests to use or reproduce DON insignia, emblems or other marks for commercial gain will be referred to the Office of Naval Research for Navy and DIRPA for Marine Corps. (See article 0217.)

References:

Department of Defense Issuances are found at http://www.dtic.mil/whs/directives/index.html

DoD Directive 5122.05 of 5 September 2008

DoD Directive 5230.09 of 22 August 2008

DoD Instruction 5410.15 of 28 March 1989

DoD Instruction 5410.16 of 26 January 1988

DoD Directive 5500.07 of 29 November 2007

DoD 5500.07-R of 1 August 1993

JP 3-61, Doctrine for Public Affairs in Joint Operations, May 2005

Department of the Navy Issuances are found at http://doni.daps.dla.mil/default.aspx

SECNAVINST 5211.5E

OPNAVINST 3104.1A

OPNAVINST 3710.7U

CHAPTER 4 : INTERNAL COMMUNICATION

0400 FUNDAMENTALS

1. General. Internal communication refers to both the development of themes and messages, and the communication vehicles to carry those themes and messages to internal audiences. The DON internal audience includes active duty and reserve military members, DON civilian employees, retirees, and the families of all those groups. Internal communication also enables an organization to establish, maintain, and employ the traditional two-way communication channels, both upward and downward, between command leaders and command members. To be most effective, however, internal communication must also flow horizontally among all command members. Effective internal communication employs the full media spectrum. Leaders are held accountable for communication as a measure of their performance, and align their own communication with the information needs of the organizational mission and the internal audiences.

2. Goals. A command's internal communication program directly enhances personnel readiness when properly supported and effectively implemented by the chain of command. Those in key leadership positions shall ensure research, planning, execution and assessment phases are conducted. Internal communication efforts are as vitally important as external communication and community outreach.

3. Elements of Effectiveness. An effective internal communication program:

a. Is consistent with the command's vision, mission and goals, and with DON values, ethics, standards of behavior and priorities.

b. Supports the command mission by keeping the internal audience well-informed about the organization, its mission and goals and ongoing change. Communication is essential to successful change management.

c. Satisfies the personal, professional and career development information needs of internal audiences, including those who are deployed, serving in remote or isolated duty stations, or are aboard ship.

d. Enhances quality of work and quality of life.

e. Encourages a positive lifestyle by recognizing and reinforcing personal excellence.

f. Is accurate, truthful and timely.

g. Is resourced and includes measures to determine whether audiences are receiving and understanding the messages.

h. Is open and multi-directional: down, up, horizontal, and diagonal.

0401 ROLES AND RESPONSIBILITIES

1. CHINFO and DIRPA. CHINFO is responsible for establishing DON internal communication policy, in conjunction with DIRPA. CHINFO and DIRPA are responsible for providing communication products designed to reach the entirety of the internal audiences.

2. Commanders. Commanders are responsible for keeping their internal audiences fully informed. In carrying out this responsibility, commanders shall ensure an internal communication plan exists, with specific communication objectives specified. They shall also assess internal communication effectiveness.

3. Defense Media Activity (DMA). DMA is the primary production and coordination center for DON-centric news and information products, focusing on DON-wide distribution via Web sites, print and visual news services, magazines and other products. DMA also provides media products for a variety of applications afloat and ashore.

References:

Navy directives are found at http://doni.daps.dla.mil/

SECNAVINST 5430.7Q

U.S. Navy Regulations, 1990

CHAPTER 5 : COMMUNITY OUTREACH

0500 COMMUNITY OUTREACH

1. General. Community outreach is an important contributor to achieving mission. Well-planned and executed community outreach programs earn public support and understanding of the Department of the Navy (DON). Outreach programs also enhance the morale of DON members. All members and naval organizations involved in their local communities are the best ambassadors for the Armed Forces and the best role models for recruiting. Benefits back to the DON include a preferred operating environment by way of greater trust and understanding established through outreach and other PA activities. Recruiting goals are supported strongly by community outreach programs.

2. Objectives. Community outreach programs shall support the following objectives: Create and sustain partnerships with various publics both at home and abroad; increase public awareness and understanding of the Navy and Marine Corps; support recruiting goals; support equal opportunity goals and non-discrimination policy of DON; and inspire patriotism through observance of Navy and Marine Corps traditions and days of national significance, and by personal example. The Navy must engage its communities in a way that conveys the ethical and responsible stewardship by the Navy and Marine Corps of financial, natural and human resources placed in their trust. Community outreach events will be designed to provide meaningful, factual information to the specific target audience. Commands will ensure their outreach programs include diverse audiences who are unfamiliar with DON.

3. Record Keeping. CHINFO must be kept informed of emergent situations. For long range planning and communication integration, significant events shall be placed on the Navy-wide PA calendar or other integration tool in use at that time. Marine Corps activities should be logged in at www.Marines.mil under the "In the Community" link. Although this instruction requires no recurring reports, such reporting can be established if commanders deem necessary. Records of community relations activities and programs, however, shall be maintained by commanders at all levels. Sufficiently annotated records that will allow reconstruction of community relations activities include the following:

a. Support request forms or letters.

b. Disposition of requests.

c. Description of events and activities undertaken.

d. Type and extent of the participation by the Military Services.

e. Assessment of effectiveness (e.g., surveys, crowd size, media coverage, etc.).

0501 PARTICIPATION IN COMMUNITY OUTREACH EVENTS

1. General. Commanders who oversee community outreach programs must ensure support is appropriate, does not selectively benefit any entity, reflects positively on the naval services, is compliant with DoD and DON policies, DoD 5500.07-R, Joint Ethics Regulation, of 1 August 1993, and complies with safety standards. Within legal and policy guidelines and restrictions, commanders who oversee community outreach programs at all levels shall consider the interests of both their service and the community. The DON may only support those events that demonstrably help achieve the Department's mission, and PAOs must seek legal advice before committing Department resources for such events. DON members may engage in forums and activities of common interest and benefit when such involvement does not interfere with operational missions, priorities, resources, ethics, and other policy. Funding and other limitations make it impossible to grant every request.

2. Definitions. The following definitions can help to evaluate proposed participation:

a. Official Federal Government Event. An event sponsored solely by an element of the Federal Government and paid for solely with appropriated funds, in which officials of any branch of the Federal Government are involved in the performance of their official duties.

b. Official DoD Event. An event sponsored by the DoD, a DoD component, or a command, using appropriated funds, conducted in support of an assigned mission, including purposes of esprit de corps, primarily for active duty personnel (including

Federalized National Guard members) and civil service personnel, dependents, and guests. These are normally held on installations unless on-base facilities are inadequate.

c. Official Civic Event. A public event sponsored and conducted by Federal, State, county, or municipal government, using appropriated funds, including corresponding authorities of a host nation in overseas areas. Events include inaugurations, dedications of public buildings and projects, ceremonies for officially invited governmental visitors, and ceremonies for officially invited government guests. (Community or civic celebrations, such as banquets, dinners, receptions, carnivals, festivals, opening of sports seasons, and anniversaries are not considered official civic events or ceremonies even though sponsored or attended by civic or governmental dignitaries.)

d. Public Event. An event, to include ceremonies, exhibitions, expositions, athletic contests, fairs, air shows, conventions, meetings, symposia, or similar programs, not connected with the military functioning of DoD and intended primarily for non-military audiences.

e. DON Community Outreach Events. Events sponsored by DON commands for the purpose of educating the public, increasing awareness of the command, providing command personnel avenues to serve the community, and building and maintaining relationships with the community. These events generally comprise efforts supporting schools, neighborhoods, local organizations, veterans and other activities supporting the overall needs of a community. Public tours, embarkations and visitation can also be considered military community outreach events.

f. National Capital Region (NCR). The geographic area located within the boundaries of the District of Columbia; Montgomery and Prince George's counties in the State of Maryland; Arlington, Fairfax, Loudoun, and Prince William counties and the cities of Alexandria, Fairfax, Falls Church and Vienna in the Commonwealth of Virginia.

3. Propriety

a. Commands shall avoid support that might result in or create the appearance of using a U.S. Government position for private gain; treating any person or organization preferentially

(i.e., selective benefit), impairing U.S. Government efficiency or economy (mission interference), or violate fiscal law, losing complete independence or impartiality, circumventing official channels or causing loss of public confidence in U.S. Government integrity. When considering command-initiated community outreach activities or reviewing external requests for DON participation in events, commanders shall determine appropriateness before approving participation. Participation must be acceptable in scope, type, and resources involved. Participation is limited to dignified activities that conform to the letter and spirit of all references. In planning and assessing proposals and internally driven community outreach plans, commanders shall review community needs, resources available, and the purposes to be served. Whether specifically prohibited by references or by this instruction, all DON members shall comply with DoD 5500.07-R, Joint Ethics Regulation, of 1 August 1993; DoD Directive 5500.07, Standards of Conduct, of 29 November 2007, and fiscal law.

b. Naval personnel who are required to establish and maintain professional relationships with business or civic groups (e.g., represent the government) will observe the highest ethical standards with strict limits placed on their attendance and conduct and will avoid conflicts of interest, actual or perceived, which can arise unexpectedly in attending functions and accepting gratuities, gifts or other invitations.

4. Criteria. DON units and personnel are encouraged to participate and promote public events that are educational, patriotic in nature, or that offer community-wide or recruiting benefits. Policy underlying community outreach participation, sponsorship, site selection and type of support is strict. In each of those areas, participation must be considered suitable as discussed below:

a. Program Considerations. The Navy and Marine Corps may take part in programs ordered by law or Federal government; patriotic or other events of general public interest, and recruiting programs. In order to be eligible for DON support, the programs shall not:

(1) Appear to endorse or favor any private individual, special interest group or business, religion, ideology, commercial venture, political candidate or organization.

(2) Intend to provoke controversy or public confrontation.

(3) Charge an admission fee for fundraising purposes.

b. Sponsor Considerations. DON may take part in programs or events sponsored by local, State or Federal governments; veterans, service-related, patriotic and historic organizations; civic, service organization (e.g., Rotary, Optimist), youth, professional or educational entities. The following limitations apply:

(1) Support of events sponsored by commercial entities should be patriotic, incidental to the primary program and shall not appear to endorse or benefit the sponsor's commercial activity.

(2) Support to organizations that specifically exclude any person from its membership for reasons of creed, race, gender, color or national origin can be provided only if the particular program is of bona fide significant community-wide interest and benefit, not for the primary benefit of the organization.

(3) Partisan political organizations, ideological movements, and organizations whose constitution, by-laws, membership qualifications or ritual are not made public (i.e., secret societies), are ineligible for DON support.

c. Site Considerations. DON may support public events conducted at a local, State or Federal property, and at private facilities with the following restrictions:

(1) Facilities must be open to the general public. Admission, seating or other accommodations shall not be barred to any person because of gender, race, color, creed, religion or national origin.

(2) If the event is conducted in a building or facility used for religious purposes, the program must be of community-wide interest, non-sectarian and broadly promoted.

(3) If the event is conducted at a shopping mall, the program shall be directly related to recruiting and shall not appear to selectively benefit any commercial business.

d. Type of Support Eligibility. DON may provide support that can reasonably be expected to bring credit to the individuals involved and to the Navy and Marine Corps and is consistent with DON policies. DON support to public events shall not involve:

(1) Activities that might constitute a restraint of trade in the regular employment of civilians in their art, trade or profession.

(2) Use of Navy and Marine Corps services, resources or facilities which are reasonably available from commercial sources and where such would be in fact, or perceived to be unfair competition.

(3) Performances that constitute the primary or major attraction for which admission is charged, with the exception of: service academy sporting events, military aerial demonstration team shows, and U.S. Navy Band and USMC Band authorized tours.

(4) Use of active duty, reserve or Reserve Officer Training Corps personnel in uniform outside military bases and ships as ushers, escorts, doormen, drivers of non-Federal government vehicles, guards, parking lot attendants, runners, messengers, baggage handlers, crowd control or any other inappropriate capacity.

(5) Any other activities that would interfere with military needs or operational requirements.

5. Approval Levels. Proposals for community outreach programs exceeding a commander's purview, local support capability, or the scope of this policy will be referred via chain of command to a higher echelon using the DD 2536 Request for Armed Forces Participation in Public Events. Proposals will include a description of the anticipated program, justification, expected civilian reaction, recommendations, and predicted benefits.

a. CHINFO, DIRPA and or OASD(PA) are the approving authority for:

(1) Navy support of community outreach programs in the NCR, except speaking engagements to non-foreign groups. NCR covers the District of Columbia; Montgomery and Prince Georges Counties in Maryland; Arlington, Fairfax, Loudoun, and Prince William Counties in Virginia; and the cities of Alexandria, Fairfax, and Falls Church in Virginia.

(2) National and international programs, to include conventions and meetings, except those overseas that fall under combatant commands and or the Defense Security Cooperation Agency. Events outside the United States, which have an interest and impact reaching beyond the combatant command AOR or which require assistance beyond the combatant commander's capabilities.

(3) Programs requiring liaison between DoD and Washington, D.C. offices of national non-governmental organizations and similar groups, except service-specific, special-interest groups such as the Navy League of the United States.

(4) Programs providing information or other support to national organizations, including business and industry groups.

(5) Aerial reviews on military installations within the United States if the review involves more than one service; proposals for aerial, parachute, or simulated tactical demonstrations (TACDEMO) held off military installations. Requests for aerial events should be submitted on the current version of DD 2535 Request for Military Aerial Support. (See article 0508.)

(6) Sporting events, including preseason, post-season or previously scheduled national sports and professional athletic events within the United States.

(7) Events of professional, technical, or scientific interest to the Navy and Marine Corps when participation results in additional costs to the U.S. Government. (Referred proposals must include cost estimates.)

(8) Appearance on regional or national broadcast media by Navy or Marine Corps musical units.

(9) Programs or events requiring exceptions to DoD policy, which must be specifically justified.

b. Commanders are authorized to participate in local events that are jointly planned and conducted by border communities of the United States, Mexico, and Canada and to coordinate fully with appropriate U.S. State Department officials.

c. The SECDEF has made combatant commanders responsible for approving and participating in overseas public events. They also implement community outreach programs within their AOR, but may delegate this authority. Combatant command PA personnel are responsible for coordinating with components on programs requiring multi-service support. DON components receive community outreach guidance directly from the combatant commander or joint task force commander, when delegated.

d. Programs taking place in the United States or overseas which impact a combatant or specified command, or are otherwise significant to the combatant command shall coordinate through appropriate channels when proposed support will impact operations, require major administrative, financial or logistical support, or draw media or host-nation interest.

6. Fundraising. All DoD components must conform to a government-wide charitable fundraising policy, per the U.S. Office of Personnel Management (OPM), executive agent for government fundraising, and oversees the annual Combined Federal Campaign (CFC). Beyond the CFC, charitable and fundraising support is restricted except for the organizations listed below in paragraph 6e, regardless of personal or collective views about an organization’s worth. These restrictions apply to any fundraising outside the CFC itself, for any local, regional, national, or international charity, regardless of whether or not that charity is included in the CFC family of charities. This prohibition should not be confused with DON’s ability to provide community outreach support to public events that contribute a portion of its proceeds to multiple charitable organizations as an incidental purpose of the main event, e.g., public air show. Refer to DoD Directive 5410.18 of 20 November 2001.

a. DoD members shall not officially endorse or appear to endorse any non-Federal entity, event, product, service, or enterprise, including membership drives for organizations or fundraising activities.

b. Events may not support or appear to selectively benefit any individual group, charity, organization, political campaign, ideological movement, or commercial enterprise.

c. Generally, fundraising events for a single cause are inconsistent with DoD policy. This is true even when the prospective recipient is covered by the CFC, or is an authorized component-specific campaign such as the Navy and Marine Corps Relief Society or the Marine Corps Scholarship Foundation. Single-cause fundraising is not authorized even when funds raised are to be donated in whole or part to one or several CFC charities. Please see the command JAG or OGC with specific questions.

d. General publicity in internal communications to promote annual CFC or service-specific campaigns is allowed, but PA personnel and editors shall not appear to favor a single or several charities in DON internal communications. The purpose of OPM's yearly CFC is to offer DON member's private choices in charitable-giving, without influence.

e. Membership drives for the following non-Federal entities are allowed:

(1) Navy-Marine Corps Relief Society.

(2) The CFC.

(3) Emergency and disaster appeals approved by the OPM.

(4) Other private organizations composed primarily of DoD members or their families when raising funds among their own members is for the benefit of welfare funds for their own members or families. Such events require approval by the head of the DoD component command or organization after consultation with the designated agency ethics officer. (This includes most morale, welfare, and recreation (MWR) programs, regardless of funding source.)

f. Fundraising restrictions do not preclude volunteerism by individuals on behalf of charities of their choice. Volunteerism in a personal capacity and out of uniform is encouraged.

g. DON members shall not participate in fundraisers for the purchase of gifts, real or personal property even when intended for presentation to the Navy or Marine Corps.

7. Political Activity. As a matter of law, the U.S. Armed Forces must refrain from any activity or association that could be interpreted as linking the services with political causes, candidates or organizations. Involvement in partisan political activity is restricted for both military and civilian DoD members. Active duty political involvement is governed by DoD Directive 1344.10 of 19 February 2008. Rules differ slightly for Federal civilian employees. (See the Hatch Act, chapter 2, references and article 0503.1.) For detailed information, see DoD 5500.07-R of 1 August 1993, and legal counsel.

8. Presidential Inaugurations and Funerals. The Military District of Washington is the OASD(PA) designated executive agent for all events in the NCR (see article 502.2), including presidential inaugurations and funerals. DON will support these events as tasked.

9. Military Funeral Honors. DoD policy requires that a military funeral ceremony be provided to eligible beneficiaries upon request. These honors demonstrate professionalism while reflecting the respect accorded to military service. The following guidelines apply:

a. The U.S. Air Force is the DoD executive agent for funeral honors. However, the parent service of the deceased beneficiary has responsibilities that cannot be waived.

b. Next of kin (NOK) of eligible beneficiaries must request funeral honors through their funeral director, who then contacts the nearest regional military funeral honors coordinator.

c. NOK of eligible beneficiaries shall need to place only a single phone call to request funeral honors. If receiving such a call, PA personnel shall respond immediately and shall follow up to ensure the necessary coordination is carried out.

10. Inaugural Parades and Ceremonies for State Governors. Participation by active and reserve units is appropriate at inaugural parades and ceremonies, subject to the availability of personnel, vehicles, equipment, bands, color guards, exhibits and aircraft. When military personnel and equipment are not sufficient for the level of support desired, a request for additional assets may be made via the chain of command. Bands, personnel, and equipment from outside the local area may be provided only if no additional cost to the Federal Government is incurred, unless otherwise approved by OASD(PA).

11. Color Honor and Color Guards. A joint armed forces color detail will normally be used when DoD provides a display of colors for an authorized public event. This detail is composed of two Army bearers with National and Army colors, one bearer from each service (Marine Corps, Navy, Air Force and Coast Guard) with individual service colors, and an Army and a Marine rifleman as escorts. The color guard used at events of purely DON participation will normally be composed of DON members.

a. Precedence. If participation by more than one service is considered appropriate but a joint armed forces color detail is not available, the National colors will be carried by the senior member of the senior Military Service present, following the precedence below:

(1) Cadets, U.S. Military Academy

(2) Midshipmen, U.S. Naval Academy

(3) Cadets, U.S. Air Force Academy

(4) Cadets U.S. Coast Guard Academy

(5) United States Army

(6) USMC

(7) United States Navy

(8) United States Air Force

(9) United States Coast Guard

(10) Army National Guard of the United States

(11) Army Reserve

(12) Marine Corps Reserve

(13) Navy Reserve

(14) Air National Guard of the United States

(15) Air Force Reserve

(16) Coast Guard Reserve

(17) Other training organizations of the Army, Marine Corps, Navy, Air Force and Coast Guard, in that order. An example is a Junior Reserve Officer Training Corps unit from a local school.

(18) When the U.S. Coast Guard is operating as part of the U.S. Navy, the cadets of the U.S. Coast Guard Academy, the Coast Guard and Coast Guard Reserve follow the midshipmen of the Naval Academy, the Navy and the Naval Reserve.

b. Flags of Foreign Nations. DON members may carry flags of foreign nations in official civil ceremonies when an official of that country is present in an official capacity and is one to whom honors would normally be rendered. In any other case, DON members in uniform or present in an official capacity will not carry flags of foreign countries, veterans' groups or other non-military organizations.

12. Parades, Special Motion Picture Showings and Other Public Events. Only OASD(PA) may authorize participation when events are on a national or international scale and are determined to be in the best interest of DoD. Commanders may authorize participation in a local event sponsored by the community (rather than by a single commercial entity, including a merchants' association) and when its purpose is remote from business interests.

13. Commercial Entities. DON units shall not participate in events conducted for the benefit of commercial enterprises. Participation of commercial entities in an event, however, does not preclude Navy or Marine Corps participation if the event's emphasis is placed on civic or community involvement.

14. Beauty Contests and Fashion Shows. DON units shall not participate in or support beauty contests, fashion shows and their attendant ceremonies.

0502 FISCAL POLICY FOR COMMUNITY OUTREACH

1. General. DON commanders will take a planned approach to community outreach, assessing return on investment while meeting command and higher echelon-established outreach requirements. If warranted and available, use of government funds and outreach assets (e.g., aviation, band, displays) beyond local resources can be authorized by a higher authority.

2. Funding for Participation in Community-Sponsored Activities. Except for programmed operations and maintenance (O&M) funds, the government shall not incur any additional costs by participating in community-sponsored activities. Civilian sponsors are normally required to bear costs above the command's normal costs of participation. Examples of costs not above normal costs are military and civilian pay and allowances, equipment operation and maintenance and other costs often associated with community outreach activity, most of which ordinarily exist even if the command did not participate in the activity. Examples of costs above the command's normal costs include logistics support, shipping exhibits, utilities, travel, meals and lodging. Command participation in community-sponsored activities can be part of its community outreach plans, and participation in these events can be deemed as having a higher return on investment than government-sponsored events. Therefore, bearing "above normal" costs may be considered in the best interests of the command in the achievement of its mission.

a. Limitations exist on authorized reimbursement methods. Reimbursement is by check, payable to the Treasurer of the United States. Since reimbursement from a community sponsor generally does not return to the hosting command, reimbursement arrangements are discouraged.

b. DON members are prohibited from receiving individual reimbursement without the commander's permission, which will be granted on a case-by-case basis. PA personnel shall coordinate with command comptrollers and legal offices to identify appropriate "in-kind" and other gift acceptance methods available to community sponsors for offsetting DON expenses.

3. Funding for Command-Sponsored Activities. Resources for command-sponsored activities are approved by local commanders and shall be covered by the command's O&M funds and or Official Representations Funds (ORF). Community outreach participation shall not detract from operational missions. Commands are encouraged to identify necessary annual O&M funds to support outreach events. The duration of a community outreach event shall normally not exceed 3 days.

a. Charging admission is prohibited. No charges or fees shall be imposed on the public by a military installation for admission, parking or viewing any activity. Citizens shall not be charged for photographs.

b. Commands may support approved on-base community outreach events with concessions and other appropriate offerings provided that the generating of revenue for MWR, an association (e.g., Chief Petty Officers Association, spouse support group) is not a primary objective of the event.

4. Disasters. Navy and Marine Corps commands may offer and provide assistance to local adjacent communities in the event of a disaster or other emergency that threatens human life or causes great suffering. The conditions and exceptions governing commander's emergency response are delineated in DoD Directive 3025.18 of 29 December 2010, Defense Support to Civil Authorities (DSCA). CHINFO or DIRPA and other Federal emergency agencies must be advised of circumstances and actions taken. If the disaster constitutes a national emergency, OASD(PA) is the lead agency for release of information related to DSCA.

a. Coordination. Commands lending emergency assistance to save life and limb and or to relieve human suffering should understand that government involvement requires coordination by designated Federal or State coordinating agencies such as the Federal Emergency Management Agency and the Department of Homeland Security. When emergency assistance may attract

national attention and lead to the engagement of other governmental agencies, CHINFO or DIRPA will keep OASD(PA) informed. DON commands shall participate in emergency and crisis response planning and joint exercises with local and regional officials.

b. Overseas. Disaster assistance overseas must be approved by the Department of State and will be coordinated by the combatant commander having cognizance over the affected AOR.

5. Interagency Events. Approval from CHINFO, DIRPA, and in certain circumstances OASD(PA), is required for highly visible interagency programs. DON may join other Federal agencies in interagency exhibits and events.

a. Participation shall not interfere with official DoD missions or detract from operational training and other readiness requirements. For clarification regarding what constitutes an official occasion, contact CHINFO or DIRPA.

b. Support for an official event, requested by another U.S. Government agency, shall be provided at no additional cost to DON or DoD. The requesting agency is responsible for all associated costs including and not limited to meals, lodging and transportation.

c. Any loan of equipment to a Federal government agency must be approved by CHINFO or DIRPA. Any loaned equipment must be returned promptly and the requesting agency shall pay for damages or repairs.

6. Presidential Authorization. When the President determines participation in an international fair, event or other display of U.S. economic, democratic or cultural progress will strengthen international outreach, the President authorizes such participation across Federal agencies, with notification down the chain of command from OASD(PA).

7. Gifts. Acceptance of gifts or gratuities in either a personal or professional capacity is strictly regulated. Specifics:

a. DON members and their families may not accept gifts or gratuities from prohibited sources or offered to them because of

their official position. Prohibited sources are: entities that do or seek business with DON, that conduct activities regulated by DON or that may be substantially affected by the performance or non-performance of a DON employee. Exceptions to this rule exist. A JAG or OGC attorney should be consulted for details.

b. DON members may not solicit gifts or prizes for command events.

c. Offers of gifts exceeding value limits in DoD 5500.07-R, Joint Ethics Regulation, of 1 August 1993 should be forwarded up the chain of command with a description of the item, value and intended use.

d. Gifts from foreign governments require special handling. (See SECNAVINST 4001.2J);

e. DON members shall not participate, in any official capacity, in activities to raise funds for the purchase of gifts, real or personal property even when intended for presentation to the Navy or Marine Corps in the immediate or distant future.

8. ORF. In managing community outreach programs, questions often arise regarding furnishing government-paid meals to guests and distinguished visitors (DVs). The topic of government-funded refreshments at ceremonies and commemorations also comes up frequently. As a general rule, appropriated funds are not legally available to pay for food and refreshments or trinkets in connection with community outreach programs. When presented with such requests, legal advice must be sought. (See DoD Instruction 7250.13, Use of Appropriated Funds for Official Representation Purposes, of 30 June 2009 and SECNAVINST 7042.7K, Guidelines for Use of Official Representations Funds (ORF).)

9. Overseas Navy Relations (ONR) Program Funds. Under ONR, U.S. Fleet Forces Command (USFLTFORCOM) allocates limited funds to type, regional commanders and numbered fleets to support direct community outreach contact between the fleet and the overseas public, with emphasis on ship visits and rehabilitation and repair projects at schools, orphanages, etc. ONR fund use and regulations differ from ORF funds. For detailed instructions on authorized use of this fund, contact USFLTFORCOM PA.

a. Goals of the ONR program are:

(1) To encourage an understanding of the Navy's role in overseas areas where port visits are made or facilities maintained.

(2) To contribute to the preservation of peace through mutual understanding, respect and goodwill between the people of the United States and people in overseas communities.

b. Extreme caution must be used to avoid the support or appearance of influence in the internal political process of an overseas community or foreign country. This must be resisted at every instance. Commanders and commanding officers should be especially careful to avoid giving the appearance or impression that the United States is anything but neutral in any host nation's internal political situation.

Note: The U.S. Navy Civic Action Program should not be confused with the ONR program. The civic action program involves non-military self help to foreign countries characterized by low key U.S. Navy involvement. It differs from the ONR program in that the ONR program seeks to win friends for the United States through highly visible deeds of unselfish service by the U.S. Navy, with little or no indigenous or military involvement.

0503 SPEAKING PROGRAMS

1. Speeches. Speeches and similar presentations by DON personnel, whether military or civilian, are an effective means to inform the public. Every effort should be made to fill requests for DON speakers, especially flag officers and other key members, unless overriding circumstances or commitments preclude acceptance.

a. All speeches shall:

(1) Remain within the speaker’s purview, and for civilian employees, be in compliance with the Hatch Act.

(2) Be non-partisan and shall not imply any DON sponsorship, endorsement or agreement with partisan statements made by others. (Also see article 0506.3.)

(3) Be consistent with national, DoD and DON policy.

(4) Receive security and policy review, as appropriate. (See chapter 2.)

b. The appropriateness of the speaking venue can be as important as the speech itself. Public and private forums are unsuitable for DON speakers when:

(1) The sponsoring organization has a controversial agenda or advocates for policies contrary to the interest of the DON or the U.S. Government. (See also 0506.2.)

(2) Attendance is barred to anyone because of race, gender, creed, color or national origin.

(3) The primary purpose of the event is fundraising, except for designated causes such as the CFC or Navy and Marine Corps Relief. Charging a fee to attend the event is not considered fundraising when the purpose of the fee is to defray the cost of the event.

c. DoD 5500.07-R, Joint Ethics Regulation, of 1 August 1993, precludes DoD personnel from accepting fees for speeches made in their official capacity. The following limitations applied to speeches delivered by DON personnel in their private capacities:

(1) Fees may be accepted for speeches produced and delivered entirely in a private capacity. Such speeches may concern topics related to the speaker’s military experiences or duties, but speakers may not use information obtained as a result of their official access to government information not generally available to the public.

(2) Speeches delivered in a private capacity shall include a required disclaimer that expressly states that the views presented are those of the speaker or author and do not necessarily represent the views of DoD or its components.

d. The objective of DON community outreach programs is to build relationships with constituents in local communities

throughout the United States. Priority must be given to those audiences with the least familiarity with the mission, roles, and capabilities of the DON.

2. Speakers Bureaus. The CHINFO and DIRPA will maintain a speakers bureau, either within the organizations themselves or at a field activity. Subordinate echelons should coordinate with CHINFO and DIRPA via the chain of command to augment or complement the services and databases of the Speakers Bureaus (Navy) or the Senior Leadership Services Portal (SLSP) (Marine Corps). DON units and speakers should use the Speakers Bureau or SLSP when preparing a speech, searching for DON speakers or performing other functions related to speaking. To share good speaking and presentation material with the rest of the DON, units and speakers will consider forwarding speeches and presentations to the Speakers Bureau or DIRPA for use in whole or part by others.

0504 USE OF NAVY AND MARINE CORPS FACILITIES OR MATERIAL. Event sponsors desiring military support for community outreach events will submit their requests (other than aviation) on DD 2536 to the nearest military installation, which will evaluate the appropriate level of support and forward requests up the chain of command if necessary. Support must be within the command's PA responsibility and the interests of DON. PA personnel may offer guidance in completing the DD 2536, but will not complete the forms for the requester.

1. The following requirements apply to the loan of equipment and permission to use facilities:

a. Support must not interfere with the operational or training mission of the command.

b. Equipment must be readily available within the command or obtainable from a nearby DON command, and not obtainable from commercial sources.

c. The loaning commands must be willing to provide similar support to comparable events.

d. Support cannot result in potential danger to persons or private property that could lead to a claim against the government. Safety requirements shall be observed.

e. DON may not take part in programs intended to provoke controversy, or which endorse, selectively benefit, or show preferential treatment of any private individual, special interest group, business, religion, ideology, commercial venture, political candidate or organization; or which are intended to increase sales and business traffic for a specific business or merchant association.

f. Support of fundraising events beyond the CFC is severely restricted.

g. Support of youth programs is governed by regulation.

h. Support will not imply endorsement of a commercial enterprise or a partisan political candidate. This includes commercial requests for use of uniforms and insignia, which require OASD(PA) approval.

i. Use or demonstrations of equipment during trade shows or similar events overseas is further defined in article 0510.5.

2. Use of open (dining) facilities is permitted as per NAVSUP P-486, section 2001 (Food Service Management for General Messes) for:

a. Persons attending a professional or technical military seminar, and the use of mess facilities are incidental to that seminar.

b. A civic group on an official orientation or indoctrination visit.

c. Navy or Marine Corps League, base community council (BCC) or similar group holding a luncheon or dinner meeting (not to exceed one per quarter per group).

d. National youth group on an orientation or indoctrination visit.

3. Loan of assets between agencies is allowed but must be considered on a case-by-case basis and shall be approved by CHINFO or DIRPA. Participation will be at no additional cost to DoD and will not detract from DoD operational, training or other requirements.

4. Loans to law enforcement for the purpose of protecting life, limb or property are allowed with appropriate approvals.

0505 RELATIONS WITH COMMUNITY, PROFESSIONAL, AND SPECIAL INTEREST GROUPS

1. General. Interaction between key command official and local civic leaders and groups facilitates effective, positive, professional community outreach. Such interaction is conducted officially through authorized military participation in local civic programs, and unofficially when Navy personnel serve as private citizens in civic and professional organizations. DON members should be encouraged to join local civic and professional organizations at their own expense.

a. Commanders and PA personnel will seek opportunities to attend and, if invited, serve as ex-officio members of key civic organizations representing the spectrum of community segments. They may also engage in events of mutual interest to the command and to civic organizations when the events or commemorations are patriotic and benefit the greater community.

b. Commanders and PA personnel will not provide material and services in competition with private businesses offering similar services for a fee. (See article 0504.) When influential business leaders are engaged in community outreach activities, their business interests must be incidental to that activity and not connected to DON's involvement.

c. Local commanders will host key civic leaders and groups for periodic command tours and local briefings, with a particular focus on groups unfamiliar with DON. (See article 0505.)

d. BCCs or civilian advisory boards provide forums for local leaders from various sectors (i.e., business, religion, educational) to work closely with military officials. These councils can identify common interests, solve problems, enroll military families in community activities, deconflict community calendars, and provide continuity to an installation's community outreach programs. Commanders will avoid fiscal or administrative management of these councils and will not announce personnel or other reductions to such groups.

e. As an alternative or complement to BCCs, installations may be involved with local chamber of commerce military affairs committees, rotary club or other pivotal groups, based on the PAO's assessment of the local climate.

f. Ships, installations, regional commanders and PA personnel may initiate relevant local projects such as adopt-a-ship or namesake programs provided they comply with DoD and DON directives and instructions.

2. National Organizations. With the exception of the NCR (see article 0501.2.f.), local commanders may deal directly with local and regional chapters of national organizations. OASD(PA) is the point of contact for national organization headquarters on all matters, except as discussed below.

a. CHINFO will be the principal point of contact for the headquarters level of Navy-affiliated organizations (e.g., the Navy League of the United States) and requests from national headquarters of national organizations for Navy-unique information or speakers. Local commanders may work directly with local and regional chapters of such organizations. The point of contact in CHINFO is OI-6, the Office of Navy Community Outreach.

b. When organizations make requests that bear directly on DON, direct them to CHINFO and DIRPA for further coordination with OASD(PA) as necessary.

c. To obtain DON speakers beyond the scope of local speaker’s bureaus, file a request form via regional command PA personnel to CHINFO or DIRPA. (See article 0504.)

d. When organizations request information about contracting, refer them directly to the cognizant contracting officer.

e. Those requesting detailed technical or scientific information that is unavailable via open sources must be directed to CHINFO or to DIRPA. (See chapter 2.)

f. For detailed scientific or technical services, except for movies or documentaries which CHINFO and or DoD handles, organizations must coordinate with CHINFO or DIRPA. (See chapter 2.)

3. Innovative Readiness Training (IRT). IRT allows combat service support and combat support units, such as Seabees and Marine units, to assume projects that protect critical local, State, regional and national infrastructure. This support is normally granted as unit training related to military occupational specialties and rates. IRT shall not compete with commercial entities. Requests for IRT support must come from military-civilian advisory councils such as a BCC. When considering IRT requests, commands will avoid preferential treatment (selective benefit) and the appearance of endorsement. After action reports and files regarding IRT will be maintained at the unit level.

0506 INTERACTION WITH STATE AND LOCAL GOVERNMENTS

1. General. The Navy and Marine Corps interact on several levels with Members of Congress (see chapter 2, article 0212) and with regional, State and local elected officials. Appropriate coordination followed by responses to general questions is mandatory. This is done through direct interaction locally; however, contact becomes more formal and limited at the State and Congressional levels. Both military and civilian DON members must be aware of restrictions on any real or perceived involvement in partisan politics.

2. Response Requiring Advance Coordination. Higher echelon coordination is required in certain cases. Commands will consult OLA, CHINFO or DIRPA for guidance in handling requests from a State or local elected official if:

a. The request is unusual or extraordinary.

b. The request has the potential for impact beyond the local level.

3. Political Activity, Campaigns, and Election Year Guidance. DON encourages civilian and uniformed members to carry out the obligations of citizenship to the maximum extent possible

consistent with policy. Election years warrant particular caution for PA personnel as they schedule public appearances, events, and speeches and plan internal communications.

a. Internal Regulations, Requirements and Prohibitions. Authorized Navy and Marine Corps internal communications products will not carry discussions, cartoons, editorials or commentaries dealing with political campaigns, candidates, or issues that are partisan in nature.

b. Restrictions on Use of Facilities. Commanders shall not allow any facility or equipment or assigned personnel to be used by any candidate, staff member or campaign representative for political purposes.

(1) Navy and Marine Corps support, i.e., bands, color guards and similar units, shall not be provided to political meetings, ceremonies or similar events.

(2) Requests for speakers shall be carefully evaluated to preclude participation in politically oriented programs.

c. Authorized Use of Facilities. Members of Congress, whether or not they are candidates for reelection, may be granted access to Navy and Marine Corps ships and installations in their official capacities. They may not be granted access to a ship or installation in their role as candidates. All requests from Members of Congress to visit DON installations should be coordinated with the OLA. (See also chapter 2, article 0212.)

d. Response to Politically Charged Queries. When response to media queries have overt political information or unavoidably contain an expression of opinion on political causes, candidates or organizations, the news media representative (NMR) will be informed that answering the question is inappropriate. A statement similar to the following should be used:

> "You have asked a question that would require a statement on a political matter. It is our long-standing policy to refrain from statements that tend to associate the Services with a particular political (cause, candidate or organization)."

0507 PUBLIC TOURS, GUEST EMBARKS, AND VISITATION

1. General. Tours provide an excellent demonstration of Navy and Marine Corps professionalism to a significant portion of the community. Although demanding of personnel time, the rewards in public support are significant. Impressions visitors gain from going aboard a ship or installation can be lasting. In practice, most shore installations honor requests for tours from various groups throughout the year and reserve a specific day or number of days—Navy Birthday, Marine Corps Birthday and Armed Forces Day—for the accommodation of general visiting. Designation of a ship for general visiting purposes is usually made by the senior officer present afloat or other authority.

a. The availability of a command for tours and visits will depend upon the security conditions in force, personnel available to conduct the tour, operational commitments of the command and other circumstances. Embarkations should only be conducted within the framework of regularly scheduled operations. Underway operations are never conducted solely to accommodate guests.

b. PA personnel must closely coordinate ship visiting with anti-terrorism and force protection personnel.

2. Definitions and Basic Information. Definition and basic information for various visits, tours and embarks are provided below:

a. Open House. The term open house is no longer used because its legal implication is unrestricted public access to the command. All visitors are guests of the officer in command.

b. Public Visitation on Invitation of the Commanding Officer. Visitation of a Navy or Marine Corps command is extended to the public by invitation of the commanding officer. The public is invited (through news releases, posters, etc.) to visit certain areas on guided tours or under escort. Should circumstances warrant (e.g., sudden security threat, unruly visitors, etc.), the invitation can be withdrawn.

c. Command Visit. A visit scheduled and supervised by a Marine Corps recruiting district to provide educators and selected media an opportunity to visit a Marine Corps

installation and observe operations first-hand. The 4th Marine Division and 4th Marine Aircraft Wing are also sponsor commands for command visits.

d. Educator Orientation Visit. A visit scheduled and supervised by a Navy recruiting district (NRD) to provide educators an opportunity to visit Navy installations and ships in port and observe activities first-hand. Representatives of local news media may participate on a limited basis. They must agree beforehand that their purpose is to cover the educator orientation visit (places visited, reactions of educators, interviews of Navy personnel from the hometown covered by the medium etc.). Details are issued by COMNAVCRUITCOM.

e. Congressional Visits. A visit to Navy or Marine Corps commands by Members of Congress, their staffs or representatives of a congressional committee, including staff members are scheduled and coordinated by the Chief of Legislative Affairs who coordinates as necessary with CHINFO or DIRPA. Details are published by the Chief of Legislative Affairs.

f. Friends and Family Visits. Visits or embarkations of families and personal guests of the crew of a Navy ship.

g. Media Embarkation. Visits or embarkations of media representatives on assignment. Details are provided in chapter 3, article 0301 (Media Relations) and article 0302 (Media Visits).

h. Guest Embarkations. Any embarkation by civilian guests on Navy ships for PA purposes falls under the cognizance of SECNAV.

i. DVs and Very Important Persons Tours and Visits. CNO or CMC will issue coordinating instructions and reporting requirements for such visits.

3. Basic Guidance for Public Visitation and Tours of Ships. The following guidelines can be applied to most installation visits and shipboard tours.

a. All hands must be reminded that they are representatives of the Navy or Marine Corps. Fostering this attitude is

particularly important when conducting tours or hosting visits of persons whose exposure to the Sea Services has been limited.

b. For foreign port visits, ship's company and embarked personnel should prepare for visitors by receiving briefings on local customs and traditions.

c. Disabled visitors should be permitted to participate in visits and tours to the maximum extent possible, provided the participation does not pose an unacceptable risk to the safety of the disabled visitor, other visitors or the ship and crew. Commanding officers shall evaluate participation in shipboard visits or tours by disabled visitors on a case-by-case basis using the principles of operational risk management. If the assistance of an aide would allow the disabled visitor to participate in the visit or tour, participation of the aide should be allowed, but the visitor is solely responsible for providing the aide. If it appears that a disabled visitor may safely participate in some but not all of a visit or tour, the disabled visitor may be allowed to participate in that portion of that is safely accessible for the disabled visitor. Ultimately, the authority and discretion to deny a disabled visitor participation in a shipboard visit or tour that is otherwise open to the general public rests with the commanding officer or, if so delegated, the executive officer or command duty officer. If a disabled visitor is denied participation in a ship visit or tour, the reasons for the denial must be clearly explained to the disabled visitor by a member of the command leadership team. Commands should consider alternate visit or tour routes, photographs, videos, narrated slide shows or other accommodation(s) displayed pier side as alternatives.

d. Although NMRs may be invited to visit in other than their professional capacity, they should still be treated as NMRs regardless of their status as invited guests. Furthermore, commanders must keep in mind that current technology gives anyone access to the Internet, permitting real time “reporting.”

e. Public releases and announcements about guest cruises shall be limited to those initiated by the participants. News media queries will be answered fully, emphasizing the purposes of the cruise program and the fact that no additional cost to the government is incurred.

4. Coordination and Approval Authorities for Visits and Embarkations. General policy governing embarking civilians not associated with news media are contained in OPNAVINST 5720.2M; policy for non-news-media visits to Marine Corps installations is provided in MCO 5720.77. The following outlines approval and coordination authorities for visits to and embarkations in ships and installations.

a. For policy regarding coordination and approval authority for all embarkations and visits of news media, see chapter 3, article 0302.

b. DV programs that include senior news media business leadership may be brought aboard as distinguished persons if their function is corporate management, the visit or embarkation is for orientation purposes as part of an organized guest tour or embarkation and newsgathering is not part of the purpose for the visit. In such cases, CHINFO or DIRPA shall be kept informed via the chain of command, and all other provisions of this article shall apply. The visit and embarkation of correspondents (including managers of news departments or organizations) as opposed to corporate executives would be handled as per chapter 3, article 0302 (e.g., required escorts, etc.) regardless of their being invited aboard in a capacity other than their professional one.

c. The unified commander may approve non-news-media PA embarkations in that officer's AOR and may delegate this authority.

d. OASD(PA) coordinates with the appropriate service all non-news-media embarkations and visits of distinguished persons approved or requested by the Chairman of the Joint Chiefs of Staff, unified commanders or their subordinate commanders.

e. Embarkations and visits associated with recruiting programs (e.g., educator visits) will be handled and coordinated per this instruction and applicable directives issued by CMC or COMNAVCRUITCOM.

f. Congressional visits, while subject to this instruction, must be accorded flexibility to enable OLA to respond to extremely short notice requests. OLA will promptly notify the appropriate command of an impending visit by a Member of

Congress, congressional committee or staff assistant. Commands receiving such requests through other channels shall inform OLA via the chain of command.

g. When a guest embarkation is made in the AOR of one command and guest debarkation occurs in a new command area, the command sponsoring the embarkation will coordinate travel by obtaining concurrence of all cognizant commanders and CNO, CMC and OASD(PA) as appropriate.

5. Necessary Information for Embark Participants. Participants need certain information prior to their embarkation. The information provided below is best sent as an enclosure to the embark invitation, either by the commanding officer of the ship involved or another individual specified by the inviting official.

a. Statement of the purpose of the embark program.

b. Statement authorizing the embarkation and, if applicable, the authorization of COD flights, with instructions for reporting aboard.

c. Name and rank of the commander and any embarked flag or general officer.

d. Caution that guests should not accept an embarkation invitation unless they are in good health.

e. Statement to the effect that the tempo of operations might cause changes in scheduling which could result in the invitation being withdrawn on short notice. The following additional information should be included or provided by separate letter: Recommended wardrobe, passport and immunization requirements, availability of emergency medical and dental facilities and ship’s store and other facilities available. The commanding officer should also address the use of personal cameras. Under normal circumstances, camera use should be encouraged subject to certain restrictions. These restrictions may be enumerated once the guests arrive aboard. The commanding officer is responsible for the control of the photography. Included with this information should be a statement of fund reimbursement policy:

"The Department of the Navy has no specific authority to use its funds to defray or reimburse a Navy guest for personal expenses. As a result, the Navy cannot provide you with transportation from your home to the port of embarkation or from the port of embarkation back to your residence. Your expenses for meals will be nominal while onboard a Navy ship or facility. You should however make provisions to meet any extraordinary expenses that might arise. For example, if a personal or other emergency occurs necessitating your return home during the cruise, please be prepared to use commercial transportation at your own expense from the most distant point on the embark itinerary."

"Navy ships and aircraft by their very nature present certain hazards not normally encountered ashore. These hazards require persons on board to exercise a high degree of care for their own safety."

"Acceptance of this invitation will be considered your understanding of the above limitations and requirements."

f. Appropriate attire and what to bring. Skirts, open toed or heeled shoes are unsafe. Slacks or jeans and a jacket are recommended. For overnight stays, shower shoes, pajamas that cover from knees to neck, etc.

6. General Policy Pertaining to Civilian Guest Embarkations. The following policy applies to all civilian guest embarkation programs:

a. Guests are responsible for providing their own transportation to and from their residences. Because the programs are conducted at no additional cost to the government, participants must reimburse the Navy for living and incidental expenses.

b. Because of the limited opportunities for embarkation, a guest's opportunity to communicate the embark experience to colleagues must be taken into account. For this reason, one of the criteria in guest selection is the extent involvement in civic, professional and social organizations. A DV is an individual who has not had substantial previous exposure to the Navy such as top-level executives and leaders or school

principals, guidance counselors and teachers, all with a wide sphere of influence within their respective professions and communities. Embarks should not normally include DV's spouses and or family members unless the family member is a DV in his or her own right. In addition, guest embark participants should come from a variety of racial and ethnic backgrounds.

c. Guests will be informed of security restrictions in their pre-departure or welcome aboard briefing. Briefings should also include measures to be taken by the guests in case of emergency. Unclassified photography should be permitted aboard ship, as photographs renew guests' feelings of identification with the ship. Guests will be advised of areas where photography is prohibited and security regulations will be courteously enforced.

d. Guests will generally be billeted in officers' berthing if space permits and will normally subsist in the wardroom. Guests need not be assigned separate rooms. If the length of the embarkation permits, guests should be invited to dine at least once in each mess aboard.

e. Guests should generally be afforded the privileges of an appropriate mess, the use of the ship's laundry, and ship's store privileges. Navy Exchange privileges should be determined on a case-by-case basis, limited to emergent needs and to situations where other such services do not exist. It should also be limited to items of immediate personal use while aboard and souvenir items.

f. Emergency medical and dental care will be provided when convenient civilian care is not available. In the event of injury or serious illness to civilians embarked in Navy ships and aircraft or visiting naval activities, commanding officers will immediately notify the chain of command including the Office of the JAG Washington DC by naval message. If the injured civilian was aboard a Navy ship for the purpose of accompanying embarked Marines, the commanding officer will also notify DIRPA. Commanding officers of Marine Corps activities will notify their operational chain of command and DIRPA if the injury occurred during a visit to the Marine Corps installation or while accompanying Marine Corps units. In the event of an emergency not covered by Navy Regulations or other directives,

the facts and circumstances shall be reported by message to SECNAV with information copies to other concerned commands and activities.

g. Guests may be allotted time for side trips at their own expense when an itinerary includes a port call in an area of interest.

h. As a souvenir of the embark, guests may be provided with a photograph of the ship, suitably inscribed by the commanding officer, or other memento prior to their departure.

i. Public release about guest embarks will be limited to those initiated by the participants. Navy-originated releases will be avoided unless requested by the participants. News media queries will be answered fully, the purposes of the embarkation program offered and the fact stressed that no cost to the government is incurred.

j. Guests who are members of the news media (e.g., "correspondents"), including managers of a newsgathering function, will be treated as though they were present in a newsgathering capacity. This means that questions and discussions will be handled per standard requirements governing the release of information to news media.

k. Any U.S. citizen is eligible to embark. The embarkation of children under age 12 is not recommended.

l. Elected officials are eligible to embark. However, such embarkation will not be used for political campaigning or election activity by any seeker of political office, incumbents or challengers. For exceptions, contact CHINFO or DIRPA.

m. The pre-departure or welcome aboard briefing prepares guests for the embark experience and should cover: security restrictions; measures to be taken in case of emergency; billeting; and meals and amenities.

7. Joint Civilian Orientation Conference (JCOC)

a. The JCOC is a biannual, multiservice series of conferences conducted by OASD(PA) for public opinion leaders.

The purpose is to provide an opportunity for a diverse cross-section of influential U.S. opinion leaders to better understand the missions and goals of the Armed Forces.

b. Commands will identify and nominate appropriate candidates for the JCOC program to CHINFO (OI-6). Potential nominees must be leaders of institutions and organizations who, both personally and professionally, communicate with key audiences. Examples include: presidents of universities and colleges; chief executive officers and senior officials of private enterprises with regional or national reach; publishers, editors, and management officials of news media organizations; national and regional leaders of professional groups; minority and women's organizations; and rising State and local elected and appointed officials. OASD(PA) will make final selections of attendees from among those nominated.

0508 NAVAL AERIAL EVENTS

1. General. DON aviation asset support of public events shall be in the best interests of DON and performed at no additional cost to the government. The benefits to DON are informing the public about naval personnel, equipment and technology, enhanced recruiting, and exposure to publics not located near naval facilities. Support includes flyovers, aerial demonstrations, static displays, air shows and other similar participation such as those outlined below. A request via DD 2535 shall be submitted for approval to the Navy Office of Community Outreach (NAVCO), a field activity of CHINFO, for Navy support. NAVCO shall be responsible for determining eligibility of Navy support for requests for military aerial support. DD 2535 requests for Marine Corps support will be submitted to DIRPA to determine eligibility. DIRPA may delegate the authority to approve requests as appropriate. This written request is required by OASD(PA) to ensure that support conforms to DoD directives, benefits the Armed Forces and provides an opportunity for positive community interaction.

2. Requests for Military Aerial Support. Off-base aerial events, if eligible, must be of mutual interest to the sponsor and DON. Eligibility does not equate to confirmed support. There must be available aviation assets in order to receive support. The following steps apply to all requests for aerial support:

a. The sponsor must complete and sign the DD 2535. Local PA personnel, recruiters, or aviators may administratively assist in completing the request, but shall not submit it on behalf of the sponsor.

b. To properly assess and prioritize aerial events, local DON commands, recruiting, NAVCO, aviation units that are most likely to consider supporting requests, and other units as applicable should analyze requests collaboratively.

c. All DD 2535 requests, other than for static displays, shall be reviewed and approved by a safety inspector from the nearest Federal Aviation Administration (FAA) Flight Standards District Office before submission. The sponsoring organization shall be responsible for obtaining FAA approval.

3. Flyovers. Flyovers are limited to a maximum of four aircraft from the same Military Service of the same type (e.g., tactical, transport, rotary wing) making one non-maneuvering pass over a fixed point.

4. Missing Man Formations. The missing man formation is a flyover authorized for use at ceremonies commemorating Memorial Day, POW/Missing in Action (MIA) Recognition Day, and Veteran's Day and at other suitable events when the theme is solemn and commemorative in nature and when the event is not held in conjunction with another event (e.g., a sporting event or an air show). Except for funeral services, the missing man formation shall not be performed at continental United States (CONUS) public events without prior approval by SECNAV. Missing man formations for funerals and memorial services are approved if the deceased is one of the following:

a. Active duty aeronautically designated aviation officers and personnel (including reserve officers on active duty).

b. Active duty aeronautically designated aviation personnel (including reserve personnel on active duty) when involved in an aviation-related accident.

c. Active duty personnel taking courses of instruction leading to an aeronautical designation, when involved in an aviation-related accident.

d. Any active duty or retired flag officer.

e. Retired U.S. Armed Forces war heroes (recipients of the Silver Star or higher).

f. Dignitaries of the Armed Forces or Federal Government as appropriate.

5. Static Displays. A static display is the stationary ground display of any naval aviation asset.

6. Naval Flight Demonstration Squadron (Blue Angels). The Blue Angels aim to inspire men and women to serve their country in the Navy or Marine Corps and to act as ambassadors for the Navy in communities nationwide. The secondary mission is public awareness and education. SECNAV approves the Blue Angels schedule. The schedule is released at the annual International Council of Air Shows convention, held yearly in December.

7. Single Aircraft TACDEMOs. Single aircraft TACDEMO showcase specific capabilities and flight characteristics of DON aircraft. When scheduling TACDEMOs, priority shall be given to aviation events that have not been scheduled for a DoD jet demonstration team (e.g., Blue Angels or Thunderbirds). Multiple TACDEMOs at the same event on the same day shall be avoided if other events are held on the same dates. TACDEMOs will be scheduled with due consideration of exercise, readiness training, operational commitments.

8. Aerial Reviews. Aerial reviews (a flyover of more than four aircraft, multiple types of aircraft, or aircraft representing more than one Military Service) are reserved for the most meaningful occasions and shall not be performed at CONUS public events without the prior approval of OASD(PA).

9. Aerial Events on DoD Installations. Navy installation commanding officers and Marine Corps commanding generals are the approving authorities for on-base aerial events. However, NAVCO and DIRPA determine if aerial events connected to installation air shows and other events open to the general public are eligible for approval. All requests for a Marine air-ground task force demonstration shall be forwarded to DIRPA for Assistant Commandant of the Marine Corps (ACMC) approval. Flyovers or static displays that support small or by-invitation-

only ceremonies aboard Navy or Marine Corps Air Stations (aircraft are part of the normal operations) with limited or no media exposure, such as changes of command, held on DoD installations, and those in international waters do not require NAVCO or DIRPA determination of eligibility.

10. U.S. Navy Parachute Team (Leap Frogs). The "Leap Frogs" is a parachute team composed entirely of U.S. Navy SEAL (sea, air, land) and special warfare combatant-craft crewmen personnel. The team's mission is to support Navy recruiting, with emphasis on promoting naval special warfare.

11. Additional Guidance. Specific guidance not covered above includes:

a. CONUS Limitations. Mass parachute drops, equipment drops, assault aircraft demonstrations or tactical helicopter landings under simulated tactical conditions shall not be performed at CONUS public events without specific approval, in advance, by NAVCO. Marine Corps approval of such events will be forwarded through DIRPA to the ACMC for approval.

b. Overseas. Combatant commanders are the approval authority for participation in community outreach events occurring within their AOR.

c. Orientation Flights

(1) U.S. citizens who, because of position and contacts with various public organizations, can make positive contributions to public understanding of the roles and missions of DON (e.g., persons affiliated with the news media, entertainment personalities) may be authorized a PA orientation flight. All such flights are subject to scheduling and flight hour availability.

(2) Participants must be carefully selected to ensure that the greatest benefit to understanding Navy and or Marine Corps missions can result from such flights. Additionally, participants must be of the highest moral standing. Individuals shall not be selected for PA orientation flights solely in an effort to engender goodwill or as a reward for unusual service to the Navy and or Marine Corps, nor will orientation flights be used as awards or prizes for contests.

(3) Orientation flights that will receive national or international distribution or interest require prior concurrence from CHINFO and DIRPA, except for orientation flights by the U.S. Navy Flight Demonstration Squadron (Blue Angels) for any news media personnel, which must be approved by CNATRA.

(4) Requests for PA orientation flights for local media or centers of influence will be submitted to the appropriate aviation type commander for consideration. All media must be appropriately credentialed.

d. Lessons Learned. Once an aerial event is complete, commanders shall inform NAVCO or DIRPA, as applicable, of resulting benefits and of any negative conditions. Such feedback is vital to ensuring proper prioritization of future aerial events.

0509 NATIONAL AND TRADITIONAL OBSERVANCES

1. General. The Navy and Marine Corps have a significant role in a number of national and traditional observances. Commands will normally participate in observance events using organic resources. Civilian requests for support beyond command capabilities will be submitted on a DD 2536 via the chain of command to the applicable approval level.

2. Joint Coordination. In observances involving more than one Military Service, OASD(PA) will assign a DoD executive agent or primary coordinator, and regional coordinators to serve as key planners for national and traditional observances. Regional and installation PA personnel should contact these coordinators early to discuss how their command activities can be integrated with other observances in the region.

3. Authority to Participate. Commanders have the authority to approve participation in public observances as described below and other occasions OASD(PA) may designate as appropriate. (See article 0501.5 for other community outreach approval levels.)

4. Armed Forces Day. Armed Forces Day observances are held annually on the third Saturday in May to demonstrate the unity and common purpose of the Armed Forces. OASD(PA) announces the theme for each year's observance and prepares media kits and internal information materials. CHINFO, DIRPA and the chain of

command may issue additional instructions and materials as necessary. Commands should emphasize how their missions and people fit within the annual theme and any supplemental guidance. In localities with two or more Military Services, observances will be held jointly whenever possible. Individual commands should support the nationwide observance by holding public visitations, displays and other community outreach events that emphasize the designated annual theme. A BCC can be instrumental in conceiving and implementing events. (See article 0504.)

5. Memorial Day, Independence Day and Veterans Day. Navy and Marine Corps commands should take an active role in participating in local observances by holding events on or off base, participating in local community functions and other appropriate activities. Veterans, civic and other organizations often coordinate local or regional observances. Commanders of military facilities near such observances should appoint a project officer to coordinate appropriate participation, bearing in mind that DON's primary focus shall be on activities that highlight the current DON missions and activities.

6. Navy Birthday and Marine Corps Birthday. These Service-unique commemorations are largely celebrated internally, though commanders may invite community leaders to attend.

0510 NAVY AND MARINE CORPS EXHIBITS

1. General. Collections of naval equipment, models, devices, photos and other objects may be placed in fairs, festivals, conventions, conferences, seminars, demonstrations and other similar events. Museums occasionally request a Navy exhibit on either a permanent or temporary (loan) basis.

2. Policy. This article expands on the use of exhibits in the public domain beyond those in museums.

a. Command exhibits are informal displays relating to the command's mission, people, programs, history or other aspects. Establishment of a command exhibit does not require authorization from higher authority.

b. Exhibits generating national or defense contractor interest must be coordinated at least 90 days in advance via CHINFO or DIRPA who will, if required, obtain OASD(PA) approval.

c. Exhibits must not favor, or endorse -- in fact or appearance -- a single commercial entity, group, profit or nonprofit corporation, sect, religious organization, fraternal or political organization.

d. In events sponsored by commercial entities, exhibit placement will not portray DON as the central focus, e.g., DON involvement will be incidental to the event. DON exhibits may be placed in areas where numerous merchants conduct business, such as shopping malls. They will not, however, be displayed in a manner that suggests a close association or endorsement of any single business. An exhibit must not, in fact or appearance, become a prime attraction designed to draw the public to a commercial area such as a shopping mall.

3. Effective Use. Situations in which exhibits are used effectively will:

a. Inform the public in a graphic, visually interesting manner that portrays the role of the Navy or the Marine Corps and the local command.

b. Disseminate general technical and scientific information. If in doubt about the appropriate detail of such information, see chapter 2 or contact CHINFO or DIRPA.

c. Stimulate recruiting for DON enlisted and officer programs and, when appropriate, for civilian employment.

d. Portray the traditions or history of DON and or local commands and activities in a tasteful and accurate manner; i.e., ensure exhibit participation enhances DON interests.

4. Recruiting Considerations. Exhibits under the cognizance of Navy Recruiting may only be requested by the NRD responsible for the area in which the exhibit is contemplated to be placed. Commands may, however, consult with the appropriate NRD for collaborative efforts. Requests for Marine Corps exhibits will be coordinated through the nearest local Marine Corps PA office.

5. Exhibits in the National or International Domain. OASD(PA) approves all DoD exhibits to be displayed at either national or international events or those requiring major coordination among the Military Services or other Federal agencies.

a. The combatant commander with specific geographic responsibilities may approve inter-agency cooperation within their areas of responsibility. Overseas Navy commands will forward requests to the cognizant combatant commander. All other Navy activities will forward requests to CHINFO for coordination.

b. For foreign air show or trade show requests, the Defense Security Cooperation Agency is the approval authority. (See http://www.dsca.osd.mil/.)

c. Requests via the DD 2536 will contain the following:

(1) Name of the entity making the request.

(2) Type of support requested.

(3) Statement as to party responsible for exhibit costs.

(4) Justification of DoD involvement in the event.

(5) Recommendations.

6. Use of Exhibits at Screenings. When a commercial film produced with Navy or Marine Corps cooperation is screened, units may provide exhibits for display in theater lobbies, coordinate displays of recruiting material, and arrange for personal appearances of DON military and civilian personnel, provided such cooperation is approved by CHINFO or DIRPA.

7. Duration of Exhibits. Exhibits shall be authorized for display for a specified time, normally no longer than 3 days. The nature of the event and the type of exhibit impacts length of stay; i.e., a formal exhibit at an exposition might remain for the entire exposition. Coordinate with the chain of command in making duration and content decisions.

0511 NAVAL MUSIC PROGRAM

1. Guidance and Restrictions. Generally, military bands and units are prohibited by section 974 of title 10, U.S.C., from the "performance of music in competition with local civilian musicians." The code provides, however, that certain events and performances are not considered competition with local musicians and are therefore allowed. The OASD(PA) has issued guidance as to what events and performances are permissible. The following applies to the use of naval musical units:

a. Authorized. DON bands, ensembles, choruses, or similar musical units may provide:

(1) Music to accompany the presentation of national colors or the performance of military or patriotic music by a military band, drum and bugle corps or choral group. These performances are defined as “incidental, such as short performance of military or patriotic music to open or close events, to events that are not supported solely by appropriated funds, in compliance with applicable rules and regulation.”

(2) Music for patriotic public events and parades sponsored by community or other groups when the event is of general interest or benefit to a local, State or national community and is open to the entire community.

(3) Music for events that charge an admission (such as fairs) as long as the band's performance is incidental to the primary event. No additional charge may be imposed to hear the band play.

(4) Music for traditional, yet unofficial, military events, on or off military installations, held only for Service members, Service members and their immediate families, or Service members, their immediate families and guests.

(5) Within the following limited circumstances, military musical units may participate in an official capacity at fundraising events, to include a ball, gala, or similar occasion, sponsored by the national headquarters of any of the named military relief societies in section 2566 of title 10, U.S.C. This authorization is limited to:

(a) The Navy-Marine Corps Relief Society, the Army Emergency Relief Society, and the Air Force Aid Society, Inc.

(b) A single, annual event for the national headquarters of each organization.

(c) Provision of musical support only, to include a featured performance, as well as background, dinner, dance or other social music.

(d) No military member or employee shall engage in direct appeals for funds.

(e) Appearance of musical units shall not be used as a draw for the events.

b. DON bands may also provide music and technical services in the following areas:

(1) Military ceremonies; ceremonies incident to patriotic occasions, and official occasions attended by officers of the government and or DON in their official capacities.

(2) Athletic contests in which one or more Armed Forces teams are participating.

(3) Concert tours in the United States (U.S. Navy and Marine Band, Washington, DC).

(4) Broadcasts and telecasts, when approved by appropriate authority.

(5) Special events and music programs in support of the Navy Recruiting Command and Marine Corps Recruiting Command.

(6) Motion pictures, training films, recruiting films and recordings produced by the Navy, audio recordings, and other services in support of Navy recruiting, morale, and retention (U.S. Navy Band).

(7) Public concerts and events of national or international significance.

(8) Official and unofficial events, including social activities intended to foster morale and welfare of active duty military personnel and their guests.

(9) Band, orchestra, and or vocal arrangements, musical technical information and music publicity information and materials.

c. Unauthorized

(1) DON musicians are not authorized to provide entertainment at luncheons, dinners, receptions, dances or any other functions in the civilian domain sponsored and attended primarily by persons not on active duty in the military, or for any event that is not supported in whole or in part by U.S. Government funds, except as authorized above.

(2) Events that are commercially sponsored, designed to increase business traffic, or associated with a particular religious, ideological or partisan political party or movement will not be provided musical support.

2. Requests. Prospective civilian sponsors of events in the public domain should submit requests for musical participation in community outreach events via DD 2536. (See references.) Prospective sponsors must certify in their requests that there is no conflict with local civilian musicians.

3. Coordination. Navy Bands will coordinate with CHINFO (via the music program liaison) and U.S. Marine Bands will coordinate with DIRPA for approval for:

a. Events for which performance by more than one military band is proposed.

b. Events of international or national importance, including national conventions and meetings.

c. National sports and professional athletic events within the United States.

d. National television or radio events and programs.

e. Any request made for travel outside the continental United States by Navy bands located in the United States and its territories.

f. Events that do not otherwise meet the conditions of this section.

0512 ENVIRONMENTAL PA

1. Policy. Commanders and their staffs will adhere to the following principles:

a. Foster transparency on environmental issues by openly sharing information about installations and activities environmental programs, plans, policies and strategies.

b. Offer prompt, full, and accurate disclosure of information in conformance with release principles (see chapter 2) and the legal requirements stipulated in all references.

c. Where the potential for public health concerns exists, release information in an expeditious and responsible manner.

d. Be sensitive and receptive to the comments and concerns of interested stakeholders, including government agencies, international partners, local neighbors, and special interest groups that may be affected by ongoing or proposed activities with possible environmental impacts.

e. As a starting point comply with the spirit and intent of all Federal, State, and local environmental laws, rules and regulations as they relate to public involvement. When warranted, go beyond the requirements of the law to benefit the environment and build public trust in the DON mission.

2. Fundamentals. Public involvement is either legally required or essential for most environmental programs. The goal of public involvement is to inform and engage specific target audiences (from the internal audience to the general public and key regulatory agencies) during critical decision-making periods in environmental, safety and occupational health (ESOH) programs. This chapter establishes responsibilities, policies, and procedures for organizing and administering an effective and legally sufficient DON environmental PA program.

3. Objectives. The ESOH program goal is to develop and implement innovative, integrated and comprehensive solutions that enhance the Navy's ability to accomplish its global missions. To reach this goal, PA programs at all levels must understand and plan for timely and consistent public involvement that meets the letter and the spirit of Federal environmental statutes.

4. Background

a. The Navy strives to reduce the environmental impacts of its operations to balance the needs of national security with environmental stewardship. There are over two dozen environmental statutes and in some cases State laws to interpret the Federal statute. The purpose of OPNAVINST 5090.1C, Environmental Readiness Program Manual, is to discuss these environmental requirements, delineate responsibilities, and issue policy for the management of the environmental, natural, and cultural resources for all Navy ships and shore activities.

b. It is DON policy to keep the public fully informed of and engaged in present and proposed future decisions and actions that potentially affect the environment and or public health as required by certain environmental regulations such as the National Environmental Policy Act and the Comprehensive Environmental Responsive Compensation, and Liability Act.

c. Navy’s environmental programs and related efforts include, but are not limited to, efforts to address the following:

(1) Clean Air

(2) Clean Water

(3) Emergency Planning and Community Right-to-Know

(4) Environmental Management Systems

(5) Environmental Planning

(6) Hazardous Waste Management

(7) Historic Preservation

(8) Installation Restoration

(9) Oil Management

(10) Marine Mammal Protection

(11) Pollution Prevention

(12) Natural and Cultural Resources

(13) Solid Waste Management

5. PA Responsibilities. As a critical member of the ESOH interdisciplinary management team (environmental, operations, legal, medical, safety, logistics, and others), PA personnel will ensure members of the PA staff have appropriate training and are kept current on local and national ESOH policies and issues. PA personnel will advise the interdisciplinary environmental team on public involvement requirements and outreach opportunities. PA will ensure all media activities are properly coordinated with the interdisciplinary team and other appropriate agencies or organizations before releasing environmental information. Specific PA actions include:

a. Prepare a comprehensive environmental PA plan to address possible environmental concerns or to communicate key issues of the Navy's environmental stewardship initiatives. The plans should include both basic community and internal workforce involvement efforts and PA strategies to inform and educate the range of audiences about the Navy's environmental programs. (See chapter 3 and article 0507.)

b. Release all public announcements on ESOH issues after appropriate coordination with environmental, legal and health offices, and commanders. (See chapter 2.)

c. Coordinate and assist when required to notify congressional, local political, health, and environmental leaders prior to public release of information. (See chapter 2 and article 0506.)

d. Provide PA counsel and guidance to commanders and staff organizations involved in conducting environmental programs.

e. Review all draft environmental documents, particularly the executive summaries. PA personnel shall advise subject matter experts when non-technical language would be more understandable to the primary target audiences and the general public.

f. Coordinate with shore and operational commanders and PA personnel, and when necessary serve as the point of contact for public and media queries on environmental issues.

g. Coordinate and engage in public meetings on ESOH issues, as required.

h. Assist the interdisciplinary team and manage media activities and engagements at key decision points and during other significant ESOH milestones.

i. Keep internal audiences informed and engaged through command channels on environmental issues and community concerns.

j. Facilitate compliance with required public involvement actions for each environmental program or situation.

k. Maintain awareness of environmental issues that could potentially present a PA challenge and recommend a communication strategy to proactively address problems.

l. State and local agencies will be notified promptly by Navy or Marine Corps officials if health, welfare or other environmental problems are identified - even before publication of final technical reports.

m. Address planning responsibilities for Earth Day, recycling campaigns and other stewardship events.

n. Coordinate and conduct media relations on emerging environmental issues, seizing opportunities to disseminate the pro-active, positive stories on DON's environmental stewardship, but also providing access to stories centering on environmental concerns. (See chapter 8.)

o. Participate in the review chain on all environmental documentation releasable to the public.

p. Communicate environmental information to internal and external audiences. PA shall actively promote the environmental program through success stories and awareness-building conventional and social media channels and initiatives aimed at internal and external audiences. PA personnel will coordinate national coverage of environmental issues with CHINFO and DIRPA.

6. Environmental Planning. At any level of command, planning is the focal point for the environmental interdisciplinary team. The PAO will be a primary member of the planning team providing both specific and general support to environmental program objectives. This team acts as a steering committee to coordinate and monitor the overall environmental program. PA personnel communicate the Navy and Marine Corps' commitment to public involvement and lead the interdisciplinary team in incorporating community concern into the decision-making process for environmental programs and emerging issues. During formulation of the annual community outreach plan, (see article 0507), PA personnel will incorporate the spectrum of environmental challenges and opportunities. This may include addressing a range of topics, from endangered species on a training range, to the installation's Earth Day commemoration or October Energy Awareness Month celebration.

7. Navy Installation Restoration (IR) - Required Community Outreach Plan. The intent of PA involving hazardous waste problems is to present factual and timely information, obtain community feedback, dispel rumors, and promote understanding. PA efforts are not intended to persuade the public to support a given study outcome or disposal action. Accordingly, technical expertise, normally furnished by the installation public works officer, environmental coordinator, and the Naval Facilities Engineering Command Engineering Field Division, is required to assist in the development of PA plans and initiatives related to hazardous waste. Installation Restoration Community Outreach Plan must:

a. Take into account the mandatory 21-day public comment period that precedes final selection of remedial action.

b. Consist of: background and history of community involvement at the site, including local activity and interest, key issues and site history; IR objections for the particular site; community outreach activities to be used to meet state's objectives; and, a mailing list of the affected groups and individuals, plus a list of Navy, Environmental Protection Agency (EPA) and other agency officials responsible for community outreach.

c. The community outreach plan must be based on discussions with State and local officials, civic and community organizations, and interested residents to gain a first-hand understanding of the major community issues, the level of public interest and the information needs of the citizens. In early meetings with citizens, commands should be more intent on receiving input from them rather than furnishing information. Try to identify the real concerns of citizens (e.g., threats to health), which may be masked by emotional demands to effect immediate clean-up. Tell citizens that their contributions are valuable. Some may have technical expertise or offer information about responsible parties, the extent of off-site contamination, health hazards, etc.

d. Closely integrate public information activities with the technical activities of site study and remedial action. A close working relationship should be built between the technical response staff, PA staff and contractors supporting the efforts.

e. Indicate in decision documents (i.e., those used to select the remedial action) what ways community contribution was considered by decision makers and how it was incorporated into response plans.

References:

DoD Issuances are found at
http://www.dtic.mil/whs/directives/index.html

10 U.S.C. §772

DoD Directive 1005.13 of 19 February 2002

DoD Directive 1100.20 of 12 April 2004

DoD Instruction 1300.15 of 22 October 2007

DoD Instruction 1334.1 of 26 October 2005

DoD Directive 1344.10 of 19 February 2008

DoD 4515.13-R, Air Transportation Eligibility, November 1994

DoD Instruction 5035.01 of 31 January 2008

DoD Directive 5100.46 of 4 December 1975

DoD Directive 5122.8 of 13 December 1963

DoD Directive 5410.18 of 20 November 2001

DoD Instruction 5410.19 13 November 2001

DoD Instruction 5410.20 of 16 January 1974

DoD 5500.07-R, Joint Ethics Regulation, 1 August 1993

DoD Directive 5500.11 of 27 May 1971

DoD Directive 5525.5 of 15 January 1986

DoD Instruction 7230.08 of 2 January 2009

DoD Instruction 7250.13 of 30 June 2009

Navy directives are found at http://doni.daps.dla.mil/

MILPERSMAN Article 1300-050

BUPERSINST 5450.37C

SECNAVINST 4001.2J

SECNAVINST 5031.1C

SECNAVINST 5730.5J

SECNAVINST 5755.2A

SECNAVINST 5820.7C

SECNAVINST 7042.7K

OPNAVINST 3440.16D

OPNAVINST 3710.7U

OPNAVINST 5720.2M

OPNAVINST 5726.8

OPNAVINST 5750.4D

OPNAVINST 5750.10J

OPNAVINST 5750.12J

OPNAVINST 5750.13

OPNAVINST 5750.14B

OPNAVINST 5754.1B

OPNAVINST 5760.5C

OPNAVINST 5350.6C

OPNAVINST 6000.1C

NAVSUP P-486

NAVSUP P-487

MCO 5720.77

MCO 5726.15

MCO P5720.73

MCO P5720.75

CHAPTER 6 : VISUAL INFORMATION AND COMBAT CAMERA

0600 VISUAL INFORMATION AND COMBAT CAMERA

1. Background. Visual information (VI) is an essential naval communication capability. Comprehensive and continuous visual documentation is an imperative to ensuring accurate portrayals of the DON and its people during combat, crisis, contingency and normal operations. High quality, timely, truthful and accurate visual products aid operational planning and decision-making, and can achieve critical operational effects. By providing an ability to demonstrate actual and often real-time events, VI is effective in disrupting or countering an adversary's communication strategy, plans and tactics.

2. Definitions

a. VI is one or more visual media with or without sound. Generally, VI includes still photography, motion picture photography, video or audio recording, graphic arts, visual aids, models, display, visual presentation services, and the support processes.

b. Combat camera (COMCAM) is the acquisition and utilization of still and motion imagery in support of combat, information, humanitarian, special force, intelligence, reconnaissance, engineering, legal, PA, and other operations involving the Military Services.

c. VI production is the result of sequencing, according to a plan or script, original and or existing still and or motion images, with or without sound, into a self-contained, complete, linear presentation for the purpose of conveying information to, or communicating with an audience. Typically, VI productions are recorded continuously, or edited so as to appear as if recorded continuously, onto a motion medium, such as film or videotape, for replication and or time-delayed playback, but they may also be presented in real time.

3. Visual Information Record Identification Number (VIRIN). All imagery acquired by DON personnel must be captioned and have a VIRIN.

4. Prohibition on Alteration and Manipulation of Official Imagery

a. The ability to manipulate digital imagery is a very simple process. Such manipulations, however, can and do have wide-ranging negative consequences because they change the factual content captured by the camera and call into question the truthfulness of other naval imagery. Anything that weakens or casts doubt on the credibility of official Navy and or Marine Corps imagery is prohibited. The final image must be a truthful representation of the scene in front of the camera during exposure.

b. Standard and digital photographic practices of limited cropping, resizing, dodging, or burning, balancing color, spotting, and adjusting contrast are not considered alteration. Cropping, editing, image enlargement or other actions that have the effect of misrepresenting the facts or circumstances of the event or object as originally recorded, however, is prohibited.

5. Forwarding Imagery

a. The Navy Media Content Services (NMCS), under the direction of the Assistant Chief of Information for NMCS (OI-2), is the Navy's central repository for imagery. It also serves as the Navy's DoD-directed component accessioning point and provides oversight of VI operations. All imagery that has been posted on the World Wide Web (including social networking sites (SNS)) or released to the media must be forwarded to NMCS via e-mail (navymedia@navy.mil) to maximize distribution and inclusion in the official record and consideration by the National Archives and Records Administration. Senders will transmit still photo images as individual .jpeg attachments at original file size resolution, two images per e-mail transmission. Motion imagery intended for use on any Navy Internet presence should, when practical, be provided to NMCS in an unedited broadcast quality format without voice-over. Non-released imagery depicting Navy operations, training, maintenance, systems, equipment and personnel will also be forwarded to NMCS to form a current and historical record of the Navy. It will also be used to support communication with internal and external audiences.

b. All Marine Corps imagery must be submitted to the Defense Imagery Management Operations Center and the Marine Corps Imagery Resource Center.

6. COMCAM. COMCAM forces are specially-trained U.S. military members employed to acquire, process and transmit still and motion imagery in support of classified and unclassified air, sea and ground military operations. COMCAM forces are requested through the request for forces process. The COMCAM program is governed by OPNAVINST 3104.3A, Naval Combat Camera Program Policy, Responsibilities and Procedures.

7. Additional Policy Guidance. Navy policy and guidance for the management of VI can be found in OPNAVINST 3104.1A. All PA personnel must be familiar with the entire spectrum of VI including, but not limited to, VI productions and the VI production process, life cycle management of imagery, copyright restrictions, and the official DoD policy on the alteration of official imagery.

References:

Department of the Navy Issuances are found at http://doni.daps.dla.mil/

OPNAVINST 3104.1A

OPNAVINST 3104.3A

DoD Instruction 5040.02 of 27 October 2011

DoD Instruction 5040.09 of 1 May 2006

CHAPTER 7: PUBLIC COMMUNICATION ON THE INTERNET

0700 BACKGROUND, AUTHORITY AND RESPONSIBILITIES

1. Background

a. The appearance, accuracy, currency, and relevance of the information presented by Navy and Marine Corps commands on publicly-accessible Web presences reflects on the DON's professional standards and credibility. Additionally, information residing on a "navy.mil" or "marines.mil" website domain is interpreted by the worldwide public, including the American taxpayer and media, as reflecting official Navy or Marine Corps policies or positions. Therefore, all information presented must be accurate, truthful, timely, and compliant with DON policies on the release of information to the public as described in chapter 2 of this instruction and in other DoD and DON instructions.

b. Publicly-accessible Web presences are official DON communication channels. Public communication is a responsibility of PA, including the oversight and management of all content on official DON publicly-accessible Web presences.

c. Official DON guidance on publicly-accessible Web presences is based on Federal law and DoD policy. This instruction applies to all DON commands and activities and all publicly-accessible DON websites, related technologies, and internet-based capabilities (IbC) – collectively termed "Web presences" – designed, developed, procured, or managed by DON activities and/or by their contractors. A designation of "Unofficial" is not recognized for any DON Web presence.

d. A command presence within an IbC, while an official presence, is considered to be a part of that social media site and not an independent presence. IbCs are defined as publicly accessible information capabilities and applications available across the Internet in locations not owned, operated, or controlled by the DoD or the Federal Government. IbC include collaborative tools such as social networking sites (SNS), social media, user-generated content, social software, Web-based e-mail, instant messaging, and discussion forums. Examples of IbC include YouTube, Facebook, Flickr, Twitter, and Google applications among others.

2. Authorities, Roles, and Responsibilities

a. CHINFO. CHINFO is SECNAV's lead official for the development of policy pertaining to content available on command and activity publicly-accessible Web presences, and is responsible for the development and administration of DON PA policies and procedures. The USMC DIROMCC is responsible for implementation of DON PA policy and the development and administration of USMC PA policies and procedures. Additionally, CHINFO and the Director of PA (DIRPA) will each:

(1) Administer and update the policy as set forth in this chapter in collaboration with the Department of the Navy Chief Information Officer (DON CIO).

(2) Administer and maintain the official U.S. Navy website at www.navy.mil and IbC presences or the official USMC website at www.marines.mil and IbC presences for the posting of appropriate U.S. Navy or Marine Corps-level information.

(3) Maintain overall cognizance for content of publicly-accessible U.S. Navy Web presences or of USMC Web presences. This responsibility includes cognizance regarding the Privacy Act, FOIA, and the Health Insurance Portability and Accountability Act (HIPAA) of 1996.

(a) For Navy Privacy Act, or FOIA issues relating to execution, CHINFO will coordinate, as appropriate, with the Office of the General Counsel, the Office of the Judge Advocate General (Code 13, Administrative Law), and/or the Navy office responsible for the Privacy Act and FOIA.

(b) For the Marine Privacy Act or FOIA issues relating to execution, DIRPA will coordinate, as appropriate, with the Counsel for the Commandant, the Staff Judge Advocate to the Commandant Marine Corps, and/or the Marine Corps office responsible for the Privacy Act and FOIA.

(c) For HIPAA issues, CHINFO and DIRPA will coordinate with the Navy Bureau of Medicine.

b. DON CIO. The DON CIO is responsible for providing Department-wide information management (IM) and information technology (IT) policy and guidance. DON CIO:

(1) Provides IM and IT policy and guidance for the DON in respect to the Web presence environment.

(2) Provides policy and guidance pertaining to the operational integrity and security of all DON websites and Uniform Resource Locator (URL).

(3) Provides policy and guidance pertaining to the management of all content on DON access-restricted website environments.

(4) Provides policy and guidance pertaining to the Privacy Act and FOIA.

c. The DON Deputy CIO (Navy) and DON Deputy CIO (Marine Corps) are responsible for establishing procedures to ensure operational integrity and security of the computers and networks supporting DON websites.

d. DON commanders, commanding officers, officers in charge: The establishment of publicly-accessible command or activity Web presences remains a command prerogative, consistent with other leadership responsibilities for public communication, and shall comply with policies issued in this and related directives. DON commands and activities maintaining publicly-accessible Web presences will implement a comprehensive administration program. They shall:

(1) Develop a local process for the approval of information posted on command or activity publicly-accessible Web presences.

(2) Ensure all information residing on the command and activity publicly-accessible Web presences is reviewed and is accurate, factual, and appropriate for public release per the criteria in chapter 2 of this instruction. If no PAO is assigned, commands and activities must refer to those at the next appropriate level in their chain of command. Information not cleared for public release by proper authority must either be immediately removed or placed on a restricted-access site. Per Assistant Secretary of Defense Networks and Information Integration guidance, domain restriction alone is not a sufficient block for access.

(3) Ensure contracted personnel do not publish content to a command or activity publicly-accessible Web presence without the prior approval of a DON official with the authority to release of information to the public.

(4) Designate, in writing, the person(s) authorized to post content to a command or activity publicly-accessible website or IbC presence. At a minimum, the designee(s) shall:

(a) Have access to and be familiar with current applicable directives, all Navy messages, Navy administrative messages, all Marine Corps messages, and Marine Corps administrative messages regulating content of DON publicly-accessible Web presences and shall be conversant in the provisions of these directives.

(b) Serve as principal point of contact on all matters pertaining to administration of the publicly-accessible Web presence(s).

(c) Oversee the command's publicly-accessible Web presence(s), ensuring compliance with this instruction and current directives.

(d) Provide training for activity or command personnel on the provisions of this instruction and all other applicable DoD and DON instructions.

0701 REQUIREMENTS COMMON TO ALL DON WEB PRESENCES

1. DON Publicly-Accessible Web Presences. All DON publicly-accessible Web presences must have a clearly articulated purpose, be approved by the commander, and support the command's and/or activity's mission.

2. DON Web Presences. All DON Web presences must be registered:

a. Register Navy and Marine Corps websites with the DoD site registration database, which can be accessed online at http://www.defense.gov/RegisteredSites/SubmitLink.aspx. Persons responsible for each site will review and re-register the website under their cognizance on an annual basis or whenever there is a change in any of the registration data fields.

b. Submit Navy external official presences (EOP) for review and approval to http://www.navy.mil/submit/addSocialMedia.asp.

c. Submit Marine Corps EOP for review and approval to www.marines.mil/socialmedia.

3. Content. This section applies to content and posts on all DON publicly-accessible Web presences, including but not limited to, command or activity websites, command or activity presences on IbC platforms, and posts made in one's official capacity to IbC presences not owned or managed by the DON, command, or activity.

a. Public Release of Content. All content posted to publicly-accessible Web presences, including graphics, photos, video, and multimedia productions, must be carefully reviewed to ensure it meets the standards and requirements for the public release of information as published in chapter 2 of this instruction.

b. VIRINs and Captions. All graphics, photos, video, and multimedia content posted on publicly-accessible DON Web presences must have a VIRIN and a caption. (See chapter 6, article 0601.)

c. Prohibited Content and Links:

(1) Classified material, "For Official Use Only" information, proprietary information, pre-decisional information, any other form of sensitive but unclassified (SBU) information, or information that could enable the recipient to infer this type of information. This includes, but is not limited to, lessons learned or maps with specific locations of sensitive units, ship battle orders, threat condition profiles, etc., activities or information relating to ongoing criminal investigations into terrorist acts, force protection levels, specific force protection measures being taken or number of personnel involved, Plans of the Day, or Plans of the Month.

(2) Information protected by the Privacy Act of 1974 or the Health Information Portability and Accountability Act of 1996. Personally Identifiable Information other than the name, rank or rate, assigned unit (if appropriate for release), and home state of individual Service member or civilian employee of

the DON. Other than in official news releases or stories, such identification shall only be made to indicate the single point of contact for a provided service, or when indicating an author of a document, report, or study.

(3) Identification of immediate family members of DON personnel by name, including in imagery captions, except for the spouses of senior leadership who are participating in public events such as ship naming, commissioning, etc. Family member information will not be included in any online biographies.

(4) Unit or other personnel lists and rosters, charts or directories, which provide the names, addresses, e-mail addresses, and telephone numbers of individual unit members.

(5) Information, other than authorized press releases, about casualties prior to official confirmation that next of kin have been notified and a competent authority authorizes publication of specific casualty information. Commanders are reminded that casualty information is to be tightly controlled and heavily scrutinized.

(6) Information, other than authorized press releases, regarding events or incidents currently under investigation.

(7) Copyrighted and trademarked material used without the written permission of the copyright or trademark holder.

(8) Material that is political in nature or that endorses or promotes products, opinions, or causes other than those already officially endorsed by the DON.

(9) Any content which may imply endorsement, including links to advertising, promotions, solicitations, or endorsements of products, non-government services, of a political nature, or to commercial entities, charities, or causes. Links to the CFC and/or the Navy-Marine Corps Relief Society are permitted and encouraged. Per DoDI 1015.10, Morale Welfare and Recreation (MWR) activities are allowed to promote and advertise MWR programs, activities and events, and conduct MWR Commercial Sponsorship and Advertising.

(10) Commercial software or links to commercial software for download except in those cases where the software is unique

and required for viewing documents provided within the website's purpose. In these cases, only a text link directly to the vendors' download Web page is permitted. The use of corporate logos is prohibited.

(11) Advertisement for, or sales of, materials or services, such as for an on-line ship's store selling command memorabilia, ball caps, etc. Commercial sponsorship or advertisements shall not be displayed on publicly accessible MWR and Marine Corps Community Service (MCCS) Web presences except as provided in paragraph (9) above.

(12) Links to additional information regarding MWR-sponsored events hosted on non-".mil" domains shall not be displayed on publicly-accessible MWR and MCCS Web presences, but may be included on pages accessible only to authorized MWR and MCCS patrons.

(13) Linking disclaimers when linking to the website of a local, State, or Federal Government entity.

(14) Links to the home pages of websites of private sector news media, magazines, publishers, or radio or television stations.

(15) Links to commercial or copyrighted maps.

(16) Installation maps displaying the locations of operational commands or force protection facilities. The use or copying of commercial and/or copyrighted maps is prohibited.

d. Permissible Content and Links:

(1) Links to information under the purview of and posted to other military or U.S. Government websites.

(2) Contact Information.

(a) General telephone numbers and non-personalized e-mail addresses for commonly-requested resources, services, and contacts, without individuals' names.

(b) The names, telephone numbers, and personalized official e-mail addresses of command and activity PA personnel

and/or those designated by the commander as command spokespersons may be included in otherwise non-personalized directories, etc.

(c) The professional academic staff of Navy institutions of higher education (the U.S. Naval Academy, the Naval Postgraduate School, the Naval War College, and the Marine Corps Command and Staff College) may be identified by name, specialty, etc., as required to maintain academic standing. Additionally, the faculty may interact with the public as part of the process of recruiting students, and thus some identifying information is appropriate. However, such information may include only professional information and not information on their families, place of birth, hobbies, etc., or other information not related to their academic credentials.

(d) The contact information for support staff and other departments of Navy institutions of higher education (the U.S. Naval Academy, the Naval Postgraduate School, the Naval War College, and the Marine Corps Command and Staff College) will be generic and will not contain personal information, e.g., Admissions Office, phone XXX-XXX-XXXX, e-mail: admissions@institution.edu.

(e) If deemed as a best business practice by the commander, the Navy Personnel Command or the Marine Corps Manpower and Reserve Affairs may post names and official e-mail addresses of detailers and/or monitors.

(f) Naval medical centers and hospitals may post names, official portraits, and official e-mail addresses of primary care managers, i.e., those who see patients and patient affairs representatives.

(3) Official Biographies and Portraits. Biographies published will not include date of birth, age, current residential street address, or any information about family members. Place of birth, if desired to be included, will be presented as "… is a native of…". Official portraits must be head and shoulders only. Due to the public nature of their duties, Web presences may include the official biographies and portraits of:

(a) Flag officers, commanders, commanding officers, officers in command, executive officers or deputies, the civilian equivalents of those officers just listed, and command master chief petty officers and senior enlisted advisors or Marine Corps master gunnery sergeants or sergeants major.

(b) The senior leadership, department heads and academic faculty at Navy institutions of higher education (the U.S. Naval Academy, the Naval Postgraduate School, the Naval War College, and the Marine Corps Command and Staff College).

(c) Primary care managers and patient affairs representatives at naval medical centers and hospitals.

(d) Members of the U.S. Navy Flight Demonstration Squadron, the U.S. Navy and Marine Bands and their component units, and fleet bands.

(4) Copyrighted and trademarked material used with written permission from the copyright or trademark holder related directly to the command's primary mission and must be clearly marked that the material is under copyright and by whom. Works prepared by DON personnel as part of their official duties and posted to a command Web presence may not be copyrighted, nor may a DON Web presence itself be copyrighted.

(5) To specific articles about the DON command or activity in traditional and online media when such linking would be reasonably seen as not an endorsement of the entity to which the link is made.

0702 REQUIREMENTS APPLICABLE ONLY TO DON WEBSITES

1. Single Website. Each command or activity may have only one publicly-accessible website.

2. Domain. All Department of the Navy websites shall reside in a "navy.mil" or "marines.mil" domain except as follows:

a. Institutions of higher education, specifically the United States Naval Academy, the Naval War College, the Naval Postgraduate School, and the Marine Corps Command and Staff College, may reside in an ".edu" domain.

b. Websites for Navy Recruiting and Marine Corps Recruiting may reside on a ".com" domain.

c. Electronic commerce websites operated for the Navy Exchange Command, Marine Corps Exchange, MWR by Commander, Navy Installations Command, and MCCS may reside on a ".com", ".net" or ".org" domain under this instruction, DoD Instruction 1015.10, Military Morale, Welfare, and Recreation (MWR) Programs, and DoD Instruction 8550.01, DoD Internet Services and Internet-Based Capabilities.

3. Accessibility. All DON publicly-accessible websites will comply with Section 508 and provide accessibility to all U.S. citizens, including persons with disabilities.

4. Plain Writing. All DON publicly-accessible websites will be written in a clear, concise, well-written style per the Plain Writing Act of 2010 (Public Law 111-274). The recommendations and best practices published on http://www.plainlanguage.gov should be followed when creating content for DON publicly-accessible websites.

5. Required Content. All DON command and activity home pages, the logical entry point of the command or activity website, must contain, at a minimum, the following:

a. Full organizational name and official postal mailing address.

b. A statement that the site is an official U.S. Navy or USMC website.

c. Links to:

(1) The parent command, or immediate superior in command, on the home page where applicable.

(2) The webmaster's e-mail or other means to contact the webmaster.

(3) The Navy's official website, http://www.navy.mil, and/or the Marine Corps' official website http://www.marines.mil.

(4) The Navy and/or Marine Corps recruiting sites at http://www.navy.com and http://www.marines.com, respectively.

(5) A link specifically labeled "No Fear Act Data" to http://prhome.defense.gov/nofear.

(6) A tailored privacy policy on the home page. All references to the privacy policy shall state: "Please read our Privacy Policy notice." The format and content of the tailored privacy policy notice will be based on that contained in DoD Instruction 8550.01, DoD Internet Services and Internet-Based Capabilities, 11 September 2012, enclosure 3, figure 2. Websites will not require the viewer to agree with any policy.

(7) A link to Navy or Marine Corps official FOIA websites as appropriate (http://foia.navy.mil/ or http://www.hqmc.marines.mil/Agencies/USMCFOIA.aspx.

(8) The DoD Accessibility/Section 508 statement at http://dodcio.defense.gov/DoDSection508.aspx.

(9) Veterans Crisis Line at http://veteranscrisisline.net/ accessed by clinking on the icon available at https://pa-net.navy.mil/eRoomReq/Files/chinfo/PANET/013b94c/Lifeline.JPG.

(10) A link to http://www.usa.gov.

(11) Commands are encouraged to link to the U.S. Navy's "Frequently Asked Questions (FAQ)" page on the official U.S. Navy website at http://www.navy.mil/navydata/faq.asp or the U.S. Marine Corps FAQ page at http://www.marines.mil/FAQs.aspx.

d. Navy echelon II and Marine Corps senior commands websites will include an electronic reading room with documents most frequently requested through FOIA.

e. Navy echelon II and Marine Corps senior commands will include a link to the command point of contact for Small Businesses as required by the Small Business Paperwork Relief Act of 2002.

f. Navy institutions of higher education (the U.S. Naval Academy, the Naval Postgraduate School, the Naval War College,

and the Marine Corps Command and Staff College) and other commands with an educational mission where unclassified dissertations or professional papers may be published to the Web for the purpose of peer review, must display the following disclaimer for exchange of professional information and ideas among scientists, physicians, or educators:

> "Material contained herein is made available for the purpose of peer review and discussion and does not necessarily reflect the views of the Department of the Navy or the Department of Defense."

6. Prohibited Content. All DON websites are prohibited from including the following content:

a. Any written information or display any logo indicating:

(1) The website is best viewed with any specific web browser(s).

(2) The website has been selected as a recommended or featured site by any organization.

(3) The website was developed and is maintained using any commercial software product or by a contractor.

b. Links to the contractor's website, either in the normal view of the page or in any source code, if developed and maintained by a contractor.

c. Logos or graphics for events, issues, or commemorations unless that event, issue, or commemoration is command sponsored, i.e., a command event, or is approved by SECDEF or SECNAV. Examples of approved events, issues, or commemorations that are national in scope include, but are not limited to, Navy or Marine Corps birthdays, POW/MIA Day, and Federal secular holidays.

d. Commercial page counters.

e. Links to content beyond the established access point to restricted access sites (those requiring a CAC or password to access), so as to not reveal the internal structure.

f. Links to any external content within the window of a frame in websites using frames.

g. Coding that prohibits the visitor to return to a previously visited website, i.e., curtailing the use of the "back" button on the browser.

h. Information that is under the purview of and posted to other military websites.

i. Unmoderated news groups, bulletin boards, or any other unrestricted access posting services, including an interactive website supporting the automatic posting of information submitted by personnel other than those authorized by the command to post information.

7. Permitted Content. All DON websites may include the following content within the parameters described:

a. All DON websites providing links to external, non-U.S. Government websites, must display, link to or link through an intermediate "exit notice" page generated by the server whenever a request is made for any non-U.S. Government link:

> "The appearance of hyperlinks does not constitute endorsement by the U.S. Navy or U.S. Marine Corps of non-U.S. Government sites or the information, products, or services contained therein. Although the U.S. Navy and U.S. Marine Corps may or may not use these sites as additional distribution channels for Department of Defense information, it does not exercise editorial control over all of the information that you may find at these locations. Such links are provided consistent with the stated purpose of this website."

b. Links to the command's presence on social media sites may be indicated through the use of social networking service logo icons. The command's presence must be registered with http://www.navy.mil/submit/addSocialMedia.asp for Navy commands or www.marines.mil/socialmedia for Marine Corps commands.

c. Installation websites may include or link to the following:

(1) Installation maps displaying only the location of medical, retail, personnel support, and recreation facilities.

(2) The National Weather Service at http://www.weather.gov or to the appropriate Navy meteorology and oceanography command.

(3) General information regarding the installation MWR and MCCS programs such as patron eligibility, available services, location of offices, telephone numbers, and hours of operation.

(4) Local chambers of commerce (or overseas equivalents) and local government agencies, as part of the command's family support function. Tenant commands will link to the installation website to provide access to these external links.

(5) To Navy or Marine Corps National Environmental Protection Act websites registered per paragraph 2a, Section 0701 of this instruction.

d. Navy ships may link to namesake organizations provided those organizations are of the alumni or museum type. For example, the current USS Harry S. Truman (CVN 75) site may link to a Harry S. Truman association or the Harry S. Truman Presidential Library website.

e. Echelon II acquisition commands may link to web pages of partners in industry provided those web pages pertain solely and directly to a command program and those links do not constitute, nor appear to constitute, an endorsement of that partner and/or its products or services. Links may not be made to the partner’s main corporate website.

f. The U.S. Navy and USMC official websites (http://www.navy.mil and http://www.marines.mil) may link to federally chartered, military-related organizations. Commands desiring to link to military-related organizations’ websites will do so only by linking to the appropriate pages on the U.S. Navy or USMC official websites.

g. Links to appropriate private sector non-commercial websites by the Bureau of Medicine, the Chief of Chaplains, or

DON institutions of higher education, may be made for purposes of additional educational resources, provided those links support the command's core mission and avoid the appearance of official endorsement.

8. Public Inquiries Via E-mail

a. DON commands and activities may allow visitors the ability to query the command via e-mail on their websites. Commands and activities are cautioned that establishing and maintaining this interactivity can be extremely labor-intensive.

b. Public queries for information should be linked or directed to the command or activity PA office. Queries should be handled consistent with other written requests for information. Responses shall discuss only those issues within the command's cognizance and shall not violate the release of information policy.

9. Surveys. Personnel surveys are a valuable means of collecting information from Sailors, Marines, and civilian employees about various aspects of naval service and civilian employment. They provide data which enable leaders to make informed decisions, evaluate the impact of existing programs and policies, and pulse opinions in advance of new and proposed interventions. Coordination and control of surveys, including those conducted for PA, is required to maintain quality control so surveys are technically sound, avoid duplication of effort, minimize the impact of survey administration on operational tempo, and provide for life-cycle management. Regulation is required because surveys represent a significant expenditure of resources and sometimes are accomplished at the expense of other efforts. Further, regulation avoids duplication of effort, ensures the cost-effective application of survey data, and enables wide access to survey information.

a. Surveys and polls may be conducted via the Internet, postal mail, group or individual interviews, telephone inquiries or through other computer or electronic media, e.g., e-mail, bulletin boards, interactive programs, voicemail, text messaging, hand-held devices, etc. All surveys and polls not explicitly cited in OPNAVINST 5300.8C as Exempt (7.a.-7.c.) must be submitted to the Navy Survey Approval Manager for approval prior to development.

b. Approval Requirements:

Approval Level	Populations
Office of Management and Budget (OMB)	Family members of retirees, government contractors, and members of the general public.
Defense Manpower Data Center via USD(Personnel &Readiness)	Active duty or civilian members of other DoD components or include members of more than one component, e.g., Army and Navy.
Navy Survey Approval Manager	Active duty and reserve Navy Sailors and their family members, civilian employees, as well as those retired from active duty, reserve, or civilian status. Surveys of Navy retirees, spouses, and family members of active duty Sailors will be considered for approval, only if they relate to existing or proposed military issues, programs, or policies.
Marine Corps Survey Approval Manager	Active duty and reserve Marines and their family members, civilian employees, as well as those retired from active duty, reserve, or civilian status. Surveys of Marine retirees, spouses, and family members of active duty Marines will be considered for approval, only if they relate to existing or proposed military issues, programs, or policies.

Note:
All Navy survey requests must be routed through the Navy Survey Approval Manager. If DoD or OMB approval is required the Navy Survey Approval Manager will route the request once he/she staffs and approves it.

Surveys of Marine Corps military members, their families, and Marine Corps civilian employees are administered under the authority of the Commandant and must be routed through the Marine Corps Survey Approval Manager. If DoD or OMB approval is required, the Marine Corps Survey Approval Manager will route the request once he/she staffs and approves it.

c. Unstructured solicitations from the public with an open-ended response, i.e., a text area, are not subject to the Paperwork Reduction Act of 1995 and, therefore, do not require OMB approval.

d. An open-ended offer for visitors to a web presence to provide comments via a feedback "mailto" to the web manager does not require OMB approval. However, a clear statement as to the use of this information and how long it may be retained must be incorporated in the privacy and security notice with a link to that notice.

e. Internet-based surveys of DON military members, their families, or DON civilian employees will not be accessible to the general public. Surveys hosted on publicly accessible Internet sites, including DON websites and DON contracted websites, shall require filtration or protection. This requirement can be met by password protection for access to the survey. Alternatively, web-based surveys may be conducted on access-restricted Navy Intranet sites, e.g., Navy Knowledge Online (NKO). This policy applies to all Navy web surveys regardless of whether they require Navy survey approval or are exempt.

0703 REQUIREMENTS APPLICABLE ONLY TO DON PRESENCES ON INTERNET-BASED CAPABILITIES

1. Administrators. Commands and activities shall designate administrators for official use of IbC in writing. The administrator is responsible for ensuring postings to the IbC comply with content policy. Commands permitting postings by others must ensure the site contains an approved user agreement delineating the types of information unacceptable for posting to the site and must remove such unacceptable content. At a minimum, the DON's current social media user agreement is required. This agreement is available from Navy Media Content Services at 703-614-9154.

2. Local Procedures. Commands and activities must develop written local procedures for the approval and release of all information posted on command and activity official use of IbC.

3. Security. Commands will actively monitor and evaluate official use of IbC for compliance with security requirements and for fraudulent or unacceptable use.

4. Collaboration and Information Sharing Tools. Commands and activities will use collaboration and information sharing tools within an access restricted .mil or .gov domain, such as Intellink or milSuite for all pre-decisional information, proprietary information, business sensitive information, information designated as for official use only, or any other form of SBU information.

5. Primary Web Presence. A command or activity IbC presence, including those on blog platforms, may not serve as the DON entity's primary web presence and must link to the primary web presence, the command or activity's official website.

6. Prohibited Content. Commands and activities shall not publish and shall prohibit content within the following categories in addition to the content listed in 0702:

a. Personal attacks, vulgar, hateful, violent, or racist language, slurs, stereotyping, hate speech, and other forms of discrimination based on any race, color, religion, national origin, disability, or sexual orientation.

b. Information that may engender threats to the security of Navy and Marine Corps operations or assets, or to the safety of DON personnel and their families.

7. Corrections to Previous Posts. If correcting a previous post by another contributor on an IbC presence, such posting is done in a respectful, clear, and concise manner. Personal attacks are prohibited.

8. Personal Posts to Web Logs and Social Media Sites

a. Individual members of the DON are authorized to participate in or operate blogs or other social networking services. The DON recognizes the value of these communication channels in posting current information and supporting the morale of personnel, their families, and friends. As long as personnel adhere to specific restrictions on content, the DON encourages the use of blogs and social networking services, and

recognizes this free flow of information contributes to legitimate transparency of the DON to the American public whom the DON serves. In any instance in which an individual member of the DON is identified as such, either directly or indirectly, on a blog or other social media service, that individual is considered as representing the DON and must act accordingly.

b. In addition to the types of information listed in paragraph 3c of Section 0702, the following information must not be displayed on personal IbC operated by individual members or on presences to which the individual may publish:

(1) Any image, still or motion, of any military operation or activity unless that image is personal and has been cleared by the proper authority if there is a potential for a security or privacy violation.

(2) Language that may tend to diminish the confidence in or respect due to his or her superior officer(s), per the Uniform Code of Military Justice.

0704 DEFINITIONS. The following are accepted definitions used in this chapter.

1. DON Access-Restricted Website. "Access restricted" is defined as being isolated from the Web by means of a user identification and password scheme or by CAC. Domain and/or Internet Protocol (IP) restriction is not an acceptable method of access control (see definition of publicly-accessible website). May be either internal-facing or external-facing.

2. Advertisement and Advertising. For the purposes of this instruction, material or information, regardless of media, disseminated in exchange for any remuneration or intended to promote any service, facility, or product of non-U.S. Government entities (Adapted from section 399(b) of title 47, U.S.C.).

3. DoD Website. Any website or web service operated by or for DoD, funded with DoD appropriations, or operated by DoD employees as part of their official duties or by contracted employees as part of contracted services to the Department. Examples include: Web portals such as Army Knowledge Online; Web logs (blogs) such as DoDLive; Wikis such as milWiki; professional networking such as milBook; media sharing such as

DefenseImagery; video and audio streaming such as The Pentagon Channel.

4. DON Website. Any website or Web service operated by or for DON, funded with DON appropriations, or operated by DON employees as part of their official duties or by contracted employees as part of contracted services to the Department.

5. External-Facing Website. A website that is available via the Internet to users at any location. "External-facing" is synonymous with public-facing, but not publicly accessible. External-facing websites may be either access-controlled or publicly-accessible. Respective examples of each are www.nko.navy.mil, which is external-facing but not publicly accessible, and www.navy.mil, which is both external facing and publicly accessible.

6. IbC. All publicly-accessible information capabilities and applications available across the Internet in locations not owned, operated, or controlled by DoD or the Federal Government. IbC include collaborative tools such as SNS, social media, user-generated content, social software, e-mail, instant messaging, and discussion forums, e.g., YouTube, Facebook, MySpace, Twitter, Google Apps. By definition, IbCs do not include command or activity websites.

7. Internet Media. Files delivered or acquired using any IP and supporting technology, e.g., web pages, data or text, e-mail, video, audio, graphics, instant messages, chat.

8. Internal-Facing Website. Available only to users on the same local area network/wide area network that hosts the website. Includes access available during virtual private network sessions. Internal-facing websites are access-controlled by default of the network access requirement(s) and may or may not require additional access controls such as user identification and password, or CAC credentials. Internal-facing websites often serve as interfaces to intranets. An example would be any website on the SECRET IP Router Network.

9. Non-Public Information. Information generally not available to the public, obtained in the course of one's official DoD duties or position, which has not been cleared and authorized for release to the public or would normally not be releasable

under FOIA (section 552 of title 5, U.S.C.), if requested. The term "non-public information" includes "inside information," "proprietary information," and "source selection information," controlled unclassified information, and other categories of information that are legitimately to be withheld from the public [Subpart 2635.703 of title 5, CFR; DoD Directive 5400.07, Freedom of Information Act of 2 January 2008; DoD 5400.7-R DoD Freedom of Information Act Program of 4 September 1998; DoD 5200.1-R, Information Security Program, of 14 January 1997; and sections 3.104-4 and 3.104-5 of Federal Acquisition Regulations provide detailed information].

10. Official DoD Information. All information that is in the custody and control of the DoD, relates to information in the custody and control of the Department, or was acquired by DoD employees as part of their official duties or because of their official status within the Department.

11. Personal Information. Information about an individual that identifies, links, relates, or is unique to, or describes him or her, e.g., a social security number, age, military rank, civilian grade, marital status, race, salary, home or office phone numbers, other demographic, biometric, personnel, medical, and financial information, etc. Such information also is known as personally identifiable information, e.g., information that can be used to distinguish or trace an individual's identity, such as his or her name, social security number, date and place of birth, mother's maiden name, and biometric records, including any other personal information that is linked or linkable to a specified individual. Name, rank and rate, and duty station are releasable.

12. Publicly-Accessible Website. An external-facing website available without access controls and to an unlimited audience. Additionally, websites with only IP or domain restrictions are considered to be publicly-accessible websites for purposes of DoD policy and regulatory compliance. The ease by which these restrictions may be bypassed makes them an unacceptable method of access control. Only information authorized for public release may appear on a publicly-accessible website.

13. Terms of Service. Terms used to describe agreements made between the DoD and a third party IbC provider.

14. Web Presences. Defined as to include websites, blogs, and IbC such as, but not limited to, SNS, and video or audio distribution applications.

15. Website. A set of interconnected pages, services, and associated Internet media generally located on the same server, available at a URL, i.e., a web address that begins with the protocol indicator of http or https, and prepared and maintained as a collection of information by a person, group, or organization. Normally, a website is differentiated from a web page in that a website is designated by the name to the left of a slant. A web page is to the right. As example, http://www.site.navy.mil/admindept.

References:

29 U.S.C. §794d

44 U.S.C. §3501

Public Law 111-274

OMB Memo M-05-04 of 17 December 2004

OMB Memo, "Social Media, Web-based Interactive Technologies, and the Paperwork Reduction Act," of 7 April 2010

OMB Memo M-10-22 of 25 June 2010

OMB Memo M-10-23 of 25 June 2010

OMB Circular A-130 (Management of Federal Information Resources)

For DoD Issuances, please see http://www.dtic.mil/whs/directives/index.html

DoD Instruction 1015.10 of 6 July 2009

DoD Instruction 5040.02 of 27 October 2011

DoD Instruction 8410.01 of 14 April 2008

DoD Instruction 8550.01 of 11 September 2012

For all SECNAV and OPNAV instructions, please see the Department of the Navy Issuances website at http://doni.daps.dla.mil/

Department of the Navy Chief Information Officer/Chief of Information Joint Memorandum, "Department of the Navy Web Presence Policy - The Registration, Compliance of, and Investment in, All Unclassified Websites and Uniform Resource Locators (URL) (http://www.doncio.navy.mil/ContentView.aspx?ID=577)

SECNAVINST 5211.5E

SECNAVINST 5239.3B

SECNAVINST 5430.7Q

SECNAVINST 5510.36A

SECNAVINST 5720.42F

OPNAVINST 5239.2

OPNAVINST 5300.8C

NAVSUP P-487 (NOTAL)

CHAPTER 8 : COMMUNICATION PRODUCTS

0800 ROLES AND RESPONSIBILITIES

1. General. A variety of DON communication products are required to fully inform DON's internal and external audiences. These products should be integrated to form a family of world class communication products.

2. Required Communication Products

a. CHINFO and DIRPA shall, at a minimum, ensure the existence of the type of products listed below. CHINFO and DIRPA shall create additional or replacement products as required to execute their missions.

(1) A flagship Web site for each service, such as www.navy.mil and www.marines.mil.

(2) A news service for each service, such as Navy News Service and Marine Corps News.

(3) A publicly-accessible source of photographs.

(4) A visual news program.

(5) An audio news capability.

(6) An official social media presence for each service.

b. Other DON units, communities and entities will use applicable CHINFO and DIRPA products as part of their communication programs. They may also create separate products as part of communication programs when deemed necessary by the commander. These products may be of single, short term or enduring use.

c. Commanders shall ensure their unit and subordinate units print products are following DoD, DON, and other applicable guidance. They also shall ensure the themes and messages in those products align with those of higher echelons.

0801 COMMAND NEWSPAPERS

1. General. Military newspapers provide a free flow of news and information to support meeting the command's communication objectives. The command newspaper is a highly valuable means to provide essential information to the internal audience. It also serves as a mechanism to disseminate DoD, DON and community news, and it supports the receipt of feedback from the internal audience. Command newspapers may be published in hard copy, be solely Web-based, both hard copy and Web-based, or created and distributed in other ways that may be available and successful in communicating to internal audiences. While command newspapers primarily exist to inform the internal audience, they often are useful in reaching the external audience.

2. Types. There are two types of military newspapers.

a. Civilian Enterprise (CE) Newspapers. Commands are encouraged to establish CE newspapers whenever feasible as a cost-saving mechanism. CE papers are published under a written contract between a commercial publisher and a command or installation. Editorial content is the responsibility of the command. The publisher prints and distributes the newspaper and incurs all related expenses. The publisher offsets expenses by selling advertising space. Commands are prohibited from using appropriated or non-appropriated funds to pay for any part of the costs incurred by the CE publisher in producing the newspaper. CE newspapers become property of the government entity for which they are created upon delivery, per contract terms.

b. Funded Newspapers. These are fully funded by a unit's operating fund. Installations and activities with at least 500 members (combined military and civilian workforce, including tenant commands or embarked detachments) are eligible to produce an appropriated fund newspaper. They are free from commercial advertising. All editorial content and layout is the responsibility of the command. Non-appropriated funds may not be used for any costs incurred in publishing an appropriated fund newspaper. CHINFO approval is required prior to establishing a funded publication.

3. Authorization to Publish. The guidelines to receive authorization to publish are:

a. The elements of newspaper design, editorial development, and distribution are organized principally to improve morale and welfare of the internal audience.

b. The command makes efficient use of funds, supplies, and personnel in producing and distributing the newspaper, and complies with applicable directives.

c. The command incorporates security and policy review into the standard operating procedures for the editorial staff and ensures these measures provide for accurate review while guarding against undue delays in copy approval.

d. The command ensures the newspaper supports the information objectives of DON, the local commander, and those in charge of tenant commands or embarked detachments.

e. The newspaper is sanctioned by the local commander or other senior official.

f. The Navy command obtains permission to publish from CHINFO. This authority may not be delegated. Marine Corps commands must obtain permission to publish as outlined in MCO 5720.77, Marine Corps Public Affairs Manual.

g. The command establishes only one newspaper per location where more than one command or headquarters is collocated. At locations where more than one command or headquarters is collocated, the host commander is responsible.

4. Contracting for Printing. Officers in command will not initiate negotiations with commercial printers or publishers without first consulting the guidance in DoD newspapers, magazines and CE publications, DoD Instruction 5120.4 of 16 June 1997, and the cognizant Navy or Marine Corps publications and printing service office, or regional contracting officer. For a sample contract for a Marine Corps CE newspaper goal, see DoD Instruction 5120.4 of 16 June 1997. The goal of CE contracts is to save taxpayer money by transferring certain publication and distribution burdens to a private sector publisher selected by competitive bid. The right to sell and circulate advertising provides the publisher revenue to cover costs and secure

earnings. (The contracting organization and the distribution of the editorial content is the property of the command, or installation, or as stated in the contract.)

a. In negotiating CE contracts, commands shall seek to delegate as many of the publication and distribution functions as possible to the publisher to generate maximum savings. In the contractual relationship, command communication needs and requirements shall be paramount.

b. Each CE publication will be covered by a separate contract. Contracts will include provisions which reflect appropriate guidance from sources and this instruction, and which cover local requirements.

c. Invitations for bid proposals for CE publications must include a description of the desired categories (e.g., news, comics, features, and factual information) and other required provisions of the contract.

d. When selecting contracts:

(1) Only reputable firms shall be used. Disreputable business activity in connection with CE publications may damage relations with the civilian community.

(2) To select the commercial publisher, a selection group shall be formed consisting of the senior member of the command or activity (serving as chairperson), the staff or command judge advocate, procurement officer, printing representative, PAO (serving as executive secretary and editorial advisor), and other functional specialists with skills relevant to the selection and contracting process. The selection group will hear presentations and review written data by any prospective commercial publisher or their representative obtain and review independent data and make onsite inspections. The group shall also investigate the competence, reliability, technical, production, and business capabilities and resources of each viable bidder before selection. Since exchange of rights is a consideration in a CE contract, the best obtainable product and service in exchange for those rights will be the prime criterion for selection. If only one bidder responds, the

group may decide that the offer is not sufficient to warrant producing the publication under a CE contract and decide to produce it as a funded newspaper or not to produce it.

(3) If only one bidder responds, the command may pursue a CE publication arrangement as a negotiated contract solicited as a request for proposal. In this case, all provisions of the contract are negotiated between representatives of the firm and representatives of the command (e.g., the command procurement specialist and staff or command judge advocate). The objective of the procedure is the same as the invitations for bid: to obtain the best possible service and product. The command is under no obligation to accept a single bidder's proposal.

(4) In selecting a publisher, fair and equal opportunity shall be afforded any responsible, qualified bidder. The command shall invite bids from the widest possible selection of commercial publishers available. Modern technology may enable invitations for bid by publishers located a considerable distance from the command or installation.

e. Contracts shall adhere to the following terms:

(1) A CE commercial publisher shall not pay money to the command or installation. Revenue sharing between a government agency and a CE publisher is not authorized.

(2) CE contracts may be entered into for 1 year with annual options for renewal based on satisfactory performance for up to 4 years, after which that contractor must re-compete (re-bid). The contract will be renewed only if the publisher has executed the provisions of the contract in a satisfactory manner. Contracts will contain a provision for termination for cause if the products and services required by the contract are unsatisfactory, or if contract provisions are otherwise not met. The conditions for termination shall be included in the contract. Unsatisfactory performance must be documented. The selection group will perform regular reviews in order to make informed decisions regarding renewals or terminations for cause. If a CE newspaper contract is terminated, it may be necessary to temporarily establish a funded newspaper in order to maintain continuity of command internal communication. If one or more bidders for a CE newspaper contract are not available, it may be necessary to permanently establish a funded newspaper.

(3) The contract must stipulate that any comic or feature supplement intended for distribution with the CE newspaper by the commercial publisher shall have the prior approval of the base commander. Separate contracts for supplements are not required.

(4) The contract must specify that the PAO or other designated individual shall specify design and layout, and writing of the editorial content. The contract must also specify that the publisher shall provide design, layout, typesetting, paste up, distribution and other services. The contract may allow for the PAO to specify advertising layout in order to support the communications objective of the entire publication. (This is a matter for negotiation.)

f. All CE contracts shall specify ground rules for inclusion of advertising. Advertising may be placed where desired by the publisher, printed in sections reserved for advertising, or included as supplements. All contracts will contain a provision which prohibits the CE commercial publisher from entering into an exclusive advertising agreement with any firm, broker, or individual. Other requirements pertaining to advertising:

(1) The publishers shall enable the command to provide listings of personal items and services for sale by members of the command at no charge to the command or its members, provided such items and services represent an incidental exchange between naval members (i.e., not a business operation).

(2) Advertisements or advertising inserts for exchanges, commissaries, or other non-appropriated fund activities will be placed through the newspaper's publisher (whether paid or unpaid) and not the editorial staff.

(a) Naval members may not accept employment by or gratuities from a commercial publisher under CE contract. Other than investigating the business capability of prospective publishing companies during the bidding process and the general monitoring of ongoing capability to fulfill the contract, command members may not be connected with the business affairs of the CE publication or with other business affairs of commercial publishers under CE contract.

(b) Contracts shall state that the amount of advertising content, measured in column inches, will not exceed 60 percent of the total newspaper. Ratios that allow more editorial space and less advertising space are permissible if such conditions are included in the contract.

(c) The commander may prohibit distribution of a CE publication on command property when it contains advertising that promotes dissident or protest activity, potential riots, or other disturbances or when circulation of such advertising may present a danger to loyalty, discipline, or the morale of the command.

1. The PAO shall review advertisements, before any issue of a CE publication is printed, for any that are contrary to law or that pose a danger to loyalty, discipline, or command morale, and may thus interfere with mission accomplishment.

2. Commands shall request (in writing, if necessary) that the publisher delete any offensive advertisements. If the publisher does not comply, the commander may prohibit distribution.

3. Commanders may contract printing of funded newspapers after receiving CHINFO approval per NAVSO-P-1000, Navy Comptroller Manual. Advertising policy for funded newspapers is as follows:

a. Noncommercial news stories and announcements concerning non-appropriated fund activities, exchanges, and commissaries may be published in funded newspapers.

b. Funded newspapers will carry no commercial advertising.

c. As a service, funded newspapers may carry free listings of personal items and services for sale by command members, provided such items and services represent an incidental exchange between DON members and not a business operation.

5. Procedures and Editorial Policy. The military newspaper as an internal information tool will support internal information objectives. CHINFO and DIRPA have overall responsibility for issuing policy regarding DON newspaper management and editorial content.

a. Procedures. The following procedures apply:

(1) Immediate superiors in the chain of command shall review newspapers of subordinate commands to ensure compliance with applicable standards and directives.

(2) The military newspaper of a host command or ship will support the information needs of tenant commands or embarked detachments. The host command will provide balanced coverage of all other local commands, their personnel and activities.

(3) Local news and information will be central. Whenever feasible, service-wide news will be localized by explaining how policies or issues affect local readers.

(4) All newspapers shall incorporate at least one means for reader feedback and comment (e.g., letters to the editor, guest column, person-on-the-street interviews).

b. Editorial Policy

(1) Commanders are responsible for compliance with all applicable policies and regulations as outlined in sources, including review of editorial material for conformance to policy and national security concerns.

(2) News coverage and content will be factual and objective. The editorial staff shall ensure that text and headlines employ standards of good taste governing U.S. commercial newspapers, and will avoid sensationalism or unnecessary alarm.

(3) Facts must be easily distinguished from opinions. If an opinion is expressed, the source will be identified. Accuracy and balance in coverage are paramount.

(4) When editorials are included, their objective of an editorial appearing in a DoD newspaper is to reinforce command policies, and to improve command effectiveness and the welfare of command members. Editorials should aim to help readers understand policies, encourage their exercise of voting rights, adopt positive and healthy lifestyles, etc. Guest editorials will include author name and title.

(5) Military newspapers shall not contain campaign news or editorials regarding candidates or campaign issues, whether written by the command editorial staff or obtained from other sources, including the candidates themselves. Exceptions are: official messages from elected officials that observe national holidays, or recognize outstanding achievements, and nonpartisan appeals to exercise voting rights. CE newspapers may carry paid political advertisements by legitimate candidates or parties, provided the commander is assured that equal opportunity to advertise has been afforded to all parties.

c. Other Guidelines

(1) Material published in military newspapers is considered disclosed to the public. Therefore, all the members of the editorial staff and the PA office, (including stringers and other contributors not assigned to the PA office), must know and follow the provisions of the Privacy Act to prevent unwarranted invasions of privacy. Annual training on the Privacy Act, FOIA exemptions, and their implications for military newspapers will be held for the PA and editorial staffs and contributors.

(2) Reviews of books, radio and television programs, movies, and other entertainment channels may be carried if written objectively and with no implication of endorsement by DoD or any of its components or subordinate echelons.

(3) News content will be based on releases, reports, and materials provided by commercial newsgathering agencies, when authority exists to use such services. DoD components such as Armed Forces Radio and Television Service (AFRTS), subordinate echelons, and members of other DoD newspapers are other sources of news content.

(4) During an election year, command newspapers shall carry voter registration and absentee voting information for the applicable State, territory, or possession. DoD newspapers shall use voting materials provided by the Director, Federal Voting Assistance Program, OSD, and DON. Newspapers shall encourage DON members to register and exercise their right to vote.

(5) DON newspapers shall not provide coverage or editorial comment on polls, surveys, or straw votes conducted in relation to any political campaign. Commanders may authorize polls on local and non-political matters, such as "athlete of the week" competitions.

(6) Commands shall refrain from editorial comment on subject matter identified with special interest groups outside the DoD.

(7) Military newspapers shall avoid labor union news that might provoke controversy such as editorial endorsements, criticism of union actions, recruiting, or membership.

(8) News about activities and policies of recreational facilities and other welfare and recreation activities and the promotion of positive, healthy lifestyles are encouraged.

(9) Newspapers shall not publish any material that implies Service or DoD endorsement or favorable views regarding a commercial product or service.

(10) Alcohol and use of tobacco products will not be glamorized. Club activity coverage is permissible as long as it emphasizes club activities and not beverages.

(11) Editorial copy prepared by a command for its CE newspaper is intended primarily for the internal (command) audience. Other publishers have no legal right to this information (i.e., the right to "scoop" the military newspaper), and granting them such access can undermine the CE concept. Accordingly, other publishers and firms which request internal information material that is furnished to the command's CE publisher will be referred to the appropriate Freedom of

Information Act (FOIA) office, and may choose to file a FOIA request. This provision does not enable the command to withhold legitimate news.

(12) All photographs shall be properly credited. In a funded newspaper, writers and photographers should receive credit by name and rank. In a CE newspaper the name and rank of the photographer should be credited, but the credit lines must not imply that the photographer is employed by the contractor.

(13) Postal regulations stipulate that military newspapers carrying information on lotteries of any kind, whether in advertisements, news articles, editorials, or announcements (i.e., "display ads") shall not be entered in the U.S. Mail system. The only exceptions are advertising in CE papers for state-sanctioned lotteries and "games" conducted on Indian reservations. The prohibition against mailing applies to bingo, raffles, anchor pools, and other games of chance conducted at or near a military installation, even in cases where the games are command sanctioned.

(14) The masthead of all funded and CE newspapers shall contain the following elements:

(a) The name of the commander or head of the activity, in type no smaller than six-point; the name of the newspaper and the producing command.

(b) The following statement:

"The editorial content of this newspaper is edited and approved by the public affairs office of (command)."

(15) Editorial staff shall be identified as follows: In type no smaller than six point, the name, rank or rate (if military) and editorial position on the newspaper staff of all personnel assigned duties involving preparation and editing shall be listed under the heading "(command) Editorial Staff."

(16) The following disclaimer shall be placed in all funded and CE newspapers in type no smaller than six point:

"This newspaper is an authorized publication for members of the Military Services (add the words "stationed overseas," "at sea" or "and their families" if applicable). Its contents do not necessarily reflect the official views of the U.S. Government, the Department of Defense or the U.S. Navy (or Marine Corps) and do not imply endorsement thereof."

(17) The following disclaimer shall be used in all CE newspapers in type no smaller than six point:

"The appearance of advertising in this newspaper, including inserts of supplements, does not constitute endorsement by the Department of Defense, the Navy (or Marine Corps), (name of command) or (name of publisher) of the products and services advertised."

"Everything advertised in this newspaper shall be made available for purchase, use or patronage without regard to race, color, religion, gender, national origin, age, marital status, physical handicap, political affiliation or any other non-merit factor of the purchaser, user, or patron. If a violation or rejection of this equal opportunity policy by an advertiser is confirmed, the publisher shall refuse to print advertising from that source until the violation is corrected."

"Published by (name of publisher), a private firm in no way connected with DoD, the U.S. Navy (or Marine Corps), under exclusive contract with the U.S. Navy (or Marine Corps)."

(18) Commands are encouraged to trademark their newspaper's name and flag design. The designated DON point of contact for trademark matters is the Office of Naval Research, Office of Counsel, Code 00CC, Attention: Trademark Licensing Office, 875 N. Randolph Street, Arlington, VA 22203-1995

6. Distribution. Funded newspapers may be distributed through official channels. For policy on distribution of funded and CE newspapers, see DoD Instruction 5120.4 of 16 June 1997. Appropriated funds and manpower may be used for distribution.

7. Measuring Effectiveness. A readership survey should be conducted every 2 years and following any major editorial or stylistic change. Results will be reported to higher echelons and the readership. CE newspaper contracts should stipulate that readership surveys shall be conducted through an independent contractor.

8. Web-based Newspapers. The PAO may require the publisher of a funded or CE newspaper to provide an online version of the printed product (i.e., newspaper or magazine). The production of an online version will not be construed as a violation of DON internal hosting requirements as the CE publisher is contractually responsible for the costs of production and circulation. Although DoD Web sites are normally discouraged from linking to commercial activities, the commander may authorize an installation Web site to be linked to the Web site carrying the installation's authorized CE publication. Prior to publication on line, all information prohibited from Web publication must be removed. (For guidance on electronic newspapers, see DoD Instruction 5120.4 of 16 June 1997, policy memorandum on electronic newspapers and chapter 7.)

9. News Bulletins and Summaries. Publications comprising excerpts from approved national and international news and opinion sources are authorized for deployed or isolated commands and ships. The publication must include the appropriate disclaimer(s). (See article 0801, paragraph 5c(16).)

0802 OTHER PRODUCTS

1. Base Guides, Directories, and Installation Maps

a. DON policy authorizes CE publications that provide information about the command mission, community services, local geography, historical background, and similar topics. Official installation directories may be included as a section of a CE guide, provided the directory is integral to the guide. Separate CE telephone directories are not authorized.

b. Installation maps are authorized to orient new arrivals or visitors. Editorial content is the responsibility of the command PA staff. The relationship between and distinct responsibilities of the publisher and PA staff should be addressed in contract negotiations.

2. Welcome Aboard Pamphlets. These publications are an effective mechanism to introduce visitors through words and photographs to the command, the mission, vision and guiding principles. The funding source is the command's operating fund. Printing is normally supported by Document Automation and Production Service (DAPS).

3. Commemorations of Command Activity. Navy and Marine Corps units are authorized to create products such as annuals, cruise books or similar commemorations of command activity. Use of non-appropriated funding (MWR) is authorized to help offset publishing costs. Negotiations with commercial printers or publishers should not be entered into without first consulting references and the local fleet industrial supply center (FISC).

4. Magazines. Magazines are included in DoD Instruction 5120.4 of 16 June 1997, governing newspapers and must follow the same policies as funded and CE newspapers. All DON magazines must be approved by CHINFO or DIRPA.

References:

For all DoD issuances, please see http://www.dtic.mil/whs/directives/index.html

DoD Instruction 5120.4 of 16 June 1997

For all SECNAV and OPNAV instructions, please see the Department of the Navy Issuances Web site at http://doni.daps.dla.mil/

OPNAVINST 5300.8C

NAVSO-P-1000, Navy Comptroller Manual
http://www.finance.hq.navy.mil/fmc/PDF/P_1000_chg_67.pdf

For all Marine Corps Orders, please see the Marine Corps Orders and Directives Web site at
http://www.marines.mil/news/publications/Pages/order_type_mco.aspx

MCO 5720.77

MCO 5600.31