



Department of Defense **INSTRUCTION**

NUMBER 5120.04

March 17, 2015

Incorporating Change 1, Effective November 20, 2017

ATSD(PA)

SUBJECT: DoD Newspapers, Magazines, Guides, and Installation Maps

References: See Enclosure 1

1. **PURPOSE.** In accordance with the authority in DoD Directive (DoDD) 5122.05 (Reference (a)), this instruction reissues DoD Instruction (DoDI) 5120.4 (Reference (b)) to establish policy, assign responsibilities, and prescribe procedures for establishing and managing the publication of authorized DoD newspapers, magazines, guides, and installation maps (referred to collectively in this instruction as “DoD publications”) to support the DoD command information program.

2. **APPLICABILITY.** This instruction:

a. Applies to OSD, the Military Departments, the Office of the Chairman of the Joint Chiefs of Staff and the Joint Staff, the Combatant Commands (CCMDs), the Defense Agencies, the DoD Field Activities, and all other organizational entities within the DoD (referred to collectively in this instruction as the “DoD Components”).

b. Does not apply to the Stars and Stripes (S&S) newspapers and business operations. S&S guidance is provided in DoDD 5122.11 (Reference (c)).

3. **POLICY.** It is DoD policy that:

a. A free flow of news and information will be provided to all DoD personnel without censorship or news management and in accordance with this instruction. The calculated withholding of news unfavorable to the DoD is prohibited.

b. All printing using appropriated funds will be obtained in accordance with DoDI 5330.03 (Reference (d)).

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c. DoD newspapers or magazines may be funded by authorized DoD appropriations or produced using the civilian enterprise (CE) concept in which the costs to produce and distribute the DoD publication are borne by a CE publisher in exchange for the right to circulate advertising. Guides and installation maps are produced using the CE concept.

d. In accordance with DoD 8400.01-M (Reference (e)), DoD employees or members of the public with disabilities seeking information or services from the DoD will have access to and use of information and data comparable to the access and use by individuals without disabilities, unless an undue burden would be imposed, to the extent required by law.

4. RESPONSIBILITIES. See Enclosure 2.

5. PROCEDURES. See Enclosures 3 through 7.

6. RELEASABILITY. **Cleared for public release**. This instruction is available on the Directives Division Website at <http://www.esd.whs.mil/DD>.

7. SUMMARY OF CHANGE 1. The changes to this issuance are administrative and update organizational titles and references for accuracy.

8. EFFECTIVE DATE. This instruction is effective March 17, 2015.



Brent Colburn
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for Public Affairs

Enclosures

1. References
2. Responsibilities
3. Procedures
4. Funded Newspapers and Magazines
5. CE Publications
6. SSP
7. Mailing of DoD Publications, and Sales and Distribution of Non-DoD Publications

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REFERENCES

- (a) DoD Directive 5122.05, "Assistant Secretary of Defense for Public Affairs (ASD(PA))," September 5, 2008
- (b) DoD Instruction 5120.4, "Department of Defense Newspapers, Magazines and Civilian Enterprise Publications," June 16, 1997 (hereby cancelled)
- (c) DoD Directive 5122.11, "Stars and Stripes (S&S) Newspapers and Business Operations," October 5, 1993, as amended
- (d) DoD Instruction 5330.03, "Defense Logistics Agency (DLA) Document Services," February 8, 2006, as amended
- (e) DoD 8400.01-M, "Procedures for Ensuring the Accessibility of Electronic and Information Technology (E&IT) Procured by DoD Organization," June 3, 2011
- (f) Defense News website, <http://www.defense.gov/news/articles>
- (g) DoD Instruction 5040.02, "Visual Information (VI)," October 27, 2011, as amended
- (h) Assistant to the Secretary of Defense for Public Affairs, "DoD Captioning Style Guide," October 28, 2013
- (i) DoD Instruction 1000.04, "Federal Voting Assistance Program (FVAP)," September 13, 2012, as amended
- (j) DoD Instruction 1100.13, "DoD Surveys," January 15, 2015, as amended, as amended
- (k) DoD Instruction 8910.01, "Information Collection and Reporting," May 19, 2014
- (l) DoD Manual 8910.01, Volumes 1-2, "DoD Information Collections Manual," June 30, 2014, as amended
- (m) DoD Instruction 5035.01, "Combined Federal Campaign (CFC) Fund-Raising Within the Department of Defense," June 6, 2017, as amended
- (n) DoD Directive 1020.02E, "Diversity Management and Equal Opportunity in the DoD," June 8, 2015, as amended
- (o) DoD Instruction 1330.13, "Armed Forces Entertainment Program," March 23, 2004
- (p) DoD Instruction 1015.10, "Military Morale, Welfare, and Recreation (MWR) Programs," July 6, 2009, as amended
- (q) DoD Instruction 5200.01, "DoD Information Security Program and Protection of Sensitive Compartmented Information," April 21, 2016, as amended
- (r) DoD Manual 5200.01, Volumes 1-4, "DoD Information Security Program," February 24, 2012, as amended
- (s) DoD Directive 5205.02E, "DoD Operations Security (OPSEC) Program," June 20, 2012, as amended
- (t) DoD Instruction 5210.02, "Access to and Dissemination of Restricted Data and Formerly Restricted Data," June 3, 2011, as amended
- (u) DoD Directive 5400.07, "DoD Freedom of Information Act (FOIA) Program," January 2, 2008, as amended
- (v) DoD Manual 5400.07, "DoD Freedom of Information Act (FOIA) Program," January 25, 2017
- (w) DoD Instruction 5210.83, "DoD Unclassified Controlled Nuclear Information (UCNI)," July 12, 2012, as amended

- (x) DoD Directive 5230.09, "Clearance of DoD Information for Public Release," August 22, 2008, as amended
- (y) DoD Instruction 5230.29, "Security and Policy Review of DoD Information for Public Release," August 13, 2014, as amended
- (z) DoD Instruction 8550.01, "DoD Internet Services and Internet-Based Capabilities," September 11, 2012
- (aa) Section 105 of Title 17, United States Code
- (ab) DoD Directive 5400.11, "DoD Privacy Program," October 29, 2014
- (ac) Part 1237 of Title 36, Code of Federal Regulations
- (ad) Chapter 31 of Title 41, United States Code
- (ae) Section 508 of Title 18, United States Code
- (af) Title 5, Code of Federal Regulations
- (ag) DoD 5500.07-R, "Joint Ethics Regulation (JER)," August 30, 1993, as amended
- (ah) DoD Instruction 1325.06, "Handling Dissident and Protest Activities Among Members of the Armed Forces," November 27, 2009, as amended
- (ai) Title 18, United States Code
- (aj) Section 2720 of Title 25, United States Code
- (ak) Federal Acquisition Regulation (FAR), as supplemented, current edition
- (al) Defense Federal Acquisition Regulation Supplement (DFARS), as supplemented, current edition
- (am) Joint Committee on Printing, U.S. Congress, "Government Printing and Binding Regulations," February 1990
- (an) DoD Instruction 4525.7, "Military Postal Service and Related Services," April 2, 1981
- (ao) DoD 4525.8-M, "DoD Official Mail Manual," December 26, 2001

ENCLOSURE 2

RESPONSIBILITIES

1. ASSISTANT TO THE SECRETARY OF DEFENSE FOR PUBLIC AFFAIRS (ATSD(PA)).

Consistent with Reference (a), the ATSD(PA):

- a. Develops policies and provides guidance on the administration of the DoD command information program.
- b. Provides policy and operational direction to the Director, Defense Media Activity (DMA).
- c. Monitors and evaluates overall mission effectiveness within DoD for matters covered by this instruction.

2. DIRECTOR, DMA. Under the authority, direction, and control of the ATSD(PA), the Director, DMA:

- a. Develops and oversees the implementation and management, content, and publication of DoD publications covered by this instruction.
- b. Serves as DoD point of contact to the Joint Committee on Printing of the U.S. Congress for matters covered by this instruction.
- c. Serves as the DoD point of contact in the United States for CCMD newspaper matters.
- d. Provides guidance to the CCMDs, Military Departments, and other DoD Components pertaining to DoD publications.
- e. Provides a press service via the Defense News website (Reference (f)) composed of DoD news and feature articles for use by editors of authorized DoD publications.

3. SECRETARIES OF THE MILITARY DEPARTMENTS. The Secretaries of the Military Departments:

- a. Provide policy guidance and assistance to their Department's publications in accordance with this instruction.
- b. Encourage the use of CE publications when they are the most cost-effective means of fulfilling the command information requirement.

c. Ensure that adequate resources are available to support authorized command information publications covered by this instruction as each Military Service determines its communication requirements.

d. Ensure all printing obtained with appropriated funds complies with Reference (d).

e. Ensure all visual information (VI) generated for command internal publications is managed in accordance with DoDI 5040.02 (Reference (g)), captioned in accordance with the DoD Captioning Style Guide (Reference (h)) and submitted to the Defense Imagery Management Operations Center (DIMOC) as part of the official record and to provide broader access for DoD users.

4. COMBATANT COMMANDERS. The Combatant Commanders:

a. Publish CCMD newspapers, if authorized. In discharging this responsibility, the Combatant Commander will ensure that policy, direction, resources, and administrative support are provided, as required, to produce a professional quality newspaper to support the CCMD mission.

b. Ensure that the newspaper is prepared to support U.S. forces in the operational area during contingencies and armed conflict.

c. Ensure all VI generated for CCMD internal publications is managed in accordance with Reference (g), captioned in accordance with Reference (h), and submitted to the DIMOC as part of the official record and to provide broader access for DoD users.

ENCLOSURE 3

PROCEDURES

1. GENERAL

a. News coverage and other editorial content in DoD publications will be factual and objective. News and headlines will be selected using the dictates of good taste. Morbid, sensational, or alarming details not essential to factual reporting will be avoided.

b. DoD publications will distinguish between fact and opinion, both of which may be part of a news story. When an opinion is expressed, the person or source will be identified. Accuracy and balance in coverage are paramount.

c. DoD publications will clearly identify and distinguish between editorials, which express the command's position, and commentaries, which express personal opinion.

d. News content in DoD publications will be based on releases, reports, and materials provided by the DoD Components and their subordinate levels, DoD newspaper staff members, and other U.S. Government agencies. DoD publications will credit sources of all material other than local, internal sources. This includes, but is not limited to, Military Department news sources, DMA sources, and command news releases.

e. DoD publications may contain articles of local interest to installation personnel produced outside official channels (e.g., stringers, local organizations), as long as the author's permission has been obtained in writing, the source is credited, and the articles do not otherwise violate this instruction.

f. DoD publications normally will not be authorized the use of commercial news and opinion sources, such as Associated Press (AP), United Press International (UPI), New York Times, etc. The use of these sources is beyond the scope of the mission of command or installation publications and puts them in direct competition with commercial publications. The only exceptions are:

(1) The use of commercial sources may be authorized for a specific DoD newspaper by the cognizant DoD Component when other sources of national and international news and opinion are not available.

(2) CCMD newspapers published outside the United States may purchase or contract for and carry news stories, features, syndicated columns, and editorial cartoons from commercial services or sources.

(a) The Combatant Commander must approve the selection of commercial news services, syndicated columns, and editorial cartoons to be purchased or contracted for.

(b) To avoid the appearance of bias, commercial news and opinion articles will be balanced with news and opinion articles supporting the opposing point of view and will appear in the same issue and the same page, whenever possible.

(c) Overseas CCMD newspapers, news bulletins, and news summaries, authorized to carry national and world news may include coverage of U.S. political campaign news from commercial news sources. Such political campaign news will be presented on a balanced, impartial, and nonpartisan basis.

g. The masthead of all DoD publications, both hardcopy and electronic, will contain a disclaimer stating the publication is authorized for DoD members and the contents are not necessarily the official views of, or endorsed by, the U.S. Government, the DoD, or the publishing DoD Component.

(1) The masthead of all funded publications must contain additional language as stipulated in section 3 of Enclosure 4 of this instruction.

(2) The masthead of all CE publications must contain the additional language stipulated in section 3 of Enclosure 5 of this instruction.

(3) DoD newspapers and magazines produced exclusively in electronic format must include the statements listed in paragraph 3a(1) and 3a(3) of Enclosure 4 and the requirements listed in paragraph 3b of Enclosure 4 of this instruction.

h. DoD publications will not contain campaign news (except as specified in paragraph 1f(2)(c)) of this enclosure, partisan discussions, cartoons, editorials, or commentaries dealing with political campaigns, candidates, or issues, or which advocate lobbying elected officials on specific issues. CE publications will not carry paid political advertisements for a candidate or party that advocates a particular position on a political issue or that advocates lobbying elected officials on a specific issue. This includes advertisements advocating a position on any proposed DoD policy or policy under review.

i. DoD publications will support the Federal Voting Assistance Program by carrying factual information about registration and voting laws, especially those on absentee voting requirements of the various States, the District of Columbia, Puerto Rico, and U.S. territories and possessions. DoD publications will use voting materials provided by the Director, Federal Voting Assistance Program; the OSD; and the Military Departments. Such information is designed to encourage DoD personnel to register as voters and to exercise their right to vote as outlined in DoDI 1000.04 (Reference (i)).

j. DoD publications will comply with DoDI 1100.13 (Reference (j)) and DoDI 8910.01 (Reference (k)), and Volumes 1 and 2 of DoD Manual 8910.01 (Reference (l)) when conducting polls, surveys, and straw votes.

(1) DoD Components may authorize polls on matters of local interest, such as soldier of the week and favorite athlete.

(2) Opinion surveys must be in compliance with References (j), (k) and (l).

(3) A DoD publication will not conduct a poll, survey, or straw vote relating to a political campaign or issue.

k. DoD publications will only support officially authorized fund-raising campaigns, such as the Combined Federal Campaign (CFC), within DoD in accordance with DoDI (Reference (m)). Features, news, and photographic coverage of the campaign will not discuss or portray monetary goals, quotas, competition, or tallies of solicitation between or among agencies. To avoid any appearance of endorsement, coverage will discuss the campaign in general and not promote specific agencies within the CFC. Agencies may be mentioned routinely, but must not be a main focus of features and news coverage.

l. DoD publications will not:

(1) Contain any material that implies that the DoD Components endorse or favor a specific commercial product, commodity, or service.

(2) Subscribe, even at no cost, to a commercial or feature wire or other service whose primary purpose is the advertisement or promotion of commercial products, commodities, or services.

(3) Carry any advertisement that violates or rejects DoD equal opportunity policy as established in DoDD 1020.02E (Reference (n)). See paragraph 3a(3) of Enclosure 5 of this instruction for specific wording and section 8 of Enclosure 5 for instructions on how to deal with advertisements that violate this policy.

m. All commercial advertising, including advertising supplements, will be clearly identified. Paid advertorials and advertising supplements must be clearly labeled as advertising and readily distinguishable from editorial content.

n. To ensure DoD VI records are faithful representations of the truth, official DoD imagery will not be altered to misinform or deceive. Anything that weakens or casts doubt on the credibility of official DoD imagery must not be tolerated. Alteration of official DoD imagery is prohibited with exception for corrections, modifications, and enhancements as specified in Enclosure 10 of Reference (g).

o. Commercial sponsors of Armed Forces Professional Entertainment Program events and morale, welfare, and recreation (MWR) events may be mentioned routinely with other pertinent facts in news stories and announcements in DoD newspapers in accordance with DoDI 1330.13 (Reference (o)) and DoDI 1015.10 (Reference (p)).

p. Book, radio, television, movie, travel, and other entertainment reviews may be carried if written objectively and if there is no implication of endorsement by DoD.

q. National security information marked as classified will be protected in accordance with DoDI 5200.01 (Reference (q)), DoD Manual 5200.01 (Reference (r)), DoDD 5205.02E (Reference (s)), and DoDI 5210.02 (Reference (t)).

r. For Official Use Only and controlled unclassified information (CUI) will be protected in accordance with Volume 4 of Reference (r), DoDD 5400.07 (Reference (u)), DoDM 5400.07 (Reference (v)), and DoDI 5210.83 (Reference (w)), and reviewed for public release in accordance with DoDD 5230.09 (Reference (x)) and DoDI 5230.29 (Reference (y)).

s. Specific items of interest to DoD personnel and their family members prepared for DoD publications may be made available to requesters if the information can be released as provided in References (u), (v), (w), (x), and (y).

t. Although public DoD websites are normally discouraged from linking to commercial activities, a link to the website carrying the authorized CE publication is allowed. The criteria and guidelines for the selection and maintenance of the link along with the required External Links Disclaimer may be found in DoDI 8550.01 (Reference (z)).

u. Editorial policies of DoD publications will be designed to improve the ability of DoD personnel to execute DoD missions.

v. Editorial staff of DoD publications will:

(1) Conform to applicable policies, regulations, and laws involving the collection, processing, storage, use, publication, and distribution of information by DoD Components (e.g., libel, photographic image alteration, copyright, sexually explicit materials, classification of information, protection of classified information and CUI, and U.S. Government printing and postal regulations).

(2) Comply with section 105 of Title 17, United States Code (Reference (aa)) regarding copyright. Reference (aa) states copyright protection is not available for any work of the U.S. Government, including work produced by employees writing in their official capacity.

(3) Obtain written permission from the copyright owner before printing copyrighted material (e.g., articles, text, photographs, and graphics) in the publication or posting to the publication's website, if applicable. When seeking permission to print copyrighted material, editorial staff members must inform copyright owners that the publication is also posted to the publication's website, if applicable. A sentence indicating the copyrighted material is reprinted with permission must be included. The only exception to this policy is for those publications authorized to purchase or contract for and carry news stories, features, syndicated columns, and editorial cartoons from commercial services or sources as stated in paragraph 1f of this enclosure.

(4) Comply with DoDD 5400.11 (Reference (ab)) regarding the DoD Privacy Program.

(5) Follow good journalist practices (e.g., accuracy, brevity, clarity, and objectivity) to enhance readers' receptivity of command communication.

2. ESTABLISHMENT OF DOD NEWSPAPERS

a. Commanders are authorized to establish funded newspapers as described in Enclosure 4 of this instruction or CE newspapers as described in Enclosure 5 of this instruction when:

(1) A valid command information mission requirement exists.

(a) Command or installation newspapers are a primary means for a commander to communicate mission-essential information to members of the command, thereby facilitating accomplishment of the command's mission. This is the only basis for the expenditure of DoD resources to produce them.

(b) Newspapers provide a venue for members of the command to provide feedback to the commander through such forums as letters to the editor, alerting the commander to the emotional status of command members and their level of knowledge of the command and its mission.

(c) News reports and feature stories on individuals and organizational elements of the command provide cross feed of information, improving internal cooperation and mission performance. Recognition of excellence in individual or organizational performance motivates and sets expected norms for mission accomplishment.

(d) The newspaper:

1. Improves morale by quelling rumors and keeping command members informed about DoD information that will affect their future.

2. Provides information and assistance to family members, improving their spirits and thereby the effectiveness of the Service member or civilian employee.

3. Encourages participation in various positive leisure-time activities, improving morale, and deterring alcohol abuse and other pursuits that can impair Service members' ability to perform.

4. Provides information to make command members aware of the hazards of the abuse of drugs and other substances, and of the negative impact that substance abuse has on readiness.

5. Increases organizational cohesiveness and effectiveness by providing a visual representation of the essence of the command itself.

6. Provides advertisements, in the case of CE publications, that guide command members to outlets where they may fulfill their purchasing needs. A by-product of this

commercial contact is increased installation-community communication, which enhances mutual support.

(2) A newspaper is determined by the commander and the next higher level of command to be the most cost-effective means of fulfilling the command internal communication requirement.

b. The use of appropriated funds is authorized to establish a funded newspaper if a CE newspaper is not feasible. The process of establishing a newspaper must include an investigation of the feasibility of publishing under the CE concept. This investigation must include careful consideration of the potential for real or apparent conflict of interest. If publishing under the CE concept is determined to be feasible, commanders must obtain approval from the next higher level to establish the newspaper before authorizing representatives to negotiate a contract with a CE publisher.

c. DoD newspapers are mission activities. The use of non-appropriated funds for any aspect of their operations is not authorized.

d. Appropriated funds will not be used to pay any part of the commercial publisher's costs incurred in publishing a CE publication.

e. Only one DoD newspaper or magazine is authorized for each command or installation.

(1) If a newspaper is required at an installation where more than one command or headquarters is collocated, the host commander will be responsible for publication of one funded or one CE newspaper for all.

(a) The host command will provide balanced and sufficient coverage of the other commands, their personnel, and activities in that locality.

(b) The other commands or headquarters will assist the staff of the host newspaper with coverage.

(c) If required by unusual circumstance, a commander other than the host may publish the single authorized newspaper when the majority of affected organizations concur.

(2) This provision does not prohibit:

(a) The headquarters of a geographically dispersed command that receives its local coverage in the host-installation newspaper from publishing a command-wide newspaper.

(b) A command with information needs significantly different from the majority of the host-installation audience from publishing a separate newspaper, when authorized by the next higher level.

f. When, in the opinion of the ATSD(PA) or Combatant Commander, a CCMD newspaper is needed, establishment will be directed by the Secretary of Defense. Appropriated funds may be used to publish overseas CCMD newspapers.

3. ESTABLISHMENT OF CE GUIDES AND INSTALLATION MAPS

a. When valid communication requirements exist, the commander may establish publications in this category, if feasible, using procedures described in Enclosure 5 of this instruction.

b. Only one CE guide and one CE installation map is authorized for each command or installation.

c. CE installation maps are normally contained within a CE guide and printed as part of one contract. CE installation maps, however, may be published separately from the CE guide as a separate contract only if the last edition of the CE guide does not contain an installation map. If published separately from the CE guide, the requirements listed in paragraph 2d of this enclosure apply to CE installation maps.

d. If a CE guide contains an installation map, over-run copies of the map are authorized. The requirements listed in paragraph 2d of this enclosure apply to CE guides and CE installation maps.

e. These publications must be approved by the next higher level. Approval authorities must exercise care not to overburden community advertisers.

f. Before publication, a proof copy of the CE installation map will be reviewed by the installation geospatial information and service program office to eliminate potential operational security risks in accordance with Reference (s).

4. ESTABLISHMENT OF DOD MAGAZINES

a. New magazines will be approved by the publishing DoD Component head. New magazines serving the Military Services must be approved in accordance with Military Service procedures. Only one DoD magazine is authorized for each command or installation.

b. Magazines are normally financed through appropriated funds.

c. When CE magazines are approved, provisions in this instruction regarding advertising and contracting for CE publications will apply to those magazines.

d. Magazines must:

(1) Serve a clearly defined purpose in support of the mission of the publishing DoD Component, and the purpose must justify the cost.

(2) Not duplicate equivalent magazines serving substantially the same purpose.

(3) Be published and distributed efficiently and economically.

(4) Be reviewed every 2 years by the publishing DoD Component to ensure they are in compliance with this instruction, are mission-essential, and are economically achieving their desired objective.

5. USE OF TRADEMARK. The DoD Components and their subordinate organizations must register the names of their publications with the U.S. Patents and Trademark Office and applicable State trademark registries when possible. Once registered, the DoD Components and their subordinate organizations must keep the registrations active.

6. USE OF RECYCLED PRODUCTS. The public affairs (PA) office responsible for producing the publication must, whenever possible, based on contractual agreements, use recycled paper for publications covered under this instruction.

ENCLOSURE 4

FUNDED NEWSPAPERS AND MAGAZINES

1. PURPOSE. Funded newspapers and magazines support the command information mission of the DoD Components and their subordinate commands and use appropriated funds to pay for printing costs.

a. Normally, newspapers and magazines will be printed by a commercial printer under contract or in U.S. Government printing facilities in accordance with Reference (d).

b. The commander or public affairs officer (PAO) provides oversight and final approval authority for the news and editorial content of the publication, and the contracting command distributes the publication.

c. Overseas, funded newspapers are authorized to be printed under contract with S&S. Where printing by S&S is not feasible, funded newspapers may be printed by other means. These are evaluated on a case-by-case basis with the cognizant Defense Logistics Agency Document Services office.

2. NAME. The name of the publication may include the name of the command or installation, or the name of the command or installation may appear separately in the nameplate (flag). The emblem of the command or installation also may be included in the nameplate. When possible, the DoD Components and their subordinate levels will trademark the names of their publications in accordance with section 5 of Enclosure 3.

3. MASTHEAD

a. The masthead of funded newspapers and magazines must contain the following information printed in type no smaller than 6 points:

(1) "This Department of Defense (newspaper or magazine) is an authorized publication for members of the DoD. Contents of (name of the DoD newspaper or magazine) are not necessarily the official views of, or endorsed by, the U.S. Government, the DoD, or (name of publishing DoD Component)."

(2) "Published by (publishing company's name), a private firm in no way connected with the (DoD, U.S. Army, U.S. Navy, U.S. Air Force, U.S. Marine Corps) under exclusive written contract with (name of DoD Component or subordinate organization)."

(3) "The editorial content of this publication is the responsibility of the (name of command or installation) Public Affairs Office."

b. The masthead must also include:

(1) The names of the commanding officer, PAO, and primary staff of the publication (with their editorial titles).

(2) The mailing address and telephone number of the editorial staff.

4. NEWS AND EDITORIAL MATERIALS. The commander and assigned personnel will generate and select news, information, photographs, editorial, and other materials to be used. Authorized news and information sources include the Office of the ATSD(PA), DMA, the Military Departments, their subordinate levels of command, and other U.S. Government agencies.

a. Civilian community service news and announcements of benefit to personnel assigned to the command or installation and their family members may also be used.

b. Photographic images will be produced, edited, and published in compliance with paragraph 1n of Enclosure 3. VI, as defined in the Glossary, will be managed in accordance with References (g) and (h); part 1237 of Title 36, Code of Federal Regulations (Reference (ac)), and Chapter 31 of Title 41, United States Code (Reference (ad)).

c. Federal agencies will prescribe and protect the types of audiovisual records created and maintained in accordance with Reference (ac), and make and preserve records in accordance with Reference (ad). The DoD centrally collects, accessions, maintains, and transfers VI records material to the National Archives and Records Administration. The DIMOC is the designated VI records center for DoD.

5. ASSIGNMENT OF PERSONNEL

a. Military and DoD civilian personnel may not be assigned to duty at the premises of the contract printer to perform any job functions that are part of the business activities or contractual responsibilities of the contract printer.

b. Members of the PA staff who produce editorial content may work on the premises as liaison and monitor to specify and coordinate layout and other production details provided for in the command contract with the contract printer.

c. A member of the PA staff must review proof copy to prevent mistakes and ensure compliance with DoD policies governing the release of information.

6. FUNDING. The expense of publishing and distributing funded newspapers and magazines is charged to appropriated funds of the publishing command.

7. PRINTING. Printing of a funded DoD publication must be handled in accordance with Reference (d) in conjunction with the DoD Component's printing function, with PA as the office of primary publishing interest. The use of color is authorized if the cognizant commander, the DoD Component's printing function, and PAO determine it enhances communication.

8. DISTRIBUTION. Funded publications may be distributed through official channels. Appropriated funds and manpower may be used for distribution of funded publications, as required. Funded publications posted on DoD public websites will comply with (Reference (z)).

9. ADVERTISING. Funded publications must not carry commercial advertising. As a service, the funded newspaper may carry nonpaid listings of personally owned items and services for sale by members of the command. Noncommercial news stories and announcements concerning non-appropriated fund activities and commissaries may be published in funded publications.

10. EMPLOYMENT AND GIFTS. To avoid conflicts of interest, DoD personnel should not accept gifts from or employment with any contracted printer in violation of section 508 of Title 18, United States Code (Reference (ae)); section 2635.502, sections 2635.801 to 804, and subpart B of part 2635 of Title 5, Code of Federal Regulations (Reference (af), or any provision of DoD 5500.07-R (Reference (ag)). To prevent actual or perceived conflicts of interest, if a DoD employee's spouse, child, or other covered relation, as described in paragraph (b)(1) of section 2635.502 of Reference (af), is offered employment with a CE publisher, the DoD employee will seek guidance from the appropriate ethics counselor in accordance with Reference (ag).

ENCLOSURE 5

CE PUBLICATIONS

1. PURPOSE. CE publications are DoD publications that support the command information mission of the DoD Components and their subordinate commands and are produced by a commercial publisher.

a. The commander or PAO provides oversight and final approval authority for the news and editorial content of the publication.

b. CE publishers sell advertising to cover costs and secure earnings, print the publications, and may make all or part of the distribution. The underlying premise of the CE concept is that the DoD Components and their subordinate commands will save money by transferring certain production and distribution functions to a commercial publisher selected through a competitive process.

c. Periodically, CE publishers compete for contracts to publish these publications.

d. Neither appropriated nor non-appropriated funds will be used to pay for any part of a CE publisher's costs incurred in publishing a CE publication.

2. NAME. The name of the publication may include the name of the command or installation, or the name of the command or installation may appear separately in the nameplate (flag). The emblem of the command or installation may also be included in the nameplate. When possible, the DoD Components and their subordinates will trademark the names of their publications, as stated in section 5 of Enclosure 3.

3. MASTHEAD

a. The masthead of CE publications must contain the following paragraphs printed in type no smaller than 6 points:

(1) "This Department of Defense (newspaper, magazine, guide, or installation map) is an authorized publication for members of the DoD. Contents of (name of the DoD newspaper, magazine, guide, or installation map) are not necessarily the official views of, or endorsed by, the U.S. Government, the DoD, or (name of publishing DoD Component)."

(2) "Published by (publishing company's name), a private firm in no way connected with the (DoD, U.S. Army, U.S. Navy, U.S. Air Force, U.S. Marine Corps) under exclusive written contract with (name of DoD Component or subordinate level). The editorial content of this publication is the responsibility of the (name of command or installation) Public Affairs Office."

(3) “Everything advertised in this publication will be made available for purchase, use, or patronage without regard to race, color, religion, sex, national origin, age, marital status, physical handicap, political affiliation or any non-merit factor of the purchaser, user, or patron.”

b. The masthead of CE newspapers and magazines must list the names of the commanding officer, PAO, and primary staff of the publication (with their editorial titles) as well as the mailing address and telephone number of the editorial staff. The names of the publisher and employees of the publisher may be listed separately.

c. The masthead of CE guides and installation maps must list the mailing address and telephone number of the editorial staff. List the names of the commanding officer, PAO, and primary staff of the publication (with their editorial titles) only if the publisher elects to list his or her name and the names of his or her employees.

4. NEWS AND EDITORIAL MATERIALS. The commander or the PAO will provide oversight and final approval authority for news, information, photographs, editorial, and other materials to be used in a CE publication in the space allotted for that purpose by written contract with the commercial publisher.

a. Authorized news and information sources include the Office of the ATSD(PA), DMA, the Military Departments and their subordinate levels of command, and other U.S. Government agencies.

b. CE contractor personnel may provide material for use in the publication if approved by the commander or PAO.

c. Commercial news and opinion sources, such as AP, UPI, and the New York Times are not authorized for use in DoD publications except as stated in paragraph 1f of Enclosure 3.

d. Newspapers may publish community service news and announcements of the civilian community for the benefit of command or installation personnel and their families. VI used will be in compliance with paragraph 1n of Enclosure 3.

5. SUPPLEMENTS. Supplements are additional sections inserted in the CE publication for distribution on an infrequent basis.

a. Supplements must be clearly labeled, “Supplement to the (name of the CE publication).”

b. Supplements must include the contact information of who produced its content.

c. All content must be approved by the commander or PAO prior to publication.

6. ASSIGNMENT OF PERSONNEL

a. Neither military nor DoD civilian personnel will:

(1) Be assigned to duty at the premises of the CE publisher.

(2) Perform any job functions that are part of the business activities or contractual responsibilities of the CE publisher either at the contractor's facility or the U.S. Government facility.

b. The PAO and staff who produce the non-advertising content of the CE publication may perform certain installation liaison functions on publisher premises, including monitoring and coordinating layout and design and other publishing details set in the contract, to ensure the effective presentation of information.

c. One or more members of the PA staff will review proof copy to prevent mistakes and ensure compliance with DoD policies governing the release of information.

d. Newspaper text-editing-system pagination and copy terminals owned by the CE publisher may be placed in the command or installation PA office under contractual agreement for use by the PA staff to coordinate layout and ensure that the preparation of editorial material enhances the efficiency and effectiveness of the printing and publication functions of the CE publisher.

e. All costs of these terminals will be borne by the CE newspaper publishers who will retain title to the equipment and full responsibility for any damage or loss.

f. The relationship between the PA staff and employees of the CE contractor is that of U.S. Government employees working with employees of a private contractor. Supervision of CE employees, including the responsibility to rate performance, set rate of pay, grant vacation time, exercise discipline, assign day-to-day administrative tasks, etc., remains with the CE publisher.

g. Any modification of the contract must be made by the responsible contracting officer. PA staff members must be aware that employees of the contractor are not employees of the U.S. Government and should be treated accordingly.

7. DISTRIBUTION

a. A funded newspaper will not be distributed as an insert to a CE newspaper, unless provided for in the CE contract, nor will a CE newspaper be distributed as an insert to a funded newspaper.

b. Clearly labeled supplements and advertising inserts may be inserted into and distributed with a CE newspaper.

c. The publisher of a CE publication will make as much of the distribution to the intended readership as possible. CE publications may be distributed through official channels.

d. With limited exception, CE publications will not be distributed outside the intended DoD audience: Service members, civilian employees, contract employees, military and civilian retirees, and family members. For the specific purpose of CE distribution, posting an electronic version of the publication on the Internet is not considered distribution outside the intended DoD audience and is permitted because of its value as a means of communicating with the entirety of the intended DoD audience. A command's next higher headquarters can also authorize distribution for a special situation or occasion such as an installation open house. The CE publisher may provide complete copies of each specific issue of a CE publication to an advertiser whose advertisement is carried therein.

e. CE magazines, guides, and installation maps may be delivered in bulk quantities to the appropriate installation offices to distribute these publications through official channels as necessary.

8. ADVERTISING AND INSERTS

a. The CE publisher will use the space agreed upon for advertising. While the editorial content of the publication is completely controlled by the installation, the advertising section, including its content, is the responsibility of the CE publisher. Any decision by a CE publisher to accept or reject an advertisement is final. However, the PA staff retains the responsibility to review advertisements before they are printed.

b. Before each issue of a CE publication is printed, the PA staff will review advertisements and inserts to identify any that: are contrary to law or to DoD or Military Service regulations, including this instruction; may pose a danger or detriment to DoD personnel or their family members; or interfere with the command or installation missions.

(1) It is in the command's best interest to carefully apply DoD and Military Service regulations and request exclusion of only those advertisements and inserts that are clearly in violation of this instruction.

(2) If any such advertisements or inserts are identified, the PAO will obtain a legal coordination of the proposed exclusion. After coordination, the PAO will request, in writing if necessary, that the commercial publisher delete any such advertisements or exclude any such inserts. If the publisher prints the issue containing the objectionable advertisement(s), the commander may prohibit distribution in accordance with DoDI 1325.06 (Reference (ag)).

(3) If a violation or rejection of the equal opportunity policy, as established in Reference (n), by an advertiser is confirmed, the publisher must refuse to print advertising or include inserts from that source until the violation is corrected. See paragraph 3a(3) of this enclosure for specific wording.

c. Reference (ah) gives commanders the authority to prohibit distribution on the installation of a publication containing advertising they determine likely to promote a situation leading to potential riots or other disturbances, or when the circulation of such advertising or inserts may present a danger to loyalty, discipline, or morale of personnel.

(1) Each commander will determine whether particular advertisements or inserts to be placed in a CE publication serving the command or installation may interfere with successful mission performance.

(2) Some considerations in this decision are the local situation, the content of the proposed advertisement or insert, and the past performance of the advertiser. Before making a determination to prohibit distribution of a CE publication, the commander will obtain legal coordination.

d. CE publications may carry paid and nonpaid advertising of the products and services of non-appropriated fund activities and commissaries, if allowed by DoD and Military Service regulations. See Reference (p) for detailed guidance.

e. The Military Departments will establish a standard set of ratios of advertising-to-editorial copy for multiples of pages for run-of-publication advertising in CE publications that will be included in all DoD Component regulations supplementing this instruction. The recommended annual average is a ratio of 60/40. Inserts and advertising supplements will not count in the total ad-to-copy ratio; however, the commander may prohibit the distribution of supplemental advertising deemed excessive. All inserts must be a different dimension and paper weight than the CE publication. In instances where it is not feasible, the insert should be different in appearance than the CE publication by using a different color scheme and layout from the rest of the CE publication.

f. Bingo games and lotteries conducted by a commercial organization whose primary business is conducting lotteries may not be advertised in CE publications.

(1) Non-lottery activities, such as dining at a restaurant or attending a musical performance, of a commercial organization whose primary business is conducting lotteries may be advertised in CE publications.

(2) Exceptions are allowed for authorized State lotteries and lotteries conducted by a not-for-profit or governmental organization, or conducted as a promotional activity by a commercial organization and clearly occasional and ancillary to the primary business of that organization in accordance with section 1307 of Title 18, United States Code (Reference (ai)).

(3) An exception also pertains to any gaming conducted by an Indian tribe in accordance with section 2720 of Title 25, United States Code (Reference (aj)).

9. CE GUIDES AND INSTALLATION MAPS

a. The name of the CE guide or installation map may include the name and emblem of the command or installation.

b. At the discretion of the commander, an installation telephone directory may be included as a section of a CE guide.

(1) The telephone section will be part of the guide contract specifications. Separate contracts for CE telephone directories are not authorized.

(2) Over-run printing of the telephone directory and yellow page section of the guide is authorized. The numbers of guides with integral telephone directories and the number of over-run copies of the telephone directory and yellow pages will be clearly specified in the single guide contract.

(3) Required communication security information will be printed on the first page of the telephone section and not on the cover of the guide. The cover of the guide may tell users the publication contains the telephone directory.

c. CE contracts for guides and installation maps will establish firm delivery dates and contain provisions to ensure distribution is controlled by the command. Delivery dates may vary for guides and installation maps to make them more attractive to advertisers.

10. EMPLOYMENT AND GIFTS. To avoid conflicts of interest, DoD personnel should not accept gifts from or employment with any contracted printer in violation of section 508 of Title 18, United States Code (Reference (ae)); section 2635.502, sections 2635.801 to 804, and subpart B of part 2635 of Title 5, Code of Federal Regulations (Reference (af)), or any provision of DoD 5500.07-R (Reference (ag)). To prevent actual or perceived conflicts of interest, if a DoD employee's spouse, child, or other covered relation, as described in paragraph (b)(1) of section 2635.502 of Reference (af), is offered employment with a CE publisher, the DoD employee will seek guidance from the appropriate ethics counselor in accordance with Reference (ag).

11. CONTRACTING FOR A CE PUBLICATION

a. General. The DoD Components and their subordinate commands are authorized to contract in writing for CE publications.

(1) The CE publication is printed and delivered to the command, installation, or its readership in accordance with the terms of a written contract. Oral contracts are not acceptable.

(2) The right to sell and circulate advertising to the complete readership in the CE publication provides the publisher revenue to cover costs and secure earnings.

(3) The command or installation guarantees first publication and distribution of locally produced editorial content in the publication. The publication becomes the property of the command, installation, or intended reader upon delivery in accordance with terms of the contract.

b. The Contracting Process. Whether a first time initiative to establish a CE publication or re-competition of an existing CE contract, the contracting process must start with planning as to the nature of the command's requirements, the contracting strategy, and the market of potential advertisers and competitors for the job.

(1) The CE contract solicitation and the contract itself must contain a statement of work (SOW) that describes in legally sufficient detail the U.S. Government's requirements and the conditions and restrictions under which the contractor will perform.

(2) The contracting office that provides contracting support to the command for service contracts and other general procurements that are above the simplified small purchase threshold will handle the CE contracting action.

(3) CE contracts are not subject to the Federal Acquisition Regulation (FAR) (Reference (ak)) and Defense Federal Acquisition Regulation Supplement (DFARS) Procedures, Guidance, and Information (Reference (al)) because they do not involve the expenditure of appropriated funds. However, the right to circulate advertising in these publications to the DoD readership constitutes contractual consideration to pay for these DoD publications. Therefore, the contracting officer will combine the SOW with appropriate contractual terms and conditions using References (ak) and (al) as a guide. See paragraph 11c and 11d of this enclosure for contract clauses and provisions.

(4) The resulting solicitation and contract will completely identify the rights and obligations of both parties. Proposals will be solicited from all known commercial publishers.

(5) Upon evaluation of the competing proposals by the Source Selection Advisory Committee (SSAC) and selection of a winner by the selecting official, the contracting officer will award the CE contract.

(6) The CE contract will not require the contractor to pay money to the command or to provide goods, services, or other consideration not directly related to the CE publication.

(7) If only one offer is received, the SSAC may recommend to the selecting official that no award be made or that the contracting officer enter into negotiations with the sole offeror to obtain the best possible service and product for the U.S. Government.

c. SOW. The SOW should be written to have the CE contractor perform as many of the publishing and distribution functions as practical to generate maximum savings to the DoD. In so doing, care must be taken to balance the U.S. Government's requirements with a realistic view of the advertising revenue potential to achieve a contract that is commercially viable. The

command's command information needs will be paramount. Key issues to address in the SOW include:

(1) A general description of the scope of the proposed contract including the name and nature of the publication involved, for example, weekly newspaper, monthly magazine, annual guide, and installation map. Normally, guides and installation maps are included in the same contract. See section 3 of Enclosure 3 for additional guidance.

(2) A description of editorial content to be carried, e.g., news, features, supplements, and factual information, and the possible inclusion of contractor-furnished advertising supplements or inserts for newspapers, provided any such supplement or insert will have the prior approval of the commander.

(3) The rules for the inclusion of advertising in the publication, which must include:

(a) The text: "The contractor agrees not to include in the publication any advertising or inserts of the following types:

1. Paid political advertisements or inserts for a candidate or party, or which advocate a particular position on a political issue, including advertisements advocating a position on any proposed DoD policy or policy under review, or which advocate lobbying elected officials on a specific issue.

2. Advertisements or inserts for any establishment declared "off limits" by the command.

3. Advertisements or inserts that are contrary to law or to DoD or Military Service regulations or that in the U.S. Government's opinion pose a danger or detriment to DoD personnel or their family members, or that interfere with the command or installation missions.

4. Advertisements or inserts for bingo games or lotteries conducted by a commercial organization whose primary business is conducting lotteries."

5. Any other restrictions deemed appropriate by the command.

(b) Additionally, the contract will contain provisions that:

1. Specify the annual average advertising-to-editorial ratio for newspapers and magazines. See paragraph 8e of this enclosure for guidance.

2. State that the commander's representative will have the authority to specify newspaper advertising layout when required to enhance communication effectiveness of the publication.

3. Require the contractor to notify advertisers of the requirements in paragraph 3a(3) of this enclosure.

(4) A provision that states: “The contractor agrees not to enter into any exclusive advertising agreement with any firm, broker, or individual for the purpose of selling advertising associated with this contract.”

(5) A description of the CE contractor’s responsibilities for distribution of the printed publication or the digital distribution via a commercial website, application or other non-DoD digital means. This provision should address matters such as the contractor furnishing and maintaining news racks.

(6) A description of contractor-owned or contractor-furnished equipment such as computer terminals and printers determined to be required to coordinate layout and ensure that the preparation of editorial material is efficient for the publication process.

(7) A description of contractor-furnished editorial support services required. Describe in terms of the end product required (e.g., photography, writer or reporter services) and not as a requirement to make available certain contractor personnel. In day-to-day performance and administration of the CE contract, contractor personnel performing such support services will not be treated in any way as though they are U.S. Government employees.

(8) A provision that the use of recycled paper will be a consideration for awarding the contract, as stated in section 6 of Enclosure 3.

(9) SOWs and requests for proposals (RFPs) for CE newspapers will specify the use of standard recycled newsprint, subject to requirements of applicable laws and regulations.

(10) For CE magazines, a requirement that the contractor provide a bulk number of copies of each printing to the GPO for distribution to federal depository libraries. The number of copies will be determined by GPO and depend on the number of libraries desiring to receive the publication. The number could be a maximum of 1,400, but has historically averaged 500 to 600 copies for military magazines. The contractor will contact the GPO at (202) 512-1071.

d. Contract Provisions. The CE concept is based on an exception to the Government Printing and Binding Regulations (Reference (am)) published by the Joint Committee on Printing. While CE contracts are not subject to Reference (ak) or (al), the FAR contains many clauses that are useful in protecting the interests of the U.S. Government. The following clauses, while not verbatim from Reference (ak), may be helpful in obtaining the best possible CE publication:

(1) Status of FAR Clause. To clarify the status of FAR clauses appearing in CE contracts, the following clause will be included in all new CE contracts: “The (name of DoD installation, unit, or organization) is an element of the U.S. Government. This agreement is a U.S. Government contract authorized under the provisions of Department of Defense Instruction 5120.04 as an exception to the Government Printing and Binding Regulations published by the Joint Committee on Printing. Although this contract is not subject to the Federal Acquisition Regulation (FAR) or the Defense FAR Supplement, FAR clauses useful in protecting the

interests of the U.S. Government and implementing those provisions required by law are included in this contract.”

(2) Option Clause. Insert the following clauses to extend the term of the CE publisher contract:

(a) “The U.S. Government may extend the term of this contract by written notice to the contractor within (insert the period of time the contracting officer has to exercise the option), provided that the U.S. Government will give the contractor a preliminary written notice of its intent to exercise the option at least 60 days before the contract expires. The preliminary notice does not commit the U.S. Government to exercise the option.”

(b) “If the U.S. Government exercises this option, the extended contract will be considered to include this option provision.”

(c) “The total duration of this contract, including the exercise of any options under this clause, will not exceed 6 years.”

(3) Default Clause. Insert the following clauses in solicitations and contracts:

(a) “The U.S. Government may, by written notice of default to the contractor, terminate this contract in whole or in part if the contractor fails to:

1. “Deliver the CE publications in the quantities required or perform the services within the time specified in this contract or any extension.

2. “Make progress, so as to endanger performance of this contract.

3. “Perform any of the other provisions of this contract.”

(b) “If the U.S. Government terminates this contract in whole or in part, it may acquire, under the terms and in the manner the contracting officer considers appropriate, supplies or services similar to those terminated. However, the contractor will continue the work not terminated.”

(c) “The rights and remedies of the U.S. Government in this clause are in addition to any other remedies provided by law or under this contract.”

(4) Termination for Convenience of the U.S. Government. Insert the following clause in solicitations and contracts: “The contracting officer, by written notice, may terminate this contract, in whole or in part if the services contracted for are no longer required by the U.S. Government, or when it is in the U.S. Government’s interest, such as with installation closures. Any such termination will be at no cost to the U.S. Government. The U.S. Government will use its best efforts to mitigate financial hardship on the publisher.”

(5) Term of Contract. CE contracts may be entered into for an initial period of up to 2 years, and may contain options to extend the contract for one or more additional periods of 1 or 2 years duration. The total period of the contract, including options, will not exceed 6 years, after which the contract must be re-competed.

(6) Exercise of Options. When the contractor is performing satisfactorily, commands should exercise options for additional periods of performance. However, the exercise of the option is the exclusive right of the U.S. Government.

(7) Modification of the Contract. Any changes to the SOW or other terms and conditions of the contract will be made by written contract modification signed by both parties.

e. Contract Solicitation Provisions. In addition to the SOW, contract solicitations must specify the evaluation criteria the U.S. Government will consider in selecting the most advantageous proposal and the types of information the proposal must contain to be properly evaluated. These two provisions (evaluation criteria and proposal requirements) are part of the source selection plan (SSP) and must closely parallel one another. The contracting officer is primarily responsible for development of these provisions, in coordination with the PAO, legal counsel, and members of the SSAC.

(1) Evaluation Criteria for Award. This provision of the solicitation must advise offerors what factors the U.S. Government will consider in evaluating proposals and the relative importance of each factor.

(a) Paragraph 3b of Enclosure 6 provides an example of criteria that might be used.

(b) Note that under the “Services and/or Items Offered” criterion at paragraph 3b(2) of Enclosure 6, it is necessary to list and indicate the relative importance of services and items above the minimum requirements of the SOW that the command would consider desirable and that, if offered, will enhance the offeror’s evaluation standing.

(c) The offer of services or items not listed in the evaluation criteria will not be considered in the evaluation of proposals, but may be accepted in the contract award if deemed valuable to the U.S. Government, as long as the service or item is directly related to producing the publication and not in violation of any other statute or regulation.

(d) Examples of items that cannot be considered during the evaluation process are: press kits, laminated maps, economic development reports, or other separate publications not an integral part of the CE publication.

(2) Proposal Requirements. This provision of the solicitation must describe the specific and general types of information necessary to be submitted as part of the proposal to be evaluated. Notify offerors that unnecessarily elaborate proposals are not desired.

f. Selecting Official, SSAC, and SSP

(1) Selecting Official. The commander will serve as the selecting official or delegate a senior member of the staff to serve in this role. The selecting official will approve the SSP written by the SSAC, review the evaluation and findings of the SSAC, and consider the committee's recommendation for award of the contract before selecting the successful offeror. The selecting official will not serve on the SSAC.

(2) SSAC. The commander will appoint an SSAC. The committee will participate in the development of the SSP before the solicitation of proposals, evaluate proposals, and recommend a source to the selecting official. Since cost is not a factor in the evaluation, award will be based on technical proposals, the offeror's experience and qualifications, and past performance.

(a) The SSAC will consist of a minimum of five voting members: a chairperson, who will be a senior member of the command; senior representatives from PA and printing, and a minimum of two other functional specialists with skills relevant to the selection processes. Each SSAC will have non-voting legal and contracting advisors to assist in the selection process.

(b) In arriving at its recommendations, the SSAC will follow the SSP and avail itself of all relevant information, including the proposals submitted, independently derived data regarding the offerors' performance records, the results of on-site surveys of the offerors' facilities, where feasible, and in appropriate cases, personal presentations by the offerors.

(c) The work of the SSAC must be coordinated with the contracting officer to ensure that the process is objective and fair. All communications between the offerors and the U.S. Government will be through the contracting officer. No member of the SSAC or the selecting official will communicate directly with any offeror regarding the source selection.

(d) In cases where a losing competitor requests a debriefing from the contracting officer, members of the SSAC may be called upon to participate to give the losing competitor the most thorough explanation practical as to why its proposal was not successful. No information regarding competitors' proposals will be discussed with the unsuccessful offerors during debriefings, discussions, or negotiations.

(3) SSP. The SSP is a plan the SSAC uses to evaluate all offerors' proposals based on the evaluation criteria presented in the RFP and select a commercial printer to publish a DoD newspaper, magazine, or guide and installation map using the CE concept. See Enclosure 6 for specific guidance.

ENCLOSURE 6

SSP

1. PURPOSE. The SSP is used by the SSAC to evaluate all offerors' proposals based on the evaluation criteria presented in the RFP and select a commercial printer to publish a DoD publication using the CE concept. The contracting officer is primarily responsible for development of the SSP in coordination with the PAO and other members of the SSAC.

a. The SSP should be developed early in the planning process to serve as a guide for the personnel involved and ensure a fair and objective process and a successful outcome. Ideally, the SSP should be completed and approved before issuance of the solicitation. If not, the SSP must be written and approved before the receipt of proposals as it lists the evaluation criteria and proposal requirements used to select the contractor. See paragraph 11e of Enclosure 5 for guidance about evaluation criteria and proposal requirements.

b. In the introduction, the SSP will:

- (1) List the plan's objectives and define how the plan will be used.
- (2) Identify the voting members and non-voting advisors of the SSAC.
- (3) Define the role and responsibilities of each SSAC member and advisor.
- (4) Provide instructions on how to administer the plan.
- (5) Identify evaluation criteria and proposal requirements.
- (6) Describe the technical evaluation process.

2. ADMINISTRATIVE INSTRUCTIONS

a. Evaluation Overview. The advisory committee will operate with maximum flexibility. Collective discussion by evaluators at committee meetings of their evaluation findings is permitted in the interchange of viewpoints regarding strengths, weaknesses, and deficiencies noted in the proposals relating to evaluation items. Evaluators will not suggest or disclose numerical scores or other information regarding the relative standing of offerors outside of committee meetings.

b. Evaluation Procedure. The evaluation of offers is based on good judgment and thorough knowledge of the guidelines and criteria applicable to each evaluation factor.

(1) Numerical scoring is merely reflective of the composite findings of the SSAC. The evaluation scoring system is used as a tool to assist the chairperson of the SSAC in determining the proposal most advantageous to the U.S. Government.

(2) The most important documents supporting the contract award will be the findings, conclusions, and reports of the SSAC.

c. Safeguarding Data. The sensitivity of the proceedings and documentation require stringent and special safeguards throughout the evaluation process. Inadvertent release of information could be a source of considerable misunderstanding and embarrassment to the U.S. Government. It is imperative, therefore, that all members of the SSAC avoid any unauthorized disclosures of information pertaining to this evaluation. Evaluation participants will observe these rules:

(1) All offeror and evaluation materials will be secured when not in use (i.e., during breaks, lunch, and at the end of the day).

(2) All attempted communications by offeror's representatives will be directed to the contracting officer. No communications between members of the SSAC or the selecting official and offerors regarding the contract award or evaluation is permitted except when called on as specified in paragraph 11f(2)(d) of Enclosure 5.

(3) Neither SSAC members nor the selecting official will disclose anything pertaining to the source selection process to any offeror except as authorized by the contracting officer.

(4) Neither SSAC members nor the selecting official will discuss the substantive issues of the evaluation with any unauthorized individual, even after award of the contract.

3. TECHNICAL EVALUATION PROCEDURES

a. Evaluation Process. Proposals will be evaluated based on these evaluation criteria as indicated in the solicitation: technical and production capability, services and/or items offered, past performance record, and management approach.

(1) Using an evaluation worksheet, each member of the SSAC will independently review each proposal and assign an appropriate number of points to each evaluation factor being considered.

(2) Point scores for each factor will range from "0" to "5" based on the committee member's evaluation of the proposal.

(3) Upon completion of individual evaluations, the group will meet in committee with the chairperson and arrive at a single numeric score for each factor in the proposal.

b. Evaluation Criteria. Examples of applicable evaluation criteria and their relative order of importance are listed in the Table. Criterion and weights are provided as an example only. The SSAC must determine its own weighting factors tailored to meet the needs of the particular CE publication and describe the relative weights assigned in the RFP. For example, “Evaluation factors are listed in descending order of importance; criterion number 1 is 10 percentage points more important than criterion number 2, and so on.”

Table. Example of How to Calculate Points for Each Criterion

CRITERIA			RELATIVE WEIGHT			MAXIMUM POINTS		
1. Technical and Production Capability			8			40 (40%)		
2. Services and/or Items Offered			6			30 (30%)		
3. Past Performance Record			4			20 (20%)		
4. Management Approach			2			10 (10%)		
Total Points Possible						100		
Evaluation factors are listed in descending order of importance; criterion number 1 is 10 percentage points more important than criterion number 2, and so on.								
Criterion 1: Technical and Production Capability Score x Relative Weight = Points					Criterion 2: Services and/or Items Offered Score x Relative Weight = Points			
5	8	40	5	6	30			
4	8	32	4	6	24			
3	8	24	3	6	18			
2	8	16	2	6	12			
1	8	8	1	6	6			
0	8	0	0	6	0			
Criterion 3: Past Performance Record Score x Relative Weight = Points					Criterion 4: Management Approach Score x Relative Weight = Points			
5	4	20	5	2	10			
4	4	16	4	2	8			
3	4	12	3	2	6			
2	4	8	2	2	4			
1	4	4	1	2	2			
0	4	0	0	2	0			

(1) Technical and Production Capability. Scores will range from “0” (unacceptable) to “5” (exhibits state-of-the-art, award-winning, or clearly superior technical ability to produce the required newspaper, magazine, guide, or installation map). Factors to consider for newspaper contracts include:

- (a) Level of automation.
- (b) Compatibility of automation with existing PA office automation (unless other automation is provided).
- (c) Printing capability, production equipment, and physical plant (capabilities).

(d) Driving distance to the plant.

(e) Similar factors may be considered for magazines, guides, and installation maps.

(2) Services or Items Offered. Scores will range from “0” (unacceptable) to “5” (the offer of equipment, such as computers or printers; or services, such as editorial or photographic services, as set in the contract solicitation that will greatly enhance the CE publication and its production). Factors to consider for newspapers include:

(a) Offer of automation equipment and the quality and amount of equipment offered.

(b) Quality and amount of services offered.

(c) Usefulness of the services or items to the PA office in enhancing the newspaper.

(d) Impact of the services or items on other parts of the contract.

(e) Similar factors may be considered for magazines, guides, and installation maps.

The offer of equipment or services not specifically related to producing the publication must not result in the assignment of a higher score.

(3) Past Performance Record. Scores will range from “0” (no experience in publishing DoD publications or unsatisfactory previous performance) to “5” (long-term, highly successful experience publishing similar DoD publications). Factors to consider include:

(a) Demonstrated ability to successfully produce a CE or similar publication.

(b) Demonstrated printing ability (types of printing, history of printing DoD publications).

(c) Demonstrated success in contract performance in a timely and responsive manner.

(d) Demonstrated capability to sell advertising and successfully recoup publication costs.

(4) Management Approach. Scores will range from “0” (approach unacceptable) to “5” (proposal demonstrates a sound and innovative approach to interfacing with the PA office and managing the CE publication operation). Factors to consider include the offeror’s proposed approach to:

(a) Interfacing with the PA staff.

(b) Controlling the quality and timeliness of the finished product.

(c) Sale of ads of the type that enhance the publication's image in the community and with the readership at large.

(d) Ensuring that the contractor's personnel are properly supervised and managed.

c. Weighting Criteria. Points will be assigned to the score of each criterion in a proposal as determined by multiplying the score assigned (e.g., "0," "1," "2," "3," "4" or "5") by the relative weight of the individual criterion indicated. (See the Table for how to calculate points.)

d. Report of Findings and Recommendations. After the SSAC has completed final evaluation of proposals and all weighting has been completed, the committee will prepare a written report of its findings and recommendations, setting forth the consensus of the committee and its composite scores. The chairperson will sign the report to confirm its accuracy and his or her agreement with the recommendation. All copies of proposals and evaluation worksheets will be returned to the contracting officer.

4. SAMPLE SSP. See the Figure for a sample SSP.

Figure. Sample SSP

Source Selection Plan (SSP)	
1. <u>INTRODUCTION</u>	
a. The objectives of this plan are to:	
(1) Ensure an impartial, equitable, and thorough evaluation of all offerors' proposals according to the criteria presented in the request for proposals (RFP).	
(2) Ensure the contracting officer receives technical evaluation findings of the Source Selection Advisory Committee (SSAC) that help the officer select the offer most advantageous to the U.S. Government.	
(3) Document clearly and thoroughly the evaluation and decision process to provide effective debriefings to unsuccessful offerors, to respond to legal challenges to the selection, and to ensure adherence to evaluation criteria.	
b. This plan will be used to select a civilian enterprise (CE) contractor for publication of the (newspaper, magazine, or guide and installation map) and will:	
(1) Give the selecting official and each SSAC member a clear understanding of his or her responsibilities as well as a complete overview of the evaluation process.	

Figure. Sample SSP, Continued

(2) Establish a well-balanced evaluation structure, equitable and uniform scoring procedures, and a thorough and accurate appraisal of all considerations pertinent to the negotiated contracting process.

(3) Provide the selecting official meaningful information, clearly presented and founded on the collective, independent judgment of technical and managerial experts.

(4) Ensure identification and selection of a contractor whose final proposal offers optimum satisfaction of the U.S. Government's technical and managerial requirements as expressed in the RFP.

(5) Serve as part of the official record for the evaluation process.

2. ORGANIZATION AND STAFFING. The SSAC will consist of the chairperson and at least four other voting committee members plus two non-voting advisors. The SSAC committee members are:

a. Voting Members

(1) Chairperson: (Name, rank, duty title, and organization assigned)

(2) Member: (Name, rank, duty title, and organization assigned)

(3) Member: (Name, rank, duty title, and organization assigned)

(4) Member: (Name, rank, duty title, and organization assigned)

(5) Member: (Name, rank, duty title, and organization assigned)

b. Non-voting Advisors

(1) Legal: (Name, rank, duty title, and organization assigned)

(2) Contracting: (Name, rank, duty title, and organization assigned)

3. RESPONSIBILITIES

a. The selecting official will:

(1) Approve the SSP.

Figure. Sample SSP, Continued

- (2) Review the evaluation and findings of the SSAC.
 - (3) Consider the SSAC's recommendation of award.
 - (4) Select the successful offeror.
- b. Chairperson of the SSAC will:
- (1) Review the SSP.
 - (2) Approve membership of the SSAC.
 - (3) Analyze the evaluation and findings of the SSAC and apply weights to the evaluation results.
 - (4) Approve the SSAC report for submission to the selecting official.
- c. SSAC members will:
- (1) Be familiar with the RFP and SSP.
 - (2) Fairly and impartially review and evaluate each proposal against the solicitation requirements and evaluation criteria.
 - (3) Substantiate their evaluations to include strengths, weaknesses, and any deficiencies of each proposal in writing.
- d. The contracting officer will:
- (1) Serve as a non-voting member.
 - (2) Be responsible for the proper and efficient conduct of the entire source selection process encompassing solicitation, evaluation, selection, and contract award.
 - (3) Provide the SSAC and selecting official with guidance to conduct the evaluation and selection process.
 - (4) Receive proposals submitted and make them available to the SSAC, taking necessary precautions to ensure against premature or unauthorized disclosure of source selection information.

Figure. Sample SSP, Continued

e. The legal advisor will:

- (1) Serve as a non-voting member.
- (2) Review RFP and SSP for format and legality.
- (3) Advise the SSAC members of their duties and responsibilities regarding procurement integrity issues and confidentiality requirements.
- (4) Participate in SSAC meetings and provide legal advice as required.
- (5) Provide legal review of all documents supporting the selection decision to ensure legal sufficiency and consistency with the evaluation criteria in the RFP and SSP.
- (6) Advise the selecting official on the legality of the selection decision.

4. ADMINISTRATIVE INSTRUCTIONS. [Include information from section 2 of Enclosure 6.]

5. TECHNICAL EVALUATION PROCEDURES. [Include information from section 3 of Enclosure 6.]

ENCLOSURE 7

MAILING OF DOD PUBLICATIONS, AND SALES AND DISTRIBUTION OF
NON-DOD PUBLICATIONS

1. GENERAL INFORMATION. Mailing costs will be kept to a minimum consistent with timeliness and applicable postal regulations in accordance with DoDI 4525.7 (Reference (an)) and DoD 4525.8-M (Reference (ao)). Responsible officials will consult with appropriate postal authorities to obtain resolution of specific problems. Commands are encouraged to produce online publications that require minimal printing of the product.

2. USE OF APPROPRIATED FUND POSTAGE

a. DoD appropriated fund postage, as defined in the Glossary, will be used only for:

- (1) Mailing copies to satisfy mandatory distribution requirements.
- (2) Mailing copies to other PA offices for administrative purposes.
- (3) Mailing copies to headquarters in the chain of command.
- (4) Bulk mailings of DoD newspapers and magazines to geographically separated subordinate units for distribution to members of the units.
- (5) Mailing information copies to other U.S. Government agencies, members of Congress, libraries, hospitals, schools, and depositories.
- (6) Mailing of an individual copy of a DoD publication in response to an unsolicited request from a private person, firm, or organization, if such response is in the best interest of the DoD Component or its subordinate levels of command.
- (7) Mailing copies of DoD publications to incoming DoD personnel and their families to orient them to their new command, installation, and community.

b. DoD appropriated fund postage will not be used for mailing:

- (1) To the general readership of DoD publications, unless specifically excepted in this instruction.
- (2) By a CE publisher.
- (3) CE publications except for bulk mailings of DoD newspapers and magazines to subordinate units. See paragraph 2a(4) of this enclosure for clarification.

c. Generally, DoD publications will be mailed as periodicals, standard mail, or bound printed matter to save costs. Since each mail class has specific requirements, the editorial staff will contact the office responsible for handling DoD official mail for their organization to determine the most cost-effective means to mail DoD publications and ensure the necessary requirements are met.

3. LEGAL PROHIBITIONS. Compliance with sections 1302 and 1307 of Reference (ai) is mandatory. Section 1302 of Reference (ai) prohibits the mailing of publications containing advertisements of any type of lottery or scheme that is based on lot or chance. However, section 1307 of Reference (ai) authorizes exceptions pertaining to authorized State lotteries, lotteries conducted by a not-for-profit organization or a governmental organization, or conducted as a promotional activity by a commercial organization and clearly occasional and ancillary to the primary business of that organization. An exception also pertains to any gaming conducted by an Indian tribe in accordance with Reference (aj). Refer to paragraph 8f(1) to 8f(3) of Enclosure 5 for information about advertising bingo games and lotteries.

4. REVIEW OF MAILING AND DISTRIBUTION EFFECTIVENESS

a. Review mailing and distribution lists annually to determine distribution effectiveness and continuing need of each recipient to receive the publication.

b. Annually revalidate the distribution techniques, target audiences, readers-per-copy ratios, and use of the U.S. Postal Service to ensure the most economical use of mail services consistent with timeliness.

5. NON-DOD PUBLICATIONS. Commanders will afford reputable distributors the opportunity to sell or give away non-DoD publications at the activity they command in accordance with Reference (ah).

a. Such publications must not be distributed through official channels. These publications may be made available through subscription paid for by the recipient or placed in specific general use areas designated by the commander, such as the foyers of open messes or exchanges.

b. These publications will be placed only in stands or racks provided by the publisher. The responsible publisher will maintain the stand or rack to present a neat and orderly appearance.

c. Subscriptions paid for by a recipient may be home-delivered by a commercial distributor in installation residential areas.

GLOSSARY

PART I. ABBREVIATIONS AND ACRONYMS

ATSD(PA)	Assistant to the Secretary of Defense for Public Affairs
AP	Associated Press
CCMD	Combatant Command
CE	civilian enterprise
CFC	Combined Federal Campaign
CUI	controlled unclassified information
DFARS	Defense Federal Acquisition Regulation Supplement
DIMOC	Defense Imagery Management Operations Center
DMA	Defense Media Activity
DoDD	DoD Directive
DoDI	DoD Instruction
FAR	Federal Acquisition Regulation
GPO	Government Printing Office
MWR	morale, welfare, and recreation
PA	public affairs
PAO	public affairs officer
RFP	request for proposal
S&S	Stars and Stripes
SOW	statement of work
SSAC	Source Selection Advisory Committee
SSP	source selection plan
UPI	United Press International

VI visual information

PART II. DEFINITIONS

These terms and their definitions are for the purpose of this instruction.

appropriated fund postage. All means of paying postage using funds appropriated for the DoD. These means include meter imprints and stamps, permit imprints, postage stamps, and other means authorized by the U.S. Postal Service.

CE concept. A process used by DoD components and their subordinate commands for producing printed DoD publications by a CE publisher. The underlying premise of the CE concept is that the DoD Components and their subordinate commands will save money by transferring certain printing and distribution functions to a commercial publisher selected through a competitive process.

CE installation map. CE publication designed for the orientation of new arrivals or for visitors. Appropriated funds may not be used to print CE installation maps.

CE publication. An authorized, unofficial publication containing advertising that is prepared and printed under contract with a commercial publisher. The right to circulate advertising in these publications to the DoD readership constitutes contractual consideration to pay for these DoD publications. The commander or PAO provides oversight and final approval authority for content. The publications become the property of the command, installation, or intended recipient upon delivery in accordance with the contract. CE publications include DoD publications.

commentaries. Articles that express the writer's personal opinion.

CUI. Unclassified information that requires safeguarding or dissemination controls, pursuant to and consistent with applicable law, regulations, and U.S. Government-wide policies.

DFARS. Provides uniquely DoD supplemental information and procedures for use with the FAR.

DIMOC. The DoD central VI enterprise level activity for collection, management, storage, and distribution of classified and unclassified strategic, operational, tactical, and joint-interest still and motion imagery, VI end products, and records.

DoD magazines. Authorized, unofficial publications that serve as part of the commander's command information program and support DoD communications requirements, both in paper and electronic format. They are produced and distributed periodically, usually monthly. They contain items of interest to personnel of the DoD publishing component, similar to items published in DoD newspapers. DoD magazines do not necessarily reflect the official views of or endorsement of content by the DoD. May be printed using appropriated funds or by a CE publisher.

DoD publications. Newspapers, magazines, guides, and installation maps produced to support the DoD command information program. DoD newspapers or magazines may be funded by authorized DoD appropriations or produced commercially using a CE publisher. Guides and installation maps are produced using the CE concept.

DoD newspapers. Authorized, unofficial publications that serve as part of the commander's command information program and support DoD communications requirements, both in paper and electronic format. They are usually distributed weekly or monthly. DoD newspapers contain most, if not all, of the following elements to communicate with the intended DoD readership: command, Military Department, and DoD news and feature articles; commander's comments; editorials; letters to the editor; commentaries; sports articles; entertainment items, MWR news and announcements; photographs; line art; and installation and local community news and announcements. DoD newspapers do not necessarily reflect the official views of or endorsement of content by the DoD. May be printed using appropriated funds or by a CE publisher.

editorials. Articles that express the command's position.

flag. Also called nameplate, is the title of the publication and positioned on the first page or cover. The date of publication and the volume and issue numbers are included in the flags of newspapers and magazines.

funded publications. DoD newspapers or magazines produced by the DoD Components or their subordinate commands using appropriated funds. Editorial content is prepared by the PA staff or other internal sources and printed by a commercial printer under contract or in a U.S. Government printing facility in accordance with Reference (d).

guides. CE publications that provide DoD personnel with information about the mission of their command; the availability of command, installation, or community services; local geography; historical background; and other information. These publications may include telephone directories, at the discretion of the commander, and installation maps.

insert. A flier, circular, or freestanding advertisement placed within the folds of a newspaper or magazine. No disclaimer or labeling is required.

lottery. Contains these three elements:

prize. Whatever items of value are offered in the particular game.

chance. Random selection of numbers to produce a winning combination.

consideration. Requirement to pay a fee to play.

masthead. A printed list, published in a fixed position in each edition, of the names of the publication, publisher (if applicable), commanding officer, PAO, and primary staff of the

publication (with their editorial titles). It also identifies the PA office producing editorial content, the mailing address and telephone number of the editorial staff, and includes the mandatory disclaimers as described in section 3 of Enclosure 4 and section 3 of Enclosure 5.

option. A unilateral right in a contract by which, for a specified time, the U.S. Government may elect to acquire additional supplies or services called for by the contract or may elect to extend the term of the contract.

overseas CCMD newspapers. Newspapers published by the DoD Components or their subordinate commands using appropriated funds. The editorial content of these newspapers is prepared by the PA staff or other internal sources. Usually, these newspapers are printed by a commercial printer under contract or in a U.S. Government printing facility in accordance with Reference (d).

PA. The DoD function responsible for U.S. military public information activities and resources, including the review of VI productions for public release.

run of publication. Placement of an advertisement in a newspaper or magazine left to the discretion of the publisher. Placement in a particular location or a specific page usually requires payment of a premium.

SSAC. A committee of at least seven members formed to select the publisher of a CE publication. The SSAC is comprised of a minimum of five voting members: a chairperson, who will be a senior member of the command; senior representatives from PA and printing, and a minimum of two other functional specialists with skills relevant to the selection processes. The SSAC also has two non-voting legal and contracting advisors to assist in the selection process.

SSP. A plan the SSAC uses to evaluate all offerors' proposals based on the evaluation criteria presented in the RFP and select a commercial printer to publish a DoD publication under the CE concept.

supplements. Features, advertising sections, or MWR sections printed with or inserted into newspapers for distribution. Supplements must be labeled: "Supplement to the (name of newspaper)." Editorial content in supplements is subject to approval by the commander or PAO.

VI. Various visual media with or without sound. Generally, VI includes still and motion photography, audio video recording, graphic arts, visual aids, models, display, and visual presentations.