MEMORANDUM FOR SURGEON GENERAL, U.S. ARMY
SURGEON GENERAL, U.S. NAVY
SURGEON GENERAL, U.S. AIR FORCE
DIRECTOR OF RESEARCH, NATIONAL SECURITY AGENCY
DEPUTY CHIEF OF STAFF, DEFENSE INTELLIGENCE AGENCY
DEPUTY ASSISTANT SECRETARY OF DEFENSE FOR HEALTH
READINESS POLICY AND OVERSIGHT

SUBJECT: DoD Acceptance of Department of Health and Human Services (DHHS) Issued
Certificates of Confidentiality (CoC)

Pursuant to DoDI 3216.02, “Protection of Human Subjects and Adherence to Ethical
Standards in DoD-Supported Research”, DoD civilian and military investigators conducting
research involving human subjects may, with institutional concurrence, request a Certificate of
Confidentiality (CoC), pursuant to section 241(d) of title 42, United States Code, from an issuing
Agency of Department of Health and Human Services (DHHS) for DoD-supported research in
biomedical, behavioral, clinical, or other research areas relevant to the DoD. A contractor,
gantee, or other non-Federal entity conducting DoD-supported research may also request a CoC
for DoD-supported research.

When persons who are engaged in DoD-conducted or -supported research involving
human subjects are issued a CoC by a DHHS Agency, the research institution is expected to
implement the privacy protections offered by the CoC regardless of the persons’ civilian or
military status. In addition, the research institution is expected to defend the CoC’s authority
against legal challenges made by any Federal, State, or local, civil, criminal, administrative, or
legislative, or other proceedings to identify the names or other identifying characteristics of the
human subjects.

Questions may be directed to CDR Joseph Cohn, Ph.D., Deputy Director, Human
Performance Training and BioSystems Directorate, at 571-372-6417 or
joseph.v.cohn.mil@mail.mil. Questions regarding the applicability of CoC to Military Rule of
Evidence (MRE) 501 should be directed to the Office of General Counsel.

Patrick Mason, Ph.D., SES
Director, Human Performance, Training, and
BioSystems Directorate