



RESEARCH
AND ENGINEERING

OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE

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WASHINGTON, DC 20301-3030

August 17, 2015

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, grantee, 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.

A handwritten signature in black ink that reads "Patrick A. Mason".

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