



Department of Defense INSTRUCTION

NUMBER 5040.07

February 21, 2013

Incorporating Change 1, April 22, 2020

ATSD(PA)

SUBJECT: Visual Information (VI) Productions

References: See Enclosure 1

1. PURPOSE. This Instruction:

a. Reissues DoD Instruction (DoDI) 5040.07 (Reference (a)), in accordance with the authority in DoD Directive (DoDD) 5122.05 (Reference (b)), to implement policies established in DoDI 5040.2 (Reference (c)), and assigns responsibilities consistent with Office of Management and Budget Circular A-130 (Reference (d)) and DoDD 5105.74 (Reference (e)).

b. Establishes DoD policy and assigns responsibility for the creation, acquisition, and life cycle management of VI productions.

c. Updates the organization, membership, and functions of the Defense Production Management Group (DPMG).

d. Incorporates and cancels DoDI 5040.09 (Reference (f)).

2. APPLICABILITY

a. This Instruction applies to OSD, the Military Departments, the Office of the Chairman of the Joint Chiefs of Staff and the Joint Staff, the Combatant Commands, the Office of the Inspector General of the Department of Defense, the Defense Agencies, the DoD Field Activities, and all other organizational entities within the DoD (hereinafter referred to collectively as the "DoD Components").

b. The provisions of this Instruction do not apply to:

(1) Commercial radio or television entertainment or news programming, or information programming provided by the American Forces Radio and Television Service operated by the Defense Media Activity (DMA) components in accordance with DoDI 5120.20 (Reference (g)).

(2) Productions acquired from commercial sources for:

- (a) DoD Education Activity.
- (b) Morale, welfare, and recreation activities.
- (c) Education centers.
- (d) Non-VI libraries controlled by DoDI 1015.15 (Reference (h)).
- (e) Navy Motion Picture Service.

(3) Government-produced video news packages, such as military television news, news magazines, and spot, feature, or sports reporting, as identified in Reference (g).

c. The provisions of this Instruction do not regulate the personal use of copyright sound and video by individuals within the DoD community in accordance with DoDD 5535.4 (Reference (i)).

3. DEFINITIONS. See Glossary.

4. POLICY. It is DoD policy that:

a. VI productions shall be created or acquired and managed through their life cycle, in accordance with the policies contained in References (c) and (d), DoD 5015.02-STD (Reference (j)), Chapters 29, 31, and 33 of title 44, United States Code (U.S.C.) (Reference (k)), DoDI 5230.29 (Reference (l)), DoDI 1322.26 (Reference (m)), DoD Manual 5200.01, Volume 2 (Reference (n)), and the procedures contained in this Instruction.

b. The content of VI productions produced by or for DoD Components shall not:

(1) Support illegal discrimination against individuals based on gender, race, disability, nationality, age, religion, national origin, or sexual orientation.

(2) Influence or attempt to influence a member of Congress or an official of any government or jurisdiction to favor, adopt, or oppose any legislation, law, ratification, policy, or appropriation pursuant to section 1913 of title 18, U.S.C. (Reference (o)).

(3) Influence or attempt to influence:

(a) An officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with the awarding of any Federal contract;

- (b) The making of any Federal grant;
- (c) The making of any Federal loan;
- (d) The entering into of any cooperative agreement; or

(e) The extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement in accordance with part 28.100 of title 32, Code of Federal Regulations (CFR) (Reference (p)).

(4) Promote the status of any industry, individual, activity, organization, or agency; nor shall they provide forums for agency opinions on broad subjects without reference to a specific program.

(5) Be incompatible or inconsistent with Federal law and DoD policies and doctrine.

(6) Weaken or cast doubt on the credibility of the DoD.

c. Certain content is prohibited in VI productions, except when its inclusion is essential to achieving a production's purpose. For example, it may be important to portray behavior a production seeks to change in order to engender such change. Unless this exception clearly applies, the content of VI productions shall not:

(1) Stereotype individuals based on gender, race, disability, nationality, age, religion, national origin, or sexual orientation.

(2) Portray military or civilian DoD personnel in an unfavorable or undignified manner.

(3) Endorse commercial products or services, either explicitly or implicitly, in accordance with DoDD 5500.07 (Reference (q)) and DoD 5500.07-R (Reference (r)). For example, DoD Components shall not use visuals of trademarks, labels, distinctive packaging, or references to trade or brand names in the narration, dialogue, or titles of VI productions when use of a trademark would constitute endorsement. The General Counsel of the appropriate DoD Agency, Field Activity, Military Department or command should be consulted to determine when use of a trademark would constitute endorsement.

d. VI productions shall be made accessible to individuals with disabilities in accordance with section 794d of title 29, U.S.C. (Reference (s)).

e. VI productions shall be created or acquired only when:

(1) The unique communication properties of the production medium are required to satisfy communication requirements.

(2) The message content of existing VI productions is not duplicated.

f. The appropriate intellectual property (IP) rights shall be obtained and documented when creating a VI production. Contract provisions shall protect the Government's legal title and control over the production and related documentation in accordance with part 1222.32 of title 36, CFR (Reference (t)). The provisions shall identify as deliverables any working papers or files needed for proper documentation identifying the nature and status of copyright or other rights affecting the present and future use of VI productions in accordance with part 1237.20 of Reference (t).

g. Contracted VI productions shall be created, produced, or acquired in accordance with this Instruction, the Federal Acquisition Regulation (FAR) (Reference (u)), the Defense Federal Acquisition Regulations Supplement (DFARS) (Reference (v)) and applicable supplements. Appropriate FAR and DFARS clauses shall be cited when unlimited Government rights are required, when limited rights are required, or when certain rights will remain with the contractor.

h. Without exception, VI productions shall be created or acquired at the lowest possible cost that achieves communication objectives. All VI productions shall be essential to mission accomplishment.

i. VI productions shall be made available centrally following initial distribution. Information about and access to these productions shall be provided by or through central DoD information systems.

5. RESPONSIBILITIES. See Enclosure 2.

6. PROCEDURES

a. Committees, Planning Groups, and Panels. See Enclosure 3.

b. VI Production Procedures. See Enclosure 4.

c. Accessibility. See Enclosure 5.

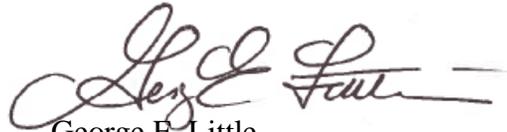
d. Standard Screens and Metadata. See Enclosure 6.

7. INFORMATION COLLECTION REQUIREMENTS. The Visual Information Production Request Report and DD Form 1995 referred to in section 1.b. of Enclosure 4 of this issuance is a web-based interface for an operational system and is exempt from licensing requirements in accordance with paragraph C4.4.2 of DoD Manual 8910.01 (Reference (w)).

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

9. SUMMARY OF CHANGE 1. The change to this issuance updates references and removes expiration language in accordance with current Chief Management Officer of the Department of Defense direction.

10. EFFECTIVE DATE. This Instruction is effective February 21, 2013.



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for Public Affairs

Enclosures

1. References
2. Responsibilities
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6. Standard Screens and Metadata

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ENCLOSURE 1

REFERENCES

- (a) DoD Instruction 5040.07, “Visual Information Production Procedures,” August 30, 2005 (hereby cancelled)
- (b) DoD Directive 5122.05, “Assistant to the Secretary of Defense for Public Affairs (ATSD(PA)),” August 7, 2017
- (c) DoD Instruction 5040.02, “Visual Information (VI),” October 27, 2011, as amended
- (d) Office of Management and Budget Circular A-130, “Management of Federal Information Resources,” February 8, 1996
- (e) DoD Directive 5105.74, “Defense Media Activity,” December 18, 2007, as amended
- (f) DoD Instruction 5040.09, “Department of Defense Productions,” May 1, 2006 (hereby cancelled)
- (g) DoD Instruction 5120.20, “American Forces Radio and Television Service (AFRTS),” October 18, 2010, as amended
- (h) DoD Instruction 1015.15, “Establishment, Management, and Control of Nonappropriated Fund Instrumentalities and Financial Management of Supporting Resources,” October 31, 2007, as amended
- (i) DoD Directive 5535.4, “Copyrighted Sound and Video Recordings,” August 31, 1984, as amended
- (j) DoD 5015.02-STD, “Electronic Records Management Software Applications Design Criteria Standard,” April 25, 2007
- (k) Chapters 29, 31, and 33 of title 44, United States Code
- (l) DoD Instruction 5230.29, “Security and Policy Review of DoD Information for Public Release,” August 13, 2014, as amended
- (m) DoD Instruction 1322.26, “Distributed Learning (DL),” October 5, 2017
- (n) DoD Manual 5200.01, Volume 2, “DoD Information Security Program: Marking of Classified Information,” February 24, 2012, as amended
- (o) Section 1913 of title 18, United States Code
- (p) Part 28.100 of title 32, Code of Federal Regulations
- (q) DoD Directive 5500.07, “Standards of Conduct,” November 29, 2007
- (r) DoD 5500.07-R, “Joint Ethics Regulation (JER),” May 1, 1993, as amended
- (s) Section 794d of title 29, United States Code
- (t) Part 1194, 1222, and 1237 of title 36, Code of Federal Regulations
- (u) Federal Acquisition Regulation (FAR), as supplemented, current edition
- (v) Department of Defense FAR Supplement (DFARS) as supplemented, current edition
- (w) DoD Manual 8910.01, “DoD Information Collections Manual,” June 30, 2014, as amended
- (x) DoD Instruction 5105.18, “DoD Intergovernmental and Intragovernmental Committee Management Program,” July 10, 2009, as amended
- (y) Defense Media Activity, Defense Imagery Website, <http://www.defenseimagery.mil>
- (z) Administrative Instruction 15, “OSD Records and Information Management Program,” May 3, 2013, as amended
- (aa) Section 460L-6d of title 16, United States Code
- (ab) Section 11103 of title 40, United States Code

ENCLOSURE 2

RESPONSIBILITIES

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

The ATSD(PA), consistent with Reference (b), shall serve as the OSD Principal Staff Assistant for policies and procedures related to the VI production program.

2. DIRECTOR, DMA. The Director, DMA, under the authority, direction, and control of the ATSD(PA) and consistent with Reference (e), shall:

a. Develop and implement DoD policies, responsibilities, and procedures for the creation, acquisition, and life cycle management of VI productions.

b. Develop and oversee the implementation and effectiveness of VI production management policies or control measures that may be required to minimize duplication of effort and inappropriate use of the production medium.

c. Chair or select a designee to chair the DPMG.

d. Operate and maintain central information systems to provide information about and access to VI productions and distributed learning content (DLC) in accordance with Reference (m). Such information systems shall make information available about existing or proposed VI productions to minimize duplication of effort and maximize use of existing productions to satisfy new communication requirements.

e. Provide a central capability for initial distribution and orders or reorders for each VI production created or acquired by a DoD Component.

f. Appoint a VI production manager who shall assist, guide, and support organizations within or under the cognizance of the OSD in the creation, acquisition, and life-cycle management of VI productions.

g. Operate and maintain a VI production capability to support Navy requirements on a reimbursable basis.

h. Advance initiatives to promote, reward, and publish effective, purposeful use of the production medium within the DoD.

i. Periodically seek office of primary responsibility (OPR) review of VI productions to determine whether the productions for which the OPR is responsible:

(1) Reflect current policies and procedures.

- (2) May be cleared for release to the public if not already approved for release.
- (3) May be declassified or downgraded if classified.

j. Promote and encourage production sharing with allied nations.

3. HEADS OF THE DOD COMPONENTS. The Heads of the DoD Components shall:

a. Create, acquire, and manage productions throughout their life cycle, in accordance with this Instruction.

b. Provide trained VI personnel to conduct oversight and manage Component VI production requirements.

c. Provide to the Director, Defense Visual Information (DVI) for each production created or acquired:

(1) Production discovery data for use in central information systems.

(2) Digital master material, documentation, or other means of centrally satisfying production orders and reorders.

(3) Production documentation and associated materials identified in Enclosure 4 of this Instruction.

d. Provide representatives to the DPMG at the request of the ATSD(PA).

e. Conduct regular reviews of component productions held in the Defense VI Production Inventory to ensure they are current, properly justified, and that any restrictions on release to the public are justified.

ENCLOSURE 3

DPMG

1. The DPMG voting membership is comprised of full-time or permanent part-time Federal officers or employees and established in accordance with DoDI 5105.18 (Reference (x)). The DPMG voting membership shall advise and assist the ATSD(PA) on matters pertaining to life-cycle management of VI productions, including their development, creation, acquisition, management, and distribution; the management of records pertaining to them; and the distribution of information about them. This includes providing relevant information and developing pertinent recommendations.
2. The DPMG shall be chaired by the Director, DMA, or designee, and consist of the Director, DVI (if not designated Chair by the Director, DMA) and designated policy and technical representatives for VI and DLC production matter from the Military Services and the Defense Agencies.
3. The DPMG shall meet biannually, or at the request of the Chair, or at the request of a member and with consent of the Chair.
4. Working groups may be established as the Chair deems appropriate; however, voting membership must be comprised of full-time or permanent part-time Federal officers or employees.

ENCLOSURE 4

VI PRODUCTION PROCEDURES

1. VI PRODUCTIONS. VI productions shall:

a. Be created, acquired, managed, and controlled in a manner that satisfies similar communication requirements common to DoD Components, on topics such as personal hygiene, motor vehicle safety, or suicide prevention.

b. Be documented using the online DD Form 1995, "Visual Information (VI) Production Request and Report."

c. Be assigned a standard identifying number at the point of conception. After approval by the appropriate VI manager and prior to starting production, each VI production shall be identified by a production identification number (PIN). This 6-digit number is assigned by the DoD Component's VI management office and shall be the life cycle control number of the product. A producing DoD Component's PIN will not be assigned to productions made by one DoD Component for another DoD Component (except when acting as the lead agent), or other Federal agencies. These productions will be identified using PINs obtained by the requesting DoD Component headquarters. Productions produced for other Federal agencies will not be assigned a PIN unless adopted by a DoD Component.

d. Be produced by an authorized VI production activity, which has been issued a Defense visual information activity number (DVIAN) in accordance with Reference (c), or be approved by the DoD Component VI management office prior to production or acquisition by contract.

2. VI PRODUCTION REQUIREMENTS. VI productions shall:

a. Display classification information or controlled unclassified information markings in accordance with the requirements of Reference (n) in the initial and final screens. Using a data chapter on DVD or other media, or in embedded metadata, provide information, such as purpose, accessibility, restrictions on release (if any), and the intended audience in accordance with Enclosure 6 of this Instruction.

b. Be managed and made available centrally following initial distribution. Information about and access to these VI productions shall be provided through the online Content Discovery and Access Catalog (CDAC) available at Reference (y). The Defense Imagery Management Operations Center (DIMOC) shall provide Customer Relations Management (CRM) services for VI productions from initial DD Form 1995 entry, production status, customer order fulfillment and service, to final disposition.

c. Where appropriate, based on content:

- (1) Be provided when requested to allied nations after review by the ATSD(PA).
 - (2) Be adapted and adopted for use by the DoD if they were produced by an allied nation.
- d. Be reviewed regularly to ensure:
- (1) Security classification or restrictions on release to the public, if any, remain current.
 - (2) The policies, procedures, or doctrine contained in the productions remain current.

3. OPR PROCEDURES. The OPR shall:

a. Conduct a search of the CDAC to determine whether a VI or DLC production satisfying the OPR's communication requirement already exists prior to requesting creation or acquisition of a new VI production. The search tool is available online at the Defense Imagery Website (Reference (y)).

b. Complete the Section I portion of the online DD Form 1995 in coordination with the supporting VI activity to establish the production requirement if no suitable production exists in the CDAC. The DD Form 1995 initiates the production process and remains with the production through its life cycle. The online form is available at Reference (y).

c. Prepare an initial distribution plan to include the total number of copies required, the distribution formats, and the proposed distribution for all copies.

d. Validate the VI production requirement. The OPR or the designated representative of the OPR shall evaluate the production objective and confirm the legitimate need for VI production support to an authorized program or mission and ensure the availability of funding. This validation will be documented on the DD Form 1995. The factors that shall be considered during the validation process are:

- (1) Confirmation of legitimate need.
- (2) Organizational goals.
- (3) Necessity and priority.
- (4) Requester's authority and mission.
 - (a) Requestor is the proponent for the subject area.
 - (b) Requestor has approval from the subject matter proponent.
- (5) Cost savings to the Government.

- (6) Life-cycle management of the production.
 - (7) Frequency of use.
 - (8) Audience size and distribution media format.
 - (9) Production, acquisition, or procurement lead time.
 - (10) Changes to production requirements.
 - (11) The method, level, and cost of distributing the resulting production copies.
 - (12) Other support costs.
 - (13) Compatibility with other planned or existing audiovisual (AV), VI, or DLC productions.
 - (14) Requirement for closed-captioning.
- e. Provide a customer representative, technical representative, and subject matter expert (SME) to the producing VI activity or VI contracting activity as required. Organizations, such as training centers or schools with frequent or multiple production requirements may provide an Audiovisual Production Officer (AVPRO) to coordinate their productions.
 - f. Conduct an initial currency review no more than 3 years after the production's completion. Subsequent reviews shall be conducted every 3 years thereafter until the production is declared not current and retired from distribution. The OPR shall declare the production "current" if it reflects current policies and procedures, or "not current" if it does not.
4. SUPPORTING VI ACTIVITY PROCEDURES. The supporting VI activity shall:
- a. Assist the OPR in completion of Section I of the DD Form 1995.
 - b. Determine if the VI production must be accessible in accordance with Reference (s) and Enclosure 5 of this Instruction. The OPR shall enter this determination on the DD Form 1995. The supporting VI activity should consult with the OPR in reaching this accessibility determination.
 - c. Complete Section II of the DD Form 1995.
 - d. Approve the production request using DD Form 1995. The supporting VI activity shall take all steps to ensure that the requirement is adequately defined, properly validated, and that all other prerequisites have been met prior to authorizing the start of production. Production

requests shall be submitted for validation to the subject area proponent, if requested by an OPR other than the proponent.

e. Calculate and enter the projected cost of the production in accordance with section 7 of this enclosure.

f. Request a PIN from the DoD Component VI management office.

g. Assign or request assignment of the production to a producing VI activity or VI contracting activity.

5. PRODUCING VI ACTIVITY OR VI CONTRACTING ACTIVITY PROCEDURES. The producing VI activity or VI contracting activity shall:

a. Assign a VI Production Project Officer to take appropriate action to include activation, scripting, production, and documentation of the assigned VI production.

b. Initiate and maintain the production folder. The folder shall be maintained through each step of the pre-production, production, and post-production processes to ensure that the required documents are available for legal and public release review without delay.

c. Complete Section III of the DD Form 1995.

d. Enter the final costs and direct personnel-hours of the production in accordance with section 7 of this enclosure.

e. Submit the completed production together with the production folder contents, specified at section 10 of this enclosure, to the supporting legal office for review.

f. Submit the completed production, together with the documents specified at section 11 of this enclosure, to the supporting Public Affairs (PA) office for review in accordance with Reference (1).

g. Annotate any limitations placed on productions by the legal review and the public clearance determination in Section III of the DD Form 1995.

h. If notified by the OPR that the production is no longer needed, cancel the production by entering the cancellation date in the online DD Form 1995. The electronic form will notify the DoD Component VI manager and no further action is necessary.

i. In conjunction with the OPR, revalidate or cancel a production requirement when production is not completed within 1 year of the initial production request or within 1 year of the last revalidation.

j. Forward a digital master of the completed production and the completed production folder, including legal review and public release clearance, within 15 calendar days of the production's final approval to:

DIMOC Customer Service Division
Bldg. 3, Room 101
11 Hap Arnold Blvd
Tobyhanna Army Depot
Tobyhanna, PA 18466-5102

6. DIMOC PROCEDURES. The DIMOC shall:

- a. Complete Sections IV and V of the DD Form 1995.
- b. Ensure the production folder includes legal and public release review documentation on file prior to acceptance of the completed VI production.
- c. Provide initial distribution support if requested by the OPR. Provide subsequent individual order, fulfillment, and CRM.
- d. The DIMOC shall conduct a post-distribution evaluation (PDE) survey after the intended audience has seen the production and no more than 120 days after the initial distribution. This evaluation shall assess, either through measurement or anecdote, the extent the production achieved its communication objectives. The DIMOC shall forward the results to the OPR, the producing VI activity, and the DoD Component VI management office.
- e. Notify the OPR or the OPR's DoD Component VI management office when a VI production is due for a currency review.
- f. Enter the date shipped to the National Archives and Records Administration (NARA) or other final disposition closing the DD Form 1995 consistent with References (k) and Administrative Instruction 15 (Reference (z)).

7. PROJECTED AND FINAL PRODUCTION COSTS

- a. Direct costs and direct personnel hours of each production must be identified to ensure financial management of each production. Total costs include any and all direct costs associated with each phase of production, including scripting, travel, props, supplies, materials, contract costs, video stock, animations, graphics, and rights for specific products and services related to the production.
- b. The direct costs of any presentation services, talent, equipment, or facilities purchased or leased to exhibit a specific production shall be added to the total.

c. Projected and final costs shall not include indirect costs, such as:

(1) All commitments and obligations that typically benefit more than one production, such as military and Federal civilian pay and benefits; operation and maintenance of an in-house studio and related equipment; and sets, costumes, props, or scenery used for more than one production.

(2) The costs of reproduction and distribution.

8. IP RIGHTS. IP rights shall be obtained and documented when creating a VI production. If less than unlimited rights are obtained, the use of the production shall be limited to the scope of the least extensive rights obtained for material contained in the production. VI productions without documented IP rights shall not be exhibited, sold, or distributed on any DoD exhibition or distribution media.

a. When either unlimited Government rights or assignment of rights to the Government are required, the appropriate provisions found at sections 252.227-7013 (Rights in Technical Data) and 252.227.7020 (Rights in Special Works) of Reference (v) shall be incorporated into the applicable contract.

b. When only limited Government rights are required or when certain rights will remain with the contractor, section 52.227-17 (Rights in Data – Special Works) of Reference (u) shall be incorporated into the applicable contract.

9. RELEASES, PERMITS, AND COPYRIGHT LICENSES. The DoD must avoid liability under laws that protect personnel and their property from invasion of privacy, trespassing, and violation of property rights. DoD Component VI activities must ensure that the assigned production activity obtains appropriate filming permits and signed releases from the persons indicated below. If DoD standard releases are not used, the releases used should be prepared and reviewed by the appropriate DoD Component legal office. The requirement applies to all materials used in VI productions.

a. Licenses are always required to use copyrighted material unless an exception to copyright exists. The General Counsel of the appropriate DoD Agency, Field Activity, Military Department or command should be consulted to determine if an exception to copyright exists. Generally music, programs recorded off broadcast (e.g., air, cable, Internet), and stock footage are copyrighted. Possession of the source recording or score does not confer any right to reproduce, transfer, synchronize to video or otherwise use or perform the material recorded or scored thereon, either in whole or in part. A specific license for each application must be obtained from each and every copyright owner holding rights to the musical composition (both music and lyrics) and the sound recording. A license to use or perform music or other copyrighted material in connection with VI productions will generally:

(1) Convey to the Government the perpetual right to duplicate, distribute, publish, exhibit, use, or transmit all or parts of the music or other copyrighted material concerned as incorporated in the production for which the license was acquired, or, in any future use, incorporating a part or the whole of the production.

(2) State that the U.S. Government and its officers, agents, servants, and employees, when acting in their official capacities, are lawfully reproducing, distributing, exhibiting, or otherwise using the production, B-roll, or any portion thereof for which the license was acquired.

b. Releases are required for persons who either appear in or whose voices are used in a production, and from persons whose minor children appear in any production. Releases are required for personal property, real estate, copyrighted material, or other private property that appears in any production.

c. To determine the need for releases, apply these guidelines:

(1) No release is required from active duty military personnel, including cadets or midshipmen from the U.S. Service academies or DoD civilians actually performing their official jobs.

(2) Under most circumstances, an individual's expectation of privacy changes with the situation. Newsworthy or public events provide little, if any, expectation of privacy and therefore do not require releases.

(3) If an individual is part of a crowd, no release is required. Conversely, when any individual is a central figure in a scene, a release is required, regardless of the brevity of the scene.

(4) Resolve ambiguities in favor of obtaining release.

d. Standard DoD release forms shall be used where applicable.

(1) DD Form 2830, "General Talent Release."

(2) DD Form 2831, "General Release Where Talent Fee or Other Remuneration or Recompense Accrues to the Participant."

(3) DD Form 2832, "Release Granting the U.S. Government Permission to Photograph or Otherwise Record the Visual Image or Sound of Private Property."

(4) DD Form 2833, "Release Granting the U.S. Government Permission to Record or Reproduce Program Material Transmitted by Educational or Commercial Broadcast Stations."

e. Special use permits are required for filming on Federal property administered by the Bureau of Land Management and National Park Service in accordance with section 460L-6d of

title 16, U.S.C. (Reference (aa)). Certain States may also require permits for filming on State-owned properties.

10. LEGAL REVIEW. All VI productions shall undergo a legal review to establish legal clearances, restrictions, or conditions. The legal review may be performed at any level and must be completed before any security or public clearance can be granted. The legal review shall determine if the production is free of any legal or copyright encumbrances that would preclude public exhibition, sale, and distribution. The legal review includes, but is not limited to, music or stock footage copyrights (releases from artists), talent releases (actors or narrators), or any other legal element identified by legal counsel conducting the legal review. The request for legal review shall be requested by the VI production activity or VI contracting activity. The record of the legal review shall become a permanent part of the official production folder.

a. DoD Components shall ensure the VI Production Project Officer submits a written request for Legal Review to the appropriate General Counsel for the producing activity's DoD Agency, Field Activity, Military Department or command along with all the required supporting documents and materials.

b. Documents and materials required for legal review:

- (1) A copy of the DD Form 1995.
- (2) A copy of the production contract and all modifications.
- (3) A copy of the "as produced" script.
- (4) Copies of all releases for all talent and real or personal property.
- (5) Copies of all licenses for all musical scores and sound recordings used.
- (6) Copies of licenses for all stock footage used.
- (7) Copies of Federal or State filming permits, if applicable.
- (8) A request for assessment of whether any endorsement issues are presented.
- (9) A copy of the completed VI production.

(10) A copy of the VI Production Project Officer's written request for Legal Clearance Review.

c. A legal review letter stating that the production is free of legal encumbrances or noting any identified legal encumbrances shall be issued by the reviewing legal office for inclusion in the production folder.

d. VI productions determined to have legal deficiencies which prohibit release, reproduction, or distribution to the U.S. Government shall not be entered into the Defense VI production inventory until the legal deficiencies are corrected.

11. CLEARANCE FOR PUBLIC USE. All VI productions shall undergo a security and public clearance review in accordance with Reference (1) to establish exhibition clearances, distribution restrictions, and that no conflict exists with established policies or programs of the Department of Defense or the U.S. Government. Public use clearance provides the authority for exhibiting or distributing a VI production to the public civilian sector.

a. The security and public clearance review may be performed through the PA channels at the DoD Component level or below for productions that are for Component-wide use. VI productions that are intended for DoD-wide audiences or that contain overall DoD-wide doctrine must be reviewed by the Office of ATSD(PA). A separate review may be required if the VI production is intended for release to foreign audiences.

b. The VI production activity or VI contracting activity shall ensure the VI Production Project Officer submits a written request to the supporting PA office for a security and public clearance review immediately after a production is completed and the resulting product passes a legal review. Productions created for other DoD Components shall be submitted to that Component's PA office.

c. The record of the PA security and public clearance review shall become a permanent part of the official production folder.

d. All completed VI productions shall be submitted to the supporting PA office with the following documents and materials:

- (1) Copies of DD Form 1995.
- (2) Copy of legal review and copies of all appropriate licenses, if required.
- (3) Recommendation for public clearance.
- (4) Copy of the "as produced" script.
- (5) A copy of the completed and approved VI production.
- (6) A request for security and policy review, if applicable.

(7) A copy of the VI Production Project Officer's written request for a security and public clearance review.

e. Public clearance designations for VI productions are:

(1) Cleared for Unlimited Use. VI productions cleared for exhibition and sale may be sold to the public or exhibited to the public without restriction. They may also be sold or rented to the public through the National Audiovisual Center (NAC) Website (<http://www.ntis.gov/products/nac.aspx>), or provided on publicly accessible websites in downloadable formats. These VI productions have no legal or security restrictions and are unconditionally releasable to the public for exhibition, sale, or distribution.

(2) Cleared for Limited Public Use. VI productions granted public clearance may be exhibited to the public but may have distribution or agreement restrictions based on the subcategories below. Consult the production folder or DIMOC for restrictions before proceeding.

- (a) Limited distribution.
- (b) Public exhibition only.
- (c) Limited audience or time restrictions.
- (d) Operations security restrictions.
- (e) Copyright or personality release restrictions.

(3) Not Cleared for Public Release. VI productions will not be processed and cleared for public exhibition or sale if their performance, display, exhibition, use, reproduction, distribution, sale, or disclosure is limited by classification, rights retained by copyright owners or talent, statutory grants, agreements, privacy rights, or designation as controlled unclassified information. These VI productions may not be exhibited or provided in downloadable format on publicly accessible websites.

f. The public clearance designator assigned in the public release review shall be printed on the media jacket and the surface label of the playback media.

12. PRODUCTION FOLDER. Completed VI productions shall be submitted to the DIMOC with the records listed in paragraphs 12.a. through g. of this enclosure, when applicable, and media in the production folder. Contract-related documents would not apply to a majority of in-house-only VI productions. This production folder shall be maintained as an official record with the production master during the life cycle of the production until transfer to NARA or other disposition consistent with Reference (z).

- a. Letter of assignment.
- b. Signed and dated DD Form 1995 with distribution plan.
- c. Procurement package, if contracted, including:

- (1) Specification or Statement of Work.
 - (2) Independent government cost estimate.
 - (3) Realistic delivery schedule.
 - (4) Identification of deliverable items.
 - (5) Justification and approval for other than full and open competition.
 - (6) Funding document.
- d. Status reports, including:
- (1) Shooting schedule.
 - (2) Crew list.
 - (3) Contractor performance evaluation, if contracted.
- e. Scripts (with approvals when contracted), including:
- (1) Approaches.
 - (2) Treatment.
 - (3) First draft script.
 - (4) Final approved script.
 - (5) Production requirements.
 - (6) Storyboards.
 - (7) “As produced” script, if there are significant changes from approved script.
- f. Approvals, releases, and permits, including:
- (1) Post-production edit approvals.
 - (2) Releases, including:
 - (a) Signed narration talent releases.
 - (b) Signed actor talent releases.

- (c) Other talent releases.
 - (d) Property releases, which may include trademark releases.
 - (e) Music rights and releases.
 - (f) Imagery rights and releases.
 - (g) Filming permits, if required.
 - (h) Public release documentation.
- (3) Production master media inspection report.
- (4) All DD Form 250, "Material Inspection and Receiving Report," if contracted.
- (5) Contract correspondence, including:
- (a) Procurement package (script) with all amendments.
 - (b) Technical evaluation (script).
 - (c) Procurement package (production) with all amendments.
 - (d) Technical evaluation (production).
 - (e) Activation attendance roster.
 - (f) Activation agenda.
 - (g) Contract extension.
 - (h) Change in requirements.
- (6) General correspondence, including:
- (a) Technical evaluation.
 - (b) Legal review documentation.
 - (c) General correspondence and email messages.
 - (d) Action and contact sheet.
- (7) A digital master of the completed and approved VI production.

(8) Copies of B-roll and stock footage associated with the VI production.

13. REPRODUCTION AND DISTRIBUTION. After initial distribution, subsequent reproduction and distribution for VI productions shall be provided by the DIMOC using online ordering and CRM capability. The DIMOC shall:

a. Maintain a digital master and the associated production folder for the operational life of the VI production. VI productions shall be reproduced and distributed subject to legal restrictions and clearance provided in the production folder.

b. Provide initial distribution for VI productions on request and subject to funding by the OPR or DoD Component.

c. Provide distribution for all VI productions subsequent to initial distributions.

d. Submit a digital master copy of all VI productions cleared for public exhibition, sale, or distribution to the NAC.

e. Provide initial and subsequent distribution for DLC products, upon request of the OPR subject to compliance with legal review, clearance, and production folder requirements in sections 10, 11, and 12 of this enclosure.

14. COMMERCIAL OFF-THE-SHELF (COTS) AV PRODUCTIONS

a. Use of COTS AV productions may be considered when it is more cost effective than developing new, in-house, or contracted VI production and no acceptable VI production exists, is in production, or is planned. It is important to note that procurement must include the distribution rights, which can increase the costs of a COTS AV production.

b. Acquisition of COTS AV productions to be used in lieu of creating a VI production for a communication or command-directed training program intended to have broad distribution across command boundaries shall be authorized by the DoD Component VI management office and shall:

(1) Be validated using DD Form 1995, assigned a PIN, and entered into the CDAC.

(2) Require legal review, public release review, and have a distribution and exhibition control plan subject to any copyright license restrictions applicable to the acquisition.

(3) Be inventory controlled, maintained in the original distribution format, and in the original physical media, which shall be labeled "Copyrighted Material – Do Not Duplicate."

ENCLOSURE 5

ACCESSIBILITY

1. Except as provided at section 4 of this enclosure, VI productions that contain speech or other audio information necessary for comprehending the content shall be open or closed-captioned.
2. Except as provided at section 4 of this enclosure, VI productions that contain VI necessary for comprehending the content shall be audio described.
3. If an authorized individual with disabilities requests access to VI productions, then reasonable accommodations shall be made regardless of the exception in paragraph 4 of this enclosure.
4. The captioning and audio description requirements at sections 1 and 2 of this enclosure do not apply to a VI production that:
 - a. Involves classified information and is a “National Security System” because its function, operation, or use, according to subsection 794d(a)(5) of Reference (s):
 - (1) Involves intelligence activities.
 - (2) Involves cryptologic activities related to national security.
 - (3) Involves command and control of military forces.
 - (4) Involves an integral part of a weapon or weapons system.
 - (5) Is critical to the direct fulfillment of military or intelligence missions pursuant to section 11103 of title 40, U.S.C. (Reference (ab)). Systems that are critical to the direct fulfillment of military or intelligence missions do not include systems that are used for routine administrative or business applications.
 - b. Is not intended to be distributed.
 - c. Cannot be captioned or audio-described:
 - (1) Without fundamental alteration or;
 - (2) Without missing a firm, essential delivery deadline or;
 - (3) Without undue burden pursuant to part 1194 Reference (t).
 - d. Does not support the DoD or DoD Component mission.
 - e. Is a COTS item and not commercially available in an accessible form.

5. The reason(s) that any production is not captioned or audio described, in accordance with section 4 of this enclosure, shall be documented on the productions' DD Form 1995 and maintained in the production file.

ENCLOSURE 6

STANDARD SCREENS AND METADATA

1. The initial screens of VI productions shall contain the following information in this order:

a. Screen 1. If the VI production is classified or contains controlled unclassified information, the security classification information, as specified in Reference (n)) shall be displayed on Screen 1 as well as on the production's final screen. Screen 1 shall be displayed for 5 seconds.

b. Screen 2. Screen 2 shall be displayed for a duration sufficient enough to read each word quickly aloud and shall contain:

- (1) The DoD Seal.
- (2) The production title.
- (3) The public release status.

2. Information that shall be provided in an associated chapter file, or in embedded metadata, and in the CDAC discovery data, includes:

- a. The VI production title.
- b. The public release status with explanatory comments if not cleared for unlimited use.
- c. The PIN.
- d. The calendar year of release.
- e. Accessibility, if applicable.
- f. The linear running time of the VI production.
- g. Limitations due to copyright or license restrictions (e.g., limited music rights).
- h. The purpose of the VI production. The purpose shall state what the OPR intended to accomplish by creating or acquiring the VI production, e.g., "To inspire outstanding high school students to apply for admission to the U.S. Naval Academy," or "To reduce motor vehicle accidents involving military personnel."
- i. The intended audience, e.g., "Noncommissioned medical personnel at Walter Reed National Military Medical Center," or "Students in MOS 31S, satellite-communications systems operator – maintenance training."

j. The presentation scenario, i.e., the context in which the OPR intended the production to be employed. The presentation scenario should include:

(1) The setting in which the VI production is meant to be viewed or used. The setting may include residence, classroom, operational areas, unit common areas, or auditoriums. The scenario should describe whether the presentation should be viewed on an individual basis, in small groups, or by large numbers of viewers simultaneously.

(2) The delivery methodology for which the VI production is designed. The methodology may include closed-circuit television, large screen projection, webcast, or DVD player and monitor, video wall, or computer workstation.

(3) A supplementary description of whether the VI production is designed to be a standalone communication or is meant to be augmented by instructor-led training or discussion, reading a manual, or practice. The supplementation should specify whether the VI production is meant to be viewed before or after augmentation.

3. Examples of standard screens are available at <http://www.defenseimagery.mil>.

GLOSSARY

PART I. ABBREVIATIONS AND ACRONYMS

ATSD(PA)	Assistant to the Secretary of Defense for Public Affairs
AV	audiovisual (audio visual)
AVPRO	Audiovisual Production Officer
CDAC	Content Discovery and Access Catalog
CFR	Code of Federal Regulations
COTS	commercial off-the-shelf
CRM	Customer Relations Management
DFARS	Defense Federal Acquisition Regulation Supplement
DIMOC	Defense Imagery Management Operations Center
DLC	distributed learning content
DMA	Defense Media Activity
DoDD	DoD directive
DoDI	DoD instruction
DPMG	Defense Production Management Group
DVI	Defense Visual Information
DVIAN	Defense Visual Information Activity Number
FAR	Federal Acquisition Regulation
IP	intellectual property
NAC	National Audiovisual Center
NARA	National Archives and Records Administration
OPR	office of primary responsibility
PA	Public Affairs
PDE	post-distribution evaluation
PIN	production identification number
PSA	public service announcement
SME	subject matter expert
U.S.C.	United States Code
VI	visual information

PART II. DEFINITIONS

Unless otherwise noted, these terms and their definitions are for the purposes of this Instruction.

accessible. Containing either open or closed captions, or audio description.

activation. An initial meeting between customer, contractor, and project manager to review and discuss roles and responsibilities, as well as requirements and objectives for the project.

approach. A written concept for a video project that explains the style and basic production elements for a production.

audio description. Speech, synchronized with the picture, describing a production's visual content. Audio description is specifically designed for visually impaired and blind persons. Typically, appropriate portions of the audio description are narrated during what would otherwise be natural silences in a production.

AV production. An AV production is a VI production that is distinguished from other VI products by the combination of motion media with sound in a self-contained, complete presentation, developed according to a plan or script for conveying information to or communicating with an audience, such as a training video or public service announcement (PSA) using IP content. AV production is a common industry term synonymous with and included in the DoD term "VI Production."

AVPRO. An individual assigned by an organization that has frequent or multiple VI production requirements to manage and coordinate those requirements.

B-roll. Secondary or stock footage used to augment principal photography. Frequently used with voice-over narration. Contemporary usage of the term includes original video available for re-use.

caption. The display of spoken dialog as printed words on a television, monitor, projection, or other type of motion display. Unlike subtitles, captions are specifically designed for hearing impaired viewers. They may include information regarding on and off screen sound effects, such as music or laughter. Captions may be open or closed. Open captions are displayed automatically as part of the video without selection by the viewer. Closed captions normally do not appear unless the user has selected them to appear.

CDAC. An online, unrestricted, full-text searchable, standard DoD-wide database containing content description, production, acquisition, inventory, distribution, currency status, archival control, and other data on VI productions and DLC products typically used in military training. Formerly DAVIS/DITIS.

clearance for public release. The determination by responsible officials that a VI production and the information contained therein are not classified; are not designated as controlled unclassified information; do not conflict with established DoD or Federal Government policies or programs; and comply with applicable laws and regulations, and, therefore are releasable to the public.

compilation. A type of VI production that includes a selection of discrete items of imagery and audio, text, and graphics arranged according to a common theme or subject and organized as a single deliverable product. Compilations are usually viewed non-linearly. Examples are the DoD imagery collections “Allied Force” and “War and Conflict.”

COTS production. A completed commercial AV production purchased in original format without additional editing or adaptation.

crew list. A document containing the names and associated positions of all persons involved during the production phase of a project.

CRM. The active management of customer interactions using technology to organize, automate, and synchronize processes, such as knowledge management, customer service, and technical support to increase media and imagery access, and reduce operational costs.

customer representative. The representative of the OPR who provides interface with the VI production activity or VI contracting activity. The customer representative provides the production process step approvals for the OPR, such as script approval.

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

Defense VI Production Inventory. Completed VI productions that are centrally held and record managed by the DIMOC. Discovery of such productions, as well as ordering of copies is done through the CDAC, which can be searched at <http://www.defenseimagery.mil>.

DIMOC. The DIMOC is 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.

distribution. The process of supplying a complete VI end product to its intended end users, by any means.

DLC. Data of various types and in various file and package electronic formats that may be used for educational purposes. DLC formats include interactive multimedia instruction, interactive courseware, computer-based training, web-based training, computer-aided instruction, computer-managed instruction, VI, interactive electronic technical manuals, or electronic job aids or guides (e.g., templates, macros, and applications). See Reference (m).

DoD-standard identifying number. In VI, a DoD-wide uniform designator assigned to a VI record for identifying, tracking, and controlling inventory. The standard identifying number for VI productions is the PIN. For all other VI records, except local-use-only productions, is the Visual Information Record Identification Number.

DVI. The DMA directorate responsible for policy development, management, and oversight of the DVI Program.

DVIAN. A unique identifier assigned to each DoD VI activity authorized in accordance with Reference (c).

editing. The assembly of a final VI production based on edit decision lists with the addition of sound, visual effects, and titles.

end product. VI in the form of a finished deliverable immediately ready for its intended end users.

filming permit. A permit issued by a governmental body authorizing filming on public property. A filming permit frequently requires proof of insurance, safety compliance, and site access and monitoring coordination.

imagery. A visual representation of a person, place, or thing recorded and stored in any format, in electronic or in a physical medium.

information programming. Radio and television programming that communicates knowledge. Includes international, national, domestic, OSD, Joint Chiefs of Staff, military Service, Combatant Command, component command, local, community, and host-nation news; issue analysis and commentary; PA programming; spot announcements with an internal informational theme; and PSAs when produced without IP content.

initial screens. The first VI an audience or user sees when viewing a production.

Legal Review. Formal evaluation conducted by a Legal Counsel to establish a VI Production's legal clearances, restrictions, or conditions. The legal review determines if a production is free of any legal or copyright encumbrances which would preclude public exhibition, sale, and distribution.

letter of assignment. A memorandum that appoints specific responsibilities to a person for the purposes of oversight and management of a project.

life cycle management. The process of managing records as they pass from the point of origin through active use and maintenance to their final disposition by either transfer to an archival institution or destruction.

master media. The final production media used for replication of a finished VI production.

medium. Any physical object, such as drawing paper, film, videotape, drive, or disc, which contains or can contain VI. VI media are typically transportable, to facilitate distribution of the VI they contain.

multimedia. The integration of text, audio, still or video imagery, graphics, and animation in a non-linear production according to a plan or script for the purpose of conveying information to a user.

OPR. The organizational customer that requires a DoD production, seeks its creation or acquisition, and is the authorized proponent for the subject matter.

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

PDE. An online survey used to capture specific post-production evaluation data compiled by the DIMOC on a VI production created or acquired

PIN. The DoD-standard identification number for VI productions. It is a 6-digit number issued by a DoD Component's VI Management Office.

post-production. The phase of production following principal photography involving processes such as video editing; visual and special effects; graphics; and mixing, dubbing, digitally compressing, and mastering sound.

pre-production. The planning phase of a DoD production. This phase includes processes such as storyboarding, script development and approval, selecting and licensing music and stock footage, selecting filming locations, set construction, coordinating logistical and material support, selecting acting talent, and obtaining releases and permits.

preservation. The processes involved in protecting and conserving VI. These include storage under environmentally protected conditions, conversion from obsolete to current formats, copying to more durable media, protecting from physical damage, cleaning, and securing against accidental or deliberate erasure, alteration, or loss.

principal photography. The active phase of production involving acting talent on set, live direction, and cameras in operation.

production. 1. A complete, linear or non-linear presentation, sequenced according to a plan or script that is created from original, stock motion, or still images, with or without sound, for the purpose of conveying information to, or communicating with, an individual or audience.
2. The phase of producing a VI production involving principal photography and performance of talent.

production discovery data. Data that allows a search of the programs contained in the CDAC VI production and DLC database by title, subject, DoD Component, medium, year produced, and other relevant criteria.

PSA. A broad term commonly used to describe a brief information production provided through broadcast, cable, web, or other media that communicates a message to benefit an area of interest, such as health or safety, by raising public awareness. A PSA may be information programming or a VI production based on the content of the PSA.

public release. A determination whether a VI production can be distributed, sold, presented, exhibited or shown in theater, on television, on the web, or other presentation medium that is or may be accessible to the public.

shooting schedule. A document that lists dates, times, locations, etc. of a production effort.

SME. A specialist or expert in the subject matter related to a DoD production.

stock footage. File footage from past productions, outtakes, or archival footage used in place of staging and recording new footage (i.e., B-roll).

storyboards. Graphic images representing proposed shot sequences organized in a sequence to enable visualization of a VI production.

technical representative. A specialist or expert representing the OPR with a high level of knowledge regarding communicating the intent of the production.

treatment. A written document that expands on an “approach,” and includes specific, in-depth details of planned production elements and techniques.

U.S.C. The United States Code is a compilation and codification of the general and permanent federal laws of the United States.

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.

VI activity. An organizational element or a function within an organization, whose principal responsibility is to provide VI products and/or services and which is assigned an authorizing DVIAN.

VI management office. A headquarters staff level office that typically prescribes VI policies and procedures and supervises or oversees VI functions.

VI product. A copy of a VI record, or a collection, compilation, or composite of such copies.

VI production. An official organizational video communication created or acquired at any level within the DoD Components. A VI production includes process components such as script, talent, pre-production, production, and post-production. VI productions are life-cycle-managed and are produced by authorized VI activities issued a DVIAN or contracted with approval at the DoD Component headquarters level and prioritized to internal resources. This includes productions distributed by web accessible means other than closed access intranets. Defense VI productions are centrally held by the DIMOC from which they can be easily ordered. Discovery of such productions, as well as ordering, is through the CDAC, which can be searched at <http://www.defenseimagery.mil>. A VI production that combines motion media with sound is also defined as an “AV production.”

VI Production Project Officer. The individual assigned by the producing VI activity or the VI contracting activity to oversee a DoD production from start to finish, including the assembly of the production folder.

VI record. VI with a related caption and identifying number designated as record material in accordance with the requirements of Federal law or Federal regulations. If a VI record resides on a physical medium (e.g., film, tape, drive, or disk), the record is the informational content as distinct from the medium on which it resides. VI records may include, but are not limited to, still and motion photography, audio recordings, multimedia, graphic art, broadcast recordings, posters, and magazines, and will include future visual media as they are developed.

video. Motion imagery that is recorded or transmitted as either a digital or analog electromagnetic signal.