

AR 70-11 Dissemination of Scientific and Technical Information

Headquarters
Department of the Army
Washington, DC
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*Army Regulation 70-11
Effective 10 April 1986

Research, Development, and Acquisition
AR 70-11 Dissemination of Scientific and Technical Information

AR 70-11 Front Matter

This UPDATE printing publishes a revision which is effective 10 April 1986. Because the structure of the entire revised text has been reorganized, no attempt has been made to highlight changes from the earlier regulation dated 15 July 1968.

By Order of the Secretary of the Army:
JOHN A. WICKHAM, JR.
General, United States Army
Chief of Staff
Official:
R. L. DILWORTH
Brigadier General,
United States Army
The Adjutant General

Summary. This regulation, covering dissemination of scientific and technical information through the Defense Technical Information Center, has been revised. It implements DOD Directive 5230.24, which is included as appendix A. It also implements DOD Instruction 5200.21, which is included as appendix B. The title has been changed and organizational designations have been updated.

Applicability. This regulation applies to all organizational elements of the Department of the Army, its contractors, potential contractors, and grantees. It also applies to the U.S. Army Reserve and the Army National Guard.

Impact on New Manning System. This regulation does not contain information that affects the New Manning System.

Internal control systems. This regulation is not subject to the requirements of AR 11-2. It does not contain internal control provisions.

Supplementation. Supplementation of this regulation and establishment of forms other than DA forms are prohibited without prior approval from HQDA(DAMA-ARR), WASH DC 20310-0632.

Interim changes. Interim changes to this regulation are not official unless they are authenticated by The Adjutant General. Users will destroy interim changes on their expiration dates unless soon superseded or rescinded.

Suggested improvements. The proponent agency of this regulation is the Office of the Deputy Chief of Staff for Research, Development, and Acquisition. Users are invited to send comments and suggested improvements on DA Form 2028 (Recommended Changes to Publications and Blank Forms) directly to HQDA(DAMA-ARR), WASH DC 20310-0632.

Distribution. Distribution of this issue has been made in accordance with DA Form 12-9A requirements for 70-series publications.

The number of copies distributed to a given subscriber is the number of copies requested in Block 112 of the subscriber's DA Form 12-9A. AR 70-11 distribution is D for Active Army, ARNG, and USAR. This regulation supersedes AR 70-11, 15 July 1968.

AR 70-11 Body Matter

AR 70-11 1. Purpose

This regulation establishes policy, responsibilities, and procedures for Department of the Army (DA) support and use of the facilities and services of the Defense Technical Information Center (DTIC).

AR 70-11 2. References

Required publications are listed below.

- a. AR 70-31, Standards for Technical Reporting. (Cited in paras 7c(3), 7c(5), 8, and 9a.)
- b. AR 380-5, Department of the Army Information Security Program Regulation. (Cited in para 9a.)
- c. AR 380-10, Department of the Army Policy for Disclosure of Military Information to Foreign Governments. (Cited in paras 7c(9) and 8c.)

AR 70-11 3. Explanation of terms

Abbreviations and special terms used in this regulation are explained in the glossary.

AR 70-11 4. Scope

This regulation covers all research, development, test, and evaluation (RDTE) technical reports (as defined herein), except those categorized as follows:

- a. TOP SECRET.
- b. Cryptographic and communications security. (See app A, para B.4.)
- c. Communications and electronic intelligence, and such other categories of similar nature as may be designated by the Director, Defense Intelligence Agency (DDIA).
- d. Registered documents or publications.
- e. Administrative papers, memorandums, and reports, and contract or grant proposals and orders.
- f. Information furnished to the United States by foreign governments when its dissemination is forbidden by the foreign government.

AR 70-11 5. Objectives

The objectives of DA components are to cooperate with DTIC to the maximum extent possible (see app B) to fulfill DTIC's mission to provide timely, effective, and efficient bibliographic processing, announcement, and secondary distribution of Army generated or sponsored technical reports and documents and within the limits permitted by security and other recognized controlling statements.

The operation of DTIC is designed and conducted to attain the following objectives in documentation services:

- a. Active and continuing acquisition of all technical reports pertinent to the RDTE efforts of DOD.
- b. Prompt and properly-indexed announcements of newly acquired technical reports.
- c. Timely responses to requests for technical reports and other

documentation services.

d. Reconciliation of information acquisition, storage, announcement, reproduction, and distribution methods with DOD security policies, standards, criteria, and procedures.

e. Rapid notification of availability of technical reports to information analysis centers.

f. Increased effectiveness of information flow with other U.S. Government agencies through cooperatively developed standards and improved methods for report dissemination.

g. High standards for processing and distributing technical reports.

h. Progressive improvements in document processing and related services through continuing analysis of advanced techniques and equipment.

i. Coordination of techniques with both domestic and foreign documentation and information analysis centers.

AR 70-11 6. Program oversight

a. The DTIC performs its mission under the overall policy direction of the Office of the Under Secretary of Defense Research and Engineering (OUSDRE) and the operational direction and control of the Director, Defense Logistics Agency. It provides a central service within DOD for the efficient interchange of scientific and technical information consistent with effective security to promote progress and economy in research and development and to prevent unnecessary duplication of such services. The Director of Research and Laboratory Management, OUSDRE, serves as the contact point for carrying out this policy.

b. The DTIC acquires, stores, announces, retrieves, and provides secondary distribution of documents directly to users and is responsible for the following related functions:

(1) Prepare reports and abstract listings upon request.

(2) Provide service to users, upon request, for distributing DTIC's holdings and acquisitions and for providing bibliographic data, reference service, abstracts, and index terms related thereto.

(3) Test, evaluate, and apply developed techniques and equipment to improve documentation services.

(4) Maintain and improve a working DOD vocabulary of terms, working toward vocabulary compatibility with other like activities, for use in the processing of technical reports throughout the DOD RDTE effort.

AR 70-11 7. Responsibilities

a. The Deputy Chief of Staff for Research, Development, and Acquisition is responsible for DA direction of and policy for DTIC activities in the area of scientific and technical information. All activities relevant to the DTIC, except those that pertain to day-to-day operations (for example, document services), will be referred to HQDA(DAMA-ARR) by DA components.

b. The Commanding General, U.S. Army Materiel Command (AMC) is the Headquarters, Department of the Army (HQDA) Executive Agent responsible for the implementation of the Army portion of the Defense Scientific and Technical Information Program (STINFO). The Technology Planning and Management Directorate (AMCLD) is the responsible element within AMC.

c. Each Army element performing RDTE functions will cooperate with DTIC to the maximum extent possible and will-

(1) Ensure efficient primary distribution of technical reports generated by activities under its control, including contractors and grantees. (See app A to ensure accurate marking for distribution and destruction of documents to prevent unauthorized disclosure.)

(2) Cooperate with DTIC so that DTIC can provide secondary document distribution, except as provided in (7) and (8) below.

(3) Establish and enforce internal and contractual procedures to require that two legible copies of each technical report are transmitted by the sponsoring Army activity directly to DTIC concurrent with primary distribution. (See AR 70-31 for instructions controlling preparation of technical reports.)

(4) Arrange by mutual agreement that, when RDTE is sponsored jointly by two or more DOD components, one sponsor will be responsible for establishing and controlling the security classification and distribution statements on resulting reports.

(5) Ensure that DTIC is promptly informed, after primary distribution, of any subsequent changes in distribution statements or security classification other than changes resulting from automatic schedules. (See AR 70-31 for additional guidance.)

(6) Notify DTIC promptly of contracts, grants, or other actions that will require or affect the DTIC service and furnish necessary certification for establishing such service. Certification will be made on appropriately established forms and in accord with instructions available from DTIC.

(7) Subsequent to primary distribution, provide additional copies of internally-generated reports or documents through the internal library or internal information activity, or both, to internal organizational elements or individuals upon a properly-supported request for in-house use.

(8) Retain a maximum of 10 copies of each report or document, so that some unusual or high-priority requests for secondary-distribution copies can be met by the sponsoring Army activity.

(9) Refer all requests for technical information in documentary form, which are received directly from or on behalf of foreign nationals/governments/contractors (other than those processed in contracting officer channels), to HQDA(DAMI-CIT) in command foreign disclosure channels. Enclose a copy of the documents requested and include a suitably detailed recommendation for either releasing or withholding the documents. If the documents in question are classified, recommendations must be consistent with policies in AR 380-10 governing such disclosures.

AR 70-11 8. Conditions of DTIC service

Within established security policies and within the terms of any limitations imposed by authorized distribution statements (AR 70-31) on technical documents, DTIC provides its services to and for the U.S. Government as shown below.

a. Unclassified services. These services are provided to all U.S. Government agencies (executive, legislative, and judicial branches) and their contractors and grantees, including potential contractors, upon submission of satisfactory evidence to DTIC of such affiliation.

b. Classified services. These services are provided to-

(1) All departments and agencies of the executive branch of the U.S. Government.

(2) Contractors and grantees, including DOD potential contractors, of departments and agencies of the executive branch whose sponsoring activities have provided DTIC with satisfactory certification of clearances and the need-to-know for the classified documentation requested.

(3) U.S. Government agencies other than the executive branch and their contractors and grantees upon separate approval and in accordance with terms provided by the Director of Research and Laboratory Management, OUSDRE. In these instances, certification of security clearances and connections with which classified documentation is needed should be provided to the Director of Technical Information.

c. Foreign services. These services are provided to foreign contractors of the DA; however, requests for and transmittals of technical reports, whether classified or unclassified, are to be made only in contracting officer channels and, in the case of

classified reports, may be transmitted only after disclosure approval has been rendered per AR 380-10.

d. Internationally sponsored research centers. Direct DTIC services to these centers and activities may be made only upon approval and in accordance with terms provided by OUSDRE.

AR 70-11 9. Distribution statements and special handling

a. AR 70-31 prescribes the use of distribution statements on all documents/reports containing technical information, to include those which also may bear a security classification per AR 380-5. Secondary distribution by DTIC is governed exclusively by such statements/markings, either singly or in tandem.

b. Technical reports marked for special access handling are excluded from routine provisions for distribution statements. Such documents may be supplied DTIC if they fall in one of the document categories listed in the glossary and when their dissemination to DTIC is not forbidden; however, their processing, announcement, and all distribution will be controlled by separate and special arrangements made between DTIC and the controlling DA office acting under authority provided by applicable Army regulations.

c. Except for reports marked for special access, the DTIC will recognize only those distribution statements authorized in appendix A. Reports containing unofficial distribution statements will be called to the attention of the controlling DA office for clarification of the marking prior to acceptance in the DTIC collection.

AR 70-11 Appendix A
Department of Defense Directive
5230.24

Department of Defense
Directive

November 20, 1984
NUMBER 5230.24
USDR&E

SUBJECT:
Distribution Statements on Technical Documents

References:

(a) DoD Directive 5200.20, "Distribution Statements on Technical Documents," September 24, 1970 (hereby canceled)

(b) Secretary of Defense Memorandum "Control of Unclassified Technology with Military Application," October 18, 1983 (hereby canceled)

(c) DoD Directive 3200.12, "DoD Scientific and Technical Information Program," February 15, 1983

(d) through (n), see enclosure 1

AR 70-11 A. Purpose

This Directive replaces reference (a) to update policies and procedures for marking technical documents, including production, engineering, and logistics information, to denote the extent to which they are available for distribution, release, and dissemination without additional approvals or authorizations. It incorporates Secretary of Defense guidance provided in reference (b).

AR 70-11 B. Applicability and Scope

1. This Directive applies to the Office of the Secretary of Defense, the Military Departments (including their National Guard and Reserve Components), the Organization of the Joint Chiefs of Staff, the Unified and Specified Commands, and the Defense Agencies (hereafter referred to collectively as "'DoD Components").

2. This Directive covers all newly created technical documents generated by all DoD-funded research, development, test and evaluation (RDT&E) programs, which are the basis of the DoD Scientific and Technical Information Program (STIP) described in DoD Directive 3200.12 (reference (c)). The provisions of this Directive also apply to engineering drawings, standards, specifications, technical manuals, blueprints, drawings, plans, instructions, computer software and documentation, and other technical information that can be used or be adapted for use to design, engineer, produce, manufacture, operate, repair, overhaul, or reproduce any military or space equipment or technology concerning such equipment.

3. It applies to unclassified technical data in the possession of or under the control of a DoD Component that have military or space application and that may not be exported lawfully without an approval, authorization, or license under Executive Order 12470 (reference (d)) or the Arms Export Control Act (22 U.S.C. 2751 et seq. (reference (e)).

4. This Directive does not apply to technical documents categorized as cryptographic and communications security, communications and electronic intelligence, and such other categories that may be designated by the Director, National Security Agency/Chief, Central Security Service.

5. This Directive does not apply to technical documents that contain RESTRICTED DATA (RD) and FORMERLY RESTRICTED DATA (FRD), as defined in the Atomic Energy Act of 1954, as amended. Distribution, control and marking of documents that contain RD and FRD information are specified and defined by the said Act and joint Department of Energy and DoD directives.

AR 70-11 C. Definitions

The terms used in this Directive are defined in enclosure 2.

AR 70-11 D. Policy

It is DoD policy to pursue a coordinated and comprehensive program to provide for a strong and viable military research, acquisition, and support program consistent with requirements of national security, export laws, and competitive procurement.

AR 70-11 E. Responsibilities

1. The Under Secretary of Defense for Research and Engineering shall monitor compliance with this Directive within DoD Components and take such actions that may be required to ensure consistent and appropriate implementation of this Directive within the Department of Defense.

2. The Under Secretary of Defense for Policy shall prepare and issue, as required, policy guidance with respect to the dissemination and control of information within the scope of this Directive.

3. The Assistant Secretary of Defense (Public Affairs) shall provide necessary reviews to allow for marking technical documents with distribution statement A and shall provide such other assistance as may be necessary to ensure compliance with this Directive.

4. The General Counsel, Department of Defense shall assist in carrying out the provisions of this Directive by advising DoD Components with respect to the statutory and regulatory requirements governing the export or other dissemination of technical data.

5. Heads of DoD Components shall ensure that the provisions of this Directive are implemented within their respective Components in a uniform, consistent manner and shall establish procedures to ensure that technical documents are marked correctly.

AR 70-11 F. Procedures

1. All DoD Components generating or responsible for technical documents shall determine their distribution availability and mark them appropriately before primary distribution.

2. DoD distribution statement shall not be required on contractor technical proposals or similar documents submitted in anticipation of the award of contracts.

3. The distribution statement markings in this Directive shall be mandatory for all technical documents, including such informal documents as working papers, memoranda, and preliminary reports if those documents are not already in the public domain, and if they are likely to be disseminated outside of the Department of Defense.

4. Managers of technical programs shall assign an appropriate distribution statement to each technical document generated within their programs.

a. All unclassified DoD technical documents shall be assigned distribution statement A, B, C, D, E, F, or X (see enclosure 3).

b. Classified DoD technical documents may be assigned distribution statement B, C, D, E, or F when there is need to restrict dissemination beyond the limits provided by application of security clearance and "'need-to-know'" controls. The distribution statement assigned to a classified document shall be retained on the document after its declassification or until changed specifically or removed by the controlling DoD office. Technical documents that are declassified and have no distribution statement assigned will be handled as distribution statement F documents until changed by the controlling DoD office.

c. Scientific and technical documents that include a contractor imposed limited rights statement shall be marked and controlled in accordance with subsection 9-201(c) and 9-601(j) of the DoD Supplement to the Federal Acquisition Regulation.

d. For each newly generated technical document, managers of technical programs shall determine whether the document contains export-controlled technical data; DoD Directive 5230.25 (reference (f)) provides guidance for making this determination. Additional guidance may be obtained from component legal counsel. All documents that are found to contain export-controlled technical data shall be marked with the statement contained in paragraph 8 of enclosure 3, in addition to statement B, C, D, E, F, or X.

e. Technical documents in preliminary or working draft form shall not be disseminated without a proper security classification review and assignment of a distribution statement as required by this Directive.

5. Distribution statements shall remain in effect until changed or removed by the controlling DoD office. Each controlling DoD

office shall establish and maintain a procedure to review technical documents for which it is responsible to increase their availability when conditions permit. The controlling DoD offices shall obtain public release determinations in accordance with DoD Directive 5230.9 (reference (g)). When public release clearance is obtained, the controlling DoD office shall assign distribution statement A, cancel any other distribution statement, and notify the cognizant document handling facilities.

6. Technical documents marked with superseded distribution statements shall be reviewed when a request for the document is received, and shall be assigned an appropriate distribution statement.

7. Technical documents in information repositories that have superseded distribution statements shall be converted as follows:

a. Documents bearing distribution statement A of B of DoD Directive 5200.20 (reference (a)) and documents bearing distribution statement A, B, C, D, E, or F contained in reference (b), need not be reevaluated.

b. Technical documents bearing distribution statement numbers 2, 3, 4, and 5 of superseded DoD Directive 5200.20, March 29, 1965 shall be assigned, respectively, distribution statements, C, B, E, and F.

8. Controlling DoD Offices shall notify the Defense Technical Information Center (DTIC) and other cognizant technical document dissemination facilities promptly when:

a. Addresses of designated controlling DoD offices are changed.
b. The controlling DoD office is redesignated.
c. Classification markings, distribution statements or export control statements are changed.

9. The distribution statement shall be displayed conspicuously on technical documents so as to be recognized readily by recipients.

a. For standard written or printed material.

(1) The distribution statement shall appear on each front cover, title page, and DD Form 1473, "'Report Documentation Page.'

(2) When possible, parts that contain information creating the requirement for a distribution statement shall be prepared as an appendix to permit broader distribution of the basic document.

(3) When practicable, the abstract of the document, the DD Form 1473 and bibliographic citations shall be written in such a way that the information will not be subject to distribution statement B, C, D, E, F, or X.

b. If the technical information is not prepared in the form of an ordinary document (such as this Directive) and does not have a cover or title page (such as forms and charts), the applicable distribution statement shall be stamped, printed, written, or affixed by other means in a conspicuous position.

AR 70-11 G. Effective Date and Implementation

This Directive is effective immediately. Forward one copy of implementing documents to the Under Secretary of Defense for Research and Engineering within 120 days.

Signed by William H. Taft, IV
Deputy Secretary of Defense

Enclosures-4

1. References
2. Definitions
3. Distribution Statements
4. Contractor-Imposed Distribution Statements

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REFERENCES, continued

- (d) Executive Order 12470, "'Continuation of Export Control Regulations,' March 30, 1984
- (e) Arms Export Control Act, Title 22, United States Code, Section 2751 et seq.
- (f) Dod Directive 5230.25, "'Withholding of Unclassified Technical Data From Public Disclosure', November 6, 1984
- (g) DoD Directive 5230.9, "'Clearance of DoD Information for Public Release,' April 2, 1982
- (h) DoD 5200.1-R, "'Information Security Program Regulation,' August 1982, authorized by Dod Directive 5200.1, June 7, 1982
- (i) DoD Instruction 7930.2, "'ADP Software Exchange and Release,' December 31, 1979
- (j) DoD 5220.22-M, "'Industrial Security Manual for Safeguarding Classified Information,' March 1984, authorized by DoD Directive 5200.22 December 8, 1980
- (k) Federal Acquisition Regulation (FAR), Part 35, Subchapter F

DEFINITIONS

- 1. Contractor. An individual or organization outside the U.S. Government who has accepted any type of agreement or order to provide research, supplies, or services to a U.S. Government agency including both prime contractors and subcontractors.
 - a. Qualified U.S. Contractor. In accordance with DoD Directive 5230.25 (reference (f)), a private individual or enterprise located in the United States whose eligibility to obtain export controlled technical data has been established under procedures developed by the Under Secretary of Defense for Research and Engineering.
 - b. DoD Potential Contractor. An individual or organization outside the Department of Defense declared eligible for DoD information services by a sponsoring DoD activity on the basis of participation in one of the following programs:
 - (1) The Department of the Army Qualitative Requirements Information Program.
 - (2) The Department of the Navy Industry Cooperative Research and Development Program.
 - (3) The Department of the Air Force Potential Contractor Program.
 - (4) The DoD Scientific and Technical Information Program, or
 - (5) Any similar program in use by other DoD Components.
- 2. Controlling DoD Office. The DoD activity that sponsored the work that generated the technical data or received the technical data on behalf of the Department of Defense and; therefore, has the responsibility for determining the distribution of a document containing such technical data. In the case of joint sponsorship, the controlling office is determined by advance agreement and may be either a party, group, or committee representing the interested activities or DoD components.
- 3. Critical Technology. Technology that consists of:
 - (a) Arrays of design and manufacturing know-how (including technical data).
 - (b) Keystone manufacturing, inspection, and test equipment.
 - (c) Keystone materials.

(d) Goods accompanied by sophisticated operation, application, or maintenance know-how that would make a significant contribution to the military potential of any country or combination of countries and that may prove detrimental to the security of the United States (also referred to as militarily critical technology).

4. Distribution Statement. A statement used in marking a technical document to denote the extent of its availability for distribution, release, and disclosure without additional approvals or authorizations. A distribution statement marking is distinct from and in addition to a security classification marking assigned in accordance with DoD 5200.1-R (reference (h)).

5. Document. Any recorded information regardless of its medium, physical form, or characteristics.

6. Foreign Government Information.

a. Information that is:

(1) Provided to the United States by a foreign government or governments, an international organization of governments, or any element thereof with the expectation either expressed or implied, that the information or the source of information, or both be held in confidence.

(2) Produced by the United States following or as a result of a joint arrangement with a foreign government or governments or an international organization of governments or any element thereof, requiring that the information or the arrangement or both be held in confidence.

b. Information described in subparagraphs 6(a)(1) and (2) above and in the possession of the Department of Defense is classified information in accordance with DoD 5200.1-R (reference (h)).

7. Primary Distribution. The initial targeted distribution of or access to technical documents authorized by the controlling DoD office.

8. Scientific and Technical Information. Communicable knowledge or information resulting from or pertaining to conducting and managing a scientific or engineering research effort.

9. Secondary Distribution. Release of technical documents provided after primary distribution. It includes loaning, allowing the reading of, or releasing a document outright, in whole or in part.

10. Technical Data. Recorded information related to experimental, developmental, or engineering works that can be used to define an engineering or manufacturing process or to design, procure, produce, support, maintain, operate, repair, or overhaul material. The data may be graphic or pictorial delineations in media such as drawings or photographs, text in specifications or related performance or design type documents, or computer printouts. Examples of technical data include research and engineering data, engineering drawings, and associated lists, specifications, standards, process sheets, manuals, technical reports, catalog-item identifications, and related information and computer software documentation.

11. Technical Document. Any recorded information that conveys scientific and technical information or technical data.

12. Technical Information. Information, including scientific information, that relates to research, development, engineering, test, evaluation, production, operation, use, and maintenance of munitions and other military supplies and equipment.

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DISTRIBUTION STATEMENTS

The following distribution statements are authorized for use on DoD technical documents.

1. Distribution Statement A. Approved for public release;

distribution is unlimited.

a. This statement may be used only on unclassified technical documents that have been cleared for public release by competent authority in accordance with DoD Directive 5230.9 (reference (g)).

b. Technical documents with this statement may be made available or sold to the public and foreign nationals, companies, and governments, and may be exported.

c. This statement may not be used on technical documents that formerly were classified unless such documents are cleared for public release in accordance with DoD Directive 5230.9 (reference (g)).

d. This statement will not be used on classified technical documents.

2. Distribution Statement B. Distribution authorized to U.S. Government agencies only (fill in reason) (date of determination). Other requests for this document shall be referred to (insert controlling DoD office).

a. This statement may be used on unclassified or classified technical documents, if necessary, to ensure distribution limitation in addition to need-to-know requirements imposed by DoD 5200.1-R (reference (h)), or in the event the document is declassified.

b. Reasons for assigning distribution statement B include:

(1) Foreign Government Information. To protect and limit distribution in accordance with the desires of the foreign government that furnished the technical information. Information of this type normally is classified at the CONFIDENTIAL level or higher in accordance with DoD 5200.1-R (reference (h)).

(2) Proprietary Information. To protect information not owned by the U.S. Government and protected by a contractor's ""limited rights" statement, or received with the understanding that it not be routinely transmitted outside the U.S. Government.

(3) Test and Evaluation. To protect results of test and evaluation of commercial products or military hardware when such disclosure may cause unfair advantage or disadvantage to the manufacturer of the product.

(4) Contractor Performance Evaluation. To protect information in management reviews, records of contract performance evaluation, or other advisory documents evaluating programs of contractors.

(5) Administrative or Operational Use. To protect technical or operational data or information from automatic dissemination under the International Exchange Program or by other means. This protection covers publications required solely for official use or strictly for administrative or operational purposes. This statements may be applied to manuals, pamphlets, technical orders, technical reports and other publications containing valuable technical or operational data.

(6) Software Documentation. Releasable only in accordance with the provisions of DoD Instruction 7930.2 (reference (i)).

(7) Specific Authority. To protect information not specifically included in the above reasons and discussions, but which requires protection in accordance with valid documented authority such as Executive Orders, classification guidelines, DoD or DoD Component regulatory documents. When filling in the reason, cite ""Specific Authority (identification of valid documented authority)."

3. Distribution Statement C. Distribution authorized to U.S. Government agencies and their contractors (fill in reason) (date of determination). Other requests for this document shall be referred to (insert controlling DoD office).

a. May be used in unclassified technical documents or on classified technical documents, if necessary, to ensure distribution limitation in addition to need-to-know requirements imposed by DoD 5200.1-R (reference (h)) or in the event the document is declassified.

b. Reasons for assigning distribution statement C include:

(1) Critical Technology. To protect information and technical data that advance current technology or describe new technology in an area of significant or potentially significant military application or that relate to a specific military deficiency of a potential adversary.

(2) Administrative or Operational Use. Same as distribution statement B.

(3) Specific Authority. Same as distribution statement B.

4. Distribution Statement D. Distribution authorized to the Department of Defense and DoD contractors only (fill in reason) (date of determination). Other requests shall be referred to (insert controlling DoD office).

a. May be used on unclassified technical documents or on classified technical documents, if necessary, to ensure distribution limitation in addition to need-to-know requirements imposed by DoD 5200.1-R (reference (h)) or in the event the document is declassified.

b. Reasons for assigning distribution statement D include:

(1) Premature Dissemination. To protect information on systems or hardware in the developmental or concept stage to prevent premature dissemination.

(2) Software Documentation. Same as distribution statement B.

(3) Critical Technology. Same as distribution statement C.

(4) Specific Authority. Same as distribution statement B.

5. Distribution Statement E. Distribution authorized to DoD Components only (fill in reason) (date of determination). Other requests shall be referred to (insert controlling DoD office).

a. May be used on unclassified technical documents or on classified technical documents, if necessary, to ensure distribution limitation in addition to need-to-know requirements imposed by DoD 5200.1-R (reference (i)) or in the event the document is declassified.

b. Reasons for assigning distribution statement E include:

(1) Export Limitations. Document contains export-controlled technical data which has been designated by competent authority in accordance with DoD Directive 5230.25 (reference f) to be of such significance for military purposes that release for purposes other than direct support of DoD-approved activities may jeopardize an important technological or operational military advantage of the United States.

(2) Foreign Government Information. Same as distribution statement B.

(3) Premature Dissemination. Same as distribution statement D.

(4) Software Documentation. Same as distribution statement B.

(5) Critical Technology. Same as Distribution statement C.

(6) Specific Authority. Same as distribution statement B.

6. Distribution Statement F. Further dissemination only as directed by (inserting controlling DoD office) (date of determination) or higher DoD authority.

a. Normally used only on classified technical documents, but may be used on unclassified technical documents when specific authority exists.

b. Distribution statement F is used when the DoD originator determines that information is subject to special dissemination limitation specified by paragraph 4-505, DoD 5200.1-R (reference (h)).

c. When a classified document assigned distribution statement F is declassified, the statement shall be retained until the controlling DoD office assigns the proper distribution statement from this Directive.

7. Distribution Statement X. Distribution authorized to U.S. Government agencies and private individuals or enterprises eligible to obtain export-controlled technical data in accordance with regulations implementing 10 U.S.C. 140c (date of determination). Other requests must be referred to (insert

controlling DoD office).

a. This statement shall be used on unclassified documents when distribution statements B, C, D, E or F are not applicable, but the document does contain technical data as explained in DoD Directive 5230.25 (reference (f)).

b. This statement shall not be used on classified technical documents; however, it may be assigned to technical documents that formerly were classified.

8. Additional Notices. In addition to the distribution statement, the following notices will be used when appropriate:

a. All technical documents that are determined to contain export-controlled technical data will be marked ""WARNING - This document contains technical data whose export is restricted by the Arms Export Control Act (Title 22, U.S.C., Sec 2751 et seq.) or Executive Order 12470. Violation of these export laws are subject to severe criminal penalties."

b. All technical documents marked with distribution statements B, C, D, E, F, or X will be marked ""DESTRUCTION NOTICE - For classified documents, follow the procedures in DoD 5200.22-M, Industrial Security Manual, Section II-19 or DoD 5200.1-R, Information Security Program Regulation, Chapter IX. For unclassified, limited documents, destroy by any method that will prevent disclosure of contents or reconstruction of the document."

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CONTRACTOR-IMPOSED DISTRIBUTION STATEMENTS

1. Part 35, Subchapter F of the Federal Acquisition Regulation (FAR) (reference (k)), stipulates control procedures for contractor-controlled technical data to which the Government has limited rights. In this case an approved statement from the FAR shall appear on all copies of each document. Unmarked or improperly marked technical documents supplied by a contractor shall be handled in accordance with the FAR. Limited rights information shall be assigned distribution statement B.

2. The limited rights statement shall remain in effect until changed or canceled under contract terms or with the permission of the contractor, and until the controlling DoD Component notifies recipients of the document that the statement may be changed or canceled. Upon cancellation of the statement, the distribution, disclosure, or release of the technical document then shall be controlled by its security classification or, if unclassified, by the appropriate statement selected from this Directive.

3. Reference (k) defines limited rights as the right to use, duplicate, or disclose technical data in whole or in part, by or for the U.S. Government with the expressed limitation that such technical data, without the written permission of the party furnishing such technical data, may not be:

a. Released or disclosed in whole or in part outside the Government.

b. Used in whole or in part by the Government for manufacture, or in the case of computer software documentation, for reproduction of the computer software.

c. Used by a party other than the Government, except for:

(1) Emergency repair of overhaul work only by or for the Government, when the item or process concerned is not otherwise reasonably available to enable timely performance of the work, provided that the release or disclosure thereof outside the Government shall be made subject to a prohibition against further use, release, or disclosure, or

(2) Release to a foreign government, as the interest of the United States may require, only for information or evaluation

within such government or for emergency repair or overhaul work by or for such government under the conditions of subparagraph 3.c.(1), above.

AR 70-11 Appendix B
Department of Defense Instruction
5200-21

Department of Defense
Instruction

September 27, 1979
NUMBER 5200.21
USDR&E

SUBJECT:
Dissemination of DoD Technical Information

References:

- (a) DoD Instruction 5200.21, ""Certification for Access to Scientific and Technical Information," December 10, 1968 (hereby canceled)
- (b) DoD Instruction 5100.38, ""Defense Documentation Center for Scientific and Technical Information (DDC)," March 29, 1965
- (c) DoD Directive 5100.36, ""Department of Defense Technical Information," December 31, 1962
- (d) through (k), see enclosure 1

AR 70-11 A. Purpose

This Instruction:

- 1. Consolidates into one document reference (a) and parts of reference (b);
- 2. Supplements references (c) and DoD Instruction 5129.43 (reference (d));
- 3. Provides policy and assigns responsibilities for the dissemination of DoD technical information;
- 4. Establishes certification procedures for access to DoD technical information.

AR 70-11 B. Applicability and Scope

- 1. The provisions of this Instruction apply to the Office of the Secretary of Defense, the Military Departments, the Organization of the Joint Chiefs of Staff, the Unified and Specified Commands, and the Defense Agencies (hereafter referred to as ""DoD Components''), and other U.S. Government agencies disseminating or requesting access to DoD technical information.

2. The procedures established by this Instruction shall be used by technical Information Dissemination Activities to control access to DoD technical information. The access afforded through use of these procedures does not override special consideration or approvals that affect the flow of controlled information.

3. This Instruction does not apply to primary distribution of

technical information or to interlibrary loan within Department of Defense.

AR 70-11 C. Definitions

Terms, as used in this Instruction, are defined in enclosure 2.

AR 70-11 D. Policy

The purpose of the DoD Technical Information Program is to ensure the complete and timely exchange among DoD technical activities, including both the in-house and DoD contractor communities, of all technical information generated by or relevant to the pursuit of DoD technical programs with due consideration of security requirements and access restrictions. All DoD Components responsible for dissemination of technical information shall make a positive effort to provide users accurate and timely technical information, utilizing the most effective media, including symposia, newsletters, technical reports, inquiry responses, online data networks, consultation and other media, and making optimum use of computer technology to store, sort, select, and package data and information.

AR 70-11 E. Responsibilities

1. The Under Secretary of Defense for Research and Engineering (USDRE), or designee, the Deputy Under Secretary of Defense for Research and Engineering (Research and Advanced Technology) shall:

- a. Manage and disseminate DoD technical information, as provided in DoD Directive 5100.36 (reference (c)).
- b. Approve service charges collected by Information Dissemination Activities to provide partial reimbursement and to prevent excessive, unwarranted use of these services.

2. The Heads of DoD Components shall:

a. Pursue organized, coordinated, and comprehensive programs for technical information dissemination. These programs shall provide for the interchange of technical information within Department of Defense; between Department of Defense and other Federal agencies and their contractors; among Department of Defense, NATO governments and other allies; and between Department of Defense and the national and international scientific and technical community in accordance with DoD 5200.1-R and DoD Directives 5400.7 and 5400.11 (references (e), (f), and (g)).

b. Within the limits of security and access restrictions necessary to ensure adequate intra-DoD technical information exchange, (1) vigorously pursue a policy that ensures that technical information generated within activities under their cognizance is provided for public use through appropriate Federal agencies and technology transfer programs according to approved DoD clearance procedures; and (2) wherever possible, provide unclassified technical documents and other information to expedite the information transfer procedures. However, all critical technology to which the Department of Defense has title or proprietary interest shall be classified at the appropriate level.

c. Certify access for DoD technical information users as described in enclosure 3.

d. Introduce an active technology transfer program aimed at transferring to the public as much DoD-developed technology as is consistent with the DoD mission. Active participation by DoD laboratories, centers, and other organizations in Federal and local government technology transfer organizations, such as the Federal Laboratory Consortium, is encouraged.

e. Support a program for the domestic dissemination of DoD-developed technology that, because of its commercial significance, should be made available as early as possible, but only by means that will ensure the continued applicability of the International Traffic in Arms Regulations, the Export Administration Act of 1969, Export Administration Amendments of 1977, and the Export

Administration Regulations of the Department of Commerce as to when the technology should not be exported.

f. Make planning and technical requirements information available through Industry Information Centers so that industry can plan and apply its resources effectively.

g. Make technical information on selected technologies available through Information Analysis Center to support the DoD mission.

h. Sponsor or support technical symposia, conference and meetings for disseminating technical information in accordance with DoD Directive 5200.12 (reference (h)) when the requirement exists to disseminate the information more rapidly than normal publishing procedures permit. In accordance with DoD Instruction 5129.43 (reference (d)), certain data concerning Dod-sponsored technical symposia will be transmitted to the USDRE.

i. Ensure compliance with provisions of DoD Directive 5000.11 (reference (i)), which prescribes policy and procedures for the "Data Elements and Data Codes Standardization Program," where applicable, to assigned functions for disseminating DoD technical information.

3. The Defense Technical Information Center (DTIC) shall operate and maintain certification and registration procedures as described in enclosure 3 and shall provide appropriate forms and instructions.

4. Technical Information Dissemination Activities shall collect service charges, as approved by the USDRE, to prevent excessive, unwarranted use of their services and to provide partial reimbursement of costs.

AR 70-11 F. Effective Date and Implementation

This Directive is effective immediately. Forward one copy of implementing documents to the Under Secretary of Defense for Research and Engineering within 120 days.

Signed by William J. Perry
Under Secretary of Defense
for Research and Engineering

Enclosures-3

1. References
2. Definitions
3. Certification for Access to Technical Information

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REFERENCES, continued

(d) DoD Instruction 5129.43, "Assignment of Functions for the Defense Scientific and Technical Information Program," January 22, 1963

(e) DoD 5200.1-R, "Information Security Program Regulation," December 1978, authorized by DoD Directive 5200.1, November 29, 1978

(f) DoD Directive 5400.7, "Availability to the Public of Department of Defense Information," February 14, 1975

(g) DoD Directive 5400.11, "Personal Privacy and Rights of Individuals Regarding Their Personal Records," August 4, 1975

- (h) DoD Directive 5200.12, "'Security Sponsorship and Procedures for Scientific and Technical Meetings Involving Disclosure of Classified Military Information,' June 15, 1979
- (i) DoD Directive 5000.11, "'Data Elements and Data Codes Standardization Program,' December 7, 1964
- (j) DoD 5220.22-R, "'Industrial Security Regulation,' January 1979, authorized by DoD Directive 5220.22, December 1, 1976
- (k) DoD 5220.22-M, "'Industrial Security Manual for Safeguarding Classified Information,' October 1977, authorized by DoD Directive 5220.22, December 1, 1976

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DEFINITIONS

1. Technical Information. Information, including scientific information, which relates to research, development, engineering, test, evaluation, production, operation, use, and maintenance of munitions and other military supplies and equipment (JCS, Pub. 1).
2. Technical Information Dissemination Activity. Any activity, such as DTIC, that operates to assist individuals and organizations within the Department of Defense to effect adequate and timely dissemination of technical information describing planned or ongoing RDT&E effort and the documented results of such efforts and to provide systems and services to assist eligible users to identify, access, acquire, and use DoD technical information.
3. Primary Distribution. The initial distribution of a technical document after completion of the original manuscript or its equivalent.
4. Critical Technology. Technical data, whose acquisition by a potential adversary would prove detrimental to the national security of the United States. Control of critical technology requires the control of associated critical end products (defined as "'keystone'") that embody extractable critical technology or that consist of equipment which completes a process line, allowing the line to be fully utilized.
5. Technology Transfer. The process through which Government research and technology are transformed into processes, products, or services that can be applied to actual or potential public or private needs. It includes the application of technology that has been developed for a particular mission and, after modification and diversification, fills a different need in another environment.
6. Eligible User. Any DoD office, contractor, subcontractor, DoD potential contractor, or other U.S. Government office or its contractor whose eligibility and need to receive DoD technical information has been certified.
7. Contractor. An individual or organization outside the U.S. Government that has accepted any type of agreement or order for providing research, supplies, or services to a U.S. Government agency. The term specifically includes both prime contractors and subcontractors.
8. DoD Potential Contractor. An individual or organization outside Department of Defense declared eligible for documentation

services by a sponsoring DoD activity on the basis of registration and active participation in a program specifically designed to exchange information concerning Defense support capability.

9. Industry Information Centers. Centers established by DoD Components to inform the Defense industrial community of DoD acquisition, research and development requirements, plans, and future needs. They serve as DoD access points to Defense planning and requirements documents for representatives of industry, small business, university and nonprofit institutions registered for access to DoD information services.

10. Technical Information Dissemination. A fundamental and integral part of each RDT&E effort (contractual or in-house) that ensures, within procedures established for security and other specific access restrictions, maximum utility of and access to technical information about and technical documents generated from Defense-supported RDT&E.

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5200.21 (Encl 3)

CERTIFICATION FOR ACCESS TO TECHNICAL INFORMATION

AR 70-11 A. Policy

1. The Department of Defense shall disseminate technical information in support of its technical programs and in support of similar programs within other U.S. Government agencies. This dissemination shall be made to organizations whose official U.S. Government affiliations are certified. Classified information dissemination will be within the scope of its certified field of interest requirements and facility clearances. However, requests from foreign organizations for and transmittal of classified and controlled information products shall be made only through appropriate DoD foreign release offices under established release procedures.

2. A uniform certification procedure shall be used for the effective control of the flow of technical information and shall utilize the DD Form 1540, "Registration for Scientific and Technical Information Services," cited in DoD 5220.22-R (reference (j)).

3. Certification shall be according to subject fields and groups of interest and recorded on DD Form 1540. Such certification is a warranty that the user's official responsibilities require access to technical information that can be described by one or another of the prescribed DoD categories of science and technology.

AR 70-11 B. Responsibilities

1. The Defense Technical Information Center (DTIC) and the Defense Contract Administration Services (DCAS) shall operate and maintain the certification procedures and DD Forms 1540 and 1541, "Facility Clearance Register."

a. DTIC shall:

(1) Develop and distribute such instructions and procedural guidance as necessary for use by DoD Components, U.S. Government contractors and subcontractors, DoD potential contractors, and other U.S. Government offices to maintain the most effective use of the certification procedures within the terms of this Instruction and existing security regulations.

(2) Maintain at DTIC the central authority file of eligible users and notify affected dissemination activities of each new eligible user, along with conditions and scope of coverage, and of any subsequent changes thereto.

(3) Provide information products from DTIC to eligible users as follows:

- (a) Unclassified technical information, subject to any approvals that may be required for controlled information.
 - (b) Classified technical information in only those subject fields of interest and at the security level authorized on DD Form 1540 and in accordance with any approvals that may be required for controlled information.
- (4) Recommend changes to DoD 5220.22-M (reference (k)) and related security procedures in conformance with this Instruction.
- b. DCAS shall certify the DD Form 1541 and report any change affecting a facility clearance through submission of a revised DD Form 1541 to the central authority file.
2. Each DoD Component conducting, administering, or sponsoring research, development, test and evaluation and other technical work shall:
- a. Require in-house activities to complete all parts of the DD Form 1540 and submit it to the DTIC before requesting reports or information from dissemination activities. The commanding officer, the technical director, or their authorized designee shall review, approve, modify, or disapprove the registration for technical information services on DD Form 1540 submitted by their personnel.
 - b. Review, approve, modify, or disapprove DD Form 1540 submitted by non-DoD activities or organizations under its cognizance. Personnel selected to authorize DD Form 1540 shall have the technical competence and familiarity with contractor or grantee programs necessary to judge the subject fields of interest of the applicant.
 - c. Instruct and assist its sponsored activities in filling out and submitting DD Form 1540.
 - d. Recommend changes to DoD 5220.22-M (reference (k)) and related security procedures in conformance with this Instruction.
 - e. Promptly report to the DTIC any changes of certification status, such as change in mission of the DoD Component, contract termination, and contract or grant revision.
 - f. Designate an office at each appropriate level of the organization with responsibility for:
 - (1) Providing and maintaining procedures that are responsive to this Instruction and with applicable security regulations.
 - (2) Reviewing special cases, such as referral of questions on DD Form 1540 from the DTIC.
3. Each dissemination activity, within the scope of its mission, shall make its technical information available to eligible users in accordance with the certification terms and the applicable security and distribution controls.

AR 70-11 C. Agencies Outside the Department of Defense

- 1. Components of non-DoD executive branch agencies who participate in the DoD Industrial Security Program shall follow the procedures prescribed for DoD Components in subsection B.2., above, when DoD technical information is required.
- 2. Components of non-DoD executive branch agencies who do not participate in the DoD Industrial Security Program shall make specific arrangements with the DTIC for certification of DD Form 1540 and facility clearance authorization when DoD technical information is required.
- 3. Components of the legislative and judicial branches, their contractors, and their grantees who are in need of unclassified information shall make specific arrangements with DTIC for certification of DD Form 1540. Certification for classified information, if needed, must be approved by the Office of the Deputy Under Secretary of Defense for Research and Engineering (Research and Advanced Technology). In these cases, submission of the completed DD Form 1540 by contractors and grantees must be accompanied by adequate facility clearance authorization.

AR 70-11 Glossary

AR 70-11 Section I

Abbreviations

AMC

U.S. Army Materiel Command

AMCLD

Technology Planning and Management Directorate, AMC

DA

Department of the Army

DDIA

Director, Defense Intelligence Agency

DOD

Department of Defense

DTIC

Defense Technical Information Center

HQDA

Headquarters, Department of the Army

OUSDRE

Office of the Under Secretary of Defense Research and Engineering

RDTE

research, development, test, and evaluation

STINFO

Scientific and Technical Information

AR 70-11 Section II

Terms

Contractor

An individual or organization outside the U.S. Government that has accepted any type of agreement or order for providing research, supplies, or services to a DA agency. The terms specifically includes both prime contractors and subcontractors.

DOD potential contractor

An individual or organization outside DOD declared eligible for documentation services by a sponsoring DA activity that participates in any program to maintain an industrial research and development capability or to keep industry informed of DA research and development requirements.

Document

Any recorded information or data regardless of its physical form or characteristics including, but not limited to, the following:

- a. Written or printed material (whether handwritten, printed, or typed).
- b. Data processing cards, tapes, or disks.
- c. Maps, charts, photographs, negatives, moving or still films, or film strips.
- d. Paintings, drawings, engravings, or sketches.
- e. Sound or voice recordings.
- f. Reproductions of the foregoing by any means or process.
- g. Video recordings.
- h. Training manuals, new equipment products, and other training publications.

Grantee

An organization outside the U.S. Government to which grant funds have been awarded by a sponsoring U.S. Government activity.

Operational control

The exercise of executive authority and responsibility for the performance of mission tasks assigned, including the responsibility for assuring appropriate coordination and application of technical guidance.

Policy direction

Professional or specialized direction exercised through the approval or promulgation of program objectives and basic policy.

Primary distribution

The initial distribution of technical documents to a distribution list of recipients under the auspices of the sponsoring DA activity (even when performed by a contractor, grantee, publisher, or other agent designated by the sponsoring DA activity). It does not include movement of reports within an activity or movement between contractor and sponsoring DA activity.

Secondary distribution

Any distribution including loan or disclosure of a technical report subsequent to the primary distribution, usually as the result of a request, and usually the responsibility of a repository such as DTIC.

Sponsoring Department of the Army activity

Any DA activity or office (for example, project office or system program office) that is directly responsible for initiating funding or supervising an Army RDTE program whether performed in-house or by contract, grant, or study agreement.

Technical document

Any document, as described above, that contains technical information or technical data.

Technical information

Information, including scientific information, that relates to research, development, engineering, test, evaluation, production, operation, use, and maintenance of munitions and other military supplies and equipment.

Users of DTIC

U.S. Government agencies, their contractors and grantees, including DOD potential contractors, who have been approved for DTIC services.

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