

# Exhibit B



# Department of Defense INSTRUCTION

**NUMBER 5230.24**

August 23, 2012

Incorporating Change 3, October 15, 2018

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USD(R&E)

**SUBJECT:** Distribution Statements on Technical Documents

**References:** See Enclosure 1

1. PURPOSE. This Instruction:

a. Reissues DoD Directive (DoDD) 5230.24 (Reference (a)) as a DoD Instruction (DoDI) in accordance with the authority in DoDD 5134.01 (Reference (b)) and pursuant to section 133 of title 10, United States Code (U.S.C.) (Reference (c)) to establish DoD policies, assign responsibilities, and prescribe procedures for marking and managing technical documents, including research, development, engineering, test, sustainment, and logistics information, to denote the extent to which they are available for secondary distribution, release, and dissemination without additional approvals or authorizations.

b. Establishes a standard framework and markings for managing, sharing, safeguarding, and disseminating technical documents in accordance with policy and law.

c. Facilitates implementation of DoDD 5230.25 (Reference (d)) by enabling document originators to signify to what extent technical documents must be controlled in accordance with procedures of that Directive.

2. APPLICABILITY. This Instruction:

a. Applies to:

(1) The OSD, the Military Departments, 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").

(2) Newly created, revised, or previously unmarked classified and unclassified technical documents generated or managed by all DoD-funded research, development, test, and evaluation

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(RDT&E) programs, which are the basis of the DoD Scientific and Technical Information Program described in DoDI 3200.12 (Reference (e)). It also applies to newly created engineering drawings, engineering data and associated lists, standards, specifications, technical manuals, technical reports, technical orders, blueprints, plans, instructions, computer software and documentation, catalog-item identifications, data sets, studies and analyses, 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. The data may be in tangible form, such as a model, prototype, blueprint, photograph, plan, instruction, or an operating manual, or may be intangible, such as a technical service or oral, auditory, or visual descriptions.

b. 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.

c. May not be used by the DoD Components as authority to deny information to Congress, or to any Federal, State, or local governmental agency that requires such data for regulatory or other official governmental purposes. When the information is otherwise subject to DoD distribution controls, the recipient shall be so notified.

d. Does not provide authority to withhold from public disclosure unclassified information regarding DoD operations, policies, activities, or programs, including the costs and evaluations of performance and reliability of military and space equipment, or any other information not exempt from release in accordance with DoDD 5400.07 (Reference (f)).

e. Does not establish non-recurring charges that may apply to recipients of DoD technical data. Such charges are determined in accordance with DoDD 2140.2 (Reference (g)).

3. DEFINITIONS. See Glossary.

4. POLICY. It is DoD policy that the DoD shall pursue a coordinated and comprehensive program to promote information sharing to the maximum extent possible to facilitate efficient use of resources consistent with protection requirements as specified in national and DoD information security policies, competitive procurement, and law as specified in this Instruction.

5. RESPONSIBILITIES. See Enclosure 2.

6. PROCEDURES. See Enclosure 3.

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

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8. SUMMARY OF CHANGE 3. This change reassigns the office of primary responsibility for this Instruction to the Under Secretary of Defense for Research and Engineering in accordance with the July 13, 2018 Deputy Secretary of Defense Memorandum (Reference (h)).

9. EFFECTIVE DATE. This Instruction is effective August 23, 2012.



Frank Kendall  
Under Secretary of Defense for  
Acquisition, Technology, and Logistics

Enclosures

1. References
2. Responsibilities
3. Procedures
4. Distribution Statements for Use on Technical Documents
5. Third Party-Imposed Distribution Statements

Glossary

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