

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.

§ 157.4 Responsibilities.

(a) 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:

(1) Manage and disseminate DoD technical information, as provided in DoD Directive 5100.36, "Department of Defense Technical Information," December 31, 1962.

(2) Approve service charges collected by Information Dissemination Activities to provide partial reimbursement and to prevent excessive, unwarranted use of these services.

(b) The *Heads of DoD Components* shall:

(1) 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, "Information Security Program Regulation," December 1978, and parts 286 and 286a of this title.

(2) Within the limits of security and access restrictions necessary to ensure adequate intra-DoD technical information exchange.

(i) 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

(ii) 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.

(3) Certify access for DoD technical information users as described in § 157.6.

(4) 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.

(5) 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.

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

(7) Make technical information on selected technologies available through Information Analysis Centers to support the DoD mission.

(8) Sponsor or support technical symposia, conferences and meetings for disseminating technical information in accordance with DoD Directive 5200.12,¹ "Security Sponsorship and Procedures for Scientific and Technical Meetings Involving Disclosure of Classified Military Information," June 15, 1979, when

the requirement exists to disseminate the information more rapidly than normal publishing procedures permit. In accordance with DoD Instruction 5129.43,¹ "Assignment of Functions for the Defense Scientific and Technical Information Program," January 22, 1963, certain data concerning DoD-sponsored technical symposia will be transmitted to the USDR&E.

(9) Ensure compliance with provisions of DoD Directive 5000.11,¹ which prescribes policy and procedures for the "Data Elements and Data Codes Standardization Program," where applicable, to assigned functions for disseminating DoD technical information.

(c) The *Defense Technical Information Center (DTIC)* shall operate and maintain certification and registration procedures as described in § 157.6 and shall provide appropriate forms and instructions.

(d) *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.

§ 157.5 Definitions.

(a) *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.

(b) *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.

(c) *Primary distribution.* The initial distribution of a technical document after completion of the original manuscript or its equivalent.

(d) *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.

(e) *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.

(f) *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.

(g) *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.

(h) *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.

(i) *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.

(j) *Technical information dissemination.* A fundamental and integral part of each RDT&E effort (contractual or in-

¹Copies may be obtained, if needed, from the U.S. Naval Publications and Forms Center, 5801 Tabor Avenue, Philadelphia, PA 19120. Attention: Code 301.