



Department of Defense **INSTRUCTION**

NUMBER 5230.29

August 13, 2014

DCMO

SUBJECT: Security and Policy Review of DoD Information for Public Release

References: See Enclosure 1

1. **PURPOSE.** In accordance with the authority in DoD Directive (DoDD) 5105.53 (Reference (a)) and Deputy Secretary of Defense Memorandum (Reference (b)), this instruction reissues DoD Instruction (DoDI) 5230.29 (Reference (c)) to implement policy established in DoDD 5230.09 (Reference (d)), assigns responsibilities, and prescribes procedures to carry out security and policy review of DoD information for public release.

2. **APPLICABILITY.** This instruction:

a. 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 Defense Agencies, the DoD Field Activities, and all other organizational entities within the DoD (referred to collectively in this instruction as the "DoD Components").

b. Does not apply to the Office of the Inspector General of the Department of Defense. The Inspector General of the Department of Defense, as an independent and objective officer in the DoD, is exempt from the policy review provisions of this instruction. As necessary, information may be submitted for security review before public release.

3. **POLICY.** In accordance with Reference (d), it is DoD policy that a security and policy review will be performed on all official DoD information intended for public release that pertains to military matters, national security issues, or subjects of significant concern to the DoD.

4. **RESPONSIBILITIES.** See Enclosure 2.

5. **PROCEDURES.** Enclosure 3 contains clearance requirements, submission procedures, time limits, information concerning review determinations, and appeals.

6. **RELEASABILITY. Cleared for public release.** This instruction is available on the Internet from the DoD Issuances Website at <http://www.dtic.mil/whs/directives>.

7. **EFFECTIVE DATE.** This instruction:

a. Is effective August 13, 2014.

b. Will expire effective August 13, 2024 if it hasn't been reissued or cancelled before this date in accordance with DoDI 5025.01 (Reference (e)).



David Tillotson III
Assistant Deputy Chief Management Officer

Enclosures

1. References
2. Responsibilities
3. Procedures

Glossary

ENCLOSURE 1

REFERENCES

- (a) DoD Directive 5105.53, “Director of Administration and Management (DA&M),” February 26, 2008
- (b) Deputy Secretary of Defense Memorandum, “Reorganization of the Office of the Deputy Chief Management Officer,” July 11, 2014
- (c) DoD Instruction 5230.29, “Security and Policy Review of DoD Information for Public Release,” January 8, 2009 (hereby cancelled)
- (d) DoD Directive 5230.09, “Clearance of DoD Information for Public Release,” August 22, 2008, as amended
- (e) DoD Instruction 5025.01, “DoD Issuances Program,” June 6, 2014
- (f) DoD Instruction 5400.04, “Provision of Information to Congress,” March 17, 2009
- (g) DoD Instruction 5230.24, “Distribution Statements on Technical Documents,” August 23, 2012
- (h) DoD Directive 5230.25, “Withholding of Unclassified Technical Data from Public Disclosure,” November 6, 1984, as amended
- (i) Parts 120-130 of Title 22, Code of Federal Regulations (also known as “The International Traffic in Arms Regulations (ITAR)”)
- (j) DoD Directive 5205.02E, “DoD Operations Security (OPSEC) Program,” June 20, 2012
- (k) DoD Manual 5200.01, “DoD Information Security Program,” February 24, 2012, as amended
- (l) Deputy Secretary of Defense Memorandum, “Congressional Testimony Coordination and Clearance Procedures,” January 17, 2012¹
- (m) DoD Instruction 2205.02, “Humanitarian and Civic Assistance (HCA) Activities,” June 23, 2014
- (n) DoD Instruction 3000.05, “Stability Operations,” September 16, 2009
- (o) DoD Directive 5122.05, “Assistant Secretary of Defense for Public Affairs (ASD(PA)),” September 5, 2008
- (p) DoD Instruction 8550.01, “DoD Internet Services and Internet-Based Capabilities,” September 11, 2012
- (q) DoD Instruction 5230.27, “Presentation of DoD-Related Scientific and Technical Papers at Meetings,” October 6, 1987
- (r) DoD Instruction 3200.12, “DoD Scientific and Technical Information Program (STIP),” August 22, 2013
- (s) DoD Manual 3200.14, Volume 1, “Principles and Operational Parameters of the DoD Scientific and Technical Information Program (STIP): General Processes,” March 14, 2014

¹ Available at <http://www.dtic.mil/whs/esd/osr>

ENCLOSURE 2

RESPONSIBILITIES

1. DIRECTOR OF ADMINISTRATION. Under the authority, direction, and control of the Deputy Chief Management Officer (DCMO) of the Department of Defense, the Director of Administration acts as the appellate authority for the DoD security and policy review process.

2. DIRECTOR, WASHINGTON HEADQUARTERS SERVICES (WHS). Under the authority, direction, and control of the DCMO, through the Director of Administration, the Director, WHS:
 - a. Monitors compliance with the procedures established in Enclosure 3 of this instruction for the security and policy review of official DoD information.

 - b. Provides for the timely security and policy review of official DoD information proposed for public release that is originated by, in, or for the DoD, including statements intended for open presentation before the Congress and other material submitted to the Congress in accordance with DoDI 5400.04 (Reference (f)).

 - c. Provides for the timely policy review of official DoD information that is originated by the DoD for presentation before a closed session of the Congress and other classified material submitted to the Congress in accordance with Reference (f).

 - d. Coordinates, as necessary, with the DoD Component staffs when reviewing official DoD information for public release clearance to ensure accuracy and currency of existing policy and security guidance.

 - e. Responds to requests for review of information submitted by DoD personnel acting in a private capacity or submitted voluntarily by non-DoD sources to ensure that classified information is not disclosed. This review will also address technology transfer and public releasability of technical data in accordance with DoDI 5230.24, DoDD 5230.25, and parts 120 through 130 of Title 22, Code of Federal Regulations (References (g), (h), and (i)).

 - f. Supports other Executive Department and non-DoD agency security review programs in the release of information to the public that may contain DoD equities.

3. OSD AND DOD COMPONENT HEADS. The OSD and DoD Component heads:
 - a. Ensure Component compliance with this instruction, and issue any guidance necessary for the internal administration of the requirements prescribed in Enclosure 3 of this instruction.

b. Ensure prompt Component guidance and assistance to the Chief, Defense Office of Prepublication and Security Review (DOPSR), when requested, on any information proposed for public release.

c. Exercise Component clearance authority for information not specified in section 1 of Enclosure 3 of this instruction. This authority may be delegated to the lowest level competent to evaluate the content and implications of public release of the information.

d. Ensure that Component-specific documents, including official correspondence, are reviewed internally and that information not specified in Enclosure 3 of this instruction is reviewed for operations security and information security in accordance with DoDD 5205.02E and DoD Manual 5200.01 (References (j) and (k)) before public release. This review will also address technology transfer and public releasability of technical data in accordance with References (g), (h), and (i).

e. Ensure Component compliance with the guidelines of the Deputy Secretary of Defense Memorandum (Reference (l)) concerning the coordination and clearance process of Congressional testimony to facilitate timely security and policy review.

f. Ensure effective information sharing between the Component and designated mission partners in accordance with DoDI 2205.02 and DoDI 3000.05 (References (m) and (n)).

g. Ensure that Component release of DoD information to news media representatives is in accordance with DoDD 5122.05 (Reference (o)).

ENCLOSURE 3

PROCEDURES

1. CLEARANCE REQUIREMENTS. The security review protects classified information, controlled unclassified information, or unclassified information that may individually or in aggregate lead to the compromise of classified information or disclosure of operations security. The policy review ensures that no conflict exists with established policies or programs of the DoD or the U.S. Government. Official DoD information that is prepared by or for DoD personnel and is proposed for public release will be submitted for review and clearance if the information:

a. Originates or is proposed for release in the National Capital Region by senior personnel (e.g., general or flag officers and Senior Executive Service) on sensitive political or military topics;

b. Is or has the potential to become an item of national or international interest;

c. Affects national security policy, foreign relations, or ongoing negotiations;

d. Concerns a subject of potential controversy among the DoD Components or with other federal agencies;

e. Is presented by a DoD employee who, by virtue of rank, position, or expertise, would be considered an official DoD spokesperson; or

f. Contains technical data, including data developed under contract or independently developed and subject to potential control in accordance with Reference (i), that may be militarily critical (as defined in the Glossary) and subject to limited distribution, but on which a distribution determination has not been made.

2. SUBMISSION PROCEDURES

a. Detailed Procedures. These procedures apply to all information required to be submitted to DOPSR for clearance:

(1) A minimum of three hard copies of material, in its final form, will be submitted, together with a signed DD Form 1910, "Clearance Request for Public Release of Department of Defense Information," located at the DoD Forms Management Program website at <http://www.dtic.mil/whs/directives/infomgt/forms/formsprogram.htm>, to:

Chief, Defense Office of Prepublication and Security Review
1155 Defense Pentagon
Washington, D.C. 20301-1155

(2) If the material is fewer than 100 pages long, one soft copy of the unclassified material and the DD Form 1910 may be submitted by e-mail to whs.pentagon.esd.mbx.secrev@mail.mil instead of the requirements of paragraph 2a(1) of this enclosure.

(3) Any material submitted for review will be approved by an authorized government representative of the submitting office to indicate that office's approval of the material for public release. Contractors may not sign the DD Form 1910.

(4) All information submitted for clearance to DOPSR must first be coordinated within the originating DoD Component to ensure that it:

- (a) Reflects the organization's policy position.
- (b) Does not contain classified, controlled unclassified, or critical information requiring withholding.
- (c) Is reviewed for operations security in accordance with References (j) and (k).
- (d) Is reviewed to ensure there is no risk of releasing classified, controlled unclassified, operations security, or critical information if the information is aggregated with other publicly available data and information in accordance with References (j) and (k).

(5) Only the full and final text of material proposed for release will be submitted for review. Drafts, notes, outlines, briefing charts, etc., may not be submitted as a substitute for a complete text. DOPSR reserves the right to return draft or incomplete documents without action.

(6) Abstracts to be published in advance of a complete paper, manuscript, etc., require clearance. Clearance of an abstract does not fulfill the requirement to submit the full text for clearance before its publication. If an abstract is cleared in advance, that fact, and the DOPSR case number assigned to the abstract, will be noted on the DD Form 1910 or other transmittal when the full text is submitted.

b. Other Requirements. The requirements of References (f) and (l) will apply to the processing of information proposed for submission to Congress.

c. Website Publication. Information intended for placement on websites or other publicly accessible computer servers that are available to anyone requires review and clearance for public release if it meets the requirements of section 1 of this enclosure and DoDI 8550.01 (Reference (p)). Website clearance questions should be directed to the Component's website manager. Review and clearance for public release is not required for information to be placed on DoD controlled websites or computer servers that restrict access to authorized users.

d. Basic Research. Submitters will comply with the DoD guidance on basic scientific and technical research review in DoDI 5230.27 (Reference (q)).

e. Federally Funded Research and Engineering. Submitters will comply with the DoD guidance in federally funded research and engineering in DoDI 3200.12 and DoDI 3200.14 (References (r) and (s)), which requires submitters to send the final published document or final author's referenced manuscript to the Defense Technical Information Center (DTIC).

3. TIMELINES FOR SUBMISSION

a. Prepublication Security and Policy Review Requests

(1) Submit speeches and briefings to DOPSR at least 5 working days before the event at which they are to be presented. Additional time may be needed for complex or potentially controversial speeches due to coordination requirements.

(2) Other material (e.g., papers and articles) will be submitted to DOPSR at least 10 working days before the date needed. The length, complexity, and content will determine the number of agencies required to review the document and, consequently, the time required for the complete review process.

(3) Technical papers will be submitted to DOPSR at least 15 working days before the date needed. More time may be needed if DOPSR determines that the material is complex or requires review by agencies outside of the DoD.

(4) Manuscripts and books will be submitted to DOPSR at least 30 working days before the date needed and before submission to a publisher. More time may be needed if DOPSR determines that the material is complex or requires review by agencies outside of the DoD.

(5) DOPSR reserves the right to return documents without action if insufficient time is allowed for prepublication review.

b. Congressional Security and Policy Review Requests. Security and policy review of material submitted by the DoD to Congress will be provided to DOPSR in these timeframes to allow for a thorough review for DoD to comply with the congressional committee or subcommittee mandates:

(1) Statements: 5 days before submission to the DoD Office of Legislative Counsel in accordance with References (f) and (l).

(2) A minimum of 5 working days for these requests:

(a) Questions for the Record.

(b) Inserts for the Record.

(c) Advance Policy Questions.

- (d) Selected Acquisition Reports.
- (e) Budget documents (in accordance with Reference (f)).
- (f) Classified transcripts only (in accordance with Reference (f)).
- (g) Reprogramming actions.
- (h) Congressional reports.

4. REVIEW DETERMINATIONS AND APPEALS

a. General. Information reviewed for release to the public will result in one of these determinations:

(1) Cleared for Public Release. The information may be released without restriction by the originating DoD Component or its authorized official. DOPSR may require a disclaimer to accompany the information, as follows: “The views expressed are those of the author and do not reflect the official policy or position of the Department of Defense or the U.S. Government.”

(2) Cleared “With Recommendations” for Public Release. Optional corrections, deletions, or additions are included. Although DOPSR has no responsibility for correcting errors of fact or making editorial changes, obvious errors may be identified in the text and noted as “recommended.” These corrections are not binding on the author or submitter.

(3) Cleared “As Amended” for Public Release. Amendments, made in red, are binding on the submitter. Red brackets identify information that must be deleted. If the amendments are not adopted, then the DoD clearance is void. When possible, alternative wording is provided to substitute for the deleted material. Occasionally, wording will be included that must be added to the text before public release. A disclaimer, as shown in paragraph a(1) of this section, may also be required.

(4) Not Cleared for Public Release. The information submitted for review may not be released.

b. Appeals. All amendments or “not cleared” determinations may be appealed in writing by the requester within 60 days to DOPSR. The appeal must contain the basis for release of information denied during the initial determination. All appeals will be resolved at the lowest practical level and as quickly as possible. In accordance with Reference (a), the Director of Administration serves as the appellate authority for any denials or redactions that may be contested. When the appellate authority makes a final determination, a written response will be promptly forwarded to the requester.

GLOSSARY

PART I. ABBREVIATIONS AND ACRONYMS

DCMO	Deputy Chief Management Officer
DoDD	DoD directive
DoDI	DoD instruction
DOPSR	Defense Office of Prepublication and Security Review
WHS	Washington Headquarters Services

PART II. DEFINITIONS

These terms and their definitions are for the purpose of this instruction.

authorized government representative. A government employee who possesses the authority to communicate a particular component's policies and recommendation for public release.

militarily critical. Information will be considered militarily critical if it addresses any of these subjects or affects the operations security thereof:

New weapons or weapons systems, or significant modifications or improvements to existing weapons or weapons systems, equipment, or techniques.

Military operations and significant exercises of national or international significance.

Command, control, communications, computers, intelligence, surveillance, and reconnaissance; information operations and cyberspace; weapons of mass destruction; improvised explosive devices; and computer security.

Military activities or application in space; nuclear weapons, including nuclear weapons effects research; defense from chemical and biological warfare and threats; initial fixed weapons basing; and arms control treaty implementation.

Any other contemporary topic that is designated by the DoD Component head.

public release. The act of making information available to the public with no restrictions on access to or use of the information. Authorization and release of information to the public, cleared by DOPSR, is the responsibility of the originating office.