

U.S. ARMY RESEARCH OFFICE  
BROAD AGENCY ANNOUNCEMENT  
W911NF-04-R-0006  
Solutions for Non-Medical Science and Technology  
Chemical/Biological Defense Program  
Amendment 0001

The purpose of this amendment is to add Section IV.D. as follows:

**IV. D. Marking of White Papers and Proposals and Disclosure of Proprietary Information Outside the Government**

1. The white paper/proposal submitted in response to this solicitation may contain technical and other data that the offeror does not want disclosed to the public or used by the Government for any purpose other than proposal evaluation. Public release of information in any white paper/proposal submitted will be subject to existing statutory and regulatory requirements. If proprietary information which constitutes a trade secret, proprietary commercial or financial information, confidential personal information, or data affecting the national security, is provided by an offeror in a white paper/proposal, it will be treated in confidence, to the extent permitted by law, provided that the following legend appears and is completed on the front of the white paper/proposal: "For any purpose other than to evaluate the white paper/proposal, this data shall not be disclosed outside the Government and shall not be duplicated, used, or disclosed in whole or in part, provided that if an award is made to the offeror as a result of or in connection with the submission of this data, the Government shall have the right to duplicate, use or disclose the data to the extent provided in the agreement. This restriction does not limit the right of the Government to use information contained in the data if it is obtained from another source without restriction. The data subject to this restriction is contained in page(s) \_\_\_\_\_ of this white paper/proposal." Any other legend may be unacceptable to the Government and may constitute grounds for removing the proposal from further consideration without assuming any liability for inadvertent disclosure. The Government will limit dissemination of properly marked information to within official channels. In addition, the pages indicated as restricted must be marked with the following legend: "Use or disclosure of the white paper/proposal data on lines specifically identified by asterisk (\*) are subject to the restriction on the front page of this white paper/proposal." The Government assumes no liability for disclosure or use of unmarked data and may use or disclose such data for any purpose. In the event that properly marked data contained in a white paper/proposal submitted in response to this BAA is requested pursuant to the Freedom of Information Act, 5 USC 552, the offeror will be advised of such request and, prior to such release of information, will be requested to expeditiously submit to ARO a detailed listing of all information in the white paper/proposal which the offeror believes to be exempt from disclosure under the Act. Such action and cooperation on the part of the offeror will ensure that any information released by ARO pursuant to the Act is properly determined.
2. By submission of a white paper/proposal, the offeror understands that proprietary information may be disclosed outside the Government for the sole purpose of technical evaluation. The ARO/RMAC will obtain a written agreement from the evaluator that proprietary information in the white paper/proposal will only be used for evaluation purposes and will not be further disclosed or utilized.