



UNITED STATES MARINE CORPS
MARINE CORPS INSTALLATIONS EAST-MARINE CORPS BASE
PSC BOX 20005
CAMP LEJEUNE NC 28542-0005

MCIEAST-MCB CAMLEJO 5510.3

G-1

27 DEC 2012

MARINE CORPS INSTALLATIONS EAST-MARINE CORPS BASE CAMP LEJEUNE ORDER 5510.3

From: Commanding General
To: Distribution List

Subj: DISCLOSURE OF MILITARY INFORMATION TO FOREIGN GOVERNMENTS AND INTERESTS

Ref: (a) DoD Directive 5230.11, Disclosure of Classified Information to Foreign Governments and International Organizations," June 16, 1992
(b) National Disclosure Policy (NDP-1) (NOTAL)
(c) SECNAVINST 5510.34A
(d) DoD Directive C-5230.23, "Intelligence Disclosure Policy (U)," November 18, 1983
(e) Title 22, CFR "International Traffic in Arms (ITAR)"
(f) Department of the Navy Foreign Disclosure Manual, September 2007
(g) DoD 5400.7-R, "DoD Freedom of Information Act Program," September 4, 1998
(h) DoD Instruction 2040.02. "Internal Transfer of Technology, Articles, and Services," July 10, 2008
(i) MCO 5700.4E
(j) Public Law 83-703, "Atomic Energy Act of 1954," August 3, 1954, as amended (Sections 2121, 2153, and 2164 of Title 42, U.S.C.)
(k) MCO 4950.2
(l) DoD Directive 5530.3, "International Agreements," November 21, 2003
(m) MCO 5510.20A
(n) 8. U.S.C. 1110

Encl: (1) Marine Corps Foreign Disclosure Definitions
(2) Sample Request for Disclosure Authorization Letter Format
(3) NDP-1 Categories of Classified Military Information (CMI)
(4) NDP-1 Disclosure Criteria, Conditions, and Limitations
(5) MCIEAST-MCB CAMLEJ Foreign Disclosure Officer/Foreign Disclosure Point of Contact Organizational Chart

1. Situation. This Order establishes Marine Corps Installations East-Marine Corps Base Camp Lejeune (MCIEAST-MCB CAMLEJ) policy, procedures, authority, and responsibilities for the disclosure of U.S. Classified Military Information (CMI) and Controlled Unclassified Information (CUI) to foreign nationals, partnered nation forces, and foreign militaries during training, exercises, and operations. Care must be taken to avoid unintentional or unauthorized disclosure of CMI and/or CUI to foreign governments and interests as directed by references (a) through (d).

a. This Order applies to:

(1) All foreign disclosures of CMI and CUI defined in the definitions section of enclosure (1). Disclosures of military intelligence information must comply with reference (d).

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(2) Classified information involved in munitions license applications which are processed in accordance with references (e) and (f).

b. This Order does not apply to:

(1) The disclosure of CMI and CUI to foreign nationals who are employed by the Department of Defense (DoD) components or DoD contractors per reference (a). Such persons do not represent nor are they sponsored by a government, and therefore, are not foreign representatives to whom the disclosure of CMI and CUI may be made under this Order.

(2) Information that is releasable to the public domain in accordance with reference (g).

(3) Visits of foreign nationals that fall within the exemptions outlined in paragraph 20803 of reference (f).

c. In accordance with references (a) and (c), it is this command's policy that:

(1) Only the MCIEAST-MCB CAMLEJ Foreign Disclosure Officer (FDO), who has been appointed as a Designated Disclosure Authority (DDA) in writing, may authorize foreign disclosure of CMI and CUI in accordance with references (a), (c), and (h), and in support of a lawful and authorized U.S. Government purpose if:

(a) The MCIEAST-MCB CAMLEJ representative designated as the foreign visit sponsor submits a Request for Foreign Disclosure, utilizing the format in enclosure (2), with all information to be disclosed throughout the duration of the visit to the MCIEAST-MCB CAMLEJ FDO for foreign disclosure review.

(b) The level of classified information to be disclosed does not exceed the classification level delegated in reference (b) unless a National Disclosure Policy Committee's Record of Action authorizes a higher level of disclosure authority. See enclosure (3) for a listing of Categories of information, per reference (b).

(c) Disclosure criteria, conditions, and limitations contained in reference (b) and enclosure (4) are satisfied.

(2) CMI and CUI shall not be disclosed to foreign nationals until the appropriate DDA receives an approved request via the Foreign Visit System (FVS).

(3) CMI and CUI approved for release or disclosure shall be transferred to the intended foreign recipient only through official government-to-government channels pursuant to references (a) and (c) or through other channels that have been agreed to in writing by the responsible security officials of the governments involved.

(4) Pursuant to references (a) through (c), it is U.S. policy to avoid creating "false impressions" of the U.S. Government's readiness to provide CMI, CUI, material, or technology. Initial planning with foreign governments and international organizations concerning programs that might involve the eventual disclosure of sensitive military information may be conducted only if it is explicitly understood and acknowledged that no U.S. commitment to furnish information, material, or technology is intended or implied until disclosure has been approved by the appropriate disclosure authority.

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(5) All MCIEAST-MCB CAMLEJ personnel responsible for negotiating, overseeing, managing, executing or otherwise participating in international programs or projects shall complete international security training as prescribed by Deputy Commandant, Plans, Policies and Operations, (DC, PP&O,) (PLU-9) who is the Headquarters Marine Corps (HQMC) Foreign Disclosure Program Manager.

(6) Disclosure planning shall include the following:

(a) A Delegation of Disclosure Authority Letter or other appropriate written letter or email guidance shall be used to provide disclosure policy to subordinate commands and agencies.

(b) The Foreign Disclosure Management System will be the primary means for submitting requests for Foreign Disclosure Reviews to the MCIEAST-MCB CAMLEJ FDO/DDA. Letter or email requests will be the secondary means if the FDMS is not available or accessible. Requestors should complete the sample form provided in enclosure (2), providing as much detail as possible in order to expedite the review process. Normally, a decision will be returned by email within 30 days, unless a need for a more rapid response is documented in the request. Submitting components will maintain records of foreign disclosure decisions in accordance with references (a) and (i).

2. Mission. MCIEAST-MCB CAMLEJ and its subordinate commands shall fully support national disclosure policy and provide appropriate safeguards for the protection of our national security interests. CMI and CUI are national security assets and will be protected. CMI and CUI shall be shared with foreign governments only when there is a clearly defined benefit to the U.S. Disclosure of such information will be made only when authorized by the MCIEAST-MCB CAMLEJ FDO.

3. Execution

a. Commander's Intent and Concept of Operations

(1) Commander's Intent

(a) MCIEAST-MCB CAMLEJ supports U.S. foreign policy by cooperating with our allies to the fullest extent possible in the development of mutual defense against potential adversaries, while providing safeguards in the protection of our national security interests in accordance with reference (i).

(b) The disclosure of CMI and CUI to our military allies is a significant aspect of this cooperation. The net benefit to the U.S. and the need to protect and conserve our military information must be measured on a case-by-case basis.

(c) It is essential that requests for disclosure are processed and coordinated in accordance with references (a) through (c) and this Order.

(d) The decision to grant access to CMI and CUI during visits and assignments of foreign nationals shall be consistent with the national security and foreign policy interests of the U.S. and the government-to-government principal, per references (a) through (d), and (f). Only foreign nationals who represent, or are officially sponsored by their governments or international organizations, i.e., official visitors, may have access to such information and only when approved by a DDA.

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(2) Concept of Operations

(a) To ensure proper coordination and control of foreign disclosure within MCIEAST-MCB CAMLEJ's Area of Responsibility, the Commanding General (CG) has designated the FDO the DDA for authorizing the released of CMI and CUI for this command (NDP-1 Categories 1, 5, 6 and 7).

(b) Disclosure authority includes responsibility for ensuring compliance with the provisions of any treaty, agreement, statute, executive order, directive, or instruction involving the disclosure of military information to foreign governments and international organizations.

(c) No staff section, or subordinate command, or activity within MCIEAST-MCB CAMLEJ will disclose or direct the disclosure of CMI or CUI except as approved or authorized by the MCIEAST-MCB CAMLEJ FDO/DDA.

(d) CMI and CUI originated by other U.S. Government agencies or military services may be disclosed only with the approval of the appropriate authority from the originating agency or military service, or as dictated by control markings. In either case, the originator of the information must be informed of the intent to disclose or of the actual disclosure of information at the earliest possible time.

b. Subordinate Element Missions

(1) MCIEAST-MCB CAMLEJ Deputy Commander shall:

(a) Designate a FDO, in writing, to manage the Foreign Disclosure Program, per reference (a) through (n).

(b) Issue written command foreign disclosure directives and procedures.

(c) Ensure the FDO and other designated foreign disclosure personnel are appropriately trained and complete required foreign disclosure training, and the command has an effective foreign disclosure awareness program.

(2) General and Special Staff Department Heads shall: Coordinate all foreign disclosure requests, release actions, and foreign visits with the MCIEAST-MCB CAMLEJ FDO.

(3) Subordinate Commanders shall:

(a) Appoint a command Foreign Disclosure Point of Contact (FDPOC), as defined in enclosure (1), in writing to coordinate all foreign disclosure requests and foreign visits, per the references, and provide a copy of the appointment letter to the MCIEAST-MCB CAMLEJ FDO. Enclosure (5) depicts the organizational structure for MCIEAST-MCB CAMLEJ foreign disclosure actions and responsibilities.

(b) Publish local command foreign disclosure policy and procedures to ensure MCIEAST-MCB CAMLEJ foreign disclosure and release actions are conducted in accordance with this Order and the references.

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(c) Ensure the FDPOC and other designated foreign disclosure personnel complete required foreign disclosure training, and maintain an effective foreign disclosure awareness program.

(4) FDO shall:

(a) Coordinate with appropriate MCIEAST-MCB CAMLEJ staff agencies, tenant commands, Marine Corps commands, and other DoD components or activities regarding requests for disclosure and release of CMI and CUI, NDP-1 Categories 1, 5, 6, and 7, and render disclosure decisions.

(b) Coordinate with HQMC DC, PP&O (PLU-9) on all Exceptions to National Disclosure Policy and requests for disclosure and release of CMI and CUI.

(c) Ensure that other designated foreign disclosure personnel are appropriately trained and complete required foreign disclosure training, and that the command has an effective foreign disclosure awareness program.

(d) Issue written command foreign disclosure directives and procedures to ensure that subordinate command foreign disclosures and release actions are conducted in accordance with this Order and the references.

(e) Maintain a current listing of all foreign nationals, foreign government representatives, and international organization representatives within your organization that have occasion to receive information within the purview of this Order.

(5) Assistant Chief of Staff (AC/S), G-3/5 shall:

(a) Coordinate with the MCIEAST-MCB CAMLEJ FDO to ensure operational feasibility of support for all visits of foreign nationals to MCIEAST-MCB CAMLEJ and ensure that all information to be disclosed and/or released to foreign persons undergoes a foreign disclosure review prior to the visit start date.

(b) Approve all operational visit requests; but at no time approve foreign disclosure requests. The G-3/5 Operations and Training coordinator will coordinate with the MCIEAST-MCB CAMLEJ FDO to enter approvals in the FVS after approval.

(6) AC/S, G-4 shall: In coordination with FDO/FDPOCs, assist with providing disclosure guidance and limitations on all installation and logistics-related matters.

(7) AC/S, G-6 shall: In coordination with the FDO/FDPOCs, assist with disclosure decisions by providing guidance and limitations on all command, control, communications, and computer-related matters.

c. Coordinating Instructions

(1) Requests for disclosure review of CMI or CUI will be forwarded to the MCIEAST-MCB CAMLEJ FDO via email or other system approved by the FDO in accordance with HQMC DC, PP&O guidance.

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(2) Disclosure approval does not include authority for the release of classified documents, materials, or equipment unless explicitly stated in the disclosure authorization. If release of classified information is required, requests for disclosure must indicate such and provide ample justification for physical release of documents, materials, or equipment.

(3) Foreign nationals are permitted to take part in classified training provided it has been authorized per procedures outlined in references (a) through (c), and (i). The applicability of these directives is not affected by this Order.

(4) Authorization for foreign visits is governed by reference (c). Disclosure of CMI and CUI during those visits is subject to the provisions of this Order.

(5) All FDPOCs must complete the online Foreign Disclosure training provided at the website of the Security Training, Education and Professionalization Portal, or other training when directed by, HQMC DC, PP&O and the MCIEAST-MCB CAMLEJ FDO.

(6) Cooperative Programs. Disclosure authorities shall review carefully any request for CMI made in accordance with an established cooperative agreement with both the goals of the program and the interests of national security in mind.

(7) Personnel Exchange International Agreements (IA) for Foreign Visitors, Liaison Officers (FLO), and Exchange Personnel. Foreign Visits require a Foreign Visit Request that is routed through the MCIEAST-MCB CAMLEJ FDO in order to establish the exact purpose of the visit and what material is releasable. A designated host will escort visitors during the visit after being briefed by the FDO of his/her specific responsibilities. A Foreign Visit Authorization does not imply approval of disclosures to the clearance level of the visitor; only disclosures specifically authorized in the disclosure authorization are permissible and at no time during the visit is the visitor to be made aware of the authorities over what can be disclosed. Procedures for individuals that fall into the Military Personnel Exchange Program (MPEP), Cooperative Program Personnel (CPP), and FLO permanently on staff must have records maintained and inspected as part of their local, Command Inspector General checklist. Records should include the following:

(a) A copy of the approved/extended Foreign Visit Request for each person assigned;

(b) A copy of the Delegation of Disclosure Authority letter for the billet to which the foreign officer is assigned;

(c) A Contact Officer Appointment letter signed by the CG, Commanding Officer, or "By direction" for each foreign exchange officer or foreign liaison officer assigned to that activity, per the applicable Delegation of Disclosure Authority letter;

(d) A Contact Officer Acceptance Letter, per the applicable Document Description Language;

(e) A copy of the IA in the form of a Memorandum of Understanding (MOU) or Memorandum; and

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(f) An "Understanding of Conditions and Responsibilities Letter" signed by the foreign liaison officer or foreign exchange officer assigned to the activity per the applicable DDA. Some FLOs may be required to sign a similar certification when a requirement is contained within the MOU.

(8) Meetings, Symposiums, and Conferences

(a) Foreign Participation. Foreign nationals may participate in such gatherings when their participation, is in accordance with this Order when the appropriate designated disclosure authorities have approved any classified or CUI for disclosure to the proposed foreign attendees, the foreign attendees actively participate in the proceedings, and there is reciprocity for the U.S. Government and industry representatives.

(b) Disclosure Levels. The classification levels and categories of information authorized for disclosure vary among nations. MCIEAST-MCB CAMLEJ subordinate commands shall limit the level of classified information to be disclosed at meetings attended by foreign representatives to the lowest level that is common to all nations represented, in accordance with reference (b).

(9) Foreign Participation in MCIEAST-MCB CAMLEJ Component Classified Training Activities

(a) Receiving Training on U.S. Equipment. A foreign national may receive training on U.S. equipment that is classified or involves classified information, normally if the equipment is in the inventory of or is to be acquired by the trainee's government after the following:

1. The prospective trainee's government has concluded an international agreement or signed a purchase agreement with the U.S. to acquire the equipment and training; or

2. The Defense Security Assistance Agency issues an International Military Education and Training order for the training;

3. Unique training associated with exchange assignments.

(b) Conducting Training on U.S. Equipment. A foreign national may conduct training on U.S. equipment that is classified or involves classified information, if the item has been sold or otherwise provided to the foreign national's government and the U.S. Government has specifically approved the provisions of such training to any third party that is involved.

(c) Third-Country Equipment. Foreign nationals may receive or conduct training on equipment provided by a third-country that is classified or involves third-country classified information only with the prior written consent of the government that provided the equipment.

(10) Requests for Classified Documents

(a) Disclosure Review. Official requests for classified documents by a foreign representative shall be forwarded to the MCIEAST-MCB CAMLEJ FDO from the applicable FDPOC at the originating MCIEAST-MCB CAMLEJ component for review and decision.

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(b) Reference Lists and Bibliographic Material. To avoid false impressions and to avoid proliferation of requests for classified military information that is not releasable to the requestor, MCIEAST-MCB CAMLEJ components shall:

1. When practical, not reference non-releasable documents.
2. Discourage release of documents that have reference lists or bibliographies that have not been sanitized as appropriate. Identify the requestor's specific requirements and provide only the U.S. information that satisfies that requirement and is determined to be releasable.
4. Administration and Logistics. Definitions used in this Order are contained in enclosure (1).
5. Command and Signal
 - a. Command. This Order is applicable to Marine Corps Installations East-Marine Corp Base Camp Lejeune and its subordinate commands.
 - b. Signal. This Order is effective the date signed.



D. L. THACKER, JR.
Deputy Commander

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MARINE CORPS FOREIGN DISCLOSURE DEFINITIONS

1. Assignment. The placement of a visitor who is a military or civilian employee of a foreign government or international organization on the premises of a USMC Component or USMC contractor facility or the placement of a USMC civilian or military employee on the premises of a foreign government defense installation or defense contractor facility.
2. Classified Military Information (CMI). Information originated by or for the Department of Defense (DoD) or its Agencies or is under their jurisdiction or control and that requires protection in the interests of national security. It is designated TOP SECRET, SECRET, and CONFIDENTIAL, as described in reference (a). CMI may be in oral, visual, or material form and has been subdivided further into the eight categories described in enclosure (3).
3. Contractor Facility. A contractor facility is a plant, laboratory, office, college, university, or commercial structure with associated warehouses, storage areas, utilities, and components, which, when related by function and location, form an operating entity. A business or educational organization may consist of one or more facilities as defined above.
4. Controlled Unclassified Material (CUI). Unclassified information that does not meet the standard for National Security Classification under Executive Order 12958, reference (a), but is pertinent to the national interest of the United States or originated by entities outside the U.S. Federal Government and under law or policy requires protection from disclosure, special handling safeguards, and prescribed limits on exchange or dissemination.
5. Contact Officer. A USMC official designated to oversee and control all contacts, requests for information, consultations, access, and other activities of foreign nationals who are assigned to or are visiting a USMC Component or subordinate organization. A Contact Officer for extended visits must be appointed in writing.
5. Cooperative Program. For the purposes of this Order, programs that comprise one of more specific cooperative projects with a foreign government or international organization whose arrangements are defined in a written agreement between the parties covering research, development, test, and evaluation, joint production (including follow-on support) under section 2767 of reference (k), or a cooperative research and development program defined in a written agreement with North Atlantic Treaty Organization (NATO) and major non-NATO allies under section 2350a of reference (m).
6. Cooperative Program Personnel (CPP). Military or civilian employees of a foreign government or international organization who are assigned to a cooperative program at a DoD component or DoD contractor facility.
7. Delegation of Disclosure Authority Letter. A letter issued by the appropriate Principle Disclosure Authority or DDA describing classification levels, categories, scope, limitations, and procedures related to information under a USMC Component's disclosure jurisdiction that may be disclosed to specific foreign governments or international organizations or their representatives for a specified purpose.

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8. DDA. An official who has been delegated disclosure authority in accordance with reference (a), to control disclosures of classified information and CUI to foreign governments or international organizations and their representatives.
9. Export Authorization. An approved numbered license or agreement or an authorized exemption under reference (f).
10. Foreign. Away from one's own native country; subject to the jurisdiction of another political unit.
11. Foreign Disclosure. To convey CMI or CUI to an authorized representative of a foreign government or organization through government-to-government channels. (NOTE: The transfer or disclosure of CMI or CUI to a foreign national who is an authorized employee of the U.S. Government or a U.S. contractor technically is not a "foreign disclosure" since the disclosure is not made to the person's government.)
12. Foreign Disclosure Officer (FDO). A FDO is a disclosure authority member designated in writing to oversee and control coordination of specific disclosures of CMI. The FDO must be a military officer or civilian employee, GS-11/YA-02 or above; a U.S. citizen, and have been the subject of a favorably adjudicated Single Scope Background Investigation with Sensitive Compartmented Information eligibility completed within the last 10 years.
13. Foreign Disclosure Point of Contact (FDPOC). Officials who are appointed in writing by their commanders or by Headquarters Marine Corps to coordinate foreign disclosure reviews and to facilitate complete and timely responses to foreign requests for CUI and CMI, representing the consolidated organization positions. A FDPOC does not hold disclosure authority, unless also appointed as a DDA.
14. Foreign Disclosure System. The automated system managed by the Office of the Undersecretary of Defense (OUSD)(P) that supports and facilitates decisions on the foreign disclosure, International Visits Program, and export licensing processes by maintaining records of precedence on foreign disclosure decisions. Note: Decisions may be documented in another system if approved by OUSD(P).
15. Foreign Interest. Any foreign government, agency of a foreign government; any form of business enterprise or legal entity organized, chartered, or incorporated under the laws of any country other than the U.S. or its territories; and any person who is not a citizen or national of the U.S.
16. Foreign Liaison Officer (FLO). A military or civilian employee of a foreign government or international organization who is authorized by his or her government or by an international organization, and certified by a USMC Component for specified purposes, to conduct business with a USMC Component on behalf of the foreign government or international organization. FLOs stationed with a USMC Component shall be assigned in accordance with the terms of a FLO agreement. The FLO does not report to the USMC chain of command, but to his own government.
17. Foreign National. Any person, other than a U.S. citizen, U.S. permanent or temporary legal resident alien, or person in U.S. custody.
18. Foreign Person. A foreign natural person who is not a lawful permanent resident as defined by 1101 (a) (20) of reference (n), or who is not a protected

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individual as defined by 1324b (a)(3) of reference (n). It also means any foreign corporation, business association, partnership, trust, society, or any other entity or group that is not incorporated or organized to do business in the U.S., as well as international organizations, foreign governments, or any agency or subdivision of foreign governments (e.g., diplomatic missions).

19. Foreign Representative. Any individual, regardless of citizenship or country of origin, who represents a foreign government or other foreign interest including companies incorporated in the U.S., but under foreign ownership, control, or influence (a foreign firm that has ownership of at least 51% of the voting stock) in dealings with a DoD component or contractor.

20. Foreign Visit. A foreign national enters or proposes to enter a USMC Component or USMC-cleared contractor facility or to meet with employees or representatives of the facility. There are two types of foreign visits: official visits and unofficial visits. Foreign visits should be conducted, in accordance with references (c) and (d).

21. Foreign Visit System (FVS). The automated system managed by the OUSD(P) that provides staffing and database support for processing requests for foreign visits by foreign government representatives to USMC Component activities and cleared defense contractors.

22. Foreign Visits System - Confirmation Module (FVS-CM). An application used to track and confirm visits by foreigners that have been approved through the FVS. It may also be used to generate locally created visits for unofficial visits.

23. Government-to-Government Channels. The principle that classified information or material will be transferred by government officials through official channels or through other channels expressly agreed upon by the governments involved.

24. Intelligence. The product resulting from the collection, processing, integration, analysis, evaluation, and interpretation of available information concerning foreign countries or areas.

25. International Organization. An entity established by recognized governments pursuant to an international agreement which, by charter or otherwise, is able to acquire and transfer property, make contracts and agreements, obligate its members, and pursue legal remedies.

26. Joint Information. Military information over which two or more DoD components, or two or more Federal Departments or Agencies, exercise control, jurisdiction, or security awareness.

27. Material. Any product or substance on or in which information is embodied (e.g., documents, hardware, tapes, photographs, film, hard drives, and disks).

28. Meeting. A conference, seminar, symposium, exhibit, convention, training course, or other gathering during which classified or controlled unclassified information is disclosed.

29. Official Visit. An occasion when a foreign national visits to perform official business approved by the sponsoring government or by the international organization. Types of official visits are:

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a. One-Time Visits. A single, short-term visit to a single facility for a specific purpose. A one-time visit will not exceed 30 days.

b. Recurring Visits. Multiple visits to a single facility on an intermittent basis in support of an ongoing international agreement, contract or program. A recurring visit will not exceed one year in duration. The pertinent foreign office or visitor(s) shall give the host activity at least 72 hours notification of the actual date and time the visit is intended, following approval of a visit. All activities have the right to refuse any visit if the visitor arrives without such notice.

c. Extended Visits. Long-term visits to a single facility on an extended basis in support of an ongoing international agreement, contract or program. Extended visit authorizations are to be used when a foreign national is required to be in continuous contact with a DoD Component or a DoD contractor facility beyond 30 days for such programs as a foreign government contractor or joint program, a foreign liaison assignment, participation in an exchange program or assignment as a cooperative program personnel. Activities will normally not refuse extended visitors since their assignment is usually linked to a joint or cooperative program previously agreed to by a representative of the U.S.

30. Originating Classification Authority. The USMC organization that exercises original classification jurisdiction for classified information.

31. Personnel Exchange Program (PEP). A program authorized by reference (j) where military and civilian personnel of the DoD and the defense ministries, departments, and/or armed services of foreign governments, pursuant to the terms of an international agreement, occupy positions with and perform functions for a host organization to promote current or future international programs, greater mutual understanding, and interoperability with allies and coalition partners. A Foreign PEP officer holds a U.S. billet and reports to his USMC chain of command.

32. Release. To convey information in material form to a representative of a foreign government or international organization.

33. Security Assurance. The written confirmation, requested by and exchanged between governments, of the security clearance level or eligibility for clearance, of their employees, contractors, and citizens. It includes a statement by a responsible official of a foreign government that the original recipient of U.S. classified military information possesses the requisite security clearance and is approved by his or her government for access to information of the security classification involved on behalf of the foreign government and that the recipient will comply with any security requirements specified by the United States.

34. Training. Formal or informal instruction of foreign personnel in the U.S. or abroad (including instruction at civilian institutions) by officers or employees of the USMC, contract technicians, or contractors; correspondence courses; technical, educational, or information publications and media of all kinds; training aids, orientations, training exercises; and military advice for foreign military units and forces (including their civilian and military personnel).

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35. Transfer. The physical conveyance of material from one location to another.

36. Unofficial Visit. An occasion when a person who is not a representative of a foreign government or international organization visits for unofficial purposes, or to conduct business which will entail access to information in the public domain.

37. U.S. Citizen. For the purposes of this Order, a person either naturalized as a U.S. citizen in accordance with U.S. Immigration and Naturalization laws and regulations or a person born in one of the following locations: any of the 50 states of the U.S., The District of Columbia, Puerto Rico, Guam, American Canal Zone (if the father and/or mother was/were, or is/are a citizen of the U.S.), the Federated States of Micronesia, or the Republic of the Marshall Islands.

38. U.S. National. A U.S. citizen and U.S. permanent and temporary legal resident aliens. Legal counsel should be consulted when doubt exists as to whether or not a person can qualify as a national of the United States. NOTE: A U.S. national shall not be treated as a foreign person except when acting as a foreign representative. See Foreign Representative.

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SAMPLE REQUEST FOR DISCLOSURE AUTHORIZATION LETTER FORMAT

5510
Office Code
Date

From: Commanding Officer, (MCIEAST-MCB CAMLEJ Command)
To: Commanding General, Marine Corps Installations East-Marine Corps Base
Camp Lejeune

Subj: REQUEST FOR FOREIGN DISCLOSURE

Ref: (a) MCIEAST-MCB CAMLEJO 5510.3

Encl: (1) Information for Foreign Disclosure Review

1. Classification. Identify highest level of classification required to be disclosed.
2. Disclosure Methods. Identify method of disclosure, whether oral, visual, documentary, or material.
3. Categories of Information. Specify disclosure, categories of classified military information to be disclosed.
4. Scope. Specify the exact information or material to be disclosed, and to what specific government requested. The following points must be addressed:
 - a. Justification;
 - b. Description of information, document, or material;
 - c. Characteristics (be sure to provide in layman's terminology, not technical);
 - d. Capabilities;
 - e. Vulnerabilities;
 - f. Operational advantage(s) to the country;
 - g. Susceptibility to classified material (be sure to include classification);
 - h. Foreign availability of similar item; and
 - i. Recommendation on release.
5. Point of Contact

/s/

Enclosure (2)

MCIEAST-MCB CAMLEJO 5510.3

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THE CONTENTS OF THIS DOCUMENT, ONCE COMPLETED, ARE NOT AUTHORIZED FOR
DISCLOSURE TO FOREIGN PERSONNEL OR REPRESENTATIVES OF FOREIGN GOVERNMENTS AND
ARE FOR OFFICIAL USE ONLY

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NDP-1 CATEGORIES OF CLASSIFIED MILITARY INFORMATION (CMI)

1. Category 1 - Organization, Training, and Employment of Military Forces. Information of a general nature pertaining to tactics, tactical doctrine, techniques, and intelligence and counterintelligence doctrine and techniques. Excluded is information necessary for the operation, training, and maintenance on specific equipment covered under Categories 2 and 3 below.
2. Category 2 - Military Material and Munitions. Information on specific items of equipment already in production, or in service, and the information necessary for the operation, maintenance, and training. Items on the U.S. Munitions List fall within this category. This category does not pertain to equipment that is in research and development.
3. Category 3 - Applied Research and Development Information and Material. Information related to fundamental theories, design, and experimental investigation into possible military applications; it includes engineering data, operating requirements, concepts, and military characteristics required to adopt the item for production. Development ceases when the equipment has completed suitability testing and has been adopted for use or production.
4. Category 4 - Production Information. Information related to designs, specifications, manufacturing techniques, and such related information necessary to manufacture material and munitions.
5. Category 5 - Combined Military Operations, Planning, and Readiness. Information necessary to plan, ensure readiness for, and provide support to the achievement of mutual force development goals or participation in specific combined tactical operations and exercises. It does not include strategic plans and guidance or North American defense information.
6. Category 6 - U.S. Order of Battle. Information pertaining to U.S. forces in a specific area. In general, disclosures of this information are limited to those countries in which U.S. forces are stationed or are in adjacent geographical areas.
7. Category 7 - North American Defense. Information related to plans, operations, programs, and projects, to include data and equipment, directly related to North American Defense.
8. Category 8 - Military Intelligence. Information of a military character pertaining to foreign nations. This category of information does not include national intelligence or sensitive compartmented information under the purview of the Director of Central Intelligence.

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NDP-1 DISCLOSURE CRITERIA, CONDITIONS, AND LIMITATIONS

1. Disclosure Criteria. In accordance with reference (a), disclosure of Classified Military Information in Categories 1, 5, 6, and 7 may be made only when all of the criteria are satisfied.

a. Disclosure is consistent with U.S. foreign policy and national security objectives concerning the proposed recipient foreign government. For example:

(1) The recipient government cooperated with the U.S. in pursuance of military and political objectives that are compatible with those of the U.S.

(2) A specific U.S. national purpose, diplomatic or military, will be served.

(3) The information will be used in support of mutual defense and security objectives.

b. Disclosure is consistent with U.S. military and security objectives. For example: The proposed disclosure reflects the need for striking a proper balance between pursuit of our mutual defense and foreign policy objectives on the one hand, and the preservation of the security of our military secrets on the other.

c. The foreign recipient of the information will afford it substantially the same degree of security protection given to it by the U.S. The intent of a foreign government to protect U.S. CMI is established in part by the negotiations of a General Security of Information Agreement or other similar security arrangement. A foreign government's capability to protect U.S. CMI normally is determined by the evaluation of embassy security assessments, Central Intelligence Agency risk assessments, National Disclosure Policy Committee Security Survey Reports, and/or historical precedence.

d. Disclosure will result in benefits to the U.S. at least equivalent to the value of the information disclosed. For example:

(1) The U.S. obtains information from the recipient nation on a quid pro quo basis.

(2) The exchange of military information or participation in a cooperative project will be advantageous to the U.S. from a technical or other military viewpoint.

(3) The development or maintenance of a high level of military strength and effectiveness on the part of the government receiving the information will be advantageous to the U.S.

e. The disclosure is limited to only that information necessary to achieve the purpose for which disclosure is made. For example, if the purpose of the disclosure is the sale of military equipment, information on operation, maintenance, and training would be released; research and development data, or production know-how, must be withheld.

2. Disclosure Conditions. After a decision is made to disclose CMI to a foreign government or international organization, based on the criteria listed

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in sections (c) through (e) of this enclosure, or an exception to policy, release of the CMI will be contingent upon agreement by the recipient foreign government that the listed minimal conditions in paragraphs 2a through 2h, below, will be met. The conditions normally are satisfied by the provisions of existing General Security of Information Agreements. When a General Security of Information Agreement does not exist, the conditions may be included in a program-specific agreement, government contract, or similar arrangement.

a. The information or acknowledgement of its possession will not be revealed to a third-country government, organization, or person, except with the prior written permission of the originating U.S. Department Agency.

b. The information will be afforded substantially the same degree of security protection afforded to it by the United States.

c. The information will be used only for designated military purposes, or other specified purposes.

d. The recipient will report promptly and fully to U.S. authorities any known or suspected compromise of U.S. classified CMI released to it.

e. All individuals and facilities that will have access to the CMI and material will have security clearances granted by their government at a level greater than or equal to that of the classified information involved and an official need-to-know.

f. The information will be transferred through government-to-government channels.

g. Security experts of each government will be permitted to visit the other government, when mutually convenient, to review and discuss each other's policies and practices for protecting classified information.

h. The recipient of the information agrees to abide by or meet U.S.-specified special terms and conditions for the release of U.S. information or material.

3. General Disclosure Limitations. Nothing in this Order shall be construed so as to allow the disclosure of the following types of information:

a. Prohibited by Law or Agreement. Classified information, the disclosure of which is prohibited by Federal law or by an international agreement to which the United States is a party.

b. Naval Nuclear Information. Any naval nuclear propulsion information, classified or unclassified, except under an agreement negotiated pursuant to reference (m).

c. Proprietary Information. Classified or unclassified proprietary information, the rights to which are owned by private firms or citizens (i.e., patents, copyrights, or trade secrets) without the owner's consent, unless such disclosure is authorized by relevant legislation, and then release will be subject to such legislation.

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d. National Intelligence. National Intelligence or interdepartmental intelligence produced within the National Foreign Intelligence Board structure. Such intelligence cannot be disclosed without authorization of the Director of National Intelligence in accordance with applicable policies.

e. National Security Telecommunications and Information Systems Security Information. The National Security Telecommunications and Information Systems Security Committee is authorized by its terms of reference to make disclosures of classified military telecommunications and information systems security equipment and information without reference to the NDPC.

f. Counterintelligence. Operational information related to counterintelligence activities and disclosures related thereto.

g. Atomic Information. Such disclosures are made in accordance with The Atomic Energy Act of 1954, as amended in reference (j).

h. Strategic Planning and Guidance. Only the Secretary of Defense or the Deputy Secretary of Defense may authorize the disclosure of plans, concepts, or other information about strategic war plans. Requests for such disclosure shall be submitted through the Chairman of the Joint Chiefs of Staff.

i. Specifically Prohibited Disclosures. The following types of classified information are specifically prohibited from disclosure:

(1) Classified information officially obtained from a foreign government, except when the information has been conveyed by the government with express written consent to its further disclosure.

(2) Combined information without prior agreement of all parties.

(3) Joint information without prior agreement of all Departments or Agencies having control or jurisdiction.

(4) Information originated by or for another Department or Agency, unless that Department or Agency consents to the disclosure.

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