



DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
3000 MARINE CORPS PENTAGON
WASHINGTON, DC 20350-3000

MCO 5510.20B
PLU
21 Dec 2012

MARINE CORPS ORDER 5510.20B

From: Commandant of the Marine Corps
To: Distribution List

Subj: DISCLOSURE OF MILITARY INFORMATION TO FOREIGN GOVERNMENTS
AND INTERESTS

Ref: (a) DOD Directive 5230.11, "Disclosure of Classified
Military Information to Foreign Governments and
International Organizations," June 16, 1992
(b) National Disclosure Policy-1 (NDP-1), October 2, 2000
(NOTAL)
(c) SECNAVINST 5510.34A
(d) DOD Directive 5230.20, "Visits and Assignments of
Foreign Nationals," June 22, 2005
(e) 22 U.S.C. 2751
(f) DOD Directive C-5230.23, "Intelligence Disclosure
Policy," November 18, 1983
(g) Defense Intelligence Agency (DIA) Instruction
2000.001, "International Military Intelligence
Relationships," February 12, 2004
(h) Defense Federal Acquisition Regulation Supplement
(DFARS) Subpart 27
(i) Dir, Navy IPO ltr 5510 Ser 01B22/5U11118 of April 12,
2005 (NOTAL)
(j) MCO 4950.2
(k) 22 CFR 120-130
(l) DOD Directive 5530.3, "International Agreements,"
June 11, 1987
(m) SECNAV M-5210.1
(n) DOD Instruction 2040.02, "International Transfers of
Technology, Articles, and Services," July 10, 2008
(o) E.O. 13526
(p) DOD 5400.7-R, "DOD Freedom of Information Act
Program," September 4, 1998
(q) 15 CFR 730-799
(r) 10 U.S.C. 2350a
(s) SECNAVINST 5720.44B

DISTRIBUTION STATEMENT A: Approved for public release;
distribution is unlimited.

- (t) Department of the Navy Foreign Disclosure Manual, September 2007
- (u) DOD 4515.13R, "Air Transportation Eligibility" November 1, 1994 w/change 3, April 9, 1998
- (v) OPNAVINST 3710.7U
- (w) MCO 3710.8

- Encl:
- (1) Foreign Disclosure Definitions
 - (2) Example of Request for Disclosure Authorization Letter
 - (3) NDP-1 Categories of Classified Military Information
 - (4) NDP-1 Disclosure Criteria, Conditions, and Limitations
 - (5) USMC International Visits Program Guidance and Procedures
 - (6) Extended Visit Contact Officer Responsibilities

1. Situation. This Order establishes Marine Corps policy, procedures, authority, and responsibilities for the disclosure of U.S. Classified Military Information (CMI) and Controlled Unclassified Information (CUI) to foreign governments and interests, in accordance with references (a) through (w). It also establishes policies, procedures, and authority within the Marine Corps for processing visit requests from foreign governments and organizations, to include guidance for liaison between representatives of the Marine Corps and foreign governments and interests, and implements references (a) through (d).

a. This Order applies to:

(1) All foreign disclosures of CMI and CUI defined in enclosure (1). Disclosures of military intelligence information must also comply with reference (f).

(2) Any foreign nationals or foreign representatives representing their parent governments or international organizations on official business visiting or assigned to Marine Corps activities or cleared contractor facilities or visiting at any location in the United States or abroad and discussing official business.

b. This Order does not apply to:

(1) The disclosure of CMI and CUI to foreign nationals who are employed by 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 (p).

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

2. Cancellation. MCO 5510.20A, MCO 5510.16A and MARADMIN 477/04.

3. Mission

a. The Marine Corps fully supports national disclosure policy and the International Visits Program (IVP) in accordance with references (a), (c), (d), (o), and (t), and provides appropriate safeguards for the protection of our national security interests while building and enhancing relationships with allies and other friendly nations. 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 United States. Disclosure of such information will be made only when authorized by an official designated in accordance with this Order.

b. In accordance with references (a) through (f) and (t), it is Marine Corps policy that:

(1) Only a Marine Corps military or civilian official who has been appointed in writing as a Designated Disclosure Authority (DDA), also known as a Foreign Disclosure Officer (FDO), may authorize foreign disclosure of CMI and CUI, and only in accordance with references (a) through (c) and (t) in support of a lawful and authorized U.S. Government purpose if:

(a) The official representative of the Marine Corps Component that submits information for foreign disclosure review, using the sample letter provided in enclosure (2), has obtained the written consent of the relevant official having original classification authority for that information.

(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 (NDPC) Record of Action authorizes a higher level of disclosure

authority. Per reference (d), exceptions to National Disclosure Policy 1 (NDP-1) shall not be granted to accommodate the assignment of Foreign Liaison Officers (FLO), Personnel Exchange Program (PEP) Personnel, Cooperative Program Personnel (CPP) or foreign personnel arrangements. See reference (t) for instructions regarding completion of a request for Exception to National Disclosure Policy (ENDP). See enclosure (3) for a listing of NDP-1 categories of information.

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

(2) CMI and CUI shall not be disclosed to foreign nationals until the appropriate DDA receives security assurance from the recipient foreign government or international organization for the individuals who are to receive the information.

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

(4) Per references (a) through (c) and (t), it is U.S. policy to avoid creating a false impression 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.

(5) All official visits by foreign representatives must be controlled as outlined in enclosure (5).

(6) Disclosure planning shall include the following:

(a) A DDA must be involved from the outset regarding any plans for operations, exercises, training, acquisition programs, or other possible foreign involvement to ensure that

all requirements can be supported within the construct of the event and in accordance with applicable foreign disclosure policy.

(b) A Delegation of Disclosure Authority Letter (DDL) or other appropriate written guidance, to include email, shall be used to provide disclosure guidance for exercises or training.

(c) Requests for foreign disclosure reviews shall be sent via email to the first DDA in the chain of command. If a command does not have disclosure authority, requests should be sent to the Deputy Commandant for Plans, Policies and Operations (DC PP&O) (PLU-9) or the Director, Intelligence Department (DIRINT), Headquarters, U.S. Marine Corps (HQMC), as appropriate. Requestors should provide as much detail as possible to expedite the review process. Normally, a decision will be returned by email in less than 30 days, depending on the complexity of the issue. DDAs and submitting components will maintain records of foreign disclosure decisions in accordance with references (a), (c), (m) and (t).

4. Execution

a. Commander's Intent and Concept of Operations

(1) Commander's Intent

(a) The Marine Corps 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 (j).

(b) The disclosure of CMI and CUI to our military allies is a significant aspect of this cooperation. The net benefit to the United States 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 (d), (f), (t) 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 United States and the government-to-government principal per references (a) through (d) and (t). 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 and in accordance with the IVP and guidance outlined in enclosure (5).

(2) Concept of Operations

(a) In accordance with reference (i) and to ensure proper coordination and control of foreign disclosure within the Marine Corps, I hereby designate DC PP&O as the DDA for NDP-1 Categories 1 through 7, and DIRINT as the DDA for NDP-1 Category 8, as outlined in enclosure (3).

(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 agency, command, or activity within the Marine Corps will disclose or direct the disclosure of CMI or CUI except as approved or authorized by a DDA in accordance with this Order.

(d) CMI and CUI originated by other U.S. Government agencies or military Services may be disclosed only with the approval of the appropriate disclosure authority from the originating agency or military Service.

b. Marine Corps Commanders/Commanding Generals. Reference (i) grants me the authority to re-delegate disclosure authority to subordinate commands. In order to decentralize disclosure decisions, accurately safeguard CMI and CUI, and streamline the disclosure process, I hereby re-delegate disclosure authority as follows:

(1) DC PP&O shall re-delegate disclosure authority for appropriate NDP-1 Categories 1 through 7 to the commanding generals of Marine Component and supporting establishment commands.

(2) The DIRINT shall re-delegate authority for NDP-1 Category 8 information to Marine Corps commands or officials

21 Dec 2012

when such authority is determined to be mission essential or in the best interest of the U.S. Government.

(3) Marine Component commanders and supporting establishment commanding generals may further re-delegate disclosure authority to subordinate general officer commanders, as needed. Re-delegation below general officer ranks will be by exception only and requires DC PP&O and/or DIRINT approval, as appropriate.

(4) Appoint by name and in writing at least one DDA, as defined in enclosure (1), at each command with disclosure authority and provide a copy of the appointment letter to DC PP&O (PLU-9) and/or DIRINT, as appropriate. The DDA may be assigned full-time, part-time, or as a collateral duty, depending on the needs of the command, and must be a civilian employee GS-11 equivalent or above, or a military officer, with sufficient authority and staff to manage the command's program. Senior enlisted personnel may be designated as DDAs on a case-by-case basis after coordination with DC PP&O (PLU-9) or DIRINT, as appropriate. Primary command DDAs must be U.S. citizens and must have been the subject of a favorably adjudicated Single Scope Background Investigation (SSBI) completed within the last five years. Individuals with current SSBIs should be designated as the organization DDAs whenever possible. If secondary DDAs are appointed, they must have security clearances at least commensurate with the level of information that they will be required to review, but only one DDA per organization is required to have a current SSBI. The Billet Identification Code (BIC) for the DDA billets with SSBIs will be coded in the Total Force System.

(5) DDAs shall familiarize themselves with the Inspector General checklist 280 for foreign disclosure and be prepared to assist command Inspectors General with inspections of subordinate units when tasked.

(6) The DDA billet should ideally be a special staff position; however, actual placement of the DDA within the command structure is at the discretion of the commander based upon local foreign disclosure requirements.

(7) Foreign Disclosure Points of Contact (FDPOC), as defined in enclosure (1), may be appointed to assist DDAs or placed in subordinate commands that have only occasional contact with foreign personnel or international organizations. FDPOCs are not authorized to make foreign disclosure decisions on

behalf of a command but can process and coordinate foreign disclosure requests and make recommendations to DDAs. There is no rank requirement for FDPOCs, but they must hold security clearances at least commensurate with the level of information that they are required to review.

(8) DDAs and FDPOCs must complete mandatory training as prescribed by DC PP&O (PLU-9) and their local command policy. Commands shall not appoint DDAs or FDPOCs until completion of prerequisite training has been confirmed by a senior DDA in the chain of command, DC PP&O (PLU-9) or DIRINT.

(9) Upon completion of the training requirements, DC PP&O will request that Navy International Programs Office provide a copy of NDP-1 to a new DDA, unless the command already holds a copy which was issued to previous command DDAs. Only upon written approval from DC PP&O or DIRINT, as appropriate, will the DDA have authorization to make foreign disclosure decisions in accordance with the guidelines of the command DDL.

(10) Commands located in the United States that have disclosure authority shall establish accounts in the Foreign Visits System (FVS). Commands outside the continental United States will follow guidance in reference (d) to determine if FVS use is required and, whether FVS use is required or not, will ensure that information to be disclosed during foreign visits is properly reviewed and that all disclosures are properly documented. All commands that receive foreign visitors shall establish accounts in the Foreign Visits System-Confirmation Module (FVS-CM) following the guidance outlined in enclosure (5).

(a) There are three types of official visits: one-time, recurring, and extended as defined in enclosure (1). Per reference (d), FVS provides the means to staff and process all three types of official visit requests by foreign nationals and alerts the command to perform disclosure reviews on any CUI or CMI to be disclosed during the visits. The approved Foreign Visit Request (FVR) provides the host commands security assurance, certified by the foreign embassies, of the foreign visitors' security clearances when CMI will be disclosed.

(b) FVS-CM is an application used to track and confirm visits by foreigners that have been approved through FVS and to document one-time or recurring foreign visits as they actually occur, as described in enclosures (1), (5) and (6).

(11) Commands that have extended visitors, to include Foreign Liaison Officer (FLO), Personnel Exchange Program (PEP), Cooperative Program Personnel (CPP), or Engineer and Scientist Exchange Program (ESEP) personnel assigned shall appoint a Contact Officer, as defined in enclosure (1), for each foreign national assigned to the command. Duties and responsibilities for Contact Officers are outlined in enclosure (6).

(12) Commands with disclosure authority shall develop and implement local foreign disclosure and foreign visits policy upon receipt of a DDL. Policy should include procedures and entry points where foreign visitors will be processed in FVS-CM.

(13) Per reference (t), the host command or facility shall assign a Contact Officer for each one-time or recurring foreign visit. The Contact Officer will normally serve as the point of contact for the requesting embassy. The Contact Officer for one-time or recurring visits is responsible for controlling the activities of the foreign visitor(s) and for ensuring that the disclosure of CMI and CUI strictly conforms to that approved by the DDA. The Contact Officer must be provided a copy of the one-time or recurring visit authorization prior to the visit, and should verify with the Office of Primary Responsibility (OPR), defined in enclosure (1), via the chain of command that the list of visitors is current, including amendments. Contact Officers for one-time or recurring visits should ensure visits are documented in FVS-CM in accordance with local policy. When hosting foreign delegations, commands must make efforts to ensure the success of the visit regardless of size, duration or seniority.

(14) Commands shall include foreign disclosure awareness/indoctrination as part of their overall training plans and conduct command foreign disclosure awareness training at least annually.

(15) In accordance with reference (a), disclosures and denials of CMI shall be captured in the Foreign Disclosure System (FDS) of the Security Policy Automated Network (SPAN). Commands that use their own reporting system shall report their CMI disclosure decisions at least annually in FDS. Commands can obtain guidance to establish FDS accounts by calling the SPAN help desk at commercial (703) 696-0610, DSN 226-0610 or by sending an email to dtsaspansupport@dtsa.smil.mil.

c. Responsibilities

(1) Deputy Commandant for Plans, Policies, and Operations (DC PP&O)

(a) Act as Executive Agent for general foreign disclosure matters and this Order.

(b) Re-delegate foreign disclosure authority for NDP-1 Categories 1-7 to Marine Corps Component commands, commanding generals of supporting establishment commands, and appropriate HQMC staff agencies.

(c) Assist commands to develop and implement local foreign disclosure policy, as needed.

(d) Appoint one or more DDAs within PP&O (PLU) to oversee the Marine Corps Foreign Disclosure Program and provide Marine Corps foreign disclosure policy guidance regarding NDP-1 Categories 1-7.

(e) Coordinate requests for foreign disclosure that do not fall under the authority of another DDA with HQMC staff agencies, Marine Corps commands, other Services, contractor facilities and other stakeholders, as appropriate. Render decisions on CUI or NDP-1 Category 1-7 CMI requests in accordance with references (a) through (c) and (t).

(f) Write DDLs and oversee all disclosure policy pertaining to PEP and FLO assignments in accordance with references (a) through (d) and (t).

(g) Act as the OPR for all extended visit requests and review, coordinate and provide appropriate decisions regarding such visits.

(h) Ensure extended visits by FLOs and PEPs are under the auspices of a specific international agreement or annex to a previously concluded umbrella agreement (i.e., Memorandum of Understanding, Memorandum of Agreement, etc.) or a Foreign Military Sales (FMS) Letter of Offer and Acceptance (LOA) in accordance with references (c), (d), and (t).

(i) Ensure a disclosure review has been established and a DDL has been written and briefed to the host command prior

to approval of an extended foreign visit request. See enclosures (1), (5) and (6) for guidance regarding extended foreign visits.

(j) Assign/provide augment personnel to the Inspector General of the Marine Corps (IGMC) inspection team on matters related to IGMC Inspection Checklist 280 and the general subject of foreign disclosure. Provide reports to IGMC as appropriate after all inspections. Train command DDAs as inspectors and inspector trainers so they can properly conduct command unit inspections. As custodian of Checklist 280, ensure currency and accuracy of the checklist.

(k) Provide training to appointed DDAs and FDPOCs through site assist visits and by disseminating information regarding courses or on-line training, as needed.

(l) Coordinate all requests for Exceptions to National Disclosure Policy (ENDP) and other issues that require development of new Department of the Navy (DON) policy with Navy International Programs Office (IPO).

(2) Deputy Commandant for Aviation (DC AVN)

(a) Coordinate with DC PP&O and provide guidance and subject matter expertise regarding aviation-related foreign disclosure and technology transfer matters.

(b) In coordination with DC PP&O, review all aviation-related extended foreign visit requests and, in coordination with DIRINT, review one-time and recurring foreign visit requests for all visits hosted by DC AVN.

(c) DC AVN may authorize the embarkation of foreign nationals in Marine Corps aircraft for the purpose of practical demonstration and orientation. Foreign military personnel must possess proper base/installation visitation authorization pursuant to established policies and procedures. Basic policies concerning embarkations and disclosure of classified information in connection with such embarkations is contained in references (a) through (f), (h), (t), and (u) through (w).

(d) DC AVN is the approval authority for Foreign Passengers to receive orientation/indoctrination flights in high performance jet, tilt-rotor, and AH-1 aircraft. This includes personnel occupying a crew seat position, aircraft with personal

oxygen systems, and during shipboard catapult launches or arrested landings, in accordance with reference (w).

(e) DC AVN delegates authorities relating to orientation/indoctrination flights for foreign passengers/nations (military and civilian) aboard Marine Corps cargo/transport aircraft as outlined in reference (w).

(3) Deputy Commandant for Installations and Logistics (DC I&L). Coordinate with DC PP&O and provide disclosure authorization guidance and limitations on all installations and logistics matters.

(4) Director, Command, Control, Communications, and Computers (C4) Department. Coordinate with DC PP&O regarding disclosure decisions and provide guidance and subject matter expertise regarding foreign disclosure and technology transfer for all command, control, communications, and computer-related matters.

(5) DIRINT

(a) Re-delegate foreign disclosure authority for NDP-1 Category 8 information to Marine Corps commands or officials when such authority is determined to be mission essential or in the best interest of the U.S. Government.

(b) Appoint one or more DDAs within the Intelligence Department to provide Marine Corps foreign disclosure policy guidance regarding NDP-1 Category 8.

(c) Coordinate with the Defense Intelligence Agency (DIA), unified commands, DON commands and other appropriate stakeholders, and render decisions regarding requests for disclosure and release of CUI and Category 8 CMI, in accordance with references (a) through (d), (f), (g) and (t).

(d) Process and coordinate with the DIA and the National Security Agency (NSA) all intelligence-related international agreements in accordance with reference (c).

(e) Coordinate with DC PP&O and provide disclosure authorization guidance and limitations for all Category 8 CMI for foreign exchange and foreign liaison assignments in accordance with references (a) through (d), (f), (g) and (t).

(f) Act as Executive Agent for the Marine Corps IVP.

(g) Review, coordinate and make decisions on all one-time, recurring and emergency FVRs, as defined in enclosure (1), and act as the OPR for these visits.

(h) As required, coordinate with affected commands and contractor facilities regarding feasibility of operational support and foreign disclosure issues in accordance with references (d) and (t).

(i) Conduct liaison with national representative FLOs.

(6) Assistant Deputy Commandant for Plans, Policies, & Operations (Security)

(a) In coordination with DC PP&O (PL) and DIRINT, provide foreign disclosure familiarization training, in accordance with this Order, through the Marine Corps security education program.

(b) Coordinate with PP&O (PLU) and commands hosting FLO, PEP, or other exchange personnel, to ensure proper security measures are in place which prevent inadvertent disclosure or uncontrolled access to spaces where CMI and/or CUI is stored.

(7) Inspector General of the Marine Corps. Coordinate, conduct, and evaluate inspections of operating forces and supporting establishment commands, units and activities, including operational forces assigned to the unified and specified commands, to ensure compliance with foreign disclosure and foreign visits policy in accordance with references (a) through (d), and this Order.

(8) Director, Public Affairs Division. Coordinate visits by foreign journalists and free-lance writers with the Department of State (Undersecretary for Public Diplomacy and Public Affairs) for U.S. Government clearance and approval in accordance with reference (s). These visits are not official visits and will not be processed via the FVS and will be limited to unclassified information approved for release to the public domain.

(9) Commanders/Commanding Generals

(a) Ensure Marine Corps foreign disclosure and release actions are conducted in accordance with applicable directives, regulations, instructions, and orders and maintain all foreign disclosure decision records in accordance with reference (m).

(b) Whenever feasible, appoint a DDA in accordance with the guidance outlined in this Order.

(c) When impractical to appoint a command DDA, submit foreign disclosure requests, provided in enclosure (2), to the next higher command with a DDA or to DC PP&O (PLU), as appropriate, for disclosure or release of CUI and CMI in Categories 1 through 7, and to DIRINT for CMI in Category 8.

(d) Ensure command Inspectors General are familiar with IGMC Checklist 280 and that they coordinate with assigned DDAs and FDPOCs when conducting inspections of subordinate commands. Send all reports of inspections and site assist visits via the chain of command to DC PP&O (PLU-9).

(e) At commands with FLO, PEP or other exchange personnel assigned, appoint a Contact Officer by name and in writing as described in enclosure (6). Ensure the Contact Officer has satisfied training requirements prescribed by DC PP&O and local policy and adheres to assigned responsibilities.

(f) Ensure that the command reviews and confirms feasibility of support for all FVRs, as described in enclosure (5). All FVRs must be coordinated for foreign disclosure by a DDA before the visit is to take place.

(g) Ensure the DDA or other person, as appropriate, has access to an FVS account and the FVS-CM, and adheres to the guidelines outlined in reference (d), enclosure (5) and local policy.

(h) Establish and maintain, at the lowest supporting level, local standard operating procedures, directives and guidance regarding foreign disclosure and foreign visits in accordance with references (a) through (d), (t) and this Order.

(10) Commanding General, Marine Corps Combat Development Command (CG MCCDC)

(a) Appoint in writing at least one DDA to oversee MCCDC's Foreign Disclosure Program.

(b) Re-delegate disclosure authority to subordinate commands, as appropriate.

(c) In cooperation with DC PP&O, DIRINT, and the CG, Training and Education Command (TECOM), establish foreign disclosure educational requirements throughout the Marine Corps training and education system.

(d) In coordination with DC PP&O, local DDAs and TECOM, ensure that appropriate foreign disclosure approval is in place for all classified Marine Corps courses attended by foreign nationals.

(11) Commander, Marine Corps Systems Command (MARCORSYSCOM)

(a) In coordination with DC PP&O and in accordance with references (e), (h), (k), (n), and (q), oversee foreign disclosure for NDP-1 Categories 2 and 3 for ground systems and equipment.

(b) Appoint one or more DDAs to oversee the MARCORSYSCOM Foreign Disclosure Program.

(c) Develop and implement local foreign disclosure and foreign visits policy in accordance with references (a) through (d) and (t).

(d) In coordination with DC PP&O and Navy IPO, and in accordance with references (n) and (t), oversee the Marine Corps export license process.

d. Coordinating Instructions

(1) DIRINT coordinates with the DIA to process Marine Corps requests for disclosure of CMI, Category 8, to foreign governments and interests.

(2) DC PP&O and MARCORSYSCOM coordinate all Exceptions to National Disclosure Policy (ENDP) and Technology Transfer

Security Assistance Review Boards (TTSARB) with Navy IPO in accordance with references (a) through (c) and (t).

(3) Requests for disclosure review of CMI and CUI will be forwarded by the respective Marine Corps command to the first DDA in the chain of command. Regardless of whether or not a command has original classification authority, the DDA must obtain originator consent and coordinate reviews with all interested stakeholders in accordance with reference (t). Marine Corps commands and HQMC staff agencies that do not have disclosure authority should forward foreign disclosure requests to DC PP&O or DIRINT, as appropriate, using the format in enclosure (2). Requests should be sent to a DDA via email and shall include supporting rationale. If approved, DC PP&O, DIRINT or the local DDA, as appropriate, will issue written guidance via email to the requesting command or staff agency. Requests that do not provide sufficient detail on which to base a decision will be denied or returned for further justification.

(4) Disclosure approval does not include authority for the physical release, as defined in enclosure (1), of hard-copy or electronic versions of classified documents, materials or equipment. Requests for release must be explicitly justified in the request for disclosure review and approved by a DDA in writing per references (a), (c) and (t).

(5) Foreign nationals are permitted to take part in classified training provided it has been authorized in accordance with procedures outlined in references (a) through (d), (j) and chapter 10 of reference (t).

e. International Agreements. The Secretary of the Navy (SECNAV) has delegated to the Commandant of the Marine Corps (CMC) the authority to negotiate and conclude certain international agreements, to include personnel exchange agreements. Therefore, all commands engaging in activities that assist in the creation of new international agreements, in accordance with reference (1), shall coordinate with DC PP&O (PLU) and MARCORSYSCOM.

f. Meetings, Symposia, and Conferences

(1) Foreign Participation. Foreign nationals may participate in meetings, symposia, conferences, or other such activities when their participation is in accordance with this Order; U.S. export control policies, the appropriate DDA has approved any CMI or CUI that will be disclosed to foreign

attendees, the foreign attendees actively participate in the proceedings, and there is reciprocity for the U.S. government and industry representatives.

(2) Disclosure Levels. The classification levels and categories of information authorized for disclosure vary among nations. Marine Corps components 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).

g. Extended Foreign Visitors. Guidance regarding appointment of Contact Officers and FVRs for PEP, FLO, CPP, and ESEP personnel, shall be in accordance with references (a) through (d), and (t), and enclosures (5) and (6).

(1) In addition to the approved extended FVR, one-time or recurring FVRs are required for FLOs, defined in enclosure (1), to visit other commands.

(2) No visit request beyond the approved extended FVR is normally required for PEP personnel, defined in enclosure (1), who are traveling in accordance with their U.S. billet descriptions to other DON activities.

(3) Guidance for one-time or recurring foreign visit requests for ESEP and CPP personnel is contained in the international agreements that correspond with those billets.

h. Sales, Leases, Loans, or Grants of Classified Items. All requests for disclosure or commercial export of any CUI or CMI relating to sales, leases, loans, grants, or foreign test and evaluation of military ground equipment shall be coordinated with MARCORSSYSCOM.

i. Foreign Participation in Marine Corps Component Classified Training Activities. Reference (t) outlines policy and procedures regarding foreign involvement in training on U.S. equipment that is classified or involves classified information pertaining to third country equipment.

j. Requests for Classified Documents

(1) Disclosure Review. Official requests for classified documents from foreign representatives shall be forwarded to the

appropriate DDAs at the originating Marine Corps components for review and decisions, or to DC PP&O (PLU) if no other DDA can be identified.

(2) Reference Lists and Bibliographic Material. To avoid false impressions and to avoid proliferation of requests for CMI or CUI that is not releasable to the requestor, Marine Corps components shall not:

(a) Reference documents that have not been approved by a DDA, unless they are releasable to the public domain.

(b) Approve release of documents that have reference lists or bibliographies or sanitize documents, 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.)

k. Foreign Access to Information When Participating in U.S. Procurement Programs. Refer all such requests for foreign access to information when participating in U.S. procurement programs to MARCORSSYSCOM for processing in accordance with this Order and references (h) and (k).

l. Reporting Compromises of U.S. CMI Furnished to Foreign Governments. In accordance with reference (a), Marine Corps activities having knowledge of compromises of U.S. classified information to foreign governments shall promptly inform the originating Marine Corps component and DC PP&O. The originating Marine Corps component shall conduct a Preliminary Inquiry (PI) and damage assessment and forward the results to DC PP&O (PLU) and (PS), for reporting to the National Disclosure Policy Committee via Navy IPO.

5. Administration and Logistics

a. Definitions used in this Order are contained in enclosure (1).

b. Records created as a result of this Order shall be managed according to National Archives and Records Administration approved dispositions per reference (m) to ensure proper maintenance, use, accessibility and preservation, regardless of format or medium.

21 Dec 2012

6. Command and Signal

a. Command. This Order is applicable to the Marine Corps Total Force.

b. Signal. This Order is effective the date signed.



JAMES F. AMOS

DISTRIBUTION: PCN 10208490800

Copy to: 7000260 (2)
8145001 (1)

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 Marine Corps component or Marine Corps contractor facility or the placement of a Marine Corps civilian or military employee on the premises of a foreign government defense installation or defense contractor facility.
2. Classified Military Information (CMI). Classified information that is under the control or jurisdiction of the Department of Defense (DoD), its departments or agencies, or is of primary interest to them. It may be oral, visual or in other form and requires protection in the interest of national defense and security in one of three classification categories (TOP SECRET, SECRET, or CONFIDENTIAL), as described in reference (o). It includes 8 categories of information 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 Information (CUI). Unclassified information to which access or distribution limitations have been applied in accordance with national laws, policies, and regulations of the originating country. It includes but is not limited to: U.S. information that is determined to be exempt from public disclosure pursuant to DoD Directive (DoDD) 5400.7, National Geospatial-Intelligence Activity limited distribution geospatial intelligence pursuant to DoD Instruction (DoDI) 5030.59, DoD unclassified controlled nuclear information pursuant to DoDD 5210.83, and certain unclassified technical data subject to export controls in accordance with section 130c of title 10, United States Code and DoDD 5230.25.
5. Contact Officer. A Marine Corps 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 Marine Corps component, subordinate organization, or contractor facility. A Contact Officer for extended visits must be appointed in writing.

6. Cooperative Program. For the purposes of this Order, programs that comprise one or 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 22 U.S.C. section 2767, or a cooperative research and development program defined in a written agreement with North Atlantic Treaty Organization (NATO) and major non-NATO allies under 10 U.S.C. section 2350a (reference (r)).

7. Cooperative Program Personnel (CPP). Foreign government personnel, assigned to a multinational program office that is hosted by a DON component in accordance with the terms of a cooperative program international agreement, who report and take direction from a DON-appointed program manager (or program manager equivalent) for the purpose of carrying out the multinational project or program. Foreign government representatives described in such agreements as liaison officers or observers are not considered Cooperative Program Personnel and are treated as Foreign Liaison Officers (FLOs).

8. Delegation of Disclosure Authority Letter (DDL). A letter issued by the appropriate designated disclosure authority explaining classification levels, categories, scope, and limitations under a DoD component's disclosure jurisdiction that may be disclosed to a foreign recipient. It is used to delegate disclosure authority to subordinate disclosure authorities. (See reference (t) for an example.)

9. Designated Disclosure Authority (DDA). A military or civilian government official commonly referred to as a foreign disclosure officer (FDO), appointed by the head of an Office of the Secretary of Defense (OSD) organizational element or a DoD component or their Principal Disclosure Authority (PDA), who has been delegated authority in a DDL to control disclosures of CMI and CUI to foreign governments and international organizations. The DDA must be an official of such grade and position that the person has access to the appointing PDA or head of the OSD organizational element or DoD component.

10. Export Authorization. An approved numbered license or agreement or an authorized exemption under reference (k).

11. Foreign. Away from one's own native country; subject to the jurisdiction of another political unit.

12. Foreign Disclosure. The act of conveying information, in any form or manner, to an authorized representative of a foreign government.

13. Foreign Disclosure Point of Contact (FDPOC). Official(s) appointed in writing by their commanders or Headquarters Marine Corps to coordinate foreign disclosure reviews and 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 (FDS). An automated repository that provides DoD decision makers historical information to assist in making subsequent decisions regarding foreign disclosures of CMI.

15. Foreign Interest. Any foreign government, or 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 United States or its territories; and any person who is not a citizen or national of the United States.

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 Marine Corps component for specified purposes, to conduct business with a Marine Corps component on behalf of the foreign government or international organization. FLOs stationed with a Marine Corps component shall be assigned in accordance with the terms of a FLO agreement. The FLO does not report to, or via, the Marine Corps chain of command but to his or her own government. There are three types of FLOs:

a. Security Assistance. A foreign government representative assigned to a Marine Corps component or contractor facility in accordance with a requirement described in a Foreign Military Sales (FMS) Letter of Offer and Acceptance (LOA).

b. Operational. A foreign government representative who is assigned to a Marine Corps component in accordance with a documented requirement to coordinate operational matters, such as combined planning or training and education.

c. National Representative. A foreign government representative assigned to his or her national embassy or delegation in the United States (e.g., an attaché) to conduct liaison activities with Marine Corps components.

17. Foreign National. A person who is not a citizen or national of the United States.

18. 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 percent of the voting stock) in dealings with a DoD component or contractor.

19. Foreign Visit. A foreign national enters or proposes to enter a Marine Corps command or Marine Corps-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. Separate definitions are provided below for official and unofficial visits.

20. Foreign Visits System (FVS). The automated system managed by the Office of the Under Secretary of Defense (Policy) (OUSD (P)) that provides staffing and database support for processing FVRs by foreign government representatives to Marine Corps component activities and cleared defense contractors.

21. 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 document local unofficial visits when no CUI or CMI is disclosed.

22. Government-to-Government Channels. The principle that the foreign disclosure or export of CMI and CUI is based on a decision that the information is authorized for disclosure or export to the government or international organization of the intended recipient or end-user.

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

21 Dec 2012

24. 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.
25. 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.
26. Material. Any product or substance on or in which information is embodied. It includes information stored on automated information systems or transmitted electronically.
27. Meeting. A conference, seminar, symposium, exhibit, convention, training course, or other gathering during which classified or controlled unclassified information is disclosed.
28. 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:
- 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 advance notice 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. Use extended visit authorizations 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 contract or joint program, a foreign liaison assignment, participation in an exchange program or assignment as a cooperative program personnel. Activities will normally

21 Dec 2012

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.

29. Originating Classification Authority. The Marine Corps organization that exercises original classification authority for classified information.

30. Personnel Exchange Program (PEP). A program authorized by references (d) and (l) where military and civilian personnel of the DoD and the defense ministries/departments, and/or armed services of foreign governments, 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 or her Marine Corps chain of command. (PEP officers shall neither act as representatives of their parent governments nor act as conduits for exchange of CUI or CMI)

31. Principal Disclosure Authority (PDA). A senior military or civilian government official appointed in writing by the head of an OSD organizational element or a DoD component as the senior foreign disclosure authority for that OSD organizational element or component, and who is responsible for establishment of an effective foreign disclosure program consistent with DoDD 5230.11. and this Order.

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

33. Security Assurance. A written confirmation, requested by and exchanged between government representatives, that contains the following elements: verification of the personnel security clearance level of the providing government's citizens or nationals; a statement by a responsible official of the providing government that the recipient of the information is approved by the government for access to information of the security classification involved on behalf of the government; and an obligation that the recipient government will ensure compliance with any security agreement or other security requirements specified by the U.S. Government.

34. Training. Formal or informal instruction of foreign personnel in the United States or abroad (including instruction at civilian institutions) by officers or employees of the

21 Dec 2012

Marine Corps, 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).

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

36. Unofficial Visit. An occasion when a foreign national who is not sponsored by his or her government or international organization visits for unofficial purposes or to conduct business which will entail access to information in the public domain.

Example of Request for Disclosure Authorization Letter

SSIC
Serial
Date

From: Commander/Commanding General
To: Appropriate Designated Disclosure Authority
Subj: REQUEST TO DISCLOSE U.S. CLASSIFIED MILITARY INFORMATION
AND/OR CONTROLLED UNCLASSIFIED INFORMATION
Ref: (a) MCO 5510.20B
Encl: (1) as appropriate

(Is the information marked "Distribution Statement A, unlimited release" or otherwise known to be "public domain" information, certified as such by a Public Affairs Officer? If "yes" this information does not require a foreign disclosure review.)

1. Per the reference, request authority to disclose U.S. Classified Military Information (CMI) and/or Controlled Unclassified Information (CUI). The following information is provided in support of this request.

a. Classification. Identify the highest level of classification required to be disclosed.

b. Disclosure Methods. Will disclosure be oral/visual only or is physical release of documents/material requested? If release is requested, please justify below and describe method for making the government to government transfer.

c. Categories of Information. If the request is for classified information, specify categories to be disclosed (see enclosure (3) of this Order.

d. Scope. Attach the document or specify the exact information or material to be disclosed.

e. Specific government, international organization, coalition, etc. for which disclosure/release is requested.

f. Justification. Why is it in the best interest of the United States to disclose/release this information?

21 Dec 2012

Subj: REQUEST TO DISCLOSE U.S. CLASSIFIED MILITARY INFORMATION
AND/OR CONTROLLED UNCLASSIFIED INFORMATION

g. Limitations, if any. What information, equipment,
physical locations should not be disclosed/accessed?

2. Point of contact.

COMMANDING OFFICER or "By direction"

21 Dec 2012

NDP-1 Categories of Classified Military Information

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. (Note: This Category ALWAYS requires an ENDP.)
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

21 Dec 2012

equipment, directly related to the defense of North America, especially when it is organized or under the mission and control of NORAD.

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 (DCI).

21 Dec 2012

NDP-1 Disclosure Criteria, Conditions, and Limitations

1. Disclosure Criteria. In accordance with reference (a), disclosure of CMI in Categories 1 through 8 may be made only when all of the following criteria are satisfied.

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

(1) The recipient government cooperated with the U.S. in pursuit 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:

(1) Disclosures of advanced technology, if compromised, will not constitute an unreasonable risk to the U.S. position in military technology and operational capabilities, regardless of the intended recipient.

(2) 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. Note: the intent of a foreign government to protect U.S. classified military information is established in part by the negotiations of a General Security of Military Information Agreement (GSOMIA) 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 Military Information Disclosure Policy Committee (NDPC) Security Survey Reports, and/or historical precedence.

21 Dec 2012

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 United States

e. The disclosure is limited to information necessary to 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 in paragraphs 1c through 1e of this enclosure, above, 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 the subsections 2a through 2h, below, will be met. The conditions normally are satisfied by the provisions of existing GSOMIAs. When a GSOMIA 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 U.S..

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

21 Dec 2012

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

e. All individuals 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 the Atomic Energy Act of 1954.

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.

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.

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.

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.

(5) Intelligence information described in section I, subparagraph 5.c.(2) and section II, subparagraph 5.b.(7) of NDP-1 (reference (b)).

21 Dec 2012

USMC International Visits Program Guidance and Procedures

1. General. DoD Directive 5230.20 establishes the International Visits Program (IVP) and provides policy guidance for control over foreign visits. Foreign Visit Requests (FVR) are normally required for visits by official representatives of foreign governments or international organizations to activities and cleared contractor facilities in the U.S. or visiting at any location in the U.S. or abroad and discussing official business. Official foreign visitor access must be properly controlled to avoid inadvertent or unauthorized disclosure and to prevent unnecessary disruption to ongoing operations at Marine Corps commands where the visits take place. The final decision to host or schedule a specific visit is at the discretion of the host command or facility. All personnel who work with or have contact with foreign visitors should familiarize themselves with this Order and references (c), (d) and Part II, Chapters 8 and 9 of reference (t), which provide further guidance for conducting foreign visits.

2. Command Responsibilities. Marine Corps commands that receive three or more official visits by foreign nationals per year, or that host foreign exchange or liaison personnel, are responsible for the following.

a. Establish local policy outlining the command's IVP. This policy may be contained within a larger local policy document, but it shall include at least the following:

b. Ensure that Command DDAs and FDPOCs are aware of all official foreign visits at commands and that they review and process the foreign visits using the guidance provided in Chapters 8 and 9 of the DON Foreign Disclosure Manual. DDA/FDPOC responsibilities are:

(1) Regularly access the FVS

(2) Properly staff FVRs

(3) Ensure foreign disclosure is addressed and properly documented for each visit which discloses CUI or CMI.

c. Ensure that Contact Officers are assigned for all one time or recurring foreign visitors. This assignment does not need to be in writing.

21 Dec 2012

(1) The Contact Officer for a one-time or recurring visit should normally be the "knowledgeable U.S. point of contact" listed on the foreign visit request who coordinates the visit with the embassy.

(2) The Contact Officer is responsible for controlling the activities of the foreign visitor(s) and for ensuring that the disclosure of CUI or CMI conforms to that authorized by the DDA and should be familiar with Chapters 8 and 9 of reference (t) and reference (d).

(3) The Contact Officer must be provided a copy of the most current approved FVR prior to the visit and should ensure that the foreign visitor(s) are logged into FVS-CM, outlined below. Guidance regarding Contact Officers for extended foreign visitors is outlined in enclosure (6) of this order.

(d) Establish local visits coordination procedures which outline the internal staffing process for foreign visits.

(e) Establish a single account in the FVS, with individual logins set up for each person requiring access to that account.

(f) Establish security measures, to include oversight by Contact Officers.

(g) Establish a single account in the Foreign Visits System - Confirmation Module (FVS-CM), with individual logins set up for each person needing access to that account.

3. The Foreign Visits System (FVS). The FVS is the automated system that provides staffing and database support for processing FVRs to Marine Corps component activities and cleared defense contractors.

a. The FVS is a Secure Internet Protocol Routing network-based program used for one-time, recurring or extended official visits, as defined in enclosure (1).

b. Use of FVS for visits to Marine Corps facilities at overseas locations is controlled by reference (d).

c. Unofficial visits, as defined in enclosure (1), are outside the scope of the FVS. For a complete list of exemptions to mandatory use of FVS, see Part II, chapter 8, paragraph 20804 of reference (t).

21 Dec 2012

d. The FVS is administered by the Security Policy Automation Network (SPAN) help desk. Commands can obtain guidance to establish accounts by calling the SPAN help desk at commercial (703) 696-0610, DSN 226-0610, or by sending an email to dtsaspansupport@dtsa.smil.mil.

e. Commands shall have only one FVS account to eliminate confusion when staffing visits and to ensure the appropriate persons within the command have visibility and control of visits. Multiple personnel may hold individual logins for the command account. If a command currently has more than one account, notify DIRINT and DC, PP&O of the appropriate account to use for staffing visits.

f. All FVRs will be staffed via the FVS. Email notifications of pending FVRs may be set up with the SPAN help desk, however, all official actions shall take place in the FVS. Email responses will not be accepted, except in emergency or other unusual situations.

g. Only an Office of Primary Responsibility (OPR) may make a decision on a FVR in the FVS. The only two Marine Corps OPRs are DIRINT for all one-time and recurring FVRs; and DC, PP&O for all extended FVRs. The OPR will make decisions based upon review of applicable policies and the staffing recommendations received. OPR's decisions or other action will be one of the following:

(1) Approval. Before the OPR approves a visit, the host command shall specify recommended clearance levels, feasibility of support, coordinating instructions, and shall ensure that any CMI or CUI to be disclosed will be approved by a DDA. See reference (t) for complete information regarding OPR approval.

(2) Denial. The OPR must judiciously apply this option because denial may result in political, cultural or military repercussions. An OPR may only deny a FVR when all of the information relating to the visit exceeds disclosure classification level authorized for the visitor's government and other alternatives for meeting the visit's purpose are not available.

(3) Return Without Action. The FVR may be returned without action if the visit request is incomplete or the visit cannot be approved for any reason besides that which is disclosure policy related. FVRs returned without action require an explanation in the remarks section of the FVR.

21 Dec 2012

(4) Return Without Sponsorship. The FVR may be returned without sponsorship ("non-sponsored") if the visit is to a contractor facility and a specific DON program or contract cannot be found to support the visit.

(5) Cancellation. Either the OPR or the embassy may cancel the FVR due to a change in schedule or other circumstances. It is an administrative action that removes a FVR from FVS and can also be used to remove duplicate FVRs.

h. It is imperative that an initial foreign disclosure review is coordinated before the visit is recommended for approval in the FVS so that the anticipated clearance level for the visit and information to be disclosed is properly identified in the approved FVR. The command DDA and/or FDPOC shall be included in the planning process of the visit to ensure that all materials and information to be disclosed have been properly identified and reviewed before the visit takes place.

i. The FVS has a downloadable user guide to assist in navigating the program; the SPAN help desk and DIRINT can also assist with specific questions about the system.

4. The Foreign Visits System - Confirmation Module (FVS-CM)

a. All Marine Corps commands which receive at least three foreign visits per year shall use FVS-CM to document visits. The FVS-CM is a Non-secure Internet Protocol Routing network-based program that allows commands to check-in foreign visitors upon arrival and track them against approved FVRs. FVS-CM is the only system that provides actual data on foreign visits. It documents that the visit took place, names of foreign individuals who actually visited, and what information was disclosed. It is also a means to document unclassified, unofficial visits to commands when no FVR can be found in FVS and the command chooses not to turn the visitor away for political or other reasons.

b. Like the FVS, the FVS-CM is administered by the SPAN office. Commands can obtain guidance to establish accounts by calling the SPAN help desk at commercial (703) 696-0610, DSN 226-0610, or by sending an email to dtsaspansupport@dtسا.mil.

(1) Commands shall have only one account in FVS-CM.

(2) Multiple individuals may hold logins for the one command account.

21 Dec 2012

(3) Command accounts must be accessed by those individuals who will actually check the foreign visitors onto the base or into the command, which should normally be the Contact Officer for the visit.

(4) FVS-CM has a downloadable user manual to obtain guidance on navigating the system. The SPAN help desk and DIRINT are also available to assist.

(5) Commands that receive less than three foreign visits per year should request that senior Marine Corps commands record the visit information in FVS-CM.

21 Dec 2012

Extended Visit Contact Officer Responsibilities1. Command Responsibilities

a. U.S. Contact Officers for all extended foreign visitors to include Personnel Exchange Program (PEP), Foreign Liaison Officers (FLO), Engineer and Scientist Exchange Program (ESEP), and Cooperative Program Personnel (CPP), must be appointed in writing by their commands. Contact Officers must be equal or higher in rank than the foreign visitor to which they are assigned. Note that Contact Officers for one-time or recurring visits need not be appointed in writing, and disclosure guidance need not be in the form of a DDL.

b. The following documents must be completed and maintained by extended visit Contact Officers, with copies forwarded to the command Designated Disclosure Authority (DDA) or the first DDA in the chain of command and to DC PP&O (PLU-9).

(1) Contact Officer Assignment Letter.

(2) Contact Officer Acceptance Letter.

(3) Appropriate Understanding of Conditions and Responsibilities Letter

Note: Examples of the above listed letters can be found later in this enclosure.

2. Extended Visit Contact Officer Responsibilities

a. Control access to CUI and CMI in accordance with references (a) through (c) and (t), local command policy, and in coordination with DDAs.

b. Act as the subject matter expert regarding the DDL and the FVR and provide guidance to all personnel who will have contact with the assigned foreign personnel.

c. Coordinate all foreign disclosure that is not clearly outlined in the DDL with the command DDA or FDPOC or, if one is not assigned, the first DDA or FDPOC in the chain of command.

21 Dec 2012

d. Coordinate FLO actions and requests for information with the stakeholders and the DDA, as appropriate.

e. Coordinate all visits by FLOs to commands outside of their permanent duty stations with the host commands and ensure approved one-time or recurring FVRs are in place and that disclosure guidance has been passed to Contact Officers at the host commands.

f. Provide proper turnover with replacement Contact Officers and notify the chain of command about possible gaps in coverage.

g. Maintain copies of appropriate international agreements regarding the PEP/FLO assignments; contact PP&O (PLU) for the latest copies of agreements.

h. Provide the DDL to commands that host one-time or recurring visits by PEPs for visits that are in the line of duty for the PEP billet.

i. Complete Contact Officer training as prescribed by the command DDA or DC PP&O (PLU-9).

21 Dec 2012

5510

Ser

Date

From: Commanding Officer (HOST COMMAND)
To: Deputy Commandant for Plans, Policies and Operations
(PLU-9)

Subj: ASSIGNMENT AND ACCEPTANCE OF CONTACT OFFICER DUTIES FOR
(NAME OF PEP/FLO), (HOME SERVICE), PERSONNEL EXCHANGE
PROGRAM/FOREIGN LIAISON

Ref: (a) Identify Applicable Delegation of Disclosure
Authority Letter (DDL)
(b) DoD Directive 5230.20, "Subject," 22 Jun 2005

1. The U.S. Contact Officer assigned to (NAME OF PEP/FLO),
serving as (BILLET NAME) at (HOST COMMAND) from (START DATE)
through (END DATE) is:

U.S. Contact Officer's name, Rank
Address
Phone: Commercial (XXX) XXX-XXXX
DSN XXX-XXX-XXXX

2. The U.S. Contact Officer is responsible for ensuring that
U.S. classified and controlled unclassified information
disclosed to (NAME OF PEP/FLO), (HOME SERVICE) is strictly in
conformance with references (a) and (b). The U.S. Contact
Officer is also responsible for controlling access to classified
or controlled unclassified materials, controlling visits to
other activities, and ensuring the disclosure limitations and
restrictions are met in the case of (NAME OF PEP/FLO).

3. The U.S. Contact Officer is responsible for full
understanding of the current disclosure authority provided by
reference (a).

4. Should the Contact Officer be transferred, a new U.S.
Contact Officer will be assigned and a copy of the appointment
letter forwarded to your office.

COMMANDING OFFICER or "By Direction"

21 Dec 2012

Appointment And Acceptance of Contact Officer Duties For (Name
of PEP/FLO), (Nationality)

I accept the designation of U.S. Contact Officer and fully understand the duties and responsibilities associated with this assignment. I also understand that I must ensure that:

a. (NAME OF PEP/FLO) understands the terms of his or her certification agreement including responsibilities and limitations.

b. (NAME OF PEP/FLO) is provided access only to that U.S. classified and controlled unclassified information that has been authorized for release to his or her government and is necessary to fulfill the terms of his or her assignment.

c. U.S. co-workers and others with whom he or she has contact are informed of the limitations on access to U.S. information by (NAME OF PEP/FLO) and their responsibilities in dealing with him or her.

Contact Officer

Date

21 Dec 2012

Personnel Exchange Program Officer Understanding of Conditions
and Responsibilities

I understand that I am certified as a representative of the [insert the foreign government defense organization] under the auspices of an international agreement and an extended visit authorization to the United States Marine Corps (USMC) [Insert Agency or Organization] as a Foreign Exchange Officer. I understand that my status with USMC [insert Agency or Organization] and the functions that I may perform are described in the international agreement, the request for an extended visit and the DoD authorization for the visit, which constitutes the certification for my assignment, and may not be altered except upon the request of my government and further certification by the USMC [insert Agency, or Organization]. I understand that I will be subject to the jurisdiction of U.S. federal, state, and local laws, except as provided by treaty, other specific legal authority, or the terms of any diplomatic immunity which I may have been granted. I understand that my assignment does not bestow diplomatic or other special privileges. I further understand that I am expected to comply with the following conditions and responsibilities.

(1) My Contact Officer is: [insert name of contact officer/contact officers]. I, [insert the name of the Exchange Officer] understand and acknowledge that I have been assigned as an exchange officer to the USMC [insert Agency or Organization] pursuant to an international agreement between the [insert the foreign government defense establishment] and the U.S. DoD, and that I fully understand (a) the purpose of my certification; (b) the terms and conditions of my certification; and (c) the consequences of non-compliance with the terms of the certification. I further acknowledge that I shall comply with the conditions and responsibilities of my certification and this Understanding.

(2) My activities shall be limited to the functions described in the international agreement, the certification for my assignment, and the position description for the position to which I am assigned. I will not serve in a position that will require me to act in an official capacity for the USMC organization to which I am assigned, such as commanding or rating USMC employees, performing as a security officer, making decisions on U.S. programs, or managing U.S. Government funds. Because I will work for the USMC, subject to specified legal and policy limitations, I will not concurrently perform functions as a liaison officer for my government. If I am requested or

21 Dec 2012

directed to perform any of the foregoing functions, I will immediately notify my USMC supervisor or Contact Officer.

(3) All costs associated with my assignment shall be the responsibility of my government, including, but not limited to, travel, office space, clerical services, quarters, rations, and medical and dental services. Costs associated with duties assigned to me as an exchange officer shall be the responsibility of the host USMC organization.

(4) If my government desires to request an extension or revalidation of my assignment beyond the original dates for which I am certified, a new request for an extended visit shall be submitted not later than 30 days prior to the expiration date of the current extended visit authorization.

(5) A Contact Officer(s) shall be assigned to sponsor me during my assignment to the USMC [*insert Agency or Organization*]. I further understand that I shall coordinate, through my Contact Officer, all requests for information, visits, and other business that fall under the terms of my certification. I also understand that requests for information that are beyond the terms of my certification shall be made through the office of my government's Defense Attaché in Washington, DC.

(6) Visits by me to DoD organizations or contractor facilities other than those specified in the certification for my assignment, except visits directly related to my exchange officer duties when directed by my host supervisor, shall be requested through the office of my government's Defense Attaché in Washington, DC.

(7) I shall wear my national military uniform when conducting business with the DoD or DoD contractor facilities, unless otherwise approved by my Contact Officer. I shall comply with my parent government's service uniform regulations. I may be required to wear an installation or building badge that identifies me as a foreign representative when installation or building badges are required for U.S. personnel. When not in uniform, I also may be required to wear a building or installation badge that identifies me as a foreign government representative.

(8) My duty hours are the duty hours established for USMC or U.S. contractor employees by the organization or facility to

21 Dec 2012

which I am assigned. I will have unescorted access to my work area at the organization or facility only during such hours, Monday through Friday on scheduled U.S. Government work days. Should I require access to my work area during other periods, I am required to request permission from the Command Security Officer, through my DoD supervisor or Contact Officer, and I may be accompanied by an escort during such periods. Any incremental cost incurred as a result of such non-duty access shall be reimbursed to the U.S. Government.

(9) My access to information will be limited to that information determined by my supervisor or Contact Officer to be necessary to fulfill the requirements of the certification under which I am assigned. Access to information that is not covered by the certification will be denied until such time as the extended visit authorization is amended by my government and the U.S. DoD. I also understand that I may not have unsupervised access to U.S. Government information technology systems, unless the information accessible on the system is authorized for disclosure to my government in accordance with applicable U.S. law, regulations, and policy.

(10) All information to which I may have access during my certification will be treated as information provided to my government in confidence and shall not be further released or disclosed by me to any person, firm, organization, or government of another country without the prior written authorization of the U. S. Government.

(11) I will immediately report to my supervisor or Contact Officer should I obtain or become knowledgeable of information for which I am not authorized access. I further agree that I will report to my supervisor or Contact Officer any incidents of my being offered or provided information that I am not authorized to have.

(12) If I am to act as a courier to hand carry classified material for my government, I must have courier orders issued by my government and the necessary personal identification and security documentation required by carrier and port security officials and Customs officials. I will be required to sign a receipt for the classified material.

(13) When dealing with persons outside my assigned work area on official matters, I will ensure such persons know that I am a foreign government representative.

21 Dec 2012

(14) I understand that failure to comply with the terms of the applicable agreement, my certification, and this Understanding may result in termination of my assignment. I further understand that the termination of my assignment does not preclude further disciplinary action in accordance with applicable laws, treaties, or international agreements.

Exchange Officer Signature/ Date

21 Dec 2012

Foreign Liaison Officer Understanding of Conditions and
Responsibilities

I understand that I am certified as a representative of the [insert the foreign government defense organization] under the auspices of an international agreement and an extended visit authorization to the United States Marine Corps (USMC) (insert agency or Organization) as a *Foreign Liaison Officer*. I understand that my status with the USMC [insert the Agency or Organization] and the functions that I may perform are described in the international agreement, the request for an extended visit and the DoD authorization for the visit, which constitutes the certification for my assignment, and may not be altered except upon the request of my government and further certification by the USMC [Insert the Agency, or Organization]. I understand that I will be subject to the jurisdiction of U.S. federal, state, and local laws, except as provided by treaty, other specific legal authority, or the terms of any diplomatic immunity which I may have been granted. I understand that my assignment does not bestow diplomatic or other special privileges. I further understand that I am expected to comply with the following conditions and responsibilities.

(1) My Contact Officer is: [insert name of contact officer(s)]

(2) I am certified to the USMC [insert the Agency or Organization] in support of the following programs: [List the programs or topics that are specified in the certification and the locations to be visited in connection each program or topic]. I, [insert the name of the FLO] understand and acknowledge that I have been assigned as a *liaison officer* to the USMC [insert the Agency or Organization] pursuant to an international agreement between the (insert the foreign government defense establishment) and the U.S. DoD, and that I fully understand (a) the purpose of my certification; (b) the terms and conditions of my certification; and (c) the consequences of non-compliance with the terms of the certification. I further acknowledge that I shall comply with the conditions and responsibilities of my certification and this Understanding.

(3) My activities shall be limited to the representational responsibilities of my government as specified in the international agreement and the certification for my assignment

21 Dec 2012

and that I am expected to present the views of my government with regard to the issues that my government and the U.S. Government have a mutual interest, as specified in the agreement [if the assignment is pursuant to an annex insert: or annex thereto].

(4) All costs associated with my assignment shall be the responsibility of my government, including, but not limited to, travel, office space, clerical services, quarters, rations, and medical and dental services.

(5) If my government desires to request an extension or revalidation of my assignment beyond the original dates for which I am certified, a new request for an extended visit shall be submitted not later than 30 days prior to the expiration date of the current extended visit authorization.

(6) A Contact Officer(s) shall be assigned to sponsor me during my assignment to the USMC [insert the Agency or Organization]. I further understand that I shall coordinate, through my Contact Officer, all requests for information, visits, and other business that fall under the terms of my certification. I also understand that requests for information that are beyond the terms of my certification shall be made through the office of my government's Defense Attaché in Washington, DC.

(7) Visits by me to DoD organizations or contractor facilities other than those specified in the certification for my assignment shall be requested through the office of my government's Defense Attaché in Washington, DC.

(8) I shall wear my national military uniform when conducting business with the DoD or DOD contractor facilities, unless otherwise approved by my Contact Officer. I shall comply with my parent government's service uniform regulations. I may be required to wear an installation or building badge that identifies me as a foreign representative when installation or building badges are required for U.S. personnel. When not in uniform, I also may be required to wear a building or installation badge that identifies me as a foreign government representative.

(9) My duty hours are the duty hours established for DoD or U.S. contractor employees by the organization or facility to which I am assigned. I will have unescorted access to my work

21 Dec 2012

area at the organization or facility only during such hours, Monday through Friday on scheduled U.S. Government work days. Should I require access to my work area during other periods, I am required to request permission from the Command Security Officer, through my DoD supervisor or Contact Officer, and I may be accompanied by an escort during such periods. Any incremental cost incurred as a result of such non-duty access shall be reimbursed to the U.S. Government.

(10) My access to information will be limited to that information determined by my supervisor or Contact Officer to be necessary to fulfill the requirements of the certification under which I am assigned. Access to information that is not covered by the certification will be denied until such time as the extended visit authorization is amended by my government and the U.S. DoD. I also understand that I may not have unsupervised access to U.S. Government information technology systems, unless the information accessible on the system is authorized for disclosure to my government in accordance with applicable U.S. law, regulations, and policy.

(11) All information to which I may have access during my certification will be treated as information provided to my government in confidence and shall not be further released or disclosed by me to any person, firm, organization, or government of another country without the prior written authorization of the U. S. Government.

(12) I will immediately report to my supervisor or Contact Officer should I obtain or become knowledgeable of information for which I am not authorized access. I further agree that I will report to my supervisor or Contact Officer any incidents of my being offered or provided information that I am not authorized to have.

(13) If I am to act as a courier to hand carry classified material for my government, I must have courier orders issued by my government and the necessary personal identification and security documentation required by carrier and port security officials, and Customs officials. I will be required to sign a receipt for the classified material.

(14) I understand that failure to comply with the terms of the applicable agreement, my certification, and this Understanding may result in termination of my assignment. I

21 Dec 2012

further understand that the termination of my assignment does not preclude further disciplinary action in accordance with applicable laws, treaties, or international agreements.

Liaison Officer Signature/Date