

**BY ORDER OF THE SECRETARY
OF THE AIR FORCE**

AIR FORCE POLICY DIRECTIVE 16-2

17 OCTOBER 2019

Operations Support



**DISCLOSURE OF MILITARY
INFORMATION TO FOREIGN
GOVERNMENTS AND
INTERNATIONAL ORGANIZATIONS**

COMPLIANCE WITH THIS PUBLICATION IS MANDATORY

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This publication may not be supplemented and implements Department of Defense Directive 5111.21, *Arms Transfer and Technology Release Senior Steering Group and Technology Security and Foreign Disclosure Office*; Department of Defense Directive 5230.11, *Disclosure of Classified Military Information to Foreign Governments and International Organizations*; Department of Defense Instruction 2040.02, *International Transfers of Technology, Articles, and Services*; and Department of Defense Instruction 5030.14, *Disclosure of Atomic Information to Foreign Governments and Regional Defense Organizations*. This Policy Directive establishes Air Force policy for foreign disclosure and technology transfer under the direction of the Deputy Under Secretary of the Air Force, International Affairs (SAF/IA). This directive applies to all military and civilian members of the Regular Air Force, Air Force Reserve, and Air National Guard, and those with a contractual obligation to comply with Air Force publications. Ensure all records created as a result of processes prescribed in this publication are maintained in accordance with Air Force Manual 33-363, *Management of Records*, and disposed of in accordance with the Air Force Records Information Management System. Refer recommended changes and questions about this publication to the Office of Primary Responsibility using the Air Force Form 847, *Recommendation for Change of Publication*, route Air Force Forms 847 from the field through the appropriate functional command. This publication may not be supplemented.

SUMMARY OF CHANGES

This policy was updated to include current National, Department of Defense, and Air Force policy guidance.

1. Overview. Military information and technology must be protected from unauthorized disclosures to foreign entities. Air Force disclosure policies permit the release of military information under specific circumstances, when transferred as authorized by national security and foreign policy, and when it has a clearly defined advantage for the United States. This directive establishes Air Force policy on foreign disclosures.

2. Policy.

2.1. The Air Force will avoid creating a false impression of its readiness to make available military materiel, technology, or information to foreign nations. All Air Force releases of information to foreign entities must be authorized in advance and in accordance with *National Disclosure Policy-1* criteria. The Air Force will ensure that only designated Air Force disclosure authorities approve or authorize foreign disclosures of military information under Air Force jurisdiction or control to foreign governments, international organizations, and their representatives.

2.2. The policies issued in this Air Force Policy Directive apply to all controlled unclassified information, classified military information, and technical data, as described in Title 22, Code of Federal Regulations Section 120-130, *International Traffic in Arms Regulations*.

2.3. The policies set forth in this Air Force Policy Directive do not apply to Air Force disclosures of:

2.3.1. Military information subject to Air Force Policy Directive 35-1, *Public Affairs Management*,

2.3.2. Narcotics intelligence, counter-intelligence, or special compartmented information or systems; or

2.3.3. United States military equipment or information relating to communications security, telecommunications security, or information security, including cryptographic devices and systems.

2.4. The policies set forth in this Air Force Policy Directive may apply to disclosures processed under the Freedom of Information Act if the requests qualify for disclosure in accordance with the statutory exemption provided by *Title 5 United States Code Section 552(b)(3) of the Freedom of Information Act*.

3. Roles and Responsibilities.

3.1. **The Secretary of the Air Force (SecAF).** Is responsible for ensuring that disclosures and denials of military information originating within the United States Air Force to foreign governments or international organizations comply with National Disclosure Policy-1, *National Policy and Procedures for the Disclosure of Classified Military Information to Foreign Governments and International Organizations*, Department of Defense Directive 5230.11, *Disclosure of Classified Military Information to Foreign Governments and*

International Organizations, Department of Defense Instruction 5030.14 *Disclosure of Atomic Information to Foreign Governments and Regional Defense Organizations*, as well as guidance issued by the National Disclosure Policy Committee, Military Intelligence Disclosure Policy Committee.

3.2. The Deputy Under Secretary of the Air Force, International Affairs (SAF/IA). Is designated as the Air Force disclosure authority, as defined in National Disclosure Policy-1, and is responsible for ensuring disclosure decisions conform with National Disclosure Policy-1. SAF/IA also serves as the designated point of contact for export licensing and technology transfer, and provides assessments to other Federal agencies on dual use licensing technologies as part of the Technology Transfer process, and participates in the Arms Transfer and Technology Release Senior Steering Group on technology security and foreign disclosure recommendations.

3.3. The Deputy Chief of Staff for Intelligence, Surveillance, and Reconnaissance (Air Force/A2). Serves, on behalf of the Secretary of the Air Force, as the Air Force's Principal Member on the Military Intelligence Disclosure Policy Committee, the governing authority for disclosure and release of classified military intelligence, as defined by Category 8, *Military Intelligence*, in National Disclosure Policy-1.

MATTHEW P. DONOVAN
Acting, Secretary of the Air Force

Attachment 1**GLOSSARY OF REFERENCES AND SUPPORTING INFORMATION*****References***

DoDD 5111.21, *Arms Transfer and Technology Release Senior Steering Group and Technology Security and Foreign Disclosure Office*, 14 October 2014

DoDD 5230.11, *Disclosure of Classified Military Information to Foreign Governments and International Organization*, 16 June 1992

DoDI 2040.02, *International Transfers of Technology, Articles, and Services*, 27 March 2014

DoDI 5030.14, *Disclosure of Atomic Information to Foreign Governments and Regional Defense Organizations*, 17 August 2011

AFMAN 33-363, *Management of Records*, 1 March 2008

National Disclosure Policy (NDP-1), *National Policy and Procedures for the Disclosure of Classified Military Information to Foreign Governments and International Organizations*, Change 5 incorporated, 14 February 2017

International Traffic in Arms Regulations (22 CFR Part 120-130)

AFPD 35-1, *Public Affairs Management*, 8 May 2018

Freedom of Information Act (*5 United States Code, Section 552(b)(3)*)

Adopted Form

AF Form 847, *Recommendation for Change of Publication*