



UNITED STATES MARINE CORPS

MARINE CORPS BASE
QUANTICO, VIRGINIA 22134-5001

MCBO 5510.2
B054
19 Mar 12

MARINE CORPS BASE ORDER 5510.2

From: Commander

To: Distribution List

Subj: FOREIGN DISCLOSURE OF CLASSIFIED MILITARY INFORMATION
(CMI) AND CONTROLLED UNCLASSIFIED INFORMATION (CUI)

Ref: (a) MCO 5510.20A

Encl: (1) Marine Corps Foreign Disclosure Definitions

1. Situation. It is the policy of the U.S. Government and by extension thereof, Marine Corps Base, Quantico (MCBQ) to treat CMI and CUI as a national security asset, which must be conserved and safeguarded. MCBQ routinely interacts with allies, partnered nation forces and foreign militaries and may share CMI and CUI with foreign entities when there is a clearly defined benefit to the U.S. The reference provides policy and authority for disclosure and release of CMI or CUI by Marine Corps activities to foreign governments and international organizations.

2. Mission. To provide policy, procedures, guidance and specify the authority for disclosure and release of CMI and CUI to officials of foreign governments and international organizations throughout MCBQ as required by the reference.

3. Execution

a. Commander's (Comdr) Intent and Concept of Operations

(1) Comdr's Intent

(a) MCBQ 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 national security interests.

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

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(c) Requests for foreign disclosure will be processed and coordinated per the reference and this Order.

(2) Concept of Operations

(a) To facilitate coordination and control of foreign disclosures within MCBQ, the Comdr MCBQ holds a Designated Disclosure Letter (DDL) from Commanding General, Marine Corps Installations Command, for Categories 1, 5, 6 and 7 as approved through U.S. Marine Corps (HQMC) Plans, Policies and Operations (PP&O)/present level of understanding.

(b) The MCBQ Command Security Manager has been appointed as the MCBQ Designated Disclosure Authority (DDA) for NDP-1 Categories 1, 5, 6 and 7, General Service (GENSER) DDA.

(c) The foreign disclosure process includes a critical 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.

(d) No MCBQ Command Element Division, Special Staff Section official, or MCBQ Major Subordinate Command (MSC) official will disclose or direct the disclosure of CMI or CUI except as approved or authorized by the respective MCBQ, DDA.

b. MCBQ MSCs (Commanding Officer, Headquarters & Service Battalion and Commanding Officer, Security Battalion will:

(1) Designate in writing the Command Security Manager as the foreign disclosure point of contact (FDPOC) to serve as the command's focal point for all foreign disclosure issues. The FDPOC duties include, but are not limited to, coordinating foreign disclosure requests to the MCBQ DDA, managing the foreign visits program, and ensuring command wide action officer oriented foreign disclosure awareness training is conducted on an annual basis if required.

(2) Ensure appointed FDPOCs complete the Foreign Disclosure Officer training at <http://www.dss.mil/seta/seta.html> and furnish a copy of the completed certificate to the MCBQ GENSER DDA.

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c. Ensure the Marine Corps Foreign Personnel Exchange Program Officers (MCFPEPO) and Foreign Liaison Officers (FLO) billets meet the following requirements:

- (1) Written billet description.
- (2) Extended foreign visit request/security assurance.
- (3) Appointment of a primary and alternate contact officer.
- (4) A billet specific DDL.

d. Maintain a current listing of all foreign nationals, foreign government representatives and international organization representatives that have occasion to receive CMI or CUI within the purview of this Order. Typically this list will embody all assigned MCFPEPOs and FLOs.

(1) Disclosure approval does not include authority for the release of classified documents, materials, or equipment unless explicitly stated in the disclosure authorization. If release of CMI or CUI is required, requests must indicate such and provide ample justification for release in lieu of oral/visual disclosure.

(2) All MCFPEPOs and FLOs are on extended foreign visits for which a billet specific DDL is issued by HQMC. Foreign disclosure in connection with extended foreign visits is governed by the applicable DDL and managed by the assigned contact officers.

(3) Other Non-OCNUS foreign visits, including one time, recurring, and emergency visits are processed via the Foreign Visit System. Should foreign disclosure of U.S. CMI or CUI be deemed necessary in connection with these visits, a foreign disclosure review/approval by the MCBQ DDA is required prior to disclosure. MSC FDPOCs will make liaison with the MCBQ DDA for the purpose of reviewing any information intended for release to Foreign Nationals which has not already been approved for release.

(4) All MCBQ Contact Officers shall complete the Defense Security Service online Contact Officer curriculum provided at: <http://www.dss.mil/seta/seta.html> and assume a working knowledge of this Order and the reference.

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(5) FDPOCs are responsible for conducting annual foreign disclosure refresher training. Additional foreign disclosure training will be at the discretion of the MCBQ GENSER DDA.

e. Reporting Compromises of U.S. CMI Furnished to Foreign Governments or Organizations. MCBQ components having knowledge of compromises of U.S. classified information to foreign governments shall promptly inform the Comdr MCBQ. The originating MCBQ component shall conduct a damage assessment and forward the results to the Comdr MCBQ who will in turn report it to the National Disclosure Policy Committee via Deputy Commandant of PP&O.

4. Administration. The enclosure is a comprehensive list of definitions and terms used throughout the foreign disclosure process.

5. Command and Signal

a. Command. This Order is effective the date signed.

b. Signal. This Order is applicable to all units and personnel within MCBQ.

/s/
D. J. CHOIKE

DISTRIBUTION: A

Marine Corps Foreign Disclosure Definitions

1. Assignment. The placement of a visitor who is a military or civilian employee of a foreign government or international organization on the premises of a Marine Corps component, 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 embodied in oral, visual, or 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 Executive Order 12958 as amended.

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.

4. Controlled Unclassified Material (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 US information that is determined to be exempt from public disclosure or that is subject to export controls.

5. Cooperative Program. 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 or a cooperative research and development program defined in a written agreement with the North Atlantic Treaty Organization (NATO) and major non-NATO allies.

6. Cooperative Program Personnel (CPP). Military or civilian employees of a foreign government or international organization who are assigned to a cooperative program at a DoD component or DoD contractor facility.

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7. Delegation of Disclosure Authority Letter (DDL). A letter issued by the appropriate Principle Disclosure Authority (PDA) or Designated Disclosure Authority (DDA) describing classification levels, categories, scope, limitations, and procedures related to information under a Marine Corps component's disclosure jurisdiction that may be disclosed to specific foreign governments or international organizations or their representatives for a specified purpose.
8. DDA. A military or civilian government official designated by the Head of a DoD component or by the DoD component's PDA, who has been delegated disclosure authority in a DDL to control disclosure of CMI and CUI to foreign governments and international organizations.
9. Export Authorization. An approved numbered license or agreement.
10. Foreign. Away from one's own native country; subject to the jurisdiction of another political unit.
11. Foreign Disclosure. Conveying information, in any manner, to an authorized representative of a foreign government or international organization.
12. Foreign Disclosure System (FDS). The automated system managed by the Office of the Under Secretary of Defense for Policy (OUSDP) that supports and facilitates decisions on the foreign disclosure, International Visits Program (IVP), and export licensing processes by maintaining records of precedence on foreign disclosure decisions. Note: decisions may be documented in another system if approved by OUSDP.
13. 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 US or its territories; and any person who is not a citizen or national of the US.
14. 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

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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 the Marine Corps chain of command but to his/her own government.

15. Foreign National. Any person who is not a citizen or national of the US.

16. 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 US, 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.

17. Foreign Visit. A foreign national enters or proposes to enter a Marine Corps component 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.

18. Foreign Visit System. The automated system managed by the OUSD(P) that provides staffing and database support for processing Requests for Visits (RFV) by foreign government representatives to Marine Corps component activities and cleared defense contractors.

19. Government-to-Government Principle. 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.

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

21. 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.

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22. 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.

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

24. Meeting. A conference, seminar, symposium, exhibit, convention, training course, or other gathering during which CMI or CUI is disclosed.

25. Official Visit. An occasion when a foreign national visits to perform official business approved by the sponsoring government or by the international organization.

26. Originating Marine Corps Component. The Marine Corps organization that exercises original classification jurisdiction for classified information.

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

28. Principal Disclosure Authority (PDA). A senior military or civilian government official appointed in writing by the Head of a DoD component as the senior foreign disclosure authority for that component, who is responsible for the establishment of an effective foreign disclosure program.

29. Public Domain. Information certified for public release by a DoD public affairs officer (PAO), an empowered company representative (for unclassified, company-proprietary information), or DoD material marked as "Distribution Statement A." (Note: An item's appearance on the internet does not, by itself, certify that it is officially public domain). Public domain constitutes published information generally available to the public through sales at newsstands and bookstores; unrestricted subscriptions; second class mail; available through

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libraries or at the Patent Office; public distribution at conferences, seminars, meetings, etc.; or through fundamental-level research at accredited science and engineering institutions of higher learning.

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

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

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

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

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

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