



DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
2 NAVY ANNEX
WASHINGTON, DC 20380-1775

MCO 5510.20
IOC
1 Nov 02

MARINE CORPS ORDER 5510.20

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 of 16 Jun 92 (NOTAL)
(b) National Disclosure Policy (NDP-1) (NOTAL)
(c) SECNAVINST 5510.34 (NOTAL)
(d) MCO 5510.16A
(e) DOD Directive C-5230.23 of 18 Nov 83 (NOTAL)
(f) DIA Regulation 60-28 (NOTAL)
(g) MCO 5700.4D
(h) MCO P5510.18A
(i) MCO 4950.2

Encl: (1) Request for Disclosure Authorization Letter Format
(2) Delegation of Disclosure Authorization Letter Format
(3) Definitions

1. Situation. This Order establishes U.S. Marine Corps (USMC) policy, procedures, authority, and responsibilities for the disclosure of U.S. Controlled Unclassified Information (CUI) and Classified Military Information (CMI) to foreign governments and interests.

2. Cancellation. Paragraphs 4a(3), 4f, and 8 of MCO 5510.16A.

3. Mission. The USMC will support national disclosure policy and provide appropriate safeguards for the protection of our national security interests. CUI and CMI are national security assets and will be protected. CUI and CMI shall be shared with foreign governments only when there is a clearly defined benefit to the U.S. Disclosures of such information will only be made when authorized by an official designated by this Order and when all requirements of this Order and references are met.

Distribution Statement A: Approved for public release;
distribution is unlimited.

4. Execution

a. Commander's Intent and Concept of Operations

(1) Commander's Intent

(a) The USMC 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.

(b) The disclosure of CUI and CMI 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 and not merely reaffirm previous disclosure decisions.

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

(2) Concept of Operations

(a) To ensure proper coordination and control of foreign disclosure within the USMC, authority for the disclosure of CMI, Categories 1 through 7, is delegated to Deputy Commandant, Plans, Policies, and Operations (DC, PP&O). Authority for the disclosure of CMI, Category 8, is delegated to the Director of Intelligence (DIRINT).

(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 USMC will disclose or direct the disclosure of CUI or CMI except as approved or authorized by DC, PP&O or DIRINT, as appropriate.

(d) CUI and CMI 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. Subordinate Element Missions. Responsibilities of HQMC staff agencies and Marine Corps commands and activities.

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

(a) Process all requests for disclosure and release of CUI and CMI, Categories 1 through 7, in accordance with references (a) through (d).

(b) Coordinate with appropriate Navy International Programs Office (NIPO), HQMC staff agencies, USMC commands, and contractor facilities regarding request for disclosure and release of CUI and CMI.

(c) Process all disclosure authorizations for Marine Corps Foreign Personnel Exchange Program (MCFPEP) assignments in accordance with references (a) and (c).

(d) Process all disclosure authorizations for security assistance and operational foreign liaison officers in accordance with references (a) and (c).

(2) Deputy Commandant for Aviation. In coordination with DC, PP&O, assist with providing disclosure authorization guidance and limitations on all aviation-related matters.

(3) Deputy Commandant for Installations and Logistics. In coordination with DC, PP&O, assist with providing disclosure authorization guidance and limitations on all installation and logistics-related matters.

(4) Deputy Commandant, Manpower and Reserve Affairs. Submit to DC, PP&O, all requests for disclosure regarding foreign personnel assigned to the MCFPEP.

(5) Director Command, Control, Communications, and Computers. In coordination with DC, PP&O, assist with providing disclosure authorization guidance and limitations on all command, control, communications, and computer-related matters.

(6) Director of Intelligence

(a) In coordination with the Central Intelligence Agency, the National Security Agency (NSA), the Defense Intelligence Agency (DIA), appropriate unified commands, and

1 Nov 02

USMC commands process all requests for disclosure and release of CMI, Category 8, in accordance with references (a) through (f).

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

(c) Assist DC, PP&O with providing disclosure authorization guidance and limitations for all CMI, Category 8, for MCFPEP assignments in accordance with references (a) through (g).

(7) Director of Administration and Resource Management. Establish educational requirements and support for foreign disclosure within the Marine Corps security education program in accordance with reference (h).

(8) 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 regarding foreign disclosure.

(9) Marine Corps Commanders/Commanding Generals and Contractor Facility Directors

(a) Ensure USMC foreign disclosure and release actions are conducted in accordance with applicable directives, regulations, instructions, and orders.

(b) Submit requests to DC, PP&O for disclosure or release regarding CUI and CMI, Categories 1 through 7, when required to support a foreign visit, cooperative program, or security assistance program.

(c) Submit request to DIRINT for disclosure or release regarding CMI, Category 8, when required to support a foreign visit, cooperative program, or security assistance program.

(d) Establish and maintain, at the lowest supporting level, local standard operating procedures, directives, and guidance regarding foreign disclosure.

1 Nov 02

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

c. Coordinating Instructions

(1) The DIA assists with the coordination and processing of USMC requests for disclosure of CMI, Category 8, to foreign governments and interests.

(2) The NIPO coordinates with DC, PP&O all exceptions to national disclosure policy and requests for disclosure of CMI, Categories 1 through 7, to foreign governments and interests pertaining to the USMC.

(3) Requests for disclosure of CMI, Categories 1 through 7, will be forwarded by the respective USMC command or HQMC staff agency to DC, PP&O for disclosure authorization. Format for disclosure requests is contained in enclosure (1). This can be accomplished by letter or naval message and should include supporting rationale. If approved, DC, PP&O will issue a delegation of disclosure authority letter, enclosure (2), to the requesting USMC command or HQMC staff agency providing disclosure guidance and limitations. Requests that do not provide sufficient detail on which to base a decision will be denied or returned for further justification, as appropriate.

(4) Requests for disclosure of CMI, Category 8, will be forwarded to DIRINT for disclosure authorization. Requests will be formatted as indicated in enclosure (1). If approved, DIRINT will issue a delegation of disclosure authority letter, enclosure (2), to the requesting USMC command providing disclosure guidance and limitations. Requests that do not provide sufficient detail on which to base a decision will be denied or returned for further justification, as appropriate.

(5) A disclosure authorization letter does not include authority for the release of classified documents or materials, unless explicitly stated in the disclosure authorization letter. If required to release classified information, requests for disclosure must indicate such and provide ample justification for release.

(6) Foreign nationals are permitted to take part in classified training provided it has been authorized per

MCO 5510.20

1 Nov 02

procedures outlined in references (a) and (i). The applicability of these directives is not affected by this Order.

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

5. Administration and Logistics. Definitions used in this Order are contained in enclosure (3).

6. Command and Signal

a. Signal. This Order is effective immediately and will remain in effect until superseded.

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



W. L. NYLAND
Assistant Commandant
of the Marine Corps

DISTRIBUTION: PCN 10208490800

Copy to: 7000260 (2)
8145001 (1)

1 Nov 02

REQUEST FOR DISCLOSURE AUTHORIZATION LETTER FORMAT

SSIC
Serial
Date

From:

To:

Subj:

Ref:

Encl:

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

ENCLOSURE (1)

1 Nov 02

DELEGATION OF DISCLOSURE AUTHORITY LETTER FORMAT

SSIC
Serial
Date

From:

To:

Subj:

Ref:

Encl:

1. Classification. Identify highest level of classification to be disclosed.
2. Disclosure Methods. E.g., oral, visual, or documentary.
3. Categories Permitted. Specify national disclosure policy categories to be disclosed.
4. Scope. Specify who is authorized to release material or information, and to whom disclosure is authorized.
5. Authorization for Disclosure and Release. Describe materiel and/or information that can be disclosed and released.
6. Not Authorized for Disclosure and Release. Describe materiel or information that cannot be disclosed or released. (In addition to providing specific descriptions of releasable and restricted materiel and information, paragraph 5 and this paragraph will also specify any conditions or limitations to be imposed; e.g., time-phasing of release, allowable forms for software, identification of items releasable only as finished, tested assemblies, etc.)
7. Procedures. Specify review and release procedures, special security procedures, or protective measures to be imposed.
8. Redelegation. Specify the extent of redelegation of authority (if any) permitted to subordinate activities.

ENCLOSURE (2)

1 Nov 02

DEFINITIONS

1. Classified Military Information. Information originated by or for the Department of Defense or its agencies or under their jurisdiction or control, which requires protection in the interest of national security. Classified military information may be oral, visual, or material in form. In accordance with National Disclosure Policy, DOD Directive 5230.11 of 16 Jun 92, and SECNAVINST 5510.34B, CMI is subdivided into eight distinct categories. These categories are as follows:

a. Category 1 - Organization, Training, and Employment of Military Forces. Military information of a general nature necessary to the organization of military, paramilitary, or irregular forces to include those tactics, techniques, and tactical doctrine (including military intelligence and counterintelligence doctrine and techniques) necessary to train and employ those forces. This category does not include specific technical data or training needed to operate and maintain individual items of military materiel and munitions.

b. Category 2 - Military Materiel and Munitions. All military materiel, arms, munitions procured and controlled by the U.S. Government for the equipping, operation, maintenance, and support of its military forces or the military, paramilitary, or irregular military forces of its allies. Items developed by U.S. private interests as a result of U.S. Government contracts or derived from technology paid for by the U.S. Government are included in this category. Items on the U.S. Munitions List which may be proposed for sale abroad by U.S. private interests under the International Traffic in Arms Regulations or items specifically covered by other U.S. Government prescribed export control regulations fall within this definition. (Items under development fall within category 3.) This category also comprises information to include technical data and training necessary to operate, maintain, or support specific military materiel, arms, and munitions. It does not include information necessary to produce, coproduce, or in any other way manufacture the item.

c. Category 3 - Applied Research and Development Information and Materiel. Classified military information resulting from the extension of fundamental theories, designs, and data from purely theoretical or experimental investigation into possible military applications to include research, the construction and testing of prototypes, and such design changes

ENCLOSURE (3)

1 Nov 02

affecting qualitative performance as may be required during the service life of an item. This also includes engineering data, general operational requirements, concepts, and military characteristics required to adapt the item for production. Development ceases when materiel has completed operational suitability testing or has for all practical purposes been adapted for military use or production. It includes tactics, techniques, and tactical doctrine pertaining to specific equipment not yet in production or not yet approved for use by U.S. forces. It includes military information, materiel, or munitions under development by U.S. private interests as a result of U.S. Government contracts, or derived from technology paid for by the U.S. Government.

d. Category 4 - Production Information. Designs, drawings, specifications, models, manufacturing techniques, and related information (excluding category 3 information) necessary to manufacture military materiel and munitions. Production information includes all technical and manufacturing data packages that can be used directly in the manufacture of end items, components, or modifications, or are directly applicable to the performance of a process.

e. Category 5 - Combined Military Operations, Planning, and Readiness. That information necessary to plan, assure readiness for, and provide support to the achievement of mutual force development goals or participation in specific combined tactical operations and exercises. Includes installations and facilities located within territory under jurisdiction of, or of direct concern to, the recipient foreign government or international organization. This category is limited to that information on installations and facilities as well as readiness, planning, and operational information which is necessary to further specific multilateral or bilateral plans and agreements for common defense purposes between the U.S. and the recipient. It does not include strategic planning and guidance on North American Defense Information.

f. Category 6 - U.S. Order of Battle. Information pertaining to U.S. forces located within territory which is under jurisdiction of a recipient government or is otherwise of direct concern to a foreign government or international organization. In general, authorization is limited to U.S. Order of Battle in the recipient countries or in adjacent geographical areas.

1 Nov 02

g. Category 7 - North American Defense. North American Defense Information is that which concerns plans, programs, projects, operations, and certain specific technical data pertaining to equipment directly related to North American Defense, especially when it is originated by or under the mission and control of North American Defense. It includes but is not limited to:

(1) Plans and related documents prepared by combined United States/Canada defense agencies,

(2) Information concerning U.S. operational and logistical plans for employment of Reserve forces,

(3) Information revealing the vulnerability of North American Defense area, or the vulnerability or official appraisal of the combat readiness of any unit or facility, or the effectiveness of North American Defense systems.

h. Category 8 - Military Intelligence. Military Intelligence comprises information of a military character pertaining to foreign nation/areas. The criteria for the disclosure of intelligence are set forth in National Disclosure Policy and DOD Directive C-5230.23 of 18 Nov 83.

2. 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.)

3. Controlled Unclassified Material. Unclassified information to which access or distribution limitations have been applied in accordance with national laws, policies, and regulations of the originating country (example: "For Official Use Only" information). This includes U.S. information that is determined to be exempt from public disclosure in accordance with DOD Directives 5230.25 of 6 Nov 84 and 5400.7 of 27 Sep 97 (NOTAL), or that is subject to export controls in accordance with the International Traffic in Arms Regulations and Exports Administration Regulations.

4. Designated Disclosure Authority. An official, designated in writing by the Commandant of the Marine Corps, to control disclosures of classified military information for foreign governments and interests.

ENCLOSURE (3)

1 Nov 02

5. Disclosure. The term "disclosure" when used in a specific sense and when applied to specific items, transactions, or instances, means to expose to view or hearing; to permit the transfer of knowledge or information, but not to physically transfer documents, material, or equipment to a foreign government or its representative. The purpose of this term is to permit U.S. personnel to conduct such functions as classroom training, briefings, discussions, demonstrations, or exercises for appropriately cleared foreign personnel.

6. Disclosure Authorization Letter. A letter describing classification levels, categories, scope, and limitations related to information under Marine Corps jurisdiction that may be disclosed to specific foreign governments or their representatives for a specified purpose.

7. Foreign Liaison Officer (FLO). A foreign government representative who is authorized by his or her government, and certified by the Marine Corps, to act as an official representative in the foreign government's dealings with the Marine Corps in connection with programs, projects, or international agreements of interest to the foreign government. There are three types of FLOs:

a. Security Assistance. A foreign government representative who is assigned to a USMC command or contractor facility pursuant to a requirement described in a Foreign Military Sales Letter of Offer and Acceptance.

b. Operational. A foreign government representative who is assigned to a USMC command pursuant to a documented requirement to coordinate operational matters, such as combined planning or training and education.

c. National Representative. A foreign government representative who is assigned to his or her national embassy or legation in Washington, DC to conduct liaison activities with the DOD and its components.

8. Foreign National. The term "foreign national" includes any person who is not a U.S. citizen, immigrant alien, or U.S. national. Persons representing foreign governments, foreign private interests, or other foreign nationals are considered to be foreign nationals for purposes of this Order.

1 Nov 02

9. 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.

10. 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.

11. 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.

12. Marine Corps Personnel Exchange Program (MCFPEP). A one-for-one exchange of personnel between the USMC and certain military services. Navy IPO interfaces with DC, PP&O to provide a disclosure authorization letter for each individual prior to accepting the billet. Foreign exchange personnel assigned to MCFPEP are fully integrated into the U.S. host command.

13. Release. The relinquishment or transfer of physical possession of documents, material, or equipment to foreign governments or their representatives.