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SECRETARY OF THE AIR FORCE**



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Intelligence

**INTERNATIONAL INTELLIGENCE
AGREEMENTS**

COMPLIANCE WITH THIS PUBLICATION IS MANDATORY

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This publication implements Air Force Policy Directive (AFPD) 14-1, *Intelligence, Surveillance and Reconnaissance (ISR) Planning, Resources, and Operations*. It provides guidance and procedures for negotiating, concluding, changing, and terminating military-to-military intelligence agreements (IIAs) with foreign governments and international organizations. This publication applies to Regular Component, Air Force Reserve (AFR), Air National Guard (ANG), and Department of the Air Force (AF) Civilians. This publication does not apply to Air Force Signals Intelligence (SIGINT) activities. SIGINT activities are coordinated through the Air Force Cryptologic Office. Ensure all records created as a result of processes prescribed in this publication are maintained in accordance with (IAW) Air Force Manual (AFMAN) 33-363, *Management of Records*, and disposed of IAW Air Force Records Disposition Schedule (RDS) located in the Air Force Records Information Management System (AFRIMS). Submit change recommendations using an AF Form 847, *Recommendation for Change of Publication* to the Office of Primary Responsibility (OPR). This publication may be supplemented, but all supplements must be coordinated with the Office of Primary Responsibility (OPR) prior to certification and approval. Upon publication, Major Commands (MAJCOMs) will ensure copies are provided to the OPR. Compliance waiver requests must be submitted through the chain of command to the appropriate tier waiver approval authority, all other waivers will be submitted to the publication OPR.

SUMMARY OF CHANGES

This interim change adds risk factors, known as “tiers” to tasks assigned to organizations below MAJCOM level to depict the assessed risk of non-compliance and updates the approving official. A margin bar (|) indicates newly revised material.

1. OVERVIEW. This instruction establishes guidance and procedures for the process of negotiating, concluding, changing, and terminating military-to-military IIAs with foreign governments and international organizations IAW DIAI 2000.001, which implements Department of Defense Directive 5530.3, *International Agreements*. Air Force Instruction (AFI) 51-701, *Negotiating, Concluding, Reporting, and Maintaining International Agreements*, implements DoDD 5530.3 and, along with this instruction, applies to the negotiation and conclusion of IIAs. Activities related to support for combined exercises, liaison responsibilities and subject matter expert exchanges are generally not implemented by IIAs.

2. ROLES AND RESPONSIBILITIES.

2.1. Deputy Chief of Staff, Intelligence, Surveillance, and Reconnaissance (AF/A2). AF/A2 oversees, coordinates, and reviews guidance under which the Air Force negotiates, concludes, maintains, and reports IIAs. AF/A2:

2.1.1. Advocates Major Command (MAJCOM) initiatives to begin exploratory talks with a foreign government or international organization.

2.1.2. Provides guidance on IIAs and associated documentation for format, scope, content and classification.

2.1.3. Provides guidance and support to MAJCOM activities associated with the IIA including, but not limited to, participation in exchanges, obtaining disclosure approvals and coordinating visits to other MAJCOM bases or facilities. Supports revisions to the Military Intelligence Relationships Data Base (MIRDB).

2.2. Major Command (MAJCOM) A2s. Major Command (MAJCOM) A2s, Field Operating Agencies (FOAs), Direct Reporting Units (DRUs). Air Force IIAs focus on the activities related to air and space operations. Coordination with the Combatant Command is vital to ensure AF IIAs meet theater objectives. MAJCOMs, FOAs, DRUs will:

2.2.1. Obtain written approval from the Director, Defense Intelligence Agency (DIA/DR) concerning agreements for the collection and exchange of military intelligence information (except signals and geospatial-intelligence (GEOINT) IIAs). DIA/DR has the delegated authority within this category. The National Security Agency/Central Security Service (NSA/CSS) serves as the delegated authority for signals IIAs; and the National Geospatial-Intelligence Agency (NGA) serves as the delegated authority for GEOINT IIAs. The Air Force ISR Agency maintains the Air Force Cryptologic Office and the Air Force Geospatial Office, respectively, to represent Air Force requirements to these Agencies. (T-0)

2.2.2. Notify the DIA Directorate for Operations (DIA/DO) of any request by a foreign organization to establish a human intelligence (HUMINT) collection relationship. Notify DIA’s Office of Partner Engagement (DIA/OPE) of any overture or request, official or unofficial, by a foreign military organization to establish an intelligence exchange

relationship, including Counterintelligence and Measurement and Signature Intelligence (MASINT) relationships. (T-0)

2.2.3. Submit requests to contact foreign organizations to explore the potential to establish a defense intelligence exchange relationship to DIA/OPE at least 60 days in advance of the desired date of contact IAW DIAI 2000.001. (T-0)

2.2.4. Establish new exchange relationships or modify existing exchange relationships. Be sure to coordinate with the appropriate MAJCOM or SAF/IAPD foreign disclosure officers to share specific intelligence tactics, techniques and procedures as well as Category 8 - Military Intelligence Information. Submit requests to DIA/OPE at least 60 days in advance of the desired date to begin discussions with the foreign organizations. The request will include: (T-0)

2.2.4.1. A soft-copy draft of the proposed international defense intelligence agreement that describes all aspects of the intended relationship. (T-0)

2.2.4.2. A legal memorandum prepared by the general counsel staff or staff judge advocate that covers the responsibilities of all stakeholders. (T-0)

2.2.4.3. A fiscal memorandum that has been coordinated with the supporting resource management office IAW DIAI 2000.001. (T-0)

2.2.5. Negotiate and conclude international defense intelligence agreements to establish new relationships when authorized to do so by DIA/DR. DIA/OPE will obtain any necessary OSD(P) and OUSD(I) coordination for the IIA.

2.2.5.1. Provide DIA/OPE the following:

2.2.5.1.1. A status report on progress in concluding an IIA every 60 days after being authorized by the DR. (T-0)

2.2.5.1.2. Notify DIA/OPE immediately if either side proposes substantive changes during negotiations. DIA/OPE determines if the proposed changes need to be coordinated at the national level before the agreement can be concluded. (T-0)

2.2.5.1.3. An e-mail with the scanned copy attached or a facsimile (FAX) copy of the new IIA to DIA/OPE, Fax number is (703) 693-6879; DSN 223-6879). Also provide a copy of the IIA to AF/A2DS Workflow via Secret Internet Protocol Router Network (SIPRNet): AF/[A2DS.Workflow@AF.Pentagon.smil.mil](mailto:AF.A2DS.Workflow@AF.Pentagon.smil.mil) or Non-Secure Internet Protocol Router Network (NIPRNet): USAF.Pentagon.AF-A2.mbx.AF-A2DS-Workflow@mail.mil. (T-0)

2.2.6. Upon appropriate approvals, negotiate and conclude an IIA for a period of one year, informing AF/A2 of any substantial changes. If the agreement is not concluded by the end of this period contact DIA/OPE for an extension. Each request for an extension should include an explanation why the agreement was not concluded and the prospects for success during the requested extension period. (T-0)

2.2.7. Establish an entry in the MIRDB after initial approval is granted. MIRDB access is authorized by contacting DIA/OPE. (T-0)

2.2.8. Draft (or update, if appropriate) and submit a DDL IAW Air Force Instruction (AFI) 16-201, Air Force Foreign Disclosure and Technology Transfer Program, to ensure the proper disclosure authority is established upon signature of the IIA. (T-1)

2.2.9. Delegates activities, as applicable, to subordinate organizations, such as Numbered Air Forces, to act as the AF executive agent or OPR. Responsibilities for subordinate organizations are the same as the MAJCOM for requests, etc. (T-2)

2.2.10. Review and update the MIRDB for the IIA each year or when significant changes are made (cancellation, extension, or modified scope). (T-0)

2.2.11. Prepare extensions or changes to memorandums of understanding one year prior to expiration and submit via message. Verbal extensions must be followed by e-mail and the MIRDB must be updated to reflect the extension.

3. CONDITIONS. Subject to obtaining DIA approval to negotiate and conclude the IIA, Air Force intelligence components may enter into an IIA if all of the following conditions are met: (T-0)

3.1. The Foreign Military Organization. Foreign military organizations being considered for inclusion in an IIA must clearly support U.S. security and foreign policy objectives. (T-0)

3.1.1. The foreign government must have favorable relations with the United States; a well-developed, secure intelligence service; and a stable domestic environment and military unity. (T-0)

3.1.2. Known national characteristics of the foreign government in question must fall within the guidelines of the United States national disclosure and security policy, and be reasonably expected to have adequate fiscal means, and conform to legal guidelines. (T-0)

3.2. International Intelligence Agreement (IIAs). IIAs must be fully documented and not merely based on an implied understanding or agreement. Each IIA must be prepared at the time the relationship with the foreign military organization is initiated. **Note:** Do not use existing IIAs to justify requests for additional DoD funding until operational requirements for intelligence have been validated. IIAs must:

3.2.1. Be registered with DIA (**Exception:** SIGINT and GEOINT agreements). (T-0)

3.2.2. Provide for mutual support (quid pro quo). (T-0)

3.2.3. Provide intelligence that would otherwise be denied to the United States. (T-0)

3.2.4. Comply with Executive Order 12333, *United States Intelligence Activities*.

LARRY D. JAMES, Lt Gen, USAF
Deputy Chief of Staff, Intelligence
Surveillance, and Reconnaissance

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

AFPD 14-1, *Intelligence, Surveillance, and Reconnaissance (ISR) Planning, Resources, and Operations*, 2 April 2004

AFI 16-201, *Air Force Foreign Disclosure and Technology Transfer Program*, 1 December 2004

AFI 33-360, *Publications and Forms Management*, 25 September 2013

AFI 51-701, *Negotiating, Concluding, Reporting, and Maintaining International Agreements*, 16 August 2011

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

DIAI 2000.001, *International Defense Intelligence Relationships*, May 12, 2011, <http://diateams.dse.dia.smil.mil/sites/Issuances/default.aspx>

Executive Order 12333, *United States Intelligence Activities*, as amended, 31 July 2008

Adopted Forms

AF Form 847, *Recommendation for Change of Publication*, 22 September 2009

Abbreviations and Acronyms

AF/A2—Deputy Chief of Staff, Intelligence, Surveillance, and Reconnaissance

AFI—Air Force Instruction

AFMAN—Air Force Manual

AFPD—Air Force Policy Directive

AFR—Air Force Reserve

ANG—Air National Guard

COCOM—Combatant Command (command authority)

DAF—Department of the Air Force

DDL—Delegated Disclosure Letter

DIA—Defense Intelligence Agency

DIA/DR—Director, Defense Intelligence Agency

DIA/DX—Defense Counterintelligence and Human Intelligence Center

DIA/IE—Defense Intelligence Agency Office of International Engagement

DIAI—Defense Intelligence Agency Instruction

EA—Executive Agent

HUMINT—Human Intelligence

IAW—In Accordance With

IIA—International Intelligence Agreement

ISR—Intelligence, Surveillance, and Reconnaissance

MAJCOM—Major Command

MASINT—Measurement and Signature Intelligence

MIRDB—Military Intelligence Relationships Data Base

NIPRNet—Non-Secure Internet Protocol Router Network

NSA—National Security Agency

OPR—Office of Primary Responsibility

RDS—Records Distribution Schedule

SAF/GCI—Air Force General Counsel, Intelligence, International and Military Affairs Division

SAF/IA—Under Secretary of the Air Force for International Affairs

SIGINT—Signals Intelligence

SIPRNet—Secret Internet Protocol Router Network

TTPD—Tactics, Techniques, Procedures and Doctrine

USG—United States Government

Terms

Delegate Disclosure Letter (DDL)—A letter issued by the Under Secretary of the Air Force for International Affairs (SAF/IA) to delegated disclosure authority for the IIA. It contains an explanation of classification levels, categories, scope and limitations of information under Air Force jurisdiction or control that designated disclosure authorities may approve for disclosure to specific foreign governments. AFI 16-201 contains the proper DDL format, guidelines and submission procedures.

Fiscal Memorandum—A financial memorandum that summarizes the resources programmed to support the implementation of an IIA. It provides funding, manhours and any other support the United States Government (USG) plans to commit to ensure successful implementation of the IIA. The memo should address resources for the duration of the IIA or as identified in the Program Objective Memorandum. DIAI 2000.001, Enclosure 3, provides an example of a Fiscal Memorandum.

International Intelligence Agreement (IIA)—Any non-SIGINT written agreement with a foreign government or international organization entered into by an Air Force organization with the primary objective of collecting, processing, producing, disseminating, or sharing foreign intelligence or sharing intelligence tactics, techniques, processes and doctrine (TTPD).

Legal Memorandum—Provides a review of applicable statutes, policy and guidance to ascertain the authority for the organization to negotiate and conclude an IIA. IAW AFI 51-701, SAF/GCI concurrence is required on all proposals for the negotiation or conclusion of international agreements originating or received in the Secretariat or the Air Staff. MAJCOM Judge Advocates General should generate legal memoranda to support proposals originating within their MAJCOMs. DIAI 2000.001, Enclosure 4, provides a sample Legal Memoranda.

Military Intelligence Relationships Database (MIRDB)—MIRDB is a Defense Intelligence Agency (DIA)-sponsored relational, electronic database that contains summary data on all intelligence relationships within DoD. This eliminates the need for IIA OPRs to provide hardcopy reports, and facilitates quick updates to senior DoD officials. Enclosure 7 of DIAI 2000.001 provides information about MIRDB format, entries and definitions.

Tier 0 (T-0)—Determined by respective non-AF authority (e.g., Congress, White House, OSD, JS). The requirement is external to AF. Requests for waivers must be processed through command channels to publication OPR for consideration. (AFI 33-360)

Tier 1 (T-1)—Non-compliance puts Airmen, commanders or the AF strongly at risk of mission or program failure, death, injury, legal jeopardy or unacceptable fraud, waste or abuse. T-1 waiver requests may be granted at the MAJCOM/CC level, but may not be delegated lower than MAJCOM Director, with the concurrence of the publication's approving official. (AFI 33-360)

Tier 2 (T-2)—Non-compliance has the potential to create moderate risk of mission or program degradation or failure, injury, legal jeopardy or unacceptable fraud, waste or abuse. Waivers may be granted at the MAJCOM/CC level, but may not be delegated lower than MAJCOM Director. (AFI 33-360)