

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

**DEPARTMENT OF THE AIR FORCE
POLICY DIRECTIVE 16-6**



7 AUGUST 2024

Operations Support

**INTERNATIONAL ARMS CONTROL
AND NON-PROLIFERATION
TREATIES AND AGREEMENTS AND
THE DOD FOREIGN CLEARANCE
PROGRAM**

COMPLIANCE WITH THIS PUBLICATION IS MANDATORY

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This publication implements Department of Defense Directive (DoDD) 2060.01, *Implementation of, and Compliance with, Arms Control Agreements*, and DoDD 4500.54E, *DoD Foreign Clearance Program (FCP)*. It establishes the Department of the Air Force (DAF) policy for arms control and non-proliferation agreements and execution of the DoD FCP on behalf of the Secretary of the Air Force, designated as the DoD Executive Agent. This publication applies to the entire DAF, including DAF civilian employees and uniformed members of the United States Air Force, the United States Space Force (USSF), the Air Force Reserve, and the Air National Guard, as well as those with a contractual obligation to abide by the terms of DAF issuances, except where noted otherwise. Ensure all records generated as a result of processes prescribed in this publication adhere to Air Force Instruction (AFI) 33-322, *Records Management and Information Governance Program*, and are disposed in accordance with the Air Force Records Disposition Schedule, which is located in the Air Force Records Information Management System. Refer recommended changes and questions about this publication to the Office of Primary Responsibility using the DAF Form 847, *Recommendation for Change of Publication*. Route DAF Form 847 from the field through appropriate functional chain of command. This publication may not be supplemented.

SUMMARY OF CHANGES

This publication has been substantially revised and needs to be completely reviewed. Major changes include converting the publication into a Department of the Air Force Policy Directive (DAFPD) and designating the Deputy Chief of Staff for Strategic Deterrence and Nuclear Integration (AF/A10) as the Department's central authority for arms control and non-proliferation treaties and agreements. The publication also adds coordinating responsibilities for the USSF on arms control and non-proliferation treaties and agreements as well as the FCP. Finally, the publication clarifies responsibilities for ensuring acquisition programs remain compliant with arms control and non-proliferation treaties and agreements.

1. Overview. This publication applies to existing and prospective arms control treaties and agreements where the United States Government (USG) requires identification, verification, inspection, limitation, control, reduction, or elimination of armed forces and all types of armaments. This also includes systems of international control, or non-proliferation treaties and agreements that prevent the proliferation of weapons of mass destruction by dissuading or impeding access to, or distribution of, sensitive technologies, material, and expertise. This publication also applies to existing and prospective international treaties and agreements addressing USG and foreign national government clearances for DoD personnel prior to travel to foreign territory and DoD aircraft operating in international and foreign national airspace.

2. Policy. The DAF shall:

- 2.1. Support the negotiation of, implementation of, and compliance with, arms control and non-proliferation treaties and agreements contemplated or entered into by the USG, which impact DAF programs and activities.
- 2.2. Support the negotiation of, and ensure compliance with treaties and agreements pertaining to the FCP.
- 2.3. Maintain awareness of when and how DAF activities may be affected by arms control and non-proliferation treaties and agreements, including the prohibitions, limitations, and inspection provisions of these agreements.
- 2.4. Implement arms control, non-proliferation treaties and agreements, and the FCP by integrating their requirements into the Planning, Programming, Budgeting and Execution System at all levels.
- 2.5. Ensure implementation of, and compliance with, arms control and non-proliferation treaties agreements, and that the FCP is carried out in a manner that avoids the compromise of national security information.

3. Roles and Responsibilities.

3.1. The Deputy Chief of Staff for Strategic Deterrence and Nuclear Integration (AF/A10) shall:

3.1.1. Serve as the DAF central authority for all activities related to managing arms control and non-proliferation treaties and agreements. These activities include negotiations support and policy/guidance formulation necessary to support implementation, inspection, compliance, verification, education and training, and overall resource requirements (budget and manpower) for these agreements. Refer to Headquarters Air Force Mission Directive (HAFMD) 1-60, *Deputy Chief of Staff of the Air Force Strategic Deterrence and Nuclear Integration*, for additional applicable roles and responsibilities.

3.1.2. Perform DoD Executive Agent responsibilities related to the FCP on behalf of the Secretary of the Air Force. These include management, coordination, and communication of DoD policies, guidance, and procedures regarding USG and foreign national government clearances for DoD personnel prior to travel to foreign territory; DoD aircraft operating in international and foreign national airspace; use of foreign-national airfields by

DoD state aircraft; national policy on sovereignty of state aircraft; and payment of state aircraft air navigation, overflight, landing, parking, or other use fees in foreign-managed and foreign-national airspace and at foreign-national airfields. Procedural guidance is published in DoDD 4500.54E and accessible via the Foreign Clearance Guide website (<https://www.fcg.pentagon.mil>). Refer to HAFMD 1-60 for additional roles and responsibilities.

3.2. The Deputy Chief of Space Operations for Operations, Cyber, and Nuclear, also known as Chief Operations Officer (SF/COO), shall: Coordinate with AF/A10 on related space matters, programs, and operations to ensure DAF compliance with arms control and non-proliferation treaties and agreements as well as the full functioning of the FCP.

3.3. Administrative Assistant to the Secretary of the Air Force (SAF/AA) shall: Coordinate with A10 and applicable DAF organizations with special access programs on related matters programs, and operations to ensure DAF compliance with arms control, non-proliferation treaties and agreements as well as the full functioning of the FCP.

3.4. The Office of the Secretary of the Air Force for Acquisitions, Technology, and Logistics (SAF/AQ) shall:

3.4.1. Provide AF/A10 a comprehensive program list of non-space weapons systems, aircraft, and other operational programs.

3.4.2. Provide AF/A10 adequate documentation to afford a thorough review and assessment of arms control and non-proliferation treaties and agreements implications prior to non-space weapons systems, aircraft, and other operational programs formal program reviews to include acquisition review boards, milestone reviews, and full production decision reviews to ensure any arms control implications are addressed early and throughout the life cycle.

3.4.3. Ensure AF/A10 arms control compliance certification statements are obtained for AF/A10 identified programs prior to milestone approval for the phase when initially entering the acquisition framework and when significant changes are made impacting the certification.

3.5. The Office of the Assistant Secretary of the Air Force for Space Acquisition and Integration (SAF/SQ) shall:

3.5.1. Provide a comprehensive program list, for space programs to AF/A10, via the Deterrence Operations Division (SF/S10N) annually.

3.5.2. Provide AF/A10 adequate documentation to afford a thorough review and assessment of arms control and non-proliferation treaties and agreements implications prior to Space acquisition formal program reviews to include milestone reviews, and full production decision reviews to ensure any arms control implications are addressed.

3.5.3. Work with SF/S10N to determine if AF/A10 arms control compliance certification statements are required, and if so, obtained prior to milestone approval to proceed to the acquisition phase when initially entering the acquisition framework and when significant changes are made impacting the certification.

3.6. The General Counsel to the Secretary of the Air Force (SAF/GC) shall:

3.6.1. Provide primary legal interpretation, within the DAF, of international arms control and non-proliferation treaties and agreements, international sovereignty issues, and foreign clearance agreements as they pertain to the FCP.

3.6.2. Provide legal advice and assistance for negotiation of, implementation of, and compliance with, arms control and non-proliferation treaties and agreements, and counsel regarding international sovereignty issues and foreign clearance agreements affecting global access and the implementation of the FCP.

3.7. The Deputy Under Secretary of the Air Force, International Affairs (SAF/IA) shall: Coordinate with AF/A10 on matters involving arms control and non-proliferation treaties and agreements that affect exports of DAF weapons systems.

3.8. The Judge Advocate General of the Air Force (AF/JA):

3.8.1. May provide complementary legal interpretation, within the DAF, of international arms control and non-proliferation treaties and agreements.

3.8.2. Shall conduct review of weapons and weapons systems for compliance with the law of war. AF/JA will coordinate with AF/A10 and SAF/GC to ensure compliance with the provisions of arms control and non-proliferation treaties and agreements as necessary.

FRANK KENDALL
Secretary of the Air Force

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

DoDD 2060.01, *Implementation of, and Compliance with, Arms Control Agreements*, June 23, 2020

DoDD 4500.54E, *DoD Foreign Clearance Program*, May 31, 2022

HAFMD 1-60, *Deputy Chief of Staff of the Air Force Strategic Deterrence and Nuclear Integration*, December 6, 2019

AFI 33-322, *Records Management and Information Governance Program*, July 28, 2021

AFI 51-403, *International Agreements*, February 8, 2019

Adopted Forms

DAF Form 847, *Recommendation for Change of Publication*

Abbreviations and Acronyms

AFI—Air Force Instruction

AML—Acquisition Master List

DAF—Department of the Air Force

DAFPD—Department of the Air Force Policy Directive

DoD—Department of Defense

DoDD—Department of Defense Directive

FCP—Foreign Clearance Program

HAFMD—Headquarters Air Force Mission Directive

OPR—Office of Primary Responsibility

USAF—United States Air Force

USG—United States Government

USSF—United States Space Force

Office Symbols

AF/A10—Air Force Deputy Chief of Staff, Strategic Deterrence and Nuclear Integration

AF/A10P—Air Force Deputy Chief of Staff, Strategic Deterrence and Nuclear Integration, Policy and Strategy

AF/A10PI—Air Force Deputy Chief of Staff, Strategic Deterrence and Nuclear Integration, Policy and Strategy, International Treaties and Agreements Branch

AF/JA—The Office of The Judge Advocate General

SAF/AA—Secretary of the Air Force Administrative Assistant

SAF/AQ—Assistant Secretary of the Air Force for Acquisition, Technology, and Logistics

SAF/GC—Air Force General Counsel

SAF/IA—The Deputy Under Secretary of the Air Force, International Affairs

SAF/SQ—The Office of the Assistant Secretary of the Air Force for Space Acquisition and Integration

SF/COO—Space Force Deputy Chief of Staff for Operations, Cyber and Nuclear, also known as Chief Operations Officer

SF/S10N—Deterrence Operations Division

Terms

Arms Control—Any plan, treaty, or agreement to limit the number, size, or type of weapons or armed forces of the participating nations.

International Agreement—Any agreement concluded with one or more foreign governments (including their agencies, instrumentalities, or political subdivisions) or with an international organization, that:

Is signed or agreed to—(including oral commitments) by personnel of any DoD component, or by representatives of the Department of State or any other department or agency of the USG;

Signifies the intention—of its parties to be bound in international law;

Is denominated as an international agreement or as a memorandum of understanding—memorandum of agreement, memorandum of arrangements, exchange of notes, exchange of letters, technical arrangement, protocol, note verbale, aide-memoire, agreed minute, plan, contract, arrangement, statement of intent, letter of intent, statement of understanding, standard operating procedure, Concept of Operations Plan, or any other name connoting a similar legal consequence. See AFI 51-403, *International Agreements*, February 8, 2019.

Non-proliferation—The prevention of an increase or spread of something, especially the number of countries possessing nuclear weapons.