

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

**AIR FORCE POLICY DIRECTIVE 16-2**

**4 AUGUST 2016**



**Operations Support**

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

**COMPLIANCE WITH THIS PUBLICATION IS MANDATORY**

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OPR: SAF/IAPT

Certified by: SAF/IA  
(Mrs. Heidi Grant, SES)

Supersedes: AFPD16-2,  
10 September 1993

Pages: 5

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This publication implements Department of Defense Directive (DoDD) 5111.21, *Arms Transfer and Technology Release Senior Steering Group and Technology Security and Foreign Disclosure Office*; DoDD 5230.11, *Disclosure of Classified Military Information to Foreign Governments and International Organizations*; DoD Instruction (DoDI) 2040.2, *International Transfers of Technology, Articles, and Services*, DoDI 3020.46, *The Military Critical Technologies List (MCTL)*; and DoDI 5030.14, *Disclosure of Atomic Information to Foreign Governments and Regional Defense Organizations*. This Policy Directive establishes Air Force (AF) 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 Air Force (Regular Air Force, Air Force Reserve, and Air National Guard) military and civilian personnel, and those with a contractual obligation to abide by the terms of AF issuances.

Ensure that 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 Information Management System Records Disposition Schedule.

Refer recommended changes and questions about this publication to the Office of Primary Responsibility using the AF Form 847, *Recommendation for Change of Publication*, route AF Forms 847 from the field through the appropriate functional command.

## ***SUMMARY OF CHANGES***

This policy was revised to conform with AFI 33-360, *Publications and Forms Management*, and updated to include current National, Department of Defense (DoD), and AF policy guidance. Foreign Disclosure is a function held across military services and United States (US) Government agencies. This publication adopts foreign disclosure policy and incorporates standard language and practices.

### **1. Overview.**

1.1. Military information must be conserved and protected from unauthorized disclosures to foreign governments or international organizations. Special circumstances may warrant releasing military information to foreign entities, when it has a clearly defined advantage for the US. This directive establishes AF policies on disclosure and release of information and materiel to foreign governments, international organizations, and their duly authorized representatives.

### **2. Policy.**

2.1. The AF will avoid creating a false impression of its readiness to make available military materiel, technology, or information to foreign nations. National Disclosure Policy (NDP-1) covers eight categories for international programs security that include: **Category 1.** *Organization, Training, Employment of Military Forces*; **Category 2.** *Military Materiel and Munitions*; **Category 3.** *Applied Research and Development Information and Materiel*; **Category 4.** *Production Information*; **Category 5.** *Combined Military Operations Planning and Readiness*; **Category 6.** *U.S. Order of Battle*; **Category 7.** *North American Defense*; and **Category 8.** *Military Intelligence*. All releases to foreign entities must be authorized in advance according to NDP-1 criteria.

2.2. The Air Force will ensure that only properly designated AF disclosure authorities approve or authorize disclosures of military information under US Air Force jurisdiction or control to foreign governments, international organizations, and their representatives.

2.3. The AF will apply all controlled unclassified information (CUI), classified military information (CMI), and technical data, as described in the *International Traffic in Arms Regulation (ITAR)*. It also applies to unclassified information containing distribution statements B, C, D, E, or F, as defined in Air Force Policy Directive (AFPD) 61-2, *Management of Scientific and Technical Information* and DoDI 5230.24, *Distribution Statements on Technical Documents*.

2.4. Air Force disclosures of military information under AFPD 35-1, *Public Affairs Management*, and AFI 35-102, *Security and Policy Review Process*, are not subject to this policy directive.

2.5. Disclosures under the Freedom of Information Act (FOIA) may still be subject to this policy if they fall under FOIA exemption 552-(b)(3) of Title 5, United States Code (USC),

based on specific statutory controls for technical data with military or space applications, or for items subject to the Arms Export Control Act (AECA).

2.6. This directive does not govern disclosure of narcotics intelligence, counter-intelligence, or special compartmented information or systems. It also does not apply to US military equipment or information relating to communications security, telecommunications security, or information security, including cryptographic devices and systems.

### **3. Roles and Responsibilities.**

#### **3.1. The Secretary of the Air Force (SecAF) shall:**

3.1.1. Serve as the AF head, to disclose or deny the release of military information originated within the US Air Force to foreign governments or foreign nationals. In making these decisions, the SecAF conforms with DoDD 5230.11, *Disclosure of Classified Military Information to Foreign Governments and International Organizations*, and the National Disclosure Policy Committee (NDPC), which formulates issues and administers National Disclosure Policy.

#### **3.2. The Deputy Under Secretary of the Air Force, International Affairs (SAF/IA) shall:**

3.2.1. Serve as the AF lead agent to the SecAF, to disclose or deny the release of military information originated within the US Air Force to foreign governments or foreign nationals.

3.2.2. Serve the SecAF in making disclosure decisions, and conform with the direction of the NDPC, which formulates, issues, and administers National Disclosure Policy.

3.2.3. Serve as the AF designated Principal Disclosure Authority, for matters within the Air Force.

DEBORAH LEE JAMES  
Secretary of the Air Force

## Attachment 1

### GLOSSARY OF REFERENCES AND SUPPORTING INFORMATION

#### *References*

*National Disclosure Policy (NDP-1), National Policy and Procedures for the Disclosure of Classified Military Information to Foreign Governments and International Organizations*, October 2, 2000

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

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

**DoDI 3020.46**, *The Military Critical Technologies List (MCTL)*, October 24, 2008

**DoDI 5030.14**, *Disclosure of Atomic Information to Foreign Governments and Regional Defense Organizations, IC 1*, August 8, 2011

**DoDI 5230.24**, *Distribution Statements on Technical Documents*, August 23, 2012

**AFPD 35-1**, *Public Affairs Management*, September 28, 2012

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

**AFI 33-360**, *Publications and Forms Management*, December 1, 2015

**AFI 35-102**, *Security and Policy Review Process*, October 20, 2009

*Arms Export Control Act (AECA)*, as Amended 1971

*USC*, Title 22, Section 2151, *Arms Export Control Act (AECA)*, as Amended 1971

*USC*, Title 22, Section 2778, *Arms Export Control Act (AECA)*, as Amended 1971

*USC*, Title 22, *Code of Federal Regulations (CFR)*, **Chapter 1**, Subchapter M, *International Traffic in Arms Regulations (ITAR)*, enacted through the *National Defense Authorization Act (NDAA)*, for Fiscal Year 1999

*Freedom of Information Act (FOIA)*, enacted July 30, 1947, as Amended, December 31, 2007

*United States Code (USC)*, Title 5, 552-(b)(3), *Freedom of Information Act (FOIA)*, enacted July 30, 1947, as Amended, December 31, 2007

#### *Adopted Forms*

AF Form 847, *Recommendation for Change of Publication*

#### *Abbreviations and Acronyms*

**AECA**—Arms Export Control Act

**AF**—Air Force

**AFMAN**—Air Force Manual

**AFPD**—Air Force Policy Directive

**CMI**—Classified Military Information

**CUI**—Controlled Unclassified Information

**DoD**—Department of Defense

**DoDD**—Department of Defense Directive

**DoDI**—Department of Defense Instruction

**FOIA**—Freedom of Information Act

**IAW**—In Accordance With

**ITAR**—International Traffic in Arms Regulation

**MCTL**—Military Critical Technologies List

**NDAA**—National Defense Authorization Act

**NDP-1**—National Disclosure Policy

**NDPC**—National Disclosure Policy Committee

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

**SecAF**—Secretary of the Air Force

**US**—United States

**USC**—United States Code