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MARINE CORPS FOREIGN LIAISON POLICY ANALYSIS(U) ARMY
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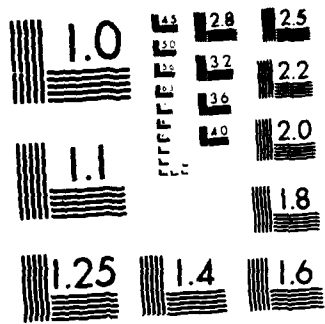
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After the Pollard and Walker spy cases in 1985 and 1986, attention throughout the government focused on security. Coincidentally, at about the same time, a dramatic increase in the numbers of foreign contacts was noted throughout the Marine Corps. A review of control procedures on these contacts revealed that no central Marine Corps approval authority existed. An overall tightening of these controls was directed, and the Assistant Commandant of the Marine Corps tasked the staff to develop a Marine Corps policy addressing foreign liaison. As a result, Marine Corps Order (MCO) 5510.16 was published on 30 April 1987 (Appendix 1). The policy has been in force for almost a year. Its effectiveness has been questioned by those charged with its enforcement. The purpose of this study is to determine the policy's success and to develop recommendations to enhance the Marine Corps' security program, specifically, as it applies to foreign liaison.

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USAWC MILITARY STUDIES PROGRAM PAPER

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MARINE CORPS FOREIGN LIAISON POLICY ANALYSIS
AN INDIVIDUAL STUDY PROJECT

by

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Project Advisor

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U.S. Army War College
Carlisle Barracks, Pennsylvania 17013
29 April 1988



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ABSTRACT

AUTHOR: Robert P. Mauskapf, LtCol. USMC

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After the Pollard and Walker spy cases in 1985 and 1986, attention throughout the government focused on security. Coincidentally, at about the same time, a dramatic increase in the numbers of foreign contacts was noted throughout the Marine Corps. A review of control procedures on these contacts revealed that no central Marine Corps approval authority existed. An overall tightening of these controls was directed, and the Assistant Commandant of the Marine Corps tasked the staff to develop a Marine Corps policy addressing foreign liaison. As a result, Marine Corps Order (MCO) 5510.16 was published on 30 April 1987 (Appendix 1). The policy has been in force for almost a year. Its effectiveness has been questioned by those charged with its enforcement. The purpose of this study is to determine the policy's success and to develop recommendations to enhance the Marine Corps' security program, specifically, as it applies to foreign liaison.

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CHAPTER I

INTRODUCTION

SETTING

In the fall of 1986, the Assistant Commandant of the Marine Corps (ACMC) called together several of his primary general staff officers, expressing concern over what he considered a dramatic increase in the number of contacts between Marines and representatives of foreign governments and interests.

The ACMC reviewed the recent disclosures of information to foreign agents in the widely publicized Walker and Pollard cases, as well as the Moscow embassy scandal. He drew a comparison between the number of contacts with foreigners and the number of opportunities for security compromises. On asking who, in his headquarters, was responsible for controlling these contacts, he was informed that each primary staff officer monitored those falling under his own functional purview. Commanding generals, in the field, controlled their foreign contacts, often without any headquarters interface. In short, no single focal point for foreign exchange existed within the Marine Corps.

ACMC tasked the Director of Intelligence to assume staff cognizance over foreign liaison. He further directed that a review be conducted of all Department of Defense (DOD) and Department of the Navy (DON) directives pertaining to the

subject, and that a Marine Corps Order (MCO) be prepared to establish a policy governing contacts between Marine Corps representatives and those of foreign governments or interests. Several drafts were prepared by an action officer work group, and each was staffed successively to all Headquarters staff agencies and major commands. MCO 5510.16 (Appendix 1) was released to the field on 30 April, 1987.

SCOPE

The paper examines the effectiveness of the target policy in accounting for and controlling contacts between USMC representatives and those of foreign governments or interests. Research includes in-depth interviews with those charged with implementing the policy, a comparative analysis with Navy directives governing foreign liaison, a review of foreign liaison data (with attendant collection procedures) at USMC Headquarters, and an analysis of the organization of personnel and responsibilities in the office responsible for enforcing the policy.

LIMITATIONS

Study has been restricted to analysis within Headquarters, USMC, examination of existing policies and directives and review of the development and staffing of the subject policy.

THESIS

The current Marine Corps policy on contacts between USMC representatives and those of foreign countries and interests, as outlined in Marine Corps Order (MCO) 5510.16, is not effective. The policy must be republished in new directives and reimplemented.

CHAPTER II

POLICY CONTENT

MCO 5510.16 conforms to published CNO and SECNAV directives addressing foreign liaison. Review of these directives, however, indicates a requirement for far more detailed instructions than those found in the current Marine Corps policy. Intelligence Division personnel have indicated¹ that the field has requested that more detailed information and instructions be provided. The policy (Appendix 1) references these documents, but most activities outside the headquarters don't hold them. Specific areas requiring amplification include:

Classification Limits. Department of Defense (DoD) and naval instructions provide the highest level of classification of items which may be addressed during official contacts with foreigners. Classification limits for Marine Corps representatives should be provided by the Director of Intelligence in response to each request to conduct foreign liaison and must be in compliance with applicable DoD² and CNO/SECNAV³⁻⁷ instructions.

Foreign Clearances. State Department requires that DOD representatives must secure foreign area clearances prior to travel to a foreign country. Guidance on securing such clearances is provided in Marine Corps⁸ and CNO/SECNAV⁹

directives. Clearances must be approved through the office of the Assistant Secretary of Defense for International Security Affairs (ASD, ISA), the Department of State and the American Embassy in the country to be visited.

Non-Marine Representation. The MCO provides guidance to Marine Corps representatives, i.e. Marines, or civilian employees representing the Marine Corps, during official foreign contacts. It does not address Marines or Marine organizations under the operational command of unified or other operational commanders. In these cases, commanders represented have their own policies and might consider seeking Marine Corps approval inappropriate. Original guidance from the Assistant Commandant does not cover this situation¹⁰. Prior to inclusion in a Marine Corps Directive, however, this issue should be staffed in the headquarters as well as throughout the Fleet Marine Forces.

Data Collection and Retention. The genesis of this policy was an impression on the part of the ACMC that too many foreign contacts were conducted and that they were, for the most part, uncontrolled. Investigation¹ showed that, in fact, only sketchy data was retained prior to the policy's implementation and that no interface with the field existed to compare information on foreign contacts. Intelligence

Division representatives indicate that a simple report from the field, perhaps annually, would serve to compare data and determine the effectiveness of the policy.

ENDNOTES

1. Headquarters, U.S. Marine Corps, Interview with Mr. John Guenther, Special Assistant to the Director of Intelligence, and other Intelligence Division personnel, 7 March 1988, Washington, D.C..
2. Department of Defense, NDP-1, National Disclosure Policy.
3. Department of the Navy, SECNAVINST 5510.24E. International Transfer of Technology, Goods, Services and Munitions, and the Disclosure of Military Information to Foreign Governments and International Organizations.
4. Department of the Navy, SECNAVINST 5510.26B. Procedures for Disclosure of Military Information to Foreign Governments and International Organizations.
5. Headquarters, U.S. Navy, OPNAVINST 5510.48J. Manual for the Disclosure of Classified Military Information to Foreign Governments and International Organizations.

6. Headquarters, U.S. Navy, OPNAVINST S5510.155C. Supplement to the Manual for the Disclosure of Classified Military Information to Foreign Governments and International Organizations.
7. Headquarters, U.S. Navy, OPNAVINST 5510.94F. Foreign Disclosure Review Board.
8. Headquarters, U.S. Marine Corps, Marine Corps Order 1050.15.
9. Headquarters, U.S. Navy, OPNAVINST 4650.11E, 10 February, 1984.
10. Headquarters, U.S. Marine Corps, Minutes of ACMC Staff Meeting, 15 September, 1985.

CHAPTER III

FORM

DOCUMENTATION

As mentioned in Chapter 1, the Marine Corps' foreign liaison policy is found in Marine Corps Order 5510.16. Intelligence Division personnel have cited that they have received an increase in inquiries in this area since its implementation. However, they believe that the policy's effectiveness is limited due to the form in which it is published¹.

When the policy was first written, but before it was released, it resided in two forms, a draft Headquarters Marine Corps Order and a draft White Letter². The headquarters order, a directive which has limited distribution within HQMC, provides guidance to the Marine Corps staff and does not apply to USMC organizations external to the headquarters³. The White Letter is a Commandant of the Marine Corps (CMC) letter which calls the attention of all general officers and commanding officers to an issue about which the Commandant has special and immediate interest⁴.

The thinking behind using these types of documents was that the headquarters order would provide the detailed guidance to the staff to carry out the policy while the white letter would stress its importance to the field. Both drafts have been reviewed; the

originals have been retained. The Chief of Staff's office determined that one Marine Corps order could take the place of these two directives². It appears now that this was not the case, and that, to be effective, the policy requires additional focus of commanders' attention and implementation details for use by the staff. In fact, in the opinion of Intelligence Division personnel, three directives are required: the white letter and headquarters order, for the reasons already mentioned, and a Marine Corps Order to provide additional guidance to the field to assist in securing clearances for foreign liaison¹.

ADDITIONAL FORA

Although the policy has been published, no other means of stressing its importance has been employed. Fora ranging from Chief of Staff meetings to general officers symposia offer the opportunity of spreading the word as to the importance and direction of this policy.

ENDNOTES

1. Headquarters, U.S. Marine Corps, Interview with Mr. John Guenther, Special Assistant to the Director of Intelligence, and other Intelligence Division personnel, 7 March, 1988.
2. Headquarters U.S. Marine Corps, Action Officer (AO) Files,

Plans Division, Plans, Policies and Operations Department.

3. Headquarters, U.S. Marine Corps, Headquarters Order 5215.11E.

4. Headquarters, U.S. Marine Corps, Headquarters Order
P5400.18C.

CHAPTER IV

IMPLEMENTATION

ORGANIZATION

As currently organized, Intelligence Division has two points of contact responsible for foreign liaison. The first is Counterintelligence Branch which is responsible for processing requests from foreign governments or interests to visit Marine Corps organizations, installations or the headquarters. The Foreign Liaison Officer (FLO), however, is charged with the mission of managing liaison with the military attache corps in Washington. The FLO is under the staff cognizance of the Deputy Director of Intelligence¹.

All VIP visits, including those by foreign flag/general officers, are handled by the Special Projects Directorate which falls directly under the Chief of Staff.

Requests for Marine Corps representatives to officially visit foreign representatives generally are not received by the headquarters. Although a Marine Corps directive covering foreign area clearances exists, most requests are filed without referring to it². Typically, the field will process the request as directed by DOD through the Office of Secretary of Defense for International Security Affairs (OSD/ISA) to get State Department foreign area clearance. This is the direction received when the representative applies for a passport and/or visa for the

intended travel. Even staff agencies within the headquarters often process such requests in this manner, without ever notifying the Director of Intelligence.

In the field, the matter is handled similarly. Requests will be received and staffed to the section responsible for the functional area to be addressed during the visit. The staff secretary normally handles VIP visits. Outgoing requests for visits to foreign representatives are processed in a like manner to those at HQMC, directly to OSD,ISA. No focal point for all foreign liaison exists².

ENDNOTES

1. Headquarters, U.S. Marine Corps, Interview with Mr. John Guenther, Special Assistant to the Director Of Intelligence, and other Intelligence Division Personnel, 7 March, 1988.
2. Headquarters, U.S. Marine Corps, Marine Corps Order 1050.15.

CHAPTER V

CONCLUSIONS

Based on the results of the analysis, it has been determined that MCO 5510.16 responds, as directed by the Assistant Commandant of the Marine Corps, to concerns over the number of contacts between USMC representatives and those of foreign countries and interests. The policy, as stated in that order, also conforms to existing directives governing liaison exchange.

Although the policy conforms to ACMC direction and existing instructions, its implementation appears to have been only minimally effective. Analysis of collected data indicates that this issue needs to be emphasized throughout the Marine Corps. More detailed information should be provided to Headquarters, USMC, for the purpose of processing foreign contact requests. Finally, the field should be contacted periodically to determine the continuing effectiveness (or ineffectiveness, as the case may be) of the policy. In the short time since the policy has been implemented, personnel charged with its enforcement have been transferred; with them went the corporate knowledge and the emphasis that had been placed on this issue by the hierarchy of the Corps. The problem is amplified in the field, where appropriate emphasis had not been provided.

CHAPTER VI

RECOMMENDATIONS

1. That the Director of Intelligence immediately implement survey research through the use of the provided field survey (Appendix 2) and the individual survey questionnaire (Appendix 3). Their use will aid in the continuing process of determining the policy's effectiveness.
2. That the Director of Intelligence keep up to date and formalize the foreign liaison data currently retained.
4. That the Director of Intelligence recommend to the Commandant that he publish a White Letter, such as that provided at Appendix 4, to focus the Corps' attention on the foreign liaison issue and advise commanders of the policy contained in MCO 5510.16.
5. That the Director of Intelligence recommend to the Chief of Staff, HQMC, that he publish a Headquarters, Marine Corps order, such as that provided at Appendix 5, to amplify guidance within the headquarters for processing foreign liaison requests.
6. That the current policy directive be replaced with an enhanced, more detailed version. A proposed order is found at Appendix 6.



DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
WASHINGTON, D.C. 20380-0001

MCO 5510
PL33i:RPM/szl

MARINE CORPS ORDER 5510.16

From: Commandant of the Marine Corps
To: Distribution List

Subj: USMC Liaison With Representatives of Foreign Governments/
Interests

Ref: (a) SECNAVINST 5510.31A
(b) OPNAVINST 5510.48J
(c) SECNAVINST 5510.24E
(d) SECNAVINST 5510.26B
(e) NATIONAL DISCLOSURE POLICY (NDP-1)
(f) OPNAVINST 5510.1G
(g) OPNAVINST 4650.11E
(h) MCO 5512.4L

1. Purpose. To provide guidance for liaison between representatives of the Marine Corps and those of foreign governments/interests.

2. Background. A policy governing such contacts is necessary because of increased travel by Marines on official business to foreign countries, foreign counterpart visits to the Marine Corps, and heightened security concerns.

3. Action

a. All official contacts between USMC representatives and those of foreign governments/interests will be approved by CMC (INT). Exceptions for repetitive visits may be granted in the case of frequent and informal contacts conducted in the routine performance of duty.

b. References (a) and (b) provide policy and procedures for the control of foreign representatives visiting naval commands and installations.

(1) All visits by foreign representatives to Marine Corps commands for the purpose of substantive discussions, whether classified or unclassified, must be sponsored by the requesting government and approved by the Naval Office of Technology Transfer and Security Assistance (NAVOTTSA). Requests for all official visits, classified or unclassified, will be handled per reference (a) and the Guide for Foreign Attaches Accredited to the Department of the Navy, published by the Office of the Chief of Naval Operations (OP 009L). Unclassified visits for routine

MCO 5510

courtesy calls and public tours, or visits to foreign nationals attached to Marine Corps commands (e.g., exchange personnel or students), may be arranged directly with the command to be visited.

(2) Any visits by foreign representatives to either of the Force Radio Battalions for classified discussions require the additional approval of the Director, National Security Agency/Chief, Central Security Service (DDPP). This additional approval is not required for visits to nonoperational or sanitized areas, provided matters discussed are nonoperational and unclassified.

(3) All visits by foreign representatives to Marine Corps commands for the purpose of observing Marine Air-Ground Task Force (MAGTF) operations (e.g., combined arms exercises, MAGTF demonstrations, or amphibious exercises) must be sponsored by the requesting government and must be approved by CMC (INT).

c. References (b) through (e) address international technology transfer and disclosure of classified military information to foreign governments; reference (f) establishes the Navy Technology Transfer and Security Assistance Review Board. CMC (INTC) will route foreign disclosure and foreign visit requests from NAVOTTSA (Technology Transfer) to the appropriate HOMC staff agency for action.

d. Marine Corps representatives traveling abroad must comply with reference (g) in securing foreign area clearances. CMC (INT and P) will appear as addressees on the requesting message in addition to those addressees already required by this reference.

e. Passports and visas will be processed by CMC (MMOS-5) per reference (h).

f. Prior to travel, the cognizant HOMC staff agency will review briefing requirements.

g. Travelers will coordinate with the U.S. Defense Attaches in the countries visited.

h. On return to CONUS, travelers may be required to brief HOMC cognizant staff agencies in addition to INT and P. Additionally, trip/after action report requirements will be determined by the cognizant HOMC agency prior to commencement of travel.



C. D. DEAN
Chief of Staff

DISTRIBUTION: 7000

FIELD SURVEY

The following survey is being conducted to help determine the effectiveness of the Marine Corps policy on foreign travel. Please refer to MCO 55107. All operational wing and higher headquarters should be tasked to complete the survey.

1. Does your command hold a copy of MCO 55107?
2. Are you familiar with the requirement to request approval from CMC (Code INT) for conducting official contacts with representatives of foreign governments or interests as outlined in MCO 55107?
3. How many such contacts have representatives of your command conducted since 1 May 1987?
 - a. How many of these were approved by CMC?
 - b. How many of the contacts were made while representing operational commanders outside the Marine Corps?
 - c. Do these non-USMC authorities provide guidance for, or require approval of, the conduct of foreign contacts while representing their interests? If so, explain.
 - d. Is it feasible/appropriate to advise CMC (INT) of all foreign contact conducted for non-Marine Corps purposes?
4. Did your command retain data on foreign contacts prior to 1 May 1987? If so, provide that data for the period 1 May 1986 - 30 April 1987.

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5. Does MCI (air) provide good air support to manage
foreign liaison? (If not, describe additional information
needed necessary.)

6. What staff agency, within your area, is
responsible for foreign liaison?

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PERSON LIAISON SURVEY QUESTIONS

1. NAME: _____

GRADE: _____

STATUS: REGULAR RESERVE CIVILIAN

REPRESENTING: _____

If representing USMC, indicate office code

2. DEFINE NATURE OF THE FOREIGN CONTACT.

Visit to foreign government interest

or

Visit by foreign representative to USMC

3. LEVEL OF CLASSIFICATION OF INFORMATION ADDRESSED _____

4. WAS AN AFTER-ACTION REPORT PREPARED AFTER THE CONTACT?

IF SO, ATTACH A COPY; IF NOT, LIST MATTERS DISCUSSED:

5. PERSON(S)/POSITION(S) WITH WHOM YOU MET:

6. WERE YOU BRIEFED BY A CMC REPRESENTATIVE PRIOR TO

CONTACT? Yes No

DID YOU DEBRIEF A CMC REPRESENTATIVE ON COMPLETION OF

THE CONTACT? Yes No

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DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
WASHINGTON, D.C. 20380-0001

CMC:

WHITE LETTER NO. -88

From: Commandant of the Marine Corps
To: All General Officers
All Commanding Officers
All Officers in Charge

Subj: USMC LIAISON WITH REPRESENTATIVES OF FOREIGN GOVERNMENTS/
INTERESTS

1. Official contacts between Marine Corps representatives and those of foreign governments/interests are on the rise. Heightened security concerns, due to recent well-publicized events, make it necessary to reemphasize the policies governing such contacts. The following issues require your attention.

a. All official contacts between Marine Corps and foreign government representatives will be approved by the Director of Intelligence at Headquarters Marine Corps.

b. All visits by foreign nationals to Marine Corps commands for the purpose of substantive discussions, whether classified or unclassified, must be sponsored by the requesting government and approved by the Chief of Naval Operations. If requests for visits are received by Marine Corps commands, the requests will be passed to the Director of Intelligence for processing. Commanders should advise requesting parties that approval rests with Headquarters Marine Corps. Exceptions will be granted in the case of frequent and informal contacts which are conducted in the routine performance of duty. Unclassified visits for routine courtesy calls and public tours, or visits to foreign nationals attached to Marine Corps commands (e.g., exchange personnel or students) may be arranged directly with the command to be visited.

c. Commanding Officers of Marines traveling abroad must comply with MCO 1050.15 in securing foreign area clearances. The Deputy Chief of Staff for Plans, Policies and Operations (P) and the Director of Intelligence (INT) will appear as addressees on the requesting message in addition to the addressees required by MCO 1050.15.

d. Prior to travel, the cognizant Headquarters Marine Corps staff agency may direct preparatory briefings. Upon return, travelers may be required to brief these agencies, as well as the Director of Intelligence and the Deputy Chief of Staff for Plans, Policies and Operations.

CMC:PL

Subj: USMC LIAISON WITH REPRESENTATIVES OF FOREIGN GOVERNMENTS/
INTERESTS

2. I cannot overemphasize the importance of security awareness, especially when dealing with the agents of foreign governments or interests. Centrally monitoring such contacts will go a long way to responding to the security threat. Answers to specific questions on such contacts may be found in the following references:

a. SECNAVINST 5510.24E. International Transfer of Technology, Goods, Services and Munitions, and the Disclosure of Classified Military Information to Foreign Governments and International Organizations.

b. SECNAVINST 5510.26B. Procedures for Disclosure of Military Information to Foreign Governments and International Organizations.

c. OPNAVINST 5510.48J. Manual for the Disclosure of Classified Military Information to Foreign Governments and International Organizations.

d. OPNAVINST 5510.155C. Supplement to the Manual for the Disclosure of Classified Military Information to Foreign Governments and International Organizations.

e. OPNAVINST 5510.94F. Foreign Disclosure Review Board.

f. NDP-1. National Disclosure Policy.

3. Self-Cancellation.



DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
WASHINGTON, D.C. 20380-0001

HOO 5510.8

HEADQUARTERS ORDER 5510.8

From: Commandant of the Marine Corps
To: Distribution List

Subj: USMC Liaison With Representatives of Foreign Governments/
Interests

Ref: (a) SECNAVINST 5510.31A
(b) OPNAVINST 5510.48J
(c) SECNAVINST 5510.24E
(d) SECNAVINST 5510.26B
(e) NATIONAL DISCLOSURE POLICY (NDP-1)
(f) OPNAVINST 5510.1G
(g) OPNAVINST 4650.11E
(h) MCO 5512.4L

1. Purpose. To provide guidance for liaison between representatives of the Marine Corps and those of foreign governments/interests.

2. Background. A policy governing such contacts is necessary because of increased travel by Marines on official business to foreign countries, foreign counterpart visits to the Marine Corps, and heightened security concerns.

3. Action

a. All official contacts between USMC representatives and those of foreign governments/interests will be approved by CMC (INT). Exceptions for repetitive visits may be granted in the case of frequent and informal contacts conducted in the routine performance of duty.

b. References (a) and (b) provide policy and procedures for the control of foreign representatives visiting naval commands and installations.

(1) All visits by foreign representatives to Marine Corps commands for the purpose of substantive discussions, whether classified or unclassified, must be sponsored by the requesting government and approved by the Naval Office of Technology Transfer and Security Assistance (NAVOTTSA). Requests for all official visits, classified or unclassified, will be handled per reference (a) and the Guide for Foreign Attaches Accredited to the Department of the Navy, published by the Office of the Chief of Naval Operations (OP 009L). Unclassified visits for routine

courtesy calls and public tours, or visits to foreign nationals attached to Marine Corps commands (e.g., exchange personnel or students), may be arranged directly with the command to be visited.

(2) Any visits by foreign representatives to either of the Force Radio Battalions for classified discussions require the additional approval of the Director, National Security Agency/Chief, Central Security Service (DDPP). This additional approval is not required for visits to nonoperational or sanitized areas, provided matters discussed are nonoperational and unclassified.

(3) All visits by foreign representatives to Marine Corps commands for the purpose of observing Marine Air-Ground Task Force (MAGTF) operations (e.g., combined arms exercises, MAGTF demonstrations, or amphibious exercises) must be sponsored by the requesting government and must be approved by CMC (INT).

c. References (b) through (e) address international technology transfer and disclosure of classified military information to foreign governments; reference (f) establishes the Navy Technology Transfer and Security Assistance Review Board. CMC (INTC) will route foreign disclosure and foreign visit requests from NAVOTTSA (Technology Transfer) to the appropriate HQMC staff agency for action.

d. Marine Corps representatives traveling abroad must comply with reference (g) in securing foreign area clearances. CMC (INT and P) will appear as addressees on the requesting message in addition to those addressees already required by this reference.

e. Passports and visas will be processed by CMC (MMOS-5) per reference (h).

f. Prior to travel, the cognizant HQMC staff agency will review briefing requirements.

(1) Briefs from the Director of Intelligence (foreign disclosure, technology release, threat, and country briefs) and from Deputy Chief of Staff for Plans, Policies and Operations (politico-military and policy briefs) should be considered.

(2) Because specific missions and anticipated areas of travel will vary, the Director of Intelligence will coordinate with the Deputy Chief of Staff for Training to determine whether additional training requirements exist and to schedule requirements accordingly.

g. Travelers will coordinate with the U.S. Defense Attaches in the countries visited.

h. On return to CONUS, travelers may be required to brief HMC cognizant staff agencies in addition to INT and P. Additionally, trip/after action report requirements will be determined by the cognizant HMC agency prior to commencement of travel.

Chief of Staff

DISTRIBUTION: 7000

MARINE CORPS ORDER

From: Commandant of the Marine Corps
To: Distribution List

Subj: CONTROL OF FOREIGN REPRESENTATIVES

Ref: (a) DoD Instruction 5230.20 of 25 Jun 1984 NOTAL
(b) OPNAVINST 5510.48J
(c) OPNAVINST C5510.159 NOTAL
(d) OPNAVINST 5510.1F
(e) OPNAVINST 5720.2K
(f) MCO 4630.16B
(g) MCO 4950.2

1. Purpose. To promulgate U.S. Marine Corps policy, procedures, and authority for the control of foreign representatives while aboard U.S. Marine Corps commands, activities, or installations.

2. Applicability and Scope.

a. This order applies to all Marine Corps commands, activities, or installations, and to all representatives from allied or friendly foreign countries or international organizations.

b. By references (a) and (b), the Department of Defense (DoD) and the Department of Navy (DON) respectively promulgated guidance for the control of representatives of non-Communist countries. Procedures and policies for visits by nationals from Communist countries are contained in reference (c).

c. Contacts with foreign representatives shall be kept to a minimum, consistent with the interests of the United States and the foreign government or international organization concerned.

3. Definitions. Throughout this order, the terms "foreign national" and "foreign representative" are used interchangeably. The following definitions apply:

a. 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.

b. Foreign National. The term "foreign national" includes any person not a U.S. citizen, immigrant alien, or U.S. national. American citizens representing foreign governments, foreign private interests, or other foreign nationals are considered to be foreign nationals for purposes of this instruction.

c. Foreign Representative. Any individual, regardless of citizenship or country of origin, who represents a foreign government or other foreign interest (to include companies incorporated in the U.S., but under foreign ownership, control, or influence) in dealings with a DoD component or contractor.

d. Functional Accreditation. Recognition by a DoD component of a working relations with a foreign representative, who is a resident in the United States, for a specific purpose and on a recurring basis. Such foreign representatives may or may not be diplomatically accredited. In the Marine Corps, functional accreditations are restricted to commands/activities located in the Washington, DC, commuting area.

e. Visit (Official). Contact by representatives of a foreign government with a DoD component or DoD contractor's facility for a single occasion and for a specified purpose. Official visits by foreign representatives to DoD components or to DoD contractor facilities for military purposes must be officially sponsored by a foreign government or international organization. Care shall be exercised to preclude any attempted use of military arrangements for private commercial purposes, or as a means of evading the State Department's International Traffic in Arms Regulations, or the Department of Commerce's Export Administration Regulations. For the purposes of this instruction, official visits are those wherein there will be substantive or technical discussions or when classified information will be discussed.

f. Visit (Unofficial). Unclassified contact of foreign nationals with a DoD command or activity for unofficial purposes such as courtesy calls, general visiting to commands open to the public, etc.

4. Procedures for Official Visits or Functional Accreditation.

a. Requests for official visits or functional accreditation to Marine Corps commands, activities, or installations, are submitted in writing by the sponsoring foreign government or international organization to the Navy Office of Technology Transfer and Security Assistance (NAVOT TSA). Accredited attached of foreign governments and international organizations have been

provided guidance on this submission by The Guide for Foreign Attaches Accredited to the Department of the Navy. Requests for official visits shall be submitted at least 30 days prior to the commencement date of the proposed visit. Requests for functional accreditation should be submitted 90 days in advance.

b. NAVOTTSA forwards requests for official visits or functional accreditation to Marine Corps commands, activities, or installations, to the Marine Corps Foreign Visit Control Office. This office will review the incoming request and will in turn forward it to the appropriate Marine Corps staff agency or activity for staffing.

c. The action agency/activity will review the request for appropriateness and if appropriate will coordinate with the command, activity, or installation to be visited to determine the feasibility of the proposed visit. Requests for functional accreditation will be reviewed by the action agency/activity and will advise the foreign visit control office on its feasibility.

d. For official visits, the command, activity, or installation to be visited will review the request, and if the visit is feasible will provide the action agency/activity with the following information:

- (1) Name and grade of action officer
- (2) Title/office of action officer
- (3) Action officer's AUTOVON telephone number
- (4) Action officer's commercial telephone number
- (5) Recommended disclosure level
- (6) Limits of disclosure level (Recommended disclosure level of confidential or higher must include restrictions, i.e., specific programs, documents, or equipment that will be accessed. Recommendations provided without restrictions will be forwarded as an unclassified recommendation.)
- (7) Remarks/comments

e. If a proposed official visit is not feasible, the command, activity, or installation to be visited will so advise the action agency or activity. If the visit can be accommodated at an alternate date, this alternative should be provided. The criteria for determining whether or not a visit should be hosted cannot be strictly defined and are left to the command's discretion.

f. For official visits, the action agency/activity will forward the recommendation of the command, activity, or installation to be visited to the foreign visit control office.

(1) If approval of the visit is recommended at the unclassified or confidential level, the foreign visit control office will approve the visit and so advise both the command, activity, or installation to be visited and the requesting foreign

embassy. This advise will be provided in the form of appropriate record correspondence and a copy of will be provided to the action agency/activity and NAVOTTSA. The limits of disclosure authorized and restrictions imposed must not be disclosed to the foreign visitor, although the visitor must be advised of the classification of the information actually disclosed in order that adequate protection may be given to that information. A disclosure authorization should be considered permissive only. If the purpose of the visit can be accomplished by the disclosure of information of lesser classification than that authorized, the command, activity, or installation to be visited should limit discussion to the lower level.

(2) If approval of the visit is recommended at the secret or higher level, the foreign visit control office will return the request to NAVOTTSA with the Marine Corps recommendation. NAVOTTSA will approve the visit based on the Marine Corps recommendation and will so advise both the foreign visit control office and the requesting embassy. When advised of NAVOTTSA approval, the foreign visit control office will advise the command, activity, or installation to be visited. This advise will be in the form of record correspondence and a copy will be provided to the action agency/activity and NAVOTTSA.

(3) If approval of the visit is not recommended, the foreign visit control office will disapprove the visit and so advise both the command, activity, or installation to be visited and the requesting foreign embassy. This advise will be provided in the form of appropriate record correspondence and a copy of will be provided to the action agency/activity and NAVOTTSA.

g. For functional accreditation, if approval is recommended, the foreign visit control office will approve the request and so advise both the action agency/activity and the requesting foreign embassy. This advise will be provided in the form of appropriate record correspondence and a copy of will be provided to NAVOTTSA. If approval is not recommended, the foreign visit control office will disapprove the request and so advise both the action agency/activity and the requesting foreign embassy. This advise will be provided in the form of appropriate record correspondence and a copy of will be provided to NAVOTTSA. Foreign representatives that have been extended functional accreditation are authorized to visit only the specified command and/or activity subject to the terms of the individual's accreditation.

h. Requests for official visits that are received through other than approved channels will be returned with instructions to the requesters to address such to NAVOTTSA via their accredited Washington attaches.

i. Foreign visit requests which do not meet disclosure criteria or are not accompanied by sufficient detail on which to base a decision will be denied or returned for further justification, as appropriate.

j. Following the approval of a visit request, the pertinent foreign embassy is required to give the command, activity, or installation to be visited at least two working days advance notice of the actual date and time of the visitor's arrival. All activities have the prerogative of refusing to host any foreign visitor who arrives without having given such notice. Host activities have no option other than to delay or refuse a classified visit if the visitor arrives prior to the receipt of appropriate approval.

k. The host command, activity, or installation to be visited is required to appoint a contact officer for each foreign visit. This contact officer is responsible for controlling the activities of the foreign visitor(s) and for insuring that the disclosure of classified information is strictly in conformance with the disclosure authorization provided by higher authority.

l. A disclosure authorization for a visit does not include authority for the provision of classified documents, unless this is explicitly stated in the disclosure authorization. If a requirement to provide classified documents to the visitor should develop during a visit, such documents should be processed for disclosure in accordance with Part II, Chapter 1 of reference (b).

m. Any unusually persistent efforts on the part of a foreign visitor to obtain information which is not authorized for disclosure should be reported to the visit approving authority.

5. Procedures for Unofficial Visits. Department of the Navy regulations permit commanding officers to host visits by foreign nationals which do not involve the disclosure of classified information. For the purposes of this order, such visits as courtesy calls and general visiting to activities open to the public are unofficial visits and may be authorized at the discretion of the commanding officer. Such visits are subject to general security requirements outlined in reference (d).

6. Visits to Afloat Units. Basic policy concerning the visit of personnel to afloat units is contained in references (b), (d), and (e). The applicability of these directives is not affected by this order.

7. Embarkation in U.S. Marine Corps Aircraft. The Commandant of the Marine Corps may authorize the embarkation of foreign nationals in USMC aircraft for the purpose of practical demonstration, orientation, or training. Basic policy concerning such embarkations is contained in reference (f). The disclosure of classified information in connection with such embarkations must be in consonance with reference (b). The applicability of these directives is not affected by this order.

8. Long-Term Assignments of Foreign Nationals to U.S. Marine Corps Activities. The procedures outlined above are primarily

designed for single occasion visits for a specified purpose. For those instances requiring visits of a longer duration, such as in the case of participants in the Marine Corps Foreign Personnel Exchange Program, the provisions of Part II, Chapter 4 of reference (b) are applicable. Host activities are reminded that security is a responsibility of command, and that long-term assignments of foreign nationals require constant vigilance to preclude the unauthorized disclosure of classified information.

9. Training of Foreign Nationals. The training of foreign nationals is administered in accordance with reference (g). Basic policy concerning this type of training is contained in reference (g). Foreign nationals are permitted to take part in classified training provided it has been authorized in accordance with the procedures outlined in references (b) and (g). The applicability of these directives is not affected by this order.

10. Action.

a. Deputy Chief of Staff, _____.
The Deputy Chief of Staff, _____, executes the Marine Corps program for the control of foreign representatives as outlined in this order. The Deputy Chief of Staff, _____ executes authority delegated to the Commandant of the Marine Corps by reference (b) for approval of visits by representatives from allied or friendly foreign countries and international organizations. In the execution of this program, the Deputy Chief of Staff, _____ will establish and operate a Foreign Visit Control Office/Section.

b. Headquarters, Marine Corps staff agencies, commands, activities. Coordinate requests for official visits or functional accreditation to Marine Corps commands, activities, or installations as outlined in this order.

c. Marine Corps commands, activities, or installations. For official visits, the command, activity, or installation to be visited will review applicable visit requests, and if the requested visit is feasible will provide the Headquarters, Marine Corps action agency/activity with the information required by this order. The host command, activity, or installation to be visited is required to appoint a contact officer for each foreign visit. This contact officer is responsible for controlling the activities of the foreign visitor(s) as outlined in this order. For unofficial visits, commanding officers may host visits by foreign nationals which do not involve the disclosure of classified information as outlined in this order.

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