



CHAIRMAN OF THE JOINT CHIEFS OF STAFF INSTRUCTION

J5
DISTRIBUTION: C, J

CJCSI 2110.01A
1 March 2000

INTERNATIONAL TRANSFER OF US DEFENSE-RELATED TECHNOLOGY AND MUNITIONS

- References:
- a. DOD Directive 2040.2, 17 January 1984, "International Transfers of Technology, Goods, Services, and Munitions"
 - b. DOD Directive 5120.49, 14 March 1990, "DOD International Technology Transfer Coordinating Committee"
 - c. DOD 5105.38M 1 April 1998 "Security Assistance Management Manual"

1. **Purpose.** This instruction implements the references and establishes Joint Staff procedures for reviewing the international transfer of US defense-related technology.
2. **Cancellation.** CJCSI 2110.01, 25 July 1996, is canceled.
3. **Applicability.** This instruction applies to the Joint Staff and the combatant commands.
4. **Policy.** DOD policy is to treat defense-related technology as a valuable, limited national security resource, to be husbanded and invested in pursuit of national security objectives. Consistent with this policy and in recognition of the importance of international trade to a strong US defense industrial base, the Department of Defense will apply export controls in a way that minimally interferes with the conduct of legitimate trade and scientific endeavor. Within the DOD review process, the Joint Staff, in coordination with the combatant commanders, represents the operational interest and perspective of the warfighter. Issues in technology transfer and specific proposals for the transfer of defense-related technology, goods, or services are evaluated at The Joint Staff

and unified command level from the perspective of providing the best military advice possible to the National Command Authorities and from the viewpoint of the potential impact on operations and warfighting.

5. Definitions. None.

6. Responsibilities

a. The Director for Strategic Plans and Policy (J-5) is the designated Joint Staff principal for all technology, data, services, material, and munitions issues that pertain to development, defense cooperation, and other politico-military factors influenced by technology. Specific responsibilities within the Directorate for Strategic Plans and Policy (J-5) are as follows:

(1) The Deputy Director for International Negotiations (DDIN) will represent the Joint Staff on the DOD International Technology Transfer Coordinating Committee (IT²C²) established by reference a.

(2) The Chief, Weapons Technology Control (WTC) Division, DDIN, and the appropriate Chiefs of Politico-Military Affairs (DDPMA-A and/or DDPMA-E) regional divisions will represent the Joint Staff on any IT²C² subcommittees or working groups established under reference b.

(3) Arms Transfer Policy Review Group (ATPRG). The ATPRG develops DOD positions on contentious arms transfer issues. The Chief, WTC Division, or his representative will represent the Joint Staff on this committee at the working group level. Generally, the Director, J-5, represents the Joint Staff at the principal level. All issues will be coordinated through the appropriate combatant commands and appropriate Joint Staff elements.

(4) Wassenaar Arrangement (WA) on Export Controls for Conventional Arms and Dual-Use Goods and Technologies. WA was formally implemented by the United States and 32 other governments in July 1996. The purpose of the WA is to (1) promote transparency and greater responsibility with regard to the transfers of conventional arms and dual-use goods/technologies, (2) encourage restraint where threats to international peace and stability are judged greatest, and (3) harmonize national export policies to guard against destabilizing accumulations of military might. WA issues will be referred to the Joint Staff from the Deputy Under Secretary of Defense, Technology Security Policy (DUSD(TSP)), for comment or concurrence. J-5/WTC Division will coordinate any such actions with the Services and the Joint Staff. The coordinated comments or concurrence will then be forwarded to DUSD(TSP) through DDIN.

(5) Security Assistance Requests (SAR). SARs are prepared by the Director, Defense Security and Cooperation Agency, in accordance with reference c and forwarded to the Director, Joint Staff. The SAR will be referred to the J-5/WTC Division, who will coordinate with the appropriate combatant command, Service(s), and other appropriate Joint Staff directorates.

(6) Munitions Export License Requests. License requests are forwarded to the Joint Staff from the Defense Threat Reduction Agency, the lead DOD agency for these actions. All requests will be assigned to J-5/WTC Division, who will coordinate the Joint Staff input with appropriate combatant command(s), Service(s), DDPMA regional division(s), and other Joint Staff elements.

(7) National Disclosure Policy Issues. In recognition that it may be in our national interest to share classified military information (CMI) with foreign nations, the National Security Council, with approval of the President, established a national policy (NDP-1) governing disclosure of CMI to foreign governments. NDP-1 authorizes delegated disclosure decisions up to a specified level of classification for most countries. In cases where disclosure cannot be delegated, an Exception to National Disclosure Policy (ENDP) is required. ENDPs must be sponsored and supported by the agency with cognizance over the CMI. ENDPs require consensus support from the Interagency members of the National Disclosure Policy Committee (NDPC). The Chairman of the NDPC refers cases requesting an ENDP directly to the Joint Staff NDPC member, J-5 WTC Division. Cases received will be staffed through the appropriate combatant commands, DDPMA regional divisions, and cognizant Joint Staff elements for comment or concurrence within 10 days. After staffing and approval, the Joint Staff NDPC member will forward the Joint Staff recommendation to the NDPC.

(8) Excess Defense Article (EDA) Coordination Committee. The Departments of Defense and State have established an EDA Coordination Committee to review projected excess and allocate excess defense assets to potential recipients. The Chief, WTC Division, or his representative will represent the Joint Staff on this committee. Decision issues will be coordinated with all appropriate Joint Staff elements and combatant commanders.

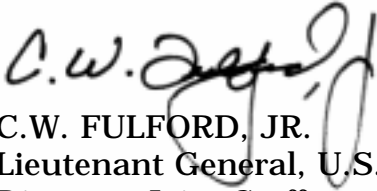
b. The Director for Command, Control, Communications, and Computer Systems (C⁴S) (J-6) is the designated Joint Staff principal for technology transfer issues affecting C⁴S.

c. The Director for Operational Plans and Interoperability (J-7) is the designated Joint Staff principal for issues and factors concerning US efforts to standardize, or to make interoperable, procedures and equipment with allies and other friendly nations through cooperative armaments projects that enhance US rationalization, standardization, and interoperability procedures.

7. Summary of Changes. This instruction incorporates changes resulting from the establishment of the ATPRG. It states the perspective from which The Joint Staff assesses prospective transfers of defense technology, equipment, and services. It also provides realignment responsibilities reflecting current Joint Staff organization procedures.

8. Releasability. This instruction is approved for public release; distribution is unlimited. DOD components (to include the combatant commands), other Federal agencies, and the public may obtain copies of this instruction through the Internet from the CJCS Directives Home Page--<http://www.dtic.mil/doctrine>. Copies are also available through the Government Printing Office on the Joint Electronic Library CD-ROM.

9. Effective Date. This instruction is effective upon receipt.


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