

CHAIRMAN OF THE JOINT CHIEFS OF STAFF INSTRUCTION

Directive Current as of 4 January 2012

J-5

DISTRIBUTION: A, B, C, J, S

CJCSI 2800.01C

21 November 2008

PROCESSING ATOMIC INFORMATION OF INTEREST TO THE CHAIRMAN OF THE JOINT CHIEFS OF STAFF RECEIVED FROM, OR PROPOSED FOR TRANSMISSION TO, ANOTHER NATION OR INTERNATIONAL ORGANIZATION

References:

- a. Atomic Energy Act of 1954
- b. JAIEG-1, "Handbook for Transfer of US Restricted Data/Formerly Restricted Data to NATO and NATO Member States"

1. Purpose. This instruction establishes standard administrative policy for processing RESTRICTED DATA and FORMERLY RESTRICTED DATA, hereinafter referred to as atomic information, which is received from, or proposed for transmission to, another nation or international organization and which is of interest to the Chairman of the Joint Chiefs of Staff (hereafter referred to as "the Chairman").

2. Cancellation. 2800.01B, 28 May 2003, is canceled.

3. Applicability. This policy applies to the Joint Staff and it is being distributed to other agencies for information only.

4. Policy

a. It is essential that atomic information received from, and Joint Staff papers containing atomic information under consideration for transmission to, foreign nations or international organizations be properly processed.

b. In the case of Joint Staff papers under consideration for transmission to foreign nations or international organizations, this processing must include a proper determination to ensure that the transmission:

- (1) Is authorized within the National Disclosure Policy.

(2) Is within the scope authorized by the Atomic Energy Act of 1954, as amended.

(3) Is within the scope authorized by the appropriate agreements for cooperation.

(4) Will promote, and will not constitute an unreasonable risk to, the common defense and security.

5. Definitions

a. The Joint Atomic Information Exchange Group (JAIEG) has been established as the central agency for the Department of Defense and Department of Energy to review and, as appropriate, authorize the communication of atomic information (RESTRICTED DATA and FORMERLY RESTRICTED DATA) to other nations or international organizations for mutual defense purposes. No redelegation of this authority by JAIEG is authorized. JAIEG will make the determinations indicated in subparagraphs 4b(2) and 4b(3) above and obtain the determination indicated in subparagraph 4b(4) above, as appropriate. The determination under subparagraph 4b(1) above and exceptions where appropriate are the responsibility of the agency compiling the information. The procedures outlined herein pertain to information only, not to equipment and material.

b. JAIEG is required to establish and maintain complete records of all atomic information transmitted to, or received from, another nation or international organization.

c. Reference b outlines the responsibilities of sponsoring agencies and delineates the authorities and responsibilities of each with respect to the exchange of atomic information with other nations or international organizations pursuant to an Agreement for Cooperation for Mutual Defense Purposes.

d. Transmissions of atomic information proposed by the Chairman will be transmitted normally by the JAIEG or the Services. Similarly, atomic information being transmitted to the Chairman by another nation or international organization will be transmitted normally to the Chairman through JAIEG or the Services.

e. Although JAIEG is concerned with the transmissibility of atomic information, a determination of what information should be marked RESTRICTED DATA or FORMERLY RESTRICTED DATA will be made by consulting with the appropriate classification guide. If a determination cannot be made at the Joint Staff level, the Deputy Under Secretary of Defense for Policy (Policy Support) is responsible for making the decision.

6. Responsibilities

a. Sponsoring Agency (originator or office of primary interest)

(1) Consult informally with JAIEG and Defense Threat Reduction Agency as required, but take all formal action with JAIEG through the Strategic Deterrence and Nuclear Policy Division, Strategic Plans and Policy Directorate (J-5), Joint Staff.

(2) Take appropriate action and provide information as required by reference b pertaining to the sponsoring agency or office, except as assigned below.

b. Director, Strategic Plans and Policy, Joint Staff

(1) Act as the single point of contact for the Joint Staff with JAIEG.

(2) Furnish the technical assistance required by the sponsoring directorate to discharge the responsibilities assigned by reference b.

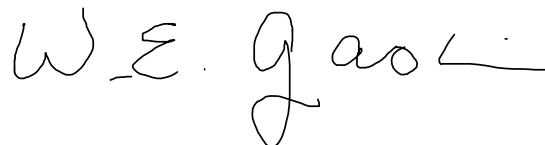
(3) Prepare and forward to Chief, JAIEG; the Director, Joint Staff; Chairman, National Military Information Disclosure Policy Committee; or the originator (office of primary interest), as appropriate, the memorandum required to process the transmission or receipt of atomic information of interest to the Chairman of the Joint Chiefs of Staff.

7. Summary of Changes. This is an administrative update.

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/cjcs_directives.

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

For the Chairman of the Joint Chiefs of Staff



W. E. GASKIN
Major General, USMC
Vice Director, Joint Staff

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