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## Department of Defense DIRECTIVE

NUMBER C-3325.01E

October 10, 2006

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USD(I)

SUBJECT: Foreign Materiel Program (FMP) (U)

- References:
- (a) DoD Directive C-3325.1, subject as above, February 19, 1998 (hereby canceled)
  - (b) Section 113 of title 10, United States Code
  - (c) DoD Directive 5101.1, "DoD Executive Agent," September 3, 2002
  - (d) DoD Instruction 2015.4, "Defense Research, Development, Test and Evaluation (RDT&E) Information Exchange Program (IEP)," February 7, 2002
  - (e) through (h), see Enclosure 1

### 1. (U) REISSUANCE AND PURPOSE

(U) This Directive:

1.1. (U) Reissues Reference (a) to update policy and responsibilities for the management and operation of the DoD FMP under the authority vested in the Secretary of Defense by Reference (b).

1.2. (U) Designates the Director, Defense Intelligence Agency (DIA), as the DoD Executive Agent for the FMP according to Reference (c).

### 2. (U) APPLICABILITY AND SCOPE

(U) This Directive applies to:

2.1. (U) The Office of the Secretary of Defense (OSD), the Military Departments, the Chairman of the Joint Chiefs of Staff, the Combatant Commands, the Office of the Inspector General of the Department of Defense, the Defense Agencies, the DoD Field Activities, and all other organizational entities in the Department of Defense (hereafter referred to collectively as the "DoD Components").

Classified by: Stephen A. Cambone, Under Secretary of Defense for Intelligence

Reason: 1.4(b), (c), (d)

Declassify on: August 1, 2031

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2.2. (U) All activities of the DoD Components that acquire and exploit foreign military and commercial materiel with potential military application, technologies, and related documents except:

2.2.1. (U) Activities that complement the FMP addressed by DoD Instruction 2015.4 (Reference (d)) and DoD 5000.3-M-2 (Reference (e)).

2.2.2. (U) Purchases of foreign manufactured materiel acquired through open competition and used to equip the DoD Components or to support operational elements of the Military Departments.

### 3. (U) DEFINITIONS

3.1. (U) Foreign Materiel. Any item of foreign origin including technical and operational documentation that has military or potential military application.

3.2. (U) Foreign Materiel Acquisition (FMA). FMP activities that include gaining physical possession of, or access to, an item of foreign materiel or technology.

3.3. (U) Foreign Materiel Exploitation (FME). FMP activities that include analysis, testing, evaluation, and documentation of the scientific and technical intelligence (S&TI) characteristics of an item of foreign materiel.

### 4. (U) POLICY

(U) It is DoD Policy that:

4.1. (U) The Department of Defense shall acquire and exploit foreign weapons systems and components, foreign commercial items with potential military application, and related technologies, documents, and software to enhance national security.

4.2. (U) The DoD Components authorized to conduct FMA or FME activities shall be responsive to guidance provided by the Under Secretary of Defense for Intelligence (USD(I)), as advised by the FMP Steering Committee (FMPSC) according to DoD Instruction S-3325.4 (Reference (f)), and coordinate such activities with the Director, DIA.

4.3. (U) The DoD Components shall program funds through the DoD Planning, Programming, and Budgeting process to support the FMP.

4.4. (U) Information derived from exploitation of foreign materiel shall receive immediate and widest possible dissemination and use to ensure maximum possible benefit consistent with need and security.

### 5. (U) RESPONSIBILITIES

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5.1. (U) The USD(I) shall serve as the Principal Staff Assistant and advisor to the Secretary and Deputy Secretary of Defense on all FMP matters and shall:

5.1.1. (U) Exercise oversight of the DoD FMP and the activities of the DoD Executive Agent for FMP, assessing the need, currency, effectiveness, and efficiency of the DoD Executive Agent arrangement in satisfying end-user requirements..

5.1.2. (U) Develop, coordinate, and implement policy and planning for the FMP activities of the DoD Components.

5.1.3. (U) Establish and designate the chair of the FMPSC according to Reference (f).

5.1.4. (U) Serve as the principal DoD point of contact for Congressional matters affecting the DoD FMP, in consultation with the Assistant Secretary of Defense for Legislative Affairs, according to DoD Directive 5142.1 (Reference (g)).

5.1.5. (U) Control special access programs applicable to the FMP using required compartmented procedures.

5.1.6. (U) Establish, program, budget, and execute the OSD FMA and FME (FMA&E) fund in support of DoD FMP activities.

5.1.7. (U) Coordinate planned activities and FMP Acquisition Operational Plans (OPLANs) with the appropriate policy elements within OSD.

5.1.8. (U) Submit a report of DoD FMP activities to the Secretary of Defense by February 1 of each year.

5.2. (U) The Director, DIA, as the DoD Executive Agent for FMP is subject to the authority, direction, and control of the Secretary of Defense through the USD(I), and shall:

5.2.1. (U) Coordinate the execution of all FMP activities of the Military Departments and the Combatant Commands through the Chairman of the Joint Chiefs of Staff, the Defense Agencies, and the DoD Field Activities.

5.2.2. (U) Ensure that the Military Departments' S&TI Centers, the Marine Corps Intelligence Activity, the DIA Missile and Space Intelligence Center, and the Armed Forces Medical Intelligence Center are funded, according to overall priorities, to support FMA&E activities.

5.2.3. (U) Review and assess the adequacy of all FMP acquisition proposals in which the DoD Components participate.

5.2.4. (U) Review and coordinate requests from the DoD Components for allocations from the OSD FMA&E fund using criteria established by the FMPSC.

5.2.5. (U) Acquire and exploit foreign materiel in accordance with this Directive.

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5.2.6. (U) In coordination with the DoD Components designate the organizations responsible for acquisition and exploitation of foreign materiel based on overall intelligence requirements, operational requirements, and test and evaluation requirements.

5.2.7. (U) Establish and maintain a comprehensive foreign materiel data base (i.e., Foreign Materiel Management System).

5.2.8. (U) Announce all FMA opportunities to the Military Departments.

5.2.9. (U) Coordinate OPLANs submitted by the Military Departments for all overt acquisitions with the Department of State and the Deputy Under Secretary of Defense for Intelligence and Warfighting Support.

5.2.10. (U) Annually, by January 15, submit to the USD(I) the "Foreign Materiel Program Report" and, by September 15, the "Foreign Materiel Program Annual Plan."

(b)(1)

5.2.12. (U) Disseminate the results of FMP acquisitions and exploitations in a timely manner.

5.2.13. (U) In coordination with the DoD Components, develop and maintain lists of prioritized acquisition and exploitation requirements for the DoD FMP.

5.3. (U) The Director, National Security Agency, under the authority, direction, and control of the USD(I), shall:

5.3.1. (U) Exercise oversight for all matters concerning the acquisition and exploitation of foreign cryptologic/cryptographic materiel and information.

5.3.2. (U) Comply with the provisions of this Directive for acquisition and exploitation of foreign materiel not governed by Reference (e).

5.3.3. (U) Disseminate the results of FMP acquisitions and exploitations in a timely manner.

5.4. (U) The Under Secretary of Defense for Acquisition, Technology, and Logistics (USD(AT&L)) shall:

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5.4.2. (U) Coordinate with the DoD Components to ensure developmental test and evaluation priorities are reflected in the planning and implementation of FMP activities.

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5.4.3. (U) Develop and implement procedures to ensure that FME results, including foreign technology or design features that will enhance U.S. technical or operational capabilities, are incorporated into U.S. weapons and countermeasures systems.

5.5. (U) The Director, Missile Defense Agency, under the authority, direction, and control of the USD(AT&L), and in coordination with the USD(I), shall:

5.5.1. (U) Acquire foreign materiel in cooperation with the Director, DIA, as set forth in this Directive.

5.5.2. (U) Notify the Director, DIA as the DoD Executive Agent for FMP, of all opportunities to acquire or gain access to foreign materiel; coordinate related acquisition activities; and report all acquisitions to the Director, DIA.

5.5.3. (U) Provide information necessary to maintain the DoD FMP database to the Director, DIA, each quarter.

5.5.4. (U) Submit requests for OSD FMA&E funds to the FMPSC through the Director, DIA.

5.5.5. (U) Annually, by December 15, provide input to the Director, DIA, for inclusion in the "Foreign Materiel Program Report" and, by August 15, input for inclusion in the "Foreign Materiel Program Annual Plan."

(b)(1)

5.5.7. (U) Plan, program, and budget for the acquisition and exploitation of foreign materiel required to fulfill validated intelligence production requirements.

5.5.8. (U) Disseminate the results of FMP acquisitions and exploitations in a timely manner.

5.6. (U) The Under Secretary of Defense for Policy shall coordinate with the appropriate OSD policy elements on FMP Acquisition OPLANs and other planned FMP activities.

5.7. (U) The Director, Operational Test and Evaluation, shall:

5.7.1. (U) Coordinate with the DoD Components to ensure both the operational and live fire test and evaluation priorities are reflected in the planning and implementation of FMP activities.

5.7.2. (U) Annually, by December 15, provide input to the Director, DIA as the DoD Executive Agent for FMP, for inclusion in the "Foreign Materiel Program Report" and, by August 15, input for inclusion in the "Foreign Materiel Program Annual Plan."

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5.8. (U) The Secretaries of the Military Departments shall:

5.8.1. (U) Acquire and exploit foreign materiel as set forth in this Directive.

5.8.2. (U) Notify the Director, DIA as the DoD Executive Agent for FMP, of all opportunities to acquire or gain access to foreign materiel; and coordinate acquisition activities with, and report all acquisitions to, the Director, DIA as the DoD Executive Agent for FMP.

5.8.3. (U) Provide information necessary to maintain the DoD FMP database to the Director, DIA, each quarter.

5.8.4. (U) Submit requests for OSD FMA&E Funds to the FMPSC through the Director, DIA.

5.8.5. (U) Annually, by December 15, provide input to the Director, DIA, for inclusion in the "Foreign Materiel Program Report" and, by August 15, input for inclusion in the "Foreign Materiel Program Annual Plan."

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5.8.7. (U) Plan, program, and budget for the acquisition and exploitation of foreign materiel required to fulfill Military Department intelligence production requirements.

5.8.8. (U) Disseminate the results of FMP acquisitions and exploitations in a timely manner.

5.8.9. (U) Plan, program, and budget to organize, train, and equip Military Department-specific forces to participate in the exploitation of equipment captured during military operations, and to coordinate and oversee extraction of appropriate equipment to the United States.

5.9. (U) The Chairman of the Joint Chiefs of Staff shall:

5.9.1. (U) Provide advice on FMP priorities.

5.9.2. (U) Represent the Combatant Commands before the FMPSC.

5.10. (U) The Commanders of the Combatant Commands, through the Chairman of the Joint Chiefs of Staff, shall:

5.10.1. (U) Report all acquisition opportunities to the Director, DIA as the DoD Executive Agent for FMP.

5.10.2. (U) Provide Combatant Command requirements by August 15, to the Director, DIA as the DoD Executive Agent for FMP, to assist in establishing FMA priorities. These priorities shall then be included in the "Foreign Materiel Program Annual Plan."

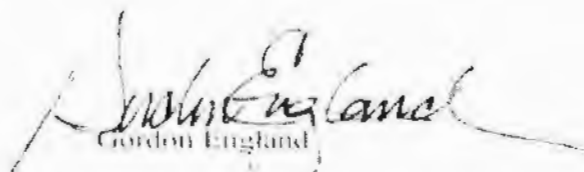
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5.10.3. (U) Identify, plan, prepare, and provide support for the acquisition, exploitation, and potential extraction of foreign materiel to the United States obtained during peacetime/security cooperation activities, contingency operations, or captured (or otherwise acquired) during military operations.

6. (U) EFFECTIVE DATE

(U) This Directive is effective immediately.



Gordon England

Enclosure - 1

E1. References, continued

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E1. ENCLOSURE 1 (U)

REFERENCES, continued (U)

- (e) DoD 5000.3-M-2, "Foreign Comparative Testing (FCT) Program Procedures Manual,"  
January 1994
- (f) DoD Instruction S-3325.4, "Implementation of the Foreign Materiel Program (U),"  
April 15, 1999
- (g) DoD Directive 5142.1, "Assistant Secretary of Defense (Legislative Affairs),"  
June 14, 2000
- (h) DoD Directive 5530.3, "International Agreements," June 11, 1987

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