



Ministry of Defence

Air Command Secretariat
Spitfire Block
Headquarters Air Command
Royal Air Force
High Wycombe
Buckinghamshire
HP14 4UE

Ref. [REDACTED]

Email: [REDACTED]

15 September 2015

Dear [REDACTED],

Thank you for your email of 10 August 2015 where you requested the below information;

Please can you provide the following information to [REDACTED] contactable at [REDACTED]

- 1. How many US Government personnel are stationed (or otherwise currently present) at RAF Waddington*
- 2. Of those US Government personnel stationed (or otherwise currently present) at RAF Waddington, how many are embedded personnel*
- 3. What is the rank, role and unit of each US Government personnel at RAF Waddington. Please distinguish between embedded and other personnel.*
- 4. Who is the person or team at the Ministry of Defence responsible for US embedded personnel.*

I am treating your correspondence as a request for information under the Freedom of Information (FOI) Act 2000.

We have now completed a search for the information you requested and I can confirm that information in scope of your request is held. Some information held by the department falling within scope of your request is exempt from release under Sections 27(1), 27(2) and 40(2) of the FOI Act.

The information which can be released is detailed below;

- There are seven US Government personnel stationed at Royal Air Force (RAF) Waddington.
- All US personnel are embedded. We have interpreted the term 'embedded' as any personnel who are assigned to permanent roles in their respective units and are under the command and control of the UK Armed Forces whilst remaining subject to US law, policy and military jurisdiction.
- We have understood question 4 to refer to the person or team in the RAF who is responsible for US embedded personnel stationed in the UK, as this may differ in the other Services. In the first instance, US embedded personnel stationed in the UK with the RAF are line managed and directed by their Squadron and Station Chain of Command. Ultimately the US

Military remains responsible for their embedded personnel while serving in the UK, although the conditions governing the employment of Foreign officers in such appointments are contained in the individual Memorandum of Understanding between the supplying government and the UK. This is in accordance with the extant RAF International Security Cooperation Policy. Single Service (RAF) policy on the management of embedded personnel rests with the Chief of Air Staff – Air Staff International Engagement team.

Information on rank, role and unit of US Government personnel stationed at RAF Waddington is considered exempt under Section 27(1)(a), Section 27(2) and Section 40(2).

Section 27(1)(a) of the Act provides that information is exempt if its disclosure would, or be likely to, prejudice relations between the United Kingdom and any other State.

Section 27(2) provides that information is also exempt information if it is confidential information obtained from a State other than the United Kingdom or from an international organisation or international court.

Section 40(2) provides that third party personal data which could constitute identifying data is exempt in accordance with the 1998 Data Protection Act.

Section 27 is a qualified exemption and as such it has been necessary to decide whether, in all circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosure.

There is a public interest in furthering public understanding of the UK's military relationship with the US as well as promoting an understanding of embedded personnel and their role in the UK Armed Forces. Moreover, access to information held by the government and general transparency of government functions promotes public trust and confidence in the Ministry of Defence.

However, in this circumstance it has been considered likely that the disclosure of this information will have a detrimental impact. Therefore, information that relates to the role, rank and unit of US personnel based at RAF Waddington has been withheld under Section 27 and Section 40 of the FOI Act. The release of confidential information without the correct permissions would prejudice relationships. To disclose information which the US Authorities have expressly prohibited from being released would have a harmful effect on our relationship with the US and this may inhibit future cooperation.

There remains a strong public interest in protecting the security of members of UK and Allied Armed Forces. The release of this information could potentially identify individual US personnel based at RAF Waddington as they have varying roles, ranks and units; ultimately this contravenes the 1998 Data Protection Act (DPA). The DPA states that personal data should not be released if a living person can be identified from the data (either from the data itself or from that data and other information available to the requester). The US Authorities have concerns that identified US personnel may be targeted for attack.

It is considered that the arguments against disclosure of the rank, role and unit of US personnel at RAF Waddington outweigh those in favour of release.

If you are not satisfied with this response or wish to complain about any aspect of the handling of your request, then you should contact me in the first instance. If informal resolution is not possible and you are still dissatisfied then you may apply for an independent internal review by contacting the Information Rights Compliance Team, 1st Floor, MOD Main Building, Whitehall, SW1A 2HB (e-mail CIO-FOI-IR@mod.uk). Please note that any request for an internal review must be made within 40 working days of the date on which the attempt to reach informal resolution has come to an end.

If you remain dissatisfied following an internal review, you may take your complaint to the Information Commissioner under the provisions of Section 50 of the Freedom of Information Act. Please note that the Information Commissioner will not investigate your case until the

MOD internal review process has been completed. Further details of the role and powers of the Information Commissioner can be found on the Commissioner's website, <http://www.ico.org.uk>.

Yours sincerely,

[Original Signed]

Air Command Secretariat 2B1