

**DETERMINATION OF THE DIRECTOR OF SECRETARY OF DEFENSE
FOR PRIVACY, CIVIL LIBERTIES, AND TRANSPARENCY**

Under the authority delegated to me by the Secretary of Defense, I have determined that the following information is exempt from disclosure under Exemption 3 of the Freedom of Information Act (5 U.S.C. § 552(b)(3)) because it meets the requirements for exemption under 10 U.S.C. § 130e:

Any Department of Defense aircraft flight data information, including surveillance sensor data, geospatial referenced position information, altitude, heading, bearing, and identification data, weapons proficiency data, personnel and manning data, and aircraft status and maintenance data. Flight data also encompasses information contained in aircraft flight records, flight schedules, pilot and aircrew logs, tower and facility logs, flight progress strips, logistics records, local squadron flight records, master flight files, training and qualifications records, and other records containing similar flight data information.

Date: _____

Joo Y. Chung
Assistant to the Secretary of Defense
for Privacy, Civil Liberties, and Transparency

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In accordance with 10 U.S.C. § 130e, I reviewed information regarding Department of Defense (DoD) aircraft flight data collected and/or stored by US Government surveillance sensors and information technology systems. I have determined that this information qualifies as DoD critical infrastructure security information as defined by 10 U.S.C. § 130e(f) because it pertains to the physical and operational security regarding the origin, patterns, and trends of the movement of military aircraft and forces.

Gaining this information about our capabilities and intentions, individually or in the aggregate, would enable an adversary to identify vulnerabilities in the execution of our military forces' training and operational missions. This would further provide an adversary the information to disrupt or inflict significant destruction or damage to DoD aircraft and personnel by introducing a risk to our military air operations.

I considered the public interest in the disclosure of this flight data and weighed it against the risk of harm that might result if it were disclosed. Because the public interest in this information is minimal, and the risk of harm that might result from its disclosure is extremely significant, I have determined that the public interest does not outweigh the protection of this information. Therefore, it should be exempt from public disclosure.