



Department of Defense INSTRUCTION

NUMBER 5100.76
October 8, 2005

USD(I)

SUBJECT: Safeguarding Conventional Arms, Ammunition, and Explosives (AA&E) and the AA&E Physical Security Review Board

References: (a) DoD Directive 5100.76, "Physical Security Review Board," February 10, 1981 (hereby canceled)
(b) Deputy Secretary of Defense memorandum, "DoD Directives Review – Phase II," July 13, 2005
(c) DoD 5100.76-M, "Physical Security of Sensitive Conventional Arms, Ammunition, and Explosives, August 12, 2000
(d) DoD 5025.1-M, "DoD Directives System Procedures," March 2003
(e) through (m) see enclosure 1

1. REISSUANCE AND PURPOSE

This Instruction:

1.1. Reissues reference (a) according to the guidance in reference (b).

1.2. Continues the Physical Security Review Board, but renames it as the Arms, Ammunition, and Explosives (AA&E) Physical Review Board. The new name reflects the deletion of nuclear matters from the board's charter and the addition of conventional AA&E security policy implemented by reference (c).

1.3. Outlines the authorities, responsibilities, and functions relative to the formulation of worldwide uniform policy, standards, and guidance for the physical security of conventional arms, ammunition, and explosives in the possession or custody of the DoD Components.

1.4. Authorizes the publication and implementation of reference (c) consistent with the requirements of reference (d).

2. APPLICABILITY AND SCOPE

This Instruction applies to:

2.1. The Office of the Secretary of Defense, 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").

2.2. Any DoD Component assigned worldwide involved in the procurement, use, shipment, storage, inventory control, disposal by sale, or destruction of conventional arms, ammunition, and explosives. It also applies to all DoD contracts for which performance depends on access to DoD conventional AA&E.

2.3. Cooperative Research and Development Agreements and Memorandums of Agreement with other research partners and Government Agencies that involve furnished DoD conventional AA&E for a DoD effort.

2.4. Working groups and organizations formed to improve the oversight, management, control, safety, and security of conventional AA&E throughout the DoD logistics chain as addressed in the DoD Strategic Plan for the Distribution of AA&E (reference (e)).

3. DEFINITIONS

The terms used in this Instruction are defined in enclosure 2 and Joint Publication 1-02 (reference (f)).

4. POLICY

It is DoD policy that:

4.1. The security of conventional AA&E is a DoD high-interest item and is important because of the potential for this material to jeopardize the safety and security of personnel and installations worldwide especially if these materials were to be obtained illegally by subversives, terrorists, or other criminal elements. It requires continual oversight and monitoring by senior-level DoD representatives. These representatives will form the AA&E Physical Security Review Board.

4.2. Conventional AA&E shall be properly safeguarded against theft, loss, damage, or unauthorized use in accordance with the minimum standards outlined in reference (c) and DoD 5200.8-R (reference (g)).

4.3. All DoD Components will implement the processes and procedures to assess and evaluate appropriate additional security measures based on continual threat assessments, Force Protection Condition changes, and vulnerability assessments. They will also use reliable risk management principles for mitigating, reducing, or eliminating risks.

4.4. Visits, assignments, and exchanges with foreign nationals shall be processed in accordance with DoD Directive 5230.20 (reference (h)).

4.5. DoD Components shall include conventional AA&E facilities in combating terrorism and antiterrorism programs for a collective, proactive effort focused on the prevention and detection of terrorist attacks according to the requirements, policy, and responsibilities specified in DoD Directive 2000.12 (reference (i)).

4.6. A specific threat and formal vulnerability assessment shall be conducted initially at each conventional AA&E facility and updated yearly or as new threats and/or vulnerabilities become known. The vulnerability assessment shall include the specific threat assessment, postulated threat assessment, physical surveys, antiterrorism standards, and the results of force-on-force training exercises for that facility.

4.7. Material weaknesses shall be reported in compliance with DoD Directive 5010.38 (reference (j)).

4.8. Export Control requirements for conventional AA&E shall be implemented in accordance with DoD Directive 2040.2 (reference (k)).

5. RESPONSIBILITIES

5.1. The Under Secretary of Defense for Intelligence (USD(I)) is the senior DoD official having the authority and responsibility for the establishment of uniform DoD physical security policy, except for nuclear matters, and shall:

5.1.1. Issue DoD guidance establishing the minimum security standards for safeguarding conventional AA&E and facilities that maintain conventional AA&E.

5.1.2. Conduct oversight visits to assess adequacy of conventional AA&E security safeguards.

5.1.3. Form, administer, and manage the DoD AA&E Physical Security Review Board (hereafter referred to as "the Board"). Board membership and responsibilities are stipulated in enclosure 3.

5.1.4. Develop policies, standards, and procedures governing the physical security of conventional AA&E and for their effective and uniform implementation and coordinate security of conventional AA&E distribution with the Under Secretary of Defense for Acquisition, Technology and Logistics.

5.1.5. Direct the Director, Defense Intelligence Agency, to produce a multidiscipline baseline threat assessment addressing the Foreign Intelligence and Security Services, terrorism, information operations, sabotage, and proliferation threats related to conventional AA&E triennially, or more frequently if required.

5.1.6. Direct the Director, Defense Security Service (DSS), to:

5.1.6.1. Ensure the safeguarding of conventional AA&E relating to contract performance and in the possession or custody of DoD prime contractors or subcontractors through an inspection program.

5.1.6.2. Exercise the option to assume cognizance of Pre-Award surveys and inspections from the Heads of the DoD Components after establishing a mutually agreed upon Memorandum of Understanding.

5.2. The Heads of the DoD Components shall:

5.2.1. Ensure compliance with policy established herein to include planning and programming fiscal and personnel resources necessary to implement this policy.

5.2.2. Conduct Pre-Award surveys and inspections of Government-owned, contractor-operated facilities and seek an exemption requesting Director, DSS, to assume cognizance on a case-by-case basis. Establish mutual agreement with the Director, DSS, through a Memorandum of Understanding.

5.2.3. Coordinate public releases of information pertaining to conventional AA&E security incidents and issues with the Director, Washington Headquarters Services (WHS), according to DoD Instruction 5230.29 (reference (l)). Once information has been cleared for public release by the Director, WHS, the Heads of the DoD Components shall coordinate with the Assistant Secretary of Defense for Public Affairs prior to release.

5.2.4. Develop and implement security plans that include security measures designed to ensure all conventional AA&E under their control are safeguarded against loss, theft, diversion, and unauthorized access or use.

5.2.5. Provide qualified personnel for task groups when requested by the Chair, AA&E Physical Security Review Board.

5.2.6. Submit reports to the Chair, AA&E Physical Security Review Board, pertaining to conventional AA&E in accordance with reference (c).

5.3 The Secretaries of the Military Departments, the Chairman of the Joint Chiefs of Staff, and the Directors of the Defense Agencies, or their designees, shall:

5.3.1. Provide the Board with threat and incident information, as required, reports of survey or inspection when security vulnerabilities or potential weaknesses are indicated, and other assistance necessary to its assigned functions. Threats and vulnerability assessments, risk management decisions, best practices, and lessons learned shall be included in these reports.

5.3.2. Establish procedures and a coordinated response plan for accidents or incidents involving conventional AA&E to include Memorandums of Understanding or Agreement with non-DoD Federal Agencies.

5.3.3. Ensure that contractual requirements provide for the protection of conventional AA&E in accordance with reference (c).

5.3.4. Establish procedures for their DoD Components that clearly define methods and requirements to account for conventional AA&E.

5.3.5. Provide qualified personnel for task groups when requested by the Chair, AA&E Physical Security Review Board.

5.3.6 Incorporate requirements for compliance with this Instruction in all contracts for which performance requires access to DoD Conventional AA&E.

6. INFORMATION REQUIREMENTS

Under the provisions of paragraph 5.3.1., the DoD Components concerned shall submit reports to the Chair, AA&E Physical Security Review Board, pertaining to conventional AA&E according to reference (c).

7. EFFECTIVE DATE

This Instruction is effective immediately.



Stephen A. Cambone
Under Secretary of Defense
for Intelligence

Enclosures - 3:

E1. References, continued

E2. Definitions

E3. DoD AA&E Physical Security Review Board

EI. ENCLOSURE 1

REFERENCES, continued

- (e) DoD Strategic Plan for the Distribution of Arms, Ammunition, and Explosives,” May 2004¹
- (f) Chairman of the Joint Chiefs of Staff Publication 1-02, “DoD Dictionary of Military and Associated Terminology,” current edition
- (g) DoD 5200.8-R, “Physical Security Program,” May 13, 1991
- (h) DoD Directive 5230.20, “Visits, Assignments, and Exchanges of Foreign Nationals,” August 12, 1998
- (i) DoD Directive 2000.12, “DoD Antiterrorism Program (AT),” August 18, 2003
- (j) DoD Directive 5010.38, “Management Control (MC) Program,” August 26, 1996
- (k) DoD Directive 2040.2, “International Transfers of Technology, Goods, Services and Munitions,” January 17, 1984
- (l) DoD Instruction 5230.29, “Security and Policy Review of DoD Information for Public Release,” August 6, 1999
- (m) DoD 4500.9-R, “Defense Transportation Regulation (DTR), Part II, Cargo Movement,” November 2004

¹ Available from the Office of the Assistant Deputy Under Secretary of Defense (Transportation Policy), 201 12th Street, Crystal Gateway North, Suite 210A, Arlington, VA 22202.

E2. ENCLOSURE 2

DEFINITIONS

E2.1. Conventional Arms, Ammunition, and Explosives. See DL1. and Appendix 1 of reference (c).

E2.2. Vulnerability Assessment. A DoD, command, or unit-level evaluation (assessment) used to determine vulnerability of an installation, unit, exercise, port, ship, residence, facility, or other site against a terrorist attack. It identifies areas of improvement to withstand, mitigate, or deter acts of violence or terrorism.

E3. ENCLOSURE 3

DoD AA&E PHYSICAL SECURITY REVIEW BOARD

E3.1. MEMBERSHIP

The Board membership shall be comprised of:

E3.1.1. The Deputy Under Secretary of Defense (Counterintelligence and Security) (DUSD(CI&S)), Office of the USD(I) – Chair.

E3.1.2. The Deputy Under Secretary of Defense (Logistics and Material Readiness).

E3.1.3. The Deputy Assistant Secretary of Defense (Reserve Affairs).

E3.1.4. The Deputy Assistant Secretaries or equivalent designated by each of the Secretaries of the Military Departments.

E3.1.5. Other members either temporary or permanent who may be designated from time-to-time by the USD(I).

E3.2. THE CHAIR

Chair of the Board shall:

E3.2.1. Preside at Board meetings or, in his/her absence, designate a senior member of his/her staff to act on his/her behalf.

E3.2.2. Determine requirements and conduct the necessary staffing on matters referred to the Board.

E3.2.3. Establish and direct the activities of task groups formed to address specific physical security matters concerning conventional AA&E.

E3.2.4. Establish or maintain a system to provide the DUSD(CI&S) and the DoD Components with current information and status of actions on physical security matters within the Board's jurisdiction.

E3.2.5. Establish liaison with other Government Departments and Agencies, including the Departments of State, Homeland Security, Energy, and the U.S. Customs and Border Protection.

E3.2.6. Perform other functions with regard to physical security, as assigned by the Secretary of Defense.

E3.3. THE BOARD:

E3.3.1. Convenes at the call of the Chair.

E3.3.2. Determines the need for uniform policy, standards, and procedures for the physical security of conventional AA&E, and takes steps to recommend them.

E3.3.3. In collaboration with other DoD offices, when applicable, surveys and evaluates activities to determine compliance with security standards and procedures for the protection of conventional AA&E.