



Department of Defense INSTRUCTION

NUMBER 5210.65

March 12, 2007

USD(I)

SUBJECT: Minimum Security Standards for Safeguarding Chemical Agents

- References:
- (a) DoD Directive 5210.65, "Chemical Agent Security Program," October 15, 1986 (hereby canceled)
 - (b) Acting Deputy Secretary of Defense memorandum, "DoD Directives Review – Phase II," July 13, 2005
 - (c) DoD Directive 5143.01, "Under Secretary of Defense for Intelligence (USD(I)), November 23, 2005
 - (d) "Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction," April 29, 1997¹
 - (e) through (aa), see Enclosure 1

1. REISSUANCE AND PURPOSE

This Instruction:

1.1. Reissues Reference (a) as an Instruction in accordance with the guidance in Reference (b) and the authority in Reference (c) and reissues policy and responsibilities for the management of the DoD Chemical Agent Security Program.

1.2. Establishes the minimum standards for securing and safeguarding Schedule 1 chemical agents as defined by the Chemical Weapons Convention (CWC) (Reference (d)) (hereafter referred to as "chemical agents"), above the dilute solution concentration and total quantity restrictions as defined by the Assistant to the Secretary of Defense for Nuclear and Chemical and Biological Defense Programs (ATSD(NCB)), and in the custody or possession of the Department of Defense.

1.3. Establishes the criteria for personnel reliability regarding chemical agents including requirements for the Chemical Personnel Reliability Program (CPRP).

¹ The Convention on the Prohibition of the Development, Production, Stockpiling, and Use of Chemical Weapons and on their Destruction is available at the following Web site: www.armscontrol.org/act/1997_04/cwctext.asp

1.4. Permits the use of chemical agents for bona fide research and other peaceful purposes permitted by the CWC.

1.5. Secures personnel and chemical agents from attack, theft, wrongful use, and inappropriate transfer to unauthorized personnel, organizations, and/or laboratories.

1.6. Directs responsible personnel and agencies to secure the access to, and control of, applicable chemical agents and to establish minimum physical security measures.

1.7. Establishes requirements for initial and periodic security reviews, threat and vulnerability assessments, and inspections.

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”) that furnish, have custody, or have possession of Schedule 1 chemical agents for research, medical, pharmaceutical, training, and/or protective purposes.

2.2. Contractors and consultants requiring access to DoD chemical agents, who shall be assigned the requirements of this Instruction through appropriate contract clauses.

2.3. Provision of DoD chemical agents to non-DoD entities including Small Business Innovative Research Agreements and memorandums of agreement with other research partners and government agencies that involve furnished DoD chemical agents for a DoD effort. Such provision will be according to guidance to be published by ATSD(NCB).

2.4. DoD facilities that produce, store, use, train with, transfer, and/or destroy chemical agents according to Reference (d) (hereafter referred to as Chemical Agent Facilities (CAFs)).

2.5. This Instruction does not apply to:

2.5.1. Recovered chemical warfare material (RCWM) except for RCWM transferred to a CAF.

2.5.2. Chemical agent samples, wastes, or material recovered from former production facilities; or

2.5.3. Chemical laboratory working standards managed within the Non-Stockpile Chemical Material Project (NSCMP).

3. DEFINITIONS

The terms used in this Instruction are defined in Enclosure 2.

4. POLICY

It is DoD policy that:

4.1. The Department of Defense shall comply with the provisions of Reference (d) and DoD Directive 2060.1 (Reference (e)) to include allowing inspectors from the Organization for the Prohibition of Chemical Weapons access to declared chemical agent facilities for the purpose of verifying DoD compliance.

4.2. Chemical agents shall be properly safeguarded against theft, loss, damage, and unauthorized access or use according to the standards prescribed by this Instruction and DoD 5200.8-R (Reference (f)).

4.3. Individuals certified by Certifying Officials with a legitimate need to handle and/or use chemical agents, or whose duties require unescorted and/or unsupervised access to Chemical Exclusion Areas, chemical storage and work areas, storage containers, and equipment containing chemical agents shall be U.S. citizens and screened for suitability and reliability. These individuals shall be emotionally and mentally stable, trustworthy, adequately trained, and physically and medically capable of performing assigned duties.

4.3.1. These individuals shall be the subject of a current and favorably adjudicated personnel security investigation including a National Agency Check with Local Agency Checks and Credit Checks (NACLIC) for military and contractor employees, and an Access National Agency Check with Credit Checks and Written Inquiries (ANACI) for civilian employees. They shall be evaluated on a continuing basis using the criteria of the CPRP. Periodic reinvestigations shall be according to DoD 5200.2-R (Reference (g)).

4.3.2. Individuals currently in the CPRP with less than the required level of personnel security investigation will obtain the appropriate personnel security investigation during their next regularly scheduled periodic reinvestigation and be favorably adjudicated to remain in the CPRP.

4.4. A restricted person, as defined in Enclosure 2, may not have access to chemical agents.

4.5. Facilities, classrooms, laboratories, and other areas containing chemical agents will be designated as Chemical Exclusion Areas as defined in Enclosure 2.

4.6. Visits, assignments, and exchanges with foreign nationals shall be processed according to DoD Directive 5230.20 (Reference (h)).

4.7. The DoD Components shall include chemical agent facilities in combating terrorism and Antiterrorism (AT) programs for a collective, proactive effort focused on the prevention and detection of terrorist attacks pursuant to the requirements, policy, and responsibilities specified in DoD Directive 2000.12 (Reference (i)).

4.8. A specific threat and formal vulnerability assessment shall be conducted initially at each chemical agent 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, AT standards from DoD Instruction 2000.16 (Reference (j)), and the results of force-on-force training exercises for that facility.

4.9. Internal control weaknesses shall be reported in compliance with DoD Instruction 5010.40 (Reference (k)).

4.10. Export Control requirements for chemical agents, which apply to all foreign national access, whether in the U.S. or abroad, shall be implemented according to DoD Directive 2040.2 (Reference (l)) and other applicable authorities, including the International Traffic in Arms Regulations (ITAR) and the Export Administration Regulations (EAR).

5. RESPONSIBILITIES

5.1. The Under Secretary of Defense for Intelligence (USD(I)) according to Reference (c) shall:

5.1.1. Establish the minimum security standards for safeguarding chemical agents.

5.1.2. Establish a CPRP for individuals with access to chemical agents.

5.1.3. Provide for staff oversight visits by the Deputy Under Secretary of Defense for Counterintelligence and Security (DUSD(CI&S)) to assess the adequacy of security safeguards for chemical agents.

5.1.4. Direct the Director, Defense Intelligence Agency, under the authority, direction, and control of the USD(I), to produce a multidiscipline baseline threat assessment addressing threats including Foreign Intelligence and Security Services, terrorism, information operations, sabotage, and proliferation threats related to chemical agents triennially, or more frequently if required.

5.2. The ATSD(NCB), under the Under Secretary of Defense for Acquisition, Technology, and Logistics, shall:

5.2.1. After coordination with the Department of Commerce, establish procedures for DoD compliance with maximum allowable limits of chemical agents under the CWC that may be produced, used, and/or stored by DoD Components and establish a system to ensure DoD does not exceed those limits.

5.2.2. Establish procedures for the DoD Components that clearly define methods and requirements to account for, inventory, and report chemical weapons and chemical agents.

5.2.3. Establish minimum thresholds in quantities and concentrations of chemical agents that mandate compliance with this Instruction.

5.2.4. Establish procedures that clearly define the request, approval, and oversight process for the provision or transfer of DoD chemical agents within the Department of Defense, DoD contractors, and to non-DoD entities. Procedures will account for surety and security requirements for the recipients, reimbursement mechanisms, and oversight responsibilities.

5.3. The Assistant Secretary of Defense for Homeland Defense (ASD(HD)) under the Under Secretary of Defense for Policy shall establish policy for DoD Consequence Management involving chemical agents to include executive arrangements, such as memorandums of understanding with non-DoD agencies.

5.4. The Heads of the DoD Components shall:

5.4.1. Develop procedures so that the commander/director of each facility, laboratory, and/or unit/organization that furnishes, has custody of, or possesses chemical agents understands his/her responsibility to comply with the policy established in this Instruction and in References (b) through (x).

5.4.2. Direct that a Facility Chemical Agent Accountability Officer and/or Custodial Officer is designated for each facility, laboratory, and/or unit/organization that furnishes, has custody of, or possesses chemical agents; and provide oversight of each Facility Chemical Agent Accountability Office and/or Custodial Office.

5.4.3. Direct and oversee compliance with policy established herein to include planning and programming fiscal and personnel resources necessary to implement this policy.

5.4.4. Direct the development of procedures so that chemical agents and facilities are registered according to Federal, State, and local regulations, all CWC-related declarations are submitted, and activities regarding these chemical agents and relevant facilities are identified and addressed according to CWC provisions.

5.4.5. Establish maximum allowable amounts and quantities of any chemical agent at each facility, including research, training, and test quantities, based on program requirements.

5.4.6. Coordinate and pre-approve as part of pre-incident planning proposed public releases of information pertaining to chemical agents with the Washington Headquarters Services (WHS) according to DoD Instruction 5230.29 (Reference (m)). Once information has been cleared for public release by WHS, coordinate with the Assistant Secretary of Defense for Public Affairs prior to release (information related to public safety should be coordinated as part of pre-incident planning, but information release during an incident will not be delayed and will be in accordance with local agreements. Notify WHS and the Assistant Secretary of Defense for Public Affairs when such public information release is made).

5.4.7. Direct the development of security plans that include security measures designed to safeguard all chemical agents against loss, theft, diversion, and unauthorized access or use. In addition, any loss or recovery of a chemical agent, any attempt to steal a chemical agent, or any attempt to damage a chemical agent storage facility shall be reported immediately to U.S. Northern Command's Command Center, and formal reporting within five working days to the Director for Security, OUSD(I)/(CI&S), 5000 Defense Pentagon, Washington, DC 20301-5000. Message address: SECDEF WASHINGTON DC\\INTEL-CC\\ and add "Deliver to the Director of Security" in the message body.

5.4.8. Develop procedures to comply with the security standards issued by the USD(I).

5.4.9. Compile statistical data identifying the number of individuals certified in the CPRP and the number of individuals decertified for cause to the Director for Security, at the address in paragraph 5.3.7., annually by February 15 of the following year for the preceding calendar year ending December 31.

5.4.10. Establish and maintain a secure inventory database system to account for all chemical agents for approved activities at DoD and DoD contractor facilities, and a register of current and previous Facility Chemical Agent Accountability Officers. This information will be provided to the ATSD(NCB) upon request.

5.4.11. The change of status or location of chemical agents should be provided to Command Centers and support situational awareness.

5.5. The Secretary of the Army shall:

5.5.1. Develop and coordinate security classification guidance, as appropriate, and provide that guidance to the DoD Components to direct consistency in classification and dissemination of information related to chemical agents.

5.5.2. Develop procedures for U.S. compliance with the CWC provisions for all the DoD Components.

5.5.3. Establish requirements for safeguarding RCWM involved in an explosives or munitions emergency and/or recovered during planned munitions responses (e.g., CWM response) or other activities (e.g., range clearance activities).

6. PROCEDURES

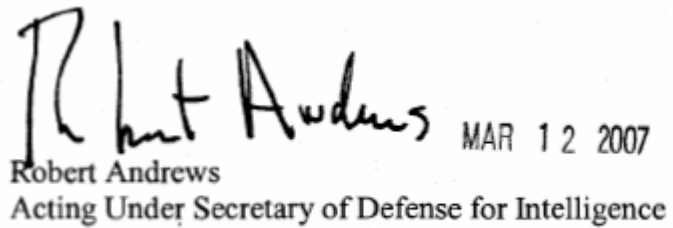
Minimum security standards and criteria for the CPRP are at Enclosures 3 and 4.

7. INFORMATION REQUIREMENTS

The reporting requirements in this Instruction are exempt from licensing according to paragraphs C4.4.2., C4.4.4., C4.4.7., and C4.4.8. of DoD 8910.1-M, Reference (n).

8. EFFECTIVE DATE

This Instruction is effective immediately.



Robert Andrews MAR 12 2007
Robert Andrews
Acting Under Secretary of Defense for Intelligence

Enclosures – 5

- E1. References, continued
- E2. Definitions
- E3. Minimum Security Standards
- E4. Chemical Personnel Reliability Program (CPRP)
- E5. Chemical Agents

E1. ENCLOSURE 1

REFERENCES, continued

- (e) DoD Directive 2060.1, "Implementation of, and Compliance with, Arms Control Agreements," January 9, 2001
- (f) DoD 5200.8-R, "Physical Security Program," May 1991
- (g) DoD 5200.2-R, "Personnel Security Program," January 1987
- (h) DoD Directive 5230.20, "Visits and Assignments of Foreign Nationals," June 22, 2005
- (i) DoD Directive 2000.12, "DoD Antiterrorism (AT) Program," August 18, 2003
- (j) DoD Instruction 2000.16, "DoD Antiterrorism Standards," October 2, 2006
- (k) DoD Instruction 5010.40, "Managers' Internal Control (MIC) Program Procedures," January 4, 2006
- (l) DoD Directive 2040.2, "International Transfers of Technology, Goods, Services and Munitions," January 17, 1984
- (m) DoD Instruction 5230.29, "Security and Policy Review of DoD Information for Public Release," August 6, 1999
- (n) DoD 8910.1-M, "DoD Procedures for Management of Information Requirements," June 30, 1998
- (o) Diagnostic and Statistical Manual of Mental Disorders (DSM) of the American Psychiatric Association, most current version²
- (p) DoD Directive 5210.48, "DoD Polygraph Program," December 24, 1984
- (q) DoD 5200.1-R, "Information Security Program," January 1997
- (r) DoD Instruction 5200.8, "Security of DoD Installations and Resources," December 10, 2005
- (s) DoD Directive 5230.9, "Clearance of DoD Information for Public Release," April 9, 1996
- (t) DoD Directive 8190.3, "Smart Card Technology," August 31, 2002
- (u) DoD Instruction 5200.40, "DoD Information Technology Security Certification and Accreditation Process (DITSCAP)," December 30, 1997
- (v) Deputy Secretary of Defense memorandum, "Web Site Administration," January 11, 2002
- (w) Title 31, United States Code 1535, "Economy Act," January 2, 2001
- (x) Federal Acquisition Regulation, Part 17.5, April 19, 2006
- (y) Military Detail Standard (MIL-DTL-43607H)³
- (z) Military Detail Standard (MIL-DTL-29181C)⁴
- (aa) DoD Directive 1010.4, "Drug and Alcohol Abuse by DoD Personnel," September 3, 1997

² The American Psychiatric Association references are available under the listed number on <http://www.psych.org/>.

³ Available at <http://dodssp.daps.dla.mil>

⁴ Available at <http://dodssp.daps.dla.mil>

E2. ENCLOSURE 2

DEFINITIONS

All of the following definitions are for the purpose of this Instruction:

E2.1. Access. The freedom or ability to obtain, deliberately tamper/degrade and/or make use of Schedule 1 chemical agents by any individual. A person is not considered to have access if escorted and/or is under observation/supervision by at least two CPRP certified individuals capable of detecting unauthorized or incorrect actions/activities.

E2.2. Alcohol Abuse. The use of alcohol to the extent that it has an adverse effect on the user's health, behavior, family, community, or the Department of Defense, or leads to unacceptable behavior as evidenced by one or more acts of alcohol-related misconduct and/or the illegal use of such substances. Alcohol abuse may include a diagnosis of alcohol dependence.

E2.3. Alcohol Dependence and/or Alcoholism. Psychological and/or physiological reliance on alcohol, as such reliance is defined by the Diagnostic and Statistical Manual of Mental Disorders (DSM) of the American Psychiatric Association, most current version (Reference (o)).

E2.4. Alcohol-Related Incident. Any substandard behavior or performance in which the consumption of alcohol by the individual is a contributing factor as determined by law enforcement with consultation from the Competent Medical Authority (CMA) (e.g., intoxicated driving, domestic disturbances, assault, disorderly conduct, personal injury, failure to submit to testing, or voluntary consumption of alcohol by an individual previously diagnosed as alcohol dependent, underage drinking).

E2.5. Certifying Official. The government person responsible for certifying personnel for access to chemical agents, including implementing, administering, and managing the CPRP, and supporting the facility commander/director.

E2.6. Chemical Agent. A Schedule 1 chemical agent meeting the definitions and guidelines as listed in Reference (d) and Enclosure 5 of this Instruction.

E2.7. Chemical Agent Facility. DoD facilities that produce, store, use, destroy, or transfer chemical agents.

E2.8. Chemical Restricted (Exclusion) Area. The area immediately surrounding one or more chemical agent locations to which access to chemical agents is possible. Normally, the boundaries of an exclusion area are the walls, floors, and ceiling of a storage structure (e.g., igloo) or secure container (e.g., trailer), and the area is defined by a barrier (e.g., fence) that establishes the boundary of the exclusion area. Entry will be subject to special access restrictions and physical security controls to control access and secure property and materials. Chemical Restricted Areas may be of different types depending on the nature and varying degree of access to chemical agents or other relevant matter pertaining to this Instruction contained therein.

Chemical Restricted Areas must be authorized by the installation/activity commander, properly posted, and shall employ physical security measures.

E2.9. Competent Medical Authority (CMA). A U.S. military healthcare provider or a U.S. healthcare provider employed by or under contract or subcontract to the U.S. Government, or a U.S. Government contractor, who:

E2.9.1. Has been awarded regular clinical privileges for independent practice – according to military department regulations by the healthcare facility responsible for the provider’s place of duty, or, if not privileged for independent practice, is supervised by a CMA physician who is privileged to practice independently.

E2.9.2. Has been specifically trained as a CMA and appointed as a CMA by the medical treatment facility commander responsible for reviewing healthcare services or conducting clinical evaluations for the purpose of the CPRP.

E2.10. Continuing Evaluation. The Certifying Official’s process by which CPRP-certified individuals are observed for compliance with reliability standards. This is an ongoing process and management function that considers duty performance, physical and psychological fitness, and on- and off-duty behavior and reliability on a continuing basis.

E2.11. Decertification. An action based on the receipt of disqualifying information to remove from the CPRP an individual who has been screened, determined reliable, and certified capable of performing duties involving access to chemical agents.

E2.12. Disqualification. An action taken based on the receipt of disqualifying information to terminate the CPRP certification process of an individual being considered for, or in training leading to the assignment to, duties involving access to chemical agents.

E2.13. Drug/Substance Abuse. The wrongful use, possession, distribution, or introduction onto a military installation or DoD contracted facility of a controlled substance, prescription medication, over-the-counter medication, or intoxicating substance (other than alcohol). For the purpose of this Instruction, wrongful is defined as without legal justification or excuse and includes use contrary to the directions of the manufacturer or prescribing healthcare provider and use of any intoxicating substance not intended for human ingestion. It also includes all drugs and substances on the Federal Illegal Drug List.

E2.14. Drug/Substance Dependence. Psychological and/or physiological reliance on a chemical or pharmacological agent as such reliance is defined by Reference (o). The term does not include the continuing prescribed use of pharmaceuticals as part of the medical management of a chronic disease or medical condition.

E2.15. Facility Chemical Agent Accountability Officer. An individual certified and approved for access to chemical agents and designated by the facility commander/director to have authority and responsibility for chemical agent inventory and accountability.

E2.16. Industrial Chemicals. Chemicals developed or manufactured for use in industrial operations or research by industry, government, or academia. These chemicals are not primarily manufactured for the specific purpose of producing human casualties or rendering equipment, facilities, or areas dangerous for human use. For example, hydrogen cyanide (AC), cyanogen chloride (CK), and phosgene (CG) are considered industrial chemicals.

E2.17. Limited Area. The area immediately surrounding one or more exclusion areas. Normally, this is the area between the boundaries defining the exclusion areas and another identifiable perimeter (e.g., fence) that defines the outside of the limited area.

E2.18. Permanent Decertification. An assessment by a Certifying Official that an individual is no longer capable of meeting the personal reliability standards of the CPRP.

E2.19. Potentially Disqualifying Information. Any credible information regarding, but not limited to, a person's physical, mental, and/or emotional status, conduct or character, on- and off-duty, that may cast doubt about that individual's ability or reliability to perform duties involving chemical agents.

E2.20. Random Drug/Substance Abuse Testing. A program of random drug/substance abuse testing where each member of the testing population has an equal chance of being selected. Random testing may include either testing of designated individuals occupying a specified area, element, or position, or testing of those individuals based on a neutral criterion, such as a digit of the social security number.

E2.21. Random Polygraph. Polygraph examinations meeting the policy, requirements, and procedures of DoD Directive 5210.48 (Reference (p)).

E2.22. Research and Training Quantities. Quantities of a chemical agent that are required for authorized training, research, development, test, and evaluation projects for specific surveillance programs to obtain data concerning the life cycle of chemical agents or for scheduled defensive training purposes.

E2.23. Restricted Person. A person restricted from access to chemical agents for one or more of the following reasons:

E2.23.1. Is under indictment or has court-martial charges referred to a special or general court-martial that involves a crime punishable by imprisonment for a term exceeding 1 year.

E2.23.2. The person has been convicted in any court of the United States of a crime, was sentenced to imprisonment for a term exceeding one year and was incarcerated as a result of that sentence for not less than a year.

E2.23.3. Is a fugitive from justice.

E2.23.4. Due to an unlawful use of any controlled substance or misuse/abuse of alcohol, is decertified or disqualified in accordance with Enclosure 4 of this Instruction.

E2.23.5. Is an alien illegally or unlawfully in the United States.

E2.23.6. Has been adjudicated as a mental defective or has been committed to any mental institution within the seven years preceding the person's consideration for access to chemical agents.

E2.23.7. Is an alien (other than lawfully admitted for permanent residence) who is a national of a country that the Secretary of State has determined (that remains in effect) that such country has repeatedly provided support for acts of international terrorism.

E2.23.8. Has by court-martial received a dishonorable or bad conduct discharge.

E2.24. Secure Container. A container, receptacle, or device used to store chemical agents, located within a Chemical Exclusion Area and secured with locking devices. Examples are container express (CONEX CNU 771E23) containers, refrigerators, locally fabricated containers, or screened cages.

E2.25. Suspension. To immediately remove an individual from duties requiring CPRP certification due to unfavorable personal reliability information or situations causing a need for additional investigation on the matter without starting a decertification action. Suspended individuals are still considered to be reliable under the CPRP, but because of the circumstances, are not authorized to perform duties requiring CPRP certification.

E2.26. Temporary Decertification. Action taken by the Certifying Official to temporarily remove an individual from duties requiring CPRP certification. Temporary decertification shall occur immediately upon receipt of information that is, or appears to be, a reason for decertification from the CPRP.

E2.27. Two-Person Rule. A system designed to prohibit access by an individual to chemical agents by requiring the presence at all times of at least two CPRP-certified personnel, each capable of performing first-aid in case of exposure to chemical agent or detecting incorrect or unauthorized procedures with respect to the task being performed. Each person must be familiar with applicable safety and security requirements.

E2.28. Vulnerability Assessment. A DoD, command, or unit-level evaluation (assessment) to determine the vulnerability of an installation, unit, exercise, port, ship, residence, facility, or other site against a terrorist attack. Identifies areas of improvement to withstand, mitigate, or deter acts of violence or terrorism.

E3. ENCLOSURE 3

MINIMUM SECURITY STANDARDS FOR PROTECTING CHEMICAL AGENTS

E3.1. GENERAL

This section details the minimum standards for the security of Schedule 1 chemical agents from theft, improper and/or unauthorized access, and to reduce the risk of compromise. Access to chemical agents shall require appropriate levels of personnel certification, background investigation evaluations, and escort and/or supervision by persons certified in the CPRP. Security, storage, and transportation standards for research quantities of Schedule 1 chemical agents are provided in paragraph E3.9.

E3.1.1. Storage and work sites will be Chemical Exclusion Areas and consolidated to the maximum extent consistent with associated defense research requirements, military operational planning factors, training and teaching requirements, and clinical diagnostic laboratory requirements. Chemical agents shall be secured, stored, and transported to meet the physical security requirements according to Reference (f), and the minimum security standards in this enclosure.

E3.1.2. The number of people authorized access to chemical agents shall be kept to the minimum consistent with operational, safety, and security requirements.

E3.1.3. Each storage site shall encompass the smallest practical amount of space consistent with operational and safety considerations.

E3.1.4. Chemical agents shall not be collocated with unrelated arms or ammunition, such as non-chemical arms, ammunition, and explosives other than as components of a complete round.

E3.1.5. All chemical agents shall be securely stored in enclosed structures.

E3.1.6. All chemical agents shall be secured to prevent all forms of theft (including from aircraft). Various obscuring methods shall be used to protect direct observation of agents from unauthorized personnel and potential terrorists.

E3.1.7. For classified activities and chemical agents, they shall be secured, stored, and transported according to this Instruction and DoD 5200.1-R (Reference (q)).

E3.1.8. A restricted person, as described in paragraph E2.23., shall not have duties that afford any access to Chemical Exclusion Areas, storage and work areas, storage containers, or equipment containing chemical agents.

E3.1.9. A current and favorable personnel security investigation is required for all personnel whose duties require access to chemical agents. Personnel security investigations will be comprised of the following:

E3.1.9.1. A National Agency Check with Local Agency Checks and Credit Checks (NACLCC) for military and contractor employees. An Access National Agency Check with Credit Checks and Written Inquiries (ANACI) for civilian employees.

E3.1.9.2. A favorably adjudicated security clearance to SECRET or higher suffices for the personnel security investigation.

E3.1.9.3. Access to chemical agents and classified information for consultants will be adjudicated according to Reference (g).

E3.1.9.4. Investigative and adjudicative requirements for individuals who are CPRP certified are detailed in Enclosure 4.

E3.1.9.5. Certifying Officials may approve escorted access to chemical agents pending completion of the personnel security investigation, provided the investigation has been requested and all other requirements for escorted/supervised access have been completed.

E3.1.10. All personnel with duties requiring any access to chemical agents shall submit Standard Form (SF) 86, "Questionnaire for National Security Positions," or electronic equivalents, with updates and processing of NACLCC or ANACI according to Reference (g). Individuals will also update the Certifying Official anytime the information in paragraph E4.6.2. and required by this form changes. Exceptions to this paragraph may include short-term visitors and inspectors with the approval of the facility commander/director.

E3.1.11. Only CPRP-certified and approved individuals can have unescorted access to chemical agents. Appropriately cleared and authorized personnel, with a legitimate need to access chemical agents, must be escorted and/or supervised by CPRP-certified personnel during access to chemical agents.

E3.1.12. Responsible commanders may permit unescorted entry into Chemical Limited Areas to personnel who have a need for access, and have the appropriate personnel security investigation per this Instruction. CPRP certification is not required for this instance. Persons without unescorted access approval must have a need for access and will be escorted by personnel authorized unescorted access into Chemical Limited Areas.

E3.1.13. Unauthorized access, movement, or use of chemical agents, or attempts to steal or divert chemical agents outside physical security controls, shall be reported immediately to U.S. Northern Command's Command Center, and formal reporting within five working days to the Director for Security, OUSD(I)/(CI&S), 5000 Defense Pentagon, Washington, DC 20301-5000. Message address: SECDEF WASHINGTON DC\\INTEL-CC\\ and add "Deliver to the Director of Security" in the message body.

E3.1.14. Security planning and execution shall be according to DoD Instruction 5200.8 (Reference (r)) as applicable, and based on the minimum standards identified in this Instruction and a specific threat and vulnerability assessment of the facility. The vulnerability assessment

will be reviewed annually and updated as required based on changes to the threat or security posture of the facility.

E3.1.14.1. An appropriate risk management process will be utilized to assess the threat and vulnerabilities and provide the facility commander/director with courses of action to mitigate the vulnerabilities and/or provide actionable information for risk acceptance. A copy of the vulnerability assessments will be forwarded to the Director of Security at the address referenced in paragraph E3.1.13.

E3.1.14.2. Facility security inspections shall be conducted at least every 18 months. Components with possession of chemical agents will develop a formal higher headquarters inspection program to be conducted at least biennially.

E3.2. PERSONNEL

E3.2.1. Individuals identified by the Certifying Official as having a legitimate need to have access to chemical agents shall be screened for suitability and reliability; shall be emotionally and mentally stable and trustworthy, medically and physically competent, adequately trained to perform the assigned duties; and shall complete a current and favorable personnel security investigation (as notated in E3.1.9) adjudicated according to Reference (g) before granting access to Chemical Agents. Periodic reinvestigations shall be according to Reference (g). All such personnel will pass a urinalysis test for illegal drug/substance use before certification for access to chemical agents and be subject to random drug/substance abuse tests.

E3.2.2. Certifying Officials will verify that personnel have final favorable adjudication of appropriate security clearances and/or personnel security investigations (E3.1.9.) before permitting any access to chemical agents, whether or not they are supervised and/or escorted. Exceptions are detailed in paragraphs E3.2.8. and E3.2.9.

E3.2.3. When the Certifying Official has information that could negatively affect an individual's job performance or reliability, the individual shall be decertified. Temporary decertification can be considered unless facts warrant permanent decertification. When temporarily decertified, the individual may not perform duties requiring CPRP certification. Within 15 workdays of the temporary decertification, the Certifying Official shall provide the individual in writing the reason(s) for temporary decertification. Individuals temporarily decertified will remain under continuous evaluation for CPRP purposes until permanently decertified or recertified into the CPRP.

E3.2.4. A Certifying Official may take suspension action on an individual should negative information become known. However, additional review and/or investigation is warranted before a final adjudication. Although a recommendation to suspend an individual from applicable duties may come from many sources, the Certifying Official must evaluate the individual's situation and circumstances to determine whether suspension is appropriate.

E3.2.5. The Facility Chemical Agent Accountability Officer must meet the requirements of the CPRP certification and be approved by the Facility Commander/Director.

E3.2.6. In addition to meeting requirements in paragraphs E3.2.1. through E3.2.5., individuals with duties requiring CPRP certification shall be evaluated on a continuing basis using the criteria at Enclosure 4. A polygraph examination is a procedure available to Certifying Officials to help verify the reliability of his or her personnel and the CPRP. If the Certifying Official chooses to make use of this option, policy and procedures will be according to Reference (p).

E3.2.7. Personnel who are assigned to duties requiring access to chemical agents under the CPRP shall not assume duties until successful adjudication of the appropriate background investigation, or interim certification, and approval by the Certifying Official. However, if a Certifying Official determines that a person's expertise is critical to the performance of an official government mission, a waiver may be requested, in writing, from the Head of the DoD Component.

E3.2.8. Foreign nationals who receive supervised and/or escorted access to chemical agents during visits, assignments or exchanges, as specifically authorized by the facility commander/director, shall be processed according to References (e), (h), (l), and paragraphs 4.10. and E3.1.9.3.

E3.3. INFORMATION SECURITY

E3.3.1. Any classified and/or unclassified but sensitive information shall be handled and protected according to Reference (q). Refer to applicable program security classification guides when discussing or processing information related to chemical agents. DD Forms 254 issued to contractors must include applicable classification guidance.

E3.3.2. Public release of information shall be according to DoDD 5230.9 (Reference (s)), and Reference (m). The Department of the Army and the USD(I) Operation Enduring Freedom and Operation Noble Eagle security classification guidance shall be implemented if appropriate.

E3.4. PHYSICAL SECURITY SYSTEM

E3.4.1. The DoD Components and contractors that are provided DoD chemical agents shall develop a reliable security system and process that provide the capability to detect, assess, communicate, delay, and respond to unauthorized attempts to access chemical agents.

E3.4.2. Security Plan. Installations and contractors shall develop a physical security plan to verify vulnerabilities are mitigated or accepted by the facility commander/director according to Reference (f) as applicable. The plan shall be based on a systematic approach in which threats are identified and defined, vulnerabilities are assessed, and a risk management process is applied. The security plan must address the controls of the facility commander/director in securing the

chemical agents from misuse, theft, and unauthorized removal from Chemical Exclusion Areas. The facility commander/director shall review the security plan annually and will document reports after an incident or a regulation change. The plan shall address or establish:

E3.4.2.1. Chemical Exclusion Areas and controls for access to chemical agents.

E3.4.2.2. Information protection measures to verify the appropriate security of information on chemical agents and the research and/or mission being conducted.

E3.4.2.3. Initial and recurring training for personnel detailing security procedures for securing Chemical Limited and Exclusion Areas (e.g., card access, key pads, cipher locks), security and positive control of keys, changing access numbers or locks following staff changes, access control and records requirements, and inventory control and other appropriate security measures.

E3.4.2.4. Procedures, reporting requirements, and administrative actions for lost or compromised keys, passwords, combinations, and security incidents and violations.

E3.4.2.5. Procedures for the reporting and removal of suspicious or unauthorized persons or activities, loss or theft of chemical agents, and/or alteration of inventory of records.

E3.4.2.6. An inventory control process to verify strict accountability and records of access, use, and adjudication of all chemical agents and actions to take should chemical agents be found missing or unaccounted for.

E3.4.2.7. Plans, procedures, requirements, and processes for safeguarding chemical agents in the event of emergency situations (e.g., natural disasters, fires, power outages, and general emergencies in facilities containing chemical agents.).

E3.4.2.8. Requirements that personnel have an understanding of security requirements and are trained and equipped to follow established procedures and maintain security of the chemical agents to include:

E3.4.2.8.1. Reporting and removing unauthorized individuals.

E3.4.2.8.2. Security and positive control of keys and PINs.

E3.4.2.8.3. Securing storage rooms and work areas when authorized and/or approved individuals, including CPRP-certified escorts/supervisors, are not present. Procedures shall include maintaining two CPRP-certified person, integrity of the area.

E3.4.3. Security Forces

E3.4.3.1. Sufficient security guards to control entry and to prevent unauthorized access to chemical agents along with backup forces capable of responding to attempted penetrations and preventing unauthorized removal of chemical agents shall be available and capable of responding 24-hours a day.

E3.4.3.2. All site security force members shall participate in appropriate, realistic, site defense force training exercises at least every 18 months. The training shall be tailored to each site based on the threat and vulnerability assessment conducted at the site. Except for Category III facilities, the training shall include realistic force on force exercises using an engagement simulation system and employing a knowledgeable aggressor force.

E3.4.3.3. Security forces shall develop plans to recover chemical agents/munitions in the event of their loss. Plans shall include forces to be used and rules of engagement.

E3.4.4. Perimeter fencing. Fencing shall enclose Chemical Exclusion Areas to clearly delineate the area and to direct personnel to a specific entry point. Boundaries shall consist of two fences separated not less than 30 feet or more than 150 feet (approximately 9 to 45m). Clear zones, free of all obstacles, topographical features, and vegetation exceeding 8 inches (20.3 cm) high shall extend at least 30 feet (9.1m) inside the inner perimeter fence, between the fences, and at least 30 feet (9.1m) outside the outer perimeter fence. CAFs having fences erected and approved prior to the effective date of this Instruction must request an exception from this requirement and any replacement fencing must meet this standard. U.S. Army-designated Category III facilities do not require this level of fencing.

E3.4.5. Perimeter Security Lighting. Lighting shall be placed and have sufficient intensity to detect unauthorized intrusions in limited areas. Such lighting shall permit positive assessment of an intrusion and support subsequent application of appropriate countermeasures. The use of perimeter lighting must be consistent with the site security concept of operations.

E3.4.6. Intrusion Detection System (IDS). Chemical Exclusion and Limited Areas shall be equipped with an IDS that has supervision capability of the equipment performance to detect and report an attempted and/or unauthorized penetration. The IDS will meet the physical security standards set forth by Reference (f). There shall be a sufficient security response force available at all times to respond rapidly to unauthorized actual and/or attempted penetrations and prevent the unauthorized removal of chemical agents or data. (Within a time period that potential unauthorized attempted access can be delayed through physical security measures and as determined as acceptable response by the facility commander/director through a threat and vulnerability assessment and risk management process.) The IDS shall also be installed at its perimeter:

E3.4.6.1. On storage structure openings greater than 96 square inches, with dimensions greater than 6 inches on one side that are not sealed from unauthorized entry.

E3.4.7. Access Control

E3.4.7.1. Access control measures to chemical agents shall be only accessible to individuals who:

E3.4.7.1.1. Successfully complete an appropriate personnel security investigation (paragraph E3.1.9.).

E3.4.7.1.2. Are approved by the Certifying Official and/or facility commander/director.

E3.4.7.1.3. Are supervised and/or escorted by at least two people certified in the CPRP in the Chemical Exclusion and Limited Area if they meet all other certification and approval requirements but are not CPRP certified when chemical agents are accessed. If chemical agent containers are locked according to paragraphs E3.4.8. and E3.4.9., then personnel only need to meet the requirements for access to the Chemical Exclusion and Limited Areas. The two CPRP-certified person rule will be required for access to chemical agents.

E3.4.7.2. The perimeter entrance to a Chemical Exclusion and Limited Area will be under constant visual surveillance while chemical agents are accessed to prevent unauthorized entry. This may be accomplished by several methods (e.g., employee work stations, guards, closed circuit television). Regardless of the method used, a discriminating access control method shall be used that allows access by only authorized personnel and supervision and/or escort by CPRP certified persons.

E3.4.7.2.1. At a minimum, Chemical Exclusion Areas will be secured by at least two reliable security access control devices (e.g., card access system, key pads, cipher locks, mechanical locking device) when cleared and authorized individuals are not present. A separate mechanical locking device must be present if an Electronic Access Control System (EACS) is used.

E3.4.7.2.2. Implementation of smart card technology shall be applied according to References (f) and (t).

E3.4.7.3. All individuals approved for access to Chemical Limited/Exclusion Areas and chemical agents must wear visible identification (ID) badges that include, at a minimum, the wearer's name, photograph, and expiration date, or that clearly identify the individual as a visitor. Facility administrators should consider using easily recognizable marks on the ID badges to indicate access to sensitive and secure areas. Visible ID badges are not required when working in the appropriate protective clothing.

E3.4.7.4. An Automated Entry Control System (AECS) may be used to control access instead of visual control if it meets the criteria stated in subparagraphs E3.4.7.4.1. or E3.4.7.4.2.

The AECS shall authenticate the identification of an individual and verify the person's authority to enter the area through the use of two separate methods of identification that may include ID badges, cards, a Personal Identification Number (PIN) number entry device, or biometric device.

E3.4.7.4.1. The ID badge or key card shall use embedded sensors, integrated circuits, magnetic stripes, or other means of encoding data that identifies the facility and the individual to whom the card is issued. Implement applicable guidance in Reference (f).

E3.4.7.4.2. Personal identity verification via biometrics devices shall identify the individual requesting access by one or more unique personal characteristics. Personal characteristics may include fingerprint(s), hand geometry, handwriting, retina scans, or voice recognition.

E3.4.7.4.3. EACS will be configured in such a way as to afford system integrity and to preclude compromise of electronic access data. The EACS will operate on a closed computer network specifically designed and established for the EACS. Data input to the system will require the badge custodian to have log-in and password privileges.

E3.4.7.4.4. In conjunction with subparagraph E3.4.7.2., a PIN may be required. The PIN shall be separately entered into the system by each individual using a keypad device and shall consist of four or more digits with no known or logical association with the individual. The PIN shall be changed upon either discovery of compromise or rotation/reassignment of personnel.

E3.4.7.5. Authentication of the individual's authorization to enter Chemical Exclusion Areas (including visitors) shall be accomplished with the system by inputs from the ID badge/card, the personal identity verification device, or the keypad with an electronic database of individuals authorized to enter the area. A procedure shall be established for immediately removing an individual's authorization to enter the area whenever an individual is no longer permitted entry (e.g., suspended, restricted, disqualified, reassigned, transferred, terminated, or decertified) from the CPRP. A paper-entry access control roster may be used as an alternative.

E3.4.7.6. Protection from tampering, destruction, and/or access control system failure shall be established and maintained for all devices or equipments that constitute the entry control system. Included will be considerations for welding door hinges/pins, eliminating exposed screw heads, ensuring doors and walls delay access or cannot be breached through force without intrusion detection and time for response forces to arrive. Protection will address covert or clandestine entry into Chemical Exclusion and Limited Areas through electrical, communications, or HVAC distribution and/or maintenance areas.

E3.4.7.7. Locations where authorization data and personal identification or verification data is created, stored, or recorded shall be protected according to information security standards in Reference (q).

E3.4.7.8. Security and communications devices located outside the entrance to a Chemical Restricted Area shall have tamper resistant enclosures and be securely fastened to the

wall or other permanent structure to prevent unauthorized access through breaching of attachment mechanisms (e.g., screws, pins, bolts). Control panels located within a Chemical Restricted Area shall require only a minimal degree of physical security protection sufficient to preclude unauthorized access to the mechanism.

E3.4.7.9. Keypad devices shall be designed and/or installed in such a manner that an unauthorized person in the immediate vicinity cannot observe the selection of input numbers.

E3.4.7.10. Systems that use transmission lines to carry access authorizations, personal identification data, or verification data between devices or equipment located outside of the restricted area shall have line supervision to restrict unauthorized access and tampering.

E3.4.7.11. Electric strikes used in access control systems shall be heavy duty, industrial grade.

E3.4.8. All chemical agents shall be stored in secured containers or other approved storage devices within Chemical Restricted Areas. Chemical agents shall be secured in a manner that provides two CPRP-certified person integrity for verification of activities with and/or removal of chemical agents. Igloos and bunkers are considered storage containers for chemical agents in their production configuration (e.g., projectiles, rockets, ton-containers).

E3.4.9. As a minimum, containers or approved storage devices with training stocks of chemical agents maintained in a chemical agent use room will be secured by two GSA-approved locking devices or equivalent when the containers are not under direct supervision and control of authorized personnel certified under the CPRP. An "A" and "B" locking system will be used to ensure two-person integrity.

E3.4.10. Procedures shall be established for package and material controls, end-of-day security checks, after-duty access controls, and access records.

E3.4.11. Plans shall be developed for the reporting of, and recapture and recovery of, stolen chemical agents. These plans will be tested and exercised at least annually with security forces/law enforcement and other appropriate responders (e.g., fire department) to determine their effectiveness and enable changes to improve security.

E3.4.12. Response times and manning levels for security forces shall be adjusted when necessary, for prompt assessment and response to deny access to structures or areas containing chemical agents, and to respond to unauthorized intrusions, theft, and intentional misuse. The Head of the DoD Component or a designee is the approval authority for all changes in security response force manpower and timing criteria.

E3.5. INVENTORY, ACCOUNTABILITY, AND RECORDS

E3.5.1. An inventory control and reporting system will be maintained and secured to prevent unauthorized access to, and account for, all chemical agents located at authorized DoD and DoD contractor facilities.

E3.5.2. Chemical agent declarations, accountability records, and reports shall be maintained according to this Instruction and References (d) and (e).

E3.5.3. The inventory and accountability control system will include specific details as appropriate including names of individuals, specific chemical agents, locations, dates, times, and purpose and disposition of the chemical agent for the following:

E3.5.3.1. All CPRP-certified personnel approved for access and the name of the chemical agent for which the individual has been approved.

E3.5.3.2. Proposed use of current inventory of chemical agents including type and quantities during access.

E3.5.3.3. The date and time the personnel entered and left a Chemical Restricted Area (automated systems are encouraged).

E3.5.3.4. Documentation of all chemical agents accessed and their disposition (including names of persons, agent, destructions, and return to storage or as applicable).

E3.5.4. The following records and reports will also be maintained:

E3.5.4.1. Security incident reports, and threat and vulnerability assessments.

E3.5.4.2. Inspection and exercise records and reports.

E3.5.4.3. Emergency response plans.

E3.5.4.4. Training records.

E3.5.4.5. Established maximum allowable quantitative limits of chemical agents for approved activities as defined by the Heads of the DoD Components.

E3.5.5. Records and reports will be maintained for 2 years and then handled according to appropriate Military Department/Component administrative instructions.

E3.6. IT SYSTEMS

E3.6.1. Data shall be processed on systems accredited according to DoD Instruction 5200.40 (Reference (u)).

E3.6.2. Web sites shall be administered according to Deputy Secretary of Defense memorandum of January 11, 2002, as updated (Reference (v)).

E3.7. TRANSPORTATION

E3.7.1. The transportation of chemical agents shall be according to Reference (f). Delivery receipts will be maintained for at least 5 years.

E3.7.2. Packages or containers containing chemical agents shall not be left unattended or unsecured while awaiting transportation.

E3.7.3. Movement of chemical agents shall be minimized consistent with operational, research, training, teaching, and safety requirements.

E3.7.4. During the planning and preparation stages of transportation of chemical agents off the confines of a military installation, a current risk assessment including known threats and hazards shall be considered. Planning for the move shall include appropriate security measures including the mode of shipment, the availability of security resources, and the source and availability of emergency assistance. All reasonable precautions shall be taken for the safety and security of personnel and the chemical agents.

E3.8. PROVISION OF DoD CHEMICAL AGENTS

E3.8.1. The provision of DoD chemical agents outside the Department of Defense requires substantive legal authority, such as specific statutory authority or the Economy Act (Reference (w)) and CWC provisions.

E3.8.2. DoD Components may transfer DoD chemical agents to other DoD Components. The receiving Component will assume responsibility for the chemical agents under DoD guidance and their own Component regulations. Transfer of the chemical agents will be approved by the facility commander/director or by the office directed by the Component and according to appropriate Federal regulations and CWC provisions.

E3.8.3. DoD Components may provide DoD chemical agents to other Federal governmental agencies in support of the recipient governmental agency's mission pursuant to Reference (w). For example, DoD chemical agents may be provided to support a Department of Agriculture research program, or to the FBI when required for forensic analysis. Provision of the chemical agents will be approved by the Facility Chemical Agent Accountability Officer (FCAAO) and according to appropriate Federal regulations and shall adhere to the procedures of the Economy Act and part 17.5 of the Federal Acquisition Regulation (Reference (x)), and supplements thereto.

E3.8.4. DoD Components will not provide DoD chemical agents to non-governmental recipients (such as Small Business Innovative Research Agreements), or to Federal governmental agencies, unless ATSD(NCB) approved. Requests will identify recipient information, name and quantity of chemical agents to be provided, purpose for which the chemical agents will be used, and rationale for providing chemical agents. Approval will identify surety and security measures requirements for the recipients beyond those required by Federal regulations.

E3.9. RESEARCH AND TRAINING QUANTITIES OF CHEMICAL AGENTS

E3.9.1. Inventory and accountability procedures shall be established to verify continuing control of research and training quantities.

E3.9.2. Research and training quantities shall be stored in secure containers that are equivalent to General Services Administration (GSA)-approved Class 5 weapons storage containers within vaults locked with built-in three-position combination locks or key-operated, high security padlocks that meet Military Detail Standard (MIL-DTL-43607H) mounted on high security hasps (MIL-DTL-29181C) (References (y) and (z)), or strong rooms secured with GSA-approved changeable three-position combination padlocks built to Federal Specification FF-P-110. The secure containers shall have a locking system installed to allow an “A” and “B” lock system to ensure the integrity of the two person surety requirement. Access to, or possession of both keys to the chemical agent storage area by only one person is prohibited. This requirement also applies to the transfer of custody of research quantities from the Department of Defense.

E3.10. WAIVERS AND EXCEPTIONS

E3.10.1. Waivers and exceptions shall be considered individually. Waivers and exceptions can apply to large numbers of facilities or situations. Blanket waivers maybe authorized on a case-by-case basis and require DUSD(CI&S) approval.

E3.10.2. A waiver may be approved for temporary relief from a specific requirement prescribed in this Instruction pending actions to conform to its requirement. Such waivers shall be approved for only as long as needed and will normally not exceed 1 year. While waivers are in effect, compensatory security measures shall be required to mitigate any increases in risk or vulnerability as a result of the waiver.

E3.10.3. An exception may be approved for permanent relief from a specific requirement as prescribed in this Instruction when there are unique circumstances at the facility that make conforming to the requirement impractical or an inappropriate use of resources.

E3.10.4. Requests for waivers or exceptions may be approved by the Heads of the DoD Components with a copy of the approval sent to the Director of Security, DUSD(CI&S), OUSD(I), 5000 Defense Pentagon, Washington, DC 20301-5000.

E3.10.5. Whenever conditions or compensatory measures change, a request for an amendment can be approved by the Head of the DoD Component with a copy of the approval sent to the Director of Security, DUSD(CI&S), OUSD(I). Additionally, physical security surveys, reports, and inspections shall include and document a review of any waivers and exceptions approved to verify that conditions described in the request were adequate and that compensatory measures were fully implemented as stated above. The physical security survey or inspection report will include a comment regarding the actions taken as a result of that review.

E4. ENCLOSURE 4

CHEMICAL PERSONNEL RELIABILITY PROGRAM (CPRP)

E4.1. PURPOSE

The purpose of the CPRP is to verify that each individual who has access to or is authorized unrestricted, unescorted, and unsupervised access and can escort and/or supervise persons with access to chemical agents meets the highest standards of integrity, trust, and personal reliability. Determination of integrity and reliability shall be accomplished, in part, through the initial and continuing evaluation of individuals assigned duties associated with chemical agents to assess that those individuals do not pose a risk to public health and safety, or national security. The commander/director of a chemical surety facility has overall responsibility for the CPRP.

E4.2. RELIABILITY STANDARDS (GENERAL)

E4.2.1. The Certifying Official shall have the final ruling for determining an individual's eligibility for unrestricted, unescorted, and/or unsupervised access to chemical agents and shall consider all relevant facts prior to submitting the certification statement to the facility commander/director. Restricted Persons shall not be granted access to chemical agents.

E4.2.2. The Certifying Official shall certify the eligibility of an individual for unrestricted, unescorted, and/or unsupervised access to chemical agents based on factors including U.S. citizenship, Restricted Person status, a favorable personnel security investigation, an evaluation of the individual's physical and mental capability, appropriate personnel and medical records, a personal interview, and a signed agreement by the individual affirming their responsibility to abide by the requirements for maintaining CPRP certification.

E4.2.3. The CPRP requirements for escorts and supervisors covered under this Instruction shall be incorporated into all contracts or similar arrangements involving the custody, security, possession, or on-site transport of these agents for any purpose. Material Transfer Requests (MTRs) are addressed in paragraph E3.8.

E4.3. QUALIFYING STANDARDS

E4.3.1. The following qualifying standards represent the reliability standards expected of all individuals assigned duties requiring CPRP certification:

E4.3.1.1. U.S. citizen status.

E4.3.1.2. Emotionally and mentally stable, trustworthy, medically and physically competent, and adequately trained to perform the assigned duties.

E4.3.1.3. Dependability in, and a positive attitude toward accepting and executing CPRP responsibilities.

E4.3.1.4. Flexibility and adaptability in adjusting to a restrictive and demanding work environment with chemical agents that must be strictly controlled and secured.

E4.3.2. Personnel Security Investigation (PSI). The investigative requirements in paragraph E3.1.9. shall be favorably adjudicated according to Reference (g) before granting access to chemical agents.

E4.3.3. Medical Evaluation

E4.3.3.1. The Certifying Official must be confident that the individual being certified is medically, physically, and mentally competent, alert and dependable, free from any serious progressive illness, even if such is not a current hindrance to performance, and not a threat for inadvertent or purposeful compromise of the chemical agents or program and/or mission. To that end, a CMA must provide the Certifying Official an evaluation of the individual's medical and physical competence and mental stability to perform duties requiring CPRP certification. The primary responsibility of the CMA is to provide the Certifying Official with sufficient and timely medical information in order to make a sound judgment.

E4.3.3.2. Health records shall reflect the assignment of an individual to a position requiring CPRP certification to verify the proper treatment, review, and reporting of potentially disqualifying information to the Certifying Official. All potentially disqualifying medical information shall be documented in the individual's health records with evidence of transmission of the potentially disqualifying information (PDI) to the Certifying Official.

E4.3.4. Personal Interview. The Certifying Official shall conduct a personal interview with each CPRP candidate. Any relevant and potentially disqualifying information will be solicited and, if appropriate, discussed during the interview. Information considered on background investigations (e.g., financial issues) should be included.

E4.3.5. Position Qualification. The Certifying Official shall obtain evidence of demonstrated professional or technical proficiency, as appropriate. Evidence shall be obtained through prior employment and/or academic records and appropriate interviews of former supervisors and/or academic instructors.

E4.3.6. Drug/Substance Abuse Testing. All candidates for CPRP positions shall undergo drug/substance abuse testing before being certified into the CPRP. Positions requiring CPRP certification shall be designated for random testing. Results of the drug/substance abuse test shall be submitted to the Certifying Official. Positive test results will result in a disqualification or permanent decertification, as appropriate, for the CPRP.

E4.4. DISQUALIFYING OR DECERTIFYING STANDARDS

E4.4.1. Alcohol related incidents, abuse, or dependence will be evaluated per the following guidance. In evaluating these traits or conduct, Certifying Officials shall assess that an individual's reliability and assignment to a CPRP position is consistent with national security interests:

E4.4.1.1. Individuals being considered for certification in the CPRP with any alcohol-related incidents during the previous 5 years, or any diagnosis of alcohol abuse or alcohol dependence will be referred to the CMA for evaluation. If the CMA determines that the individual abuses alcohol or is alcohol dependent, procedures in paragraph E4.4.1.3. or E 4.4.1.4. will be followed as appropriate. In all other circumstances, the certifying official will review and consider the CMA evaluation as part of the certification process.

E4.4.1.2. Individuals currently certified in the CPRP who are involved in an alcohol-related incident shall be, at a minimum, suspended immediately from duties requiring CPRP certification pending an evaluation. The Certifying Official shall conduct an investigation of the circumstances and request a medical evaluation. If the CMA determines that the individual is currently abusing alcohol or is alcohol dependent, procedures in paragraph E4.4.1.3. or E 4.4.1.4. will be followed as appropriate. In all other circumstances, the certifying official will assess the individual's reliability based on the investigation and the CMA evaluation and determine whether the individual should be decertified or reinstated and returned to duties requiring CPRP certification.

E4.4.1.3. Individuals diagnosed as abusing alcohol, but who are not alcohol dependent, shall at a minimum be suspended pending completion of rehabilitation program or treatment regimen prescribed by the CMA. Before the individual is reinstated and returned to duties requiring CPRP certification (or before the individual is certified into the program), the Certifying Official will assess whether the individual has displayed positive changes in personal reliability and lifestyle, and whether the individual has a favorable medical prognosis from the CMA. Failure to meet these requirements satisfactorily shall result in disqualification or decertification.

E4.4.1.4. Individuals diagnosed as "alcohol dependent," according to DoD Directive 1010.4 (Reference (aa)), shall be disqualified or decertified from the CPRP.

E4.4.1.5. Individuals disqualified or decertified for alcohol dependency may be reconsidered for CPRP duties after meeting the following conditions:

E4.4.1.5.1. The individual has successfully completed an initial intensive rehabilitation program and released for duties requiring CPRP certification by the CMA.

E4.4.1.5.2. The individual has completed a 1-year period of strict compliance with an aftercare program.

E4.4.1.5.3. The individual has received a favorable prognosis by the CMA and a psychological evaluation is completed.

E4.4.1.5.4. The Certifying Official must consider the value of the individual's continued presence in the CPRP versus the risk from potential future alcohol-related incidents. The Certifying Official must document the fact that he or she has full trust and confidence in the individual's reliability.

E4.4.1.6. Past underage alcohol use or incidents while in a non-PRP position do not necessarily render an individual ineligible for consideration for a CPRP position. It is incumbent on the Certifying Official to determine the degree to which the incident(s) affects the reliability of the individual considered. Acts of underage drinking that led to identification of additional alcohol-related problems or other violations of the law require CMA consultation.

E4.4.2. Drug/substance abuse will be evaluated per the following guidance. In evaluating these traits or conduct, Certifying Officials shall verify an individual's reliability and that assignment to a CPRP position is consistent with national security interests.

E4.4.2.1. Individuals in the following circumstances will be decertified or disqualified from the CPRP:

E4.4.2.1.1. Individuals not already in the CPRP who abused drugs/substances in the 5 years prior to the initial CPRP interview. Isolated abuse of another individual's prescribed drugs will be evaluated per E4.4.2.2.

E4.4.2.1.2. Individuals who have illegally trafficked, cultivated, processed, manufactured, or sold illegal or controlled drugs/substances within the last 15 years.

E4.4.2.1.3. Individuals who have abused drugs/substances while enrolled and/or certified in any Personnel Reliability Program, including abuse of another individual's prescribed drugs.

E4.4.2.2. The CMA will evaluate and make recommendations regarding individuals not disqualified or decertified per E4.4.2.1. who have abused drugs more than 5 years before the initial CPRP interview or have isolated episodes of abuse of another person's prescribed drug within 15 years of the initial CPRP screening.

E4.4.2.3. The Certifying Official will consider the CMA's recommendations and evaluate the individual's reliability and adjudicate the individual's qualifications based on the CMA evaluation, consideration of circumstances pertaining to the drug abuse (for example, frequency of drug abuse, age of individual at time of abuse) and any extenuating or mitigating circumstances (for example, successful completion of a drug rehabilitation program).

E4.4.2.4. It is not the intent of this Instruction to automatically disqualify or decertify any individual from CPRP who, in an effort to self-medicate, inadvertently or deliberately exceeds the recommended safe dosage on the medication's packaging of over the counter substances or who improperly uses his or her own prescribed medications. If the Certifying Official suspects or the individual admits to such improper usage, the individual must be suspended from duties requiring CPRP certification and the CMA consulted. If, after CMA evaluation, the certifying official concludes drug/substance abuse has occurred, the certifying official must permanently decertify the individual.

E4.4.2.5. Any individual, who while in any PRP uses a Food and Drug Administration (FDA) Schedule II, III, or IV drug, including anabolic steroids, not prescribed by a physician, shall not be eligible for the CPRP and shall be immediately suspended from the CPRP if this unprescribed drug use is found after CPRP certification.

E4.4.3. Negligence or Delinquency in Performance of Duty. If the Certifying Official's review of the CPRP candidate's job or duty history reveals a lack of emotional and mental stability, trustworthiness, proper attitude and motivation to perform, physical competency, or adequate training to perform the assigned duties, the individual will be disqualified or decertified and removed from access. In determining reliability, the Certifying Official must evaluate all aspects of an individual's actions.

E4.4.4. Restricted Person. A restricted person, as defined in paragraph E2.23., is ineligible for duties requiring CPRP certification.

E4.4.5. Suicide Attempt and/or Threats and Jeopardizing Human Life or Safety. Any individual suspected of attempting and/or threatening suicide and/or who jeopardizes human life or safety shall be suspended from CPRP duties pending the results of a CMA consultation and a mental health assessment/evaluation. Any suicide attempt and/or threat and/or jeopardizing human life or safety may be grounds for disqualification or decertification. In determining reliability, the Certifying Official must evaluate all aspects of the individual's action and circumstances.

E4.4.6. Potentially Disqualifying Information. All potentially disqualifying information on individuals assigned to a position requiring CPRP certification must be sent to the appropriate Certifying Official for further review. The Certifying Official shall evaluate this information to determine if the individual's reliability is affected and take appropriate action.

E4.5. CONTINUING EVALUATION. Certifying Officials must observe the behavior and performance of individuals certified under the CPRP on a frequent and consistent basis and are responsible for ensuring that all individuals assigned to CPRP positions meet all of the requirements of the continuing evaluation process.

E4.6. INDIVIDUAL AND SUPERVISORY RESPONSIBILITIES

E4.6.1. Individuals assigned to duties requiring CPRP certification are responsible for monitoring their own reliability and the reliability of others performing duties under the CPRP. Failure to discharge these responsibilities may cast doubt on an individual's reliability. Individuals shall advise their supervisors, Certifying Official, or facility commander/director of any factors that could have an adverse impact on their performance, reliability, or security while performing duties requiring CPRP certification.

E4.6.2. Information that would be identified during the next periodic reinvestigation (SF 86 Part 2) should be reported to the Certifying Official as soon as possible, and not just during the reinvestigation process. Information that should be reported includes:

E4.6.2.1. Leaving a job (including part-time/second jobs) under unfavorable circumstances.

E4.6.2.2. Being charged with, or convicted of, any criminal offence including those under the Uniform Code of Military Justice.

E4.6.2.3. Illegal use of drugs/substances, illegal drug activity, or use of someone else's prescription medication.

E4.6.2.4. Alcohol abuse and other CPRP reportable incidents and behaviors including serious driving infractions such as reckless driving, Driving Under the Influence, and Driving While Intoxicated.

E4.6.2.5. Significant financial problems such as filing for bankruptcy, garnishment of wages, property repossession, lien against property for failure to pay taxes or debts, unpaid court judgments, debt delinquency greater than 90 days.

E4.6.2.6. Being a party to any public record court action.

E4.6.3. Any medical evaluation, treatment, or medication should be reported to the CMA to determine any effect to individual disqualification or suspension.

E4.6.4. Certifying Officials shall verify that actions of disqualification and/or decertification, and any steps relating to re-certification are accurately recorded in the affected individual's personnel record.

E5. ENCLOSURE 5CHEMICAL AGENTS

E5.1 <u>Nerve Agents</u>	<u>CAS Registry Number</u>
O-Alkyl(\leq C10,incl. Cycloalkyl) alkyl (Me, Et, n-Pr or i-Pr)- phosphonofluoridates	
e.g. Sarin: O-Isopropyl methylphosphonofluoridate	107-44-8
Soman: O-Pinacolyl methylphosphonofluoridate	96-64-0
O-Alkyl (\leq C10, incl. Cycloalkyl) N, N-dialkyl (Me, Et, n-Pr or i-Pr) phosphoramidocyanidates	
e.g. Tabun: O-Ethyl N, N-dimethyl phosphoramidocyanidate	77-81-6
O-Alkyl (H or \leq C10, incl. Cycloalkyl) S-2-dialkyl (Me, Et, n-Pr or i-Pr) aminoethyl alky (Me, Et, n-Pr or i-Pr) phosphonothiolates and corresponding alkylated or protonated salts	
e.g. VX: O-Ethyl S-2-diisopropylaminoethyl methyl phosphonothiolate	50782-69-9
E5.2 <u>Sulfur Mustards</u>	
2-Chloroethylchloromethylsulfide	2625-76-5
Mustard gas: Bis(2-chloroethyl)sulfide	505-60-2
Bis(2-chloroethylthio)methane	63869-13-6
Sesquimustard: 1,2-Bis(2-chloroethylthio)ethane	3563-36-8
1,3-Bis(2-chloroethylthio)-n-propane	63905-10-2
1,4-Bis(2-chloroethylthio)-n-butane	142868-93-7
1,5-Bis(2-chloroethylthio)-n-pentane	142868-94-8
Bis(2-chloroethylthiomethoxy)ether	63918-90-1
O-Mustard: Bis(2-chloroethylthioethyl)ether	63918-89-8
E5.3. <u>Lewisites</u>	
Lewisite 1: 2-Chlorovinylchloroarsine	541-25-3
Lewisite 2: Bis(2-chlorovinyl)chloroarsine	40334-69-8
Lewisite 3: Tris(2-chlorovinyl)arsine	40334-70-1
E5.4. <u>Nitrogen Mustards</u>	
HN1: Bis(2-chloroethyl)ethylamine	538-07-8
HN2: Bis(2-chloroethyl)methylamine	51-75-2
HN3: Tris(2-chloroethyl)amine	555-77-1

E5.5. Saxitoxin 35523-89-8

E5.6. Ricin 9009-86-3

E5.7. Precursors

Alkyl (Me, Et, n-Pr or i-Pr) phosphonyldifluorides

e.g. DF: Methylphosphonyldifluoride 676-99-3

O-Alkyl (H or \leq C10, incl. cycloalkyl) O-2-dialkyl

(Me, Et, n-Pr or i-Pr)-aminoethyl alkyl

(Me, Et, n-Pr or i-Pr) phosphonites and corresponding alkylated or protonated salts

e.g. QL: O-Ethyl O-2 disopropylaminoethyl

methylphosphonite 57856-11-8

Chlorosarin: O-Isopropyl methylphosphonochloridate 1445-76-7

Chlorosoman: O-Pinacolyl methylphosphonochloridate 7040-57-5

E5.8. Binary components DF and QL are not covered by this Instruction when stored separately from their non-critical components.