



Department of Defense INSTRUCTION

NUMBER 5100.76
May 20, 2010

USD(I)

SUBJECT: Safeguarding Conventional Arms, Ammunition, and Explosives (AA&E)

References: See Enclosure 1

1. PURPOSE. This Instruction reissues DoD Instruction 5100.76 (Reference (a)), in accordance with the authority in DoD Directive 5143.01 (Reference (b)), to establish policy, assign responsibilities, and provide procedures for the formulation of worldwide uniform policy, standards, and guidance for the physical security of conventional AA&E in the possession or custody of the DoD Components, and under Foreign Military Sales or Security Cooperation Programs as outlined in DoD 5105.38-M (Reference (c)).

2. APPLICABILITY. This Instruction applies to:

a. OSD, the Military Departments, the Office of the Chairman of the Joint Chiefs of Staff and the Joint 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 within the Department of Defense (herein referred to collectively as the "DoD Components").

b. 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 (d)).

c. The procurement, use, shipment, storage, inventory control, disposal by sale, or destruction of conventional AA&E.

d. All DoD contracts for which performance depends on or affords access to DoD conventional AA&E.

e. The protection of AA&E for cooperative research and development agreements and memorandums of agreement with other research partners and Government agencies that involve furnished DoD conventional AA&E.

3. DEFINITIONS. See Glossary.

4. POLICY. It is DoD policy that the security of conventional AA&E is of the highest importance to the Department of Defense. If AA&E is compromised, sabotaged, stolen, misused, or vulnerable to terrorist acts, subversives, criminal elements, malicious mischief, or other acts of willful interference, it has the potential to jeopardize the safety and security of personnel and installations worldwide. Continuous program and policy oversight is required to ensure the protection of AA&E within the Department of Defense.

5. RESPONSIBILITIES. See Enclosure 2.

6. PROCEDURES

a. Conventional AA&E shall be properly safeguarded against theft, loss, sabotage, damage, or unauthorized use in accordance with minimum standards outlined in DoD 5100.76-M and DoD 5200.08-R (References (e) and (f)).

b. Material weaknesses shall be reported in accordance with DoD Instruction 5010.40 (Reference (g)).

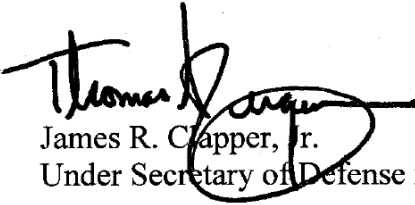
c. Export Control requirements for conventional AA&E shall be implemented in accordance with DoD Instruction 2040.02 (Reference (h)).

d. Visits and assignments with foreign nationals shall be processed in accordance with DoD Directive 5230.20 (Reference (i)).

e. AA&E shall be stored and transported in accordance with the explosives safety requirements in DoD 6055.09-STD (Reference (j)).

7. RELEASABILITY. UNLIMITED. This Instruction is approved for public release and is available on the Internet from the DoD Issuances Website at <http://www.dtic.mil/whs/directives>.

8. EFFECTIVE DATE. This Instruction is effective immediately.



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Under Secretary of Defense for Intelligence

Enclosures

1. References
 2. Responsibilities
- Glossary

TABLE OF CONTENTS

ENCLOSURE 1: REFERENCES.....5
ENCLOSURE 2: RESPONSIBILITIES.....6
GLOSSARY9

ENCLOSURE 1

REFERENCES

- (a) DoD Instruction 5100.76, "Safeguarding Conventional Arms, Ammunition, and Explosives (AA&E) and the AA&E Physical Security Review Board," October 8, 2005 (hereby cancelled)
- (b) DoD Directive 5143.01, "Under Secretary of Defense for Intelligence (USD(I)),¹" November 23, 2005
- (c) DoD 5105.38-M, "Security Assistance Management Manual," October 3, 2003
- (d) Under Secretary of Defense for Acquisition, Technology, and Logistics, "Department of Defense Strategic Plan for the Distribution of Arms, Ammunition and Explosives," May 2004¹
- (e) DoD 5100.76-M, "Physical Security of Sensitive Conventional Arms, Ammunition, and Explosives," August 12, 2000
- (f) DoD 5200.08-R, "Physical Security Program," April 9, 2007
- (g) DoD Instruction 5010.40 "Managers' Internal Control (MIC) Program Procedures," January 4, 2006
- (h) DoD Instruction 2040.02, "International Transfers of Technology, Articles, and Services," July 10, 2008
- (i) DoD Directive 5230.20, "Visits and Assignments of Foreign Nationals," June 22, 2005
- (j) DoD 6055.09-STD, "DoD Ammunition and Explosives Safety Standards," February 29, 2008
- (k) DoD Instruction 5230.29, "Security and Policy Review of DoD Information for Public Release," January 8, 2009
- (l) Defense Federal Acquisition Regulation Supplement, current edition
- (m) DoD 4140.1-R, "DoD Supply Chain Materiel Management Regulation," May 23, 2003
- (n) DoD Instruction 6055.17, "DoD Installation Emergency Management (IEM) Program," January 13, 2009
- (o) DoD Instruction 6055.07, "Accident Investigation, Reporting, and Record Keeping," October 3, 2000
- (p) Joint Publication 1-02, "Department of Defense Dictionary of Military and Associated Terms," current edition

¹ Copies may be obtained on the Internet at:
<http://www.acq.osd.mil/log/tp/AA&E/Signed%20AA&E%20Distribution%20Strategic%20Plan%20May%202004.pdf>

ENCLOSURE 2

RESPONSIBILITIES

1. UNDER SECRETARY OF DEFENSE FOR INTELLIGENCE (USD(I)). The USD(I), as the senior DoD official having the authority and responsibility for the establishment of uniform DoD physical security policy, except for nuclear weapons physical security, shall:

- a. Develop DoD guidance establishing the minimum security standards for safeguarding conventional AA&E and facilities that maintain conventional AA&E.
- b. Develop policies, standards, and procedures governing the physical security of conventional AA&E and their effective and uniform implementation. Coordinate for the security of conventional AA&E distribution and transportation with the Under Secretary of Defense for Acquisition, Technology, and Logistics.
- c. Provide oversight of DoD programs to assess the adequacy of conventional AA&E security safeguards and the implementation of the policy in this Instruction.

2. DIRECTOR, DEFENSE INTELLIGENCE AGENCY. The Director, Defense Intelligence Agency, under the authority, direction, and control of the USD(I), shall:

- a. Produce a multidisciplinary threat assessment triennially, or more frequently if required based on changes in assets and/or threat situations, addressing foreign military conventional and special operations, foreign intelligence and security services, terrorism, criminal activity, information operations, sabotage, and proliferation threats related to conventional AA&E.
- b. Coordinate with USD(I) for the distribution of threat assessments to DoD Components responsible for the protection of AA&E.

3. DIRECTOR, DEFENSE SECURITY SERVICE (DSS). The Director, DSS, under the authority, direction, and control of the USD(I), shall:

- a. 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 AA&E physical security inspection program.
- b. Conduct pre-award surveys and inspections of contractor-owned, contractor-operated facilities and approve exemptions from DoD Components requesting to assume cognizance of surveys and inspections on a case-by-case basis. Establish mutual agreement with the DoD Component through a memorandum of understanding.

4. HEADS OF THE DoD COMPONENTS. The Heads of the DoD Components shall:
- a. Oversee, within their respective Components, compliance with the policy established in this Instruction to include planning and programming fiscal and personnel resources necessary to implement this policy.
 - b. Conduct pre-award surveys and inspections of Government-owned, contractor-operated facilities and seek an exemption requesting the Director, DSS, to assume cognizance on surveys and inspections on a case-by-case basis. Establish mutual agreement with the Director, DSS, through a memorandum of understanding.
 - c. Exercise the option to assume cognizance of pre-award surveys and inspections of contractor-owned, contractor-operated facilities from Director, DSS after establishing a mutually agreed upon memorandum of understanding.
 - d. Coordinate public releases of information pertaining to conventional AA&E security incidents and issues with the Office of the USD(I) (OUSD(I)), HCI&S, Security Directorate and the Office of Security Review (OSR) within Washington Headquarters Services in accordance with DoD Instruction 5230.29 (Reference (k)). Once information has been cleared for public release by OSR, the Heads of the DoD Components shall coordinate with the Assistant Secretary of Defense for Public Affairs prior to release.
 - e. Conduct a specific threat analysis and vulnerability assessment at each conventional AA&E facility prior to its occupation, use, or major renovation. The threat analysis and vulnerability assessment will be updated annually or more frequently as new threats and/or vulnerabilities become known. The vulnerability assessment shall include specific threats, capabilities based threat assessment, physical security surveys and inspection, security measures, and the results of security and response force exercises.
 - f. Implement processes and procedures to assess and evaluate appropriate security measures based on continuous threat assessments, force protection condition levels, physical security surveys and inspections, and vulnerability assessments. DoD Components will also use risk management principles for mitigating, reducing, or eliminating risks.
 - g. Report AA&E that is lost, missing, or stolen to OUSD(I) ,HCI&S, Security Directorate in accordance with Reference (e).
 - h. Develop and implement security plans and policies that include security measures designed to ensure all conventional AA&E under their control is safeguarded against loss, theft, diversion, and unauthorized access or use.
 - i. Require that contractual requirements provide for the protection of conventional AA&E in accordance with Reference (c) and the Defense Federal Acquisition Regulation Supplement (Reference (l)).

j. Establish procedures to clearly define methods and requirements for the accountability and control of conventional AA&E in accordance with DoD 4140.1-R (Reference (m)).

k. Accept AA&E shipments after normal hours and for the purpose of safe haven as outlined in Reference (e).

l. Establish procedures and coordinated response plans for accidents or incidents involving conventional AA&E to include memorandums of understanding or agreement with non-DoD Federal agencies in accordance with to DoD Instruction 6055.17 (Reference (n)).

m. Submit reports pertaining to mishaps involving conventional AA&E in accordance with DoD Instruction 6055.07 (Reference (o)).

GLOSSARY

DEFINITIONS

These terms and their definitions are for the purpose of this Instruction.

ammunition. A device charged with explosives, propellants, and pyrotechnics, initiating composition, riot control agents, chemical herbicides, smoke, and flame for use in connection with defense or offense, including demolition. Excluded from this definition are devices charged with chemical agents, defined in Joint Publication 1-02 (Reference (p)), and nuclear and biological material. Ammunition includes cartridges, projectiles, including missile rounds, grenades, mines, and pyrotechnics together with bullets, shot and their necessary primers, propellants, fuses, and detonators individually or having unit of issue, container, or package weight of 100 pounds or less. Blank, inert training ammunition, and rim-fire ammunition are excluded.

arms. A weapon that will or is designed to expel a projectile or flame by the action of the explosive, and the frame or receiver of any such weapon.

conventional AA&E. Defined in Reference (e).

explosives. Any chemical compound, mixture, or device, the primary or common purpose of which is to function by explosion. The term includes, but is not limited to, individual land mines, demolition charges, blocks of explosives (dynamite, trinitrotoluene, C-4, and other high explosives), and other explosives consisting of 10 pounds or more; for example, gunpowder or nitroguanidine.

force protection conditions. A DoD-approved system standardizing the Department of Defense's identification, recommended preventive actions, and responses to terrorist threats against U.S. personnel and facilities. This system is the principal means for a commander to apply an operational decision on how to protect against terrorism and facilitates inter-Service coordination and support for antiterrorism activities.

physical security inspection. A formal, recorded compliance of physical procedures and measures implemented by a unit or activity to protect its assets.

physical security survey. A formal, recorded assessment of an installation physical security program.

risk. A measure of consequence of peril, hazard, or loss, which is incurred from a capable aggressor or the environment (the presence of a threat and unmitigated vulnerability).

risk management. Process and resultant risk of systematically identifying, assessing and controlling risks. Commanders or directors identify critical assets and their subsequent protection requirements, including future expenditures required for the protection requirements.

threat assessment. A resultant product of the defined process used to conduct a threat analysis and develop an evaluation of a potential threat. Also, it is the product of a threat analysis for a particular unit, installation, or activity.

vulnerability assessment. The comprehensive evaluation of an installation, facility, or activities to determine preparedness to deter, withstand, and/or recover from the full range of adversarial capabilities based on the threat assessment, compliance with protective standards, and risk management.