

**Army Regulation 525–92**

**Military Operations**

**Army Arms  
Control  
Implementation  
and  
Compliance  
Policy**

**Headquarters  
Department of the Army  
Washington, DC  
27 September 2021**

**UNCLASSIFIED**

# ***SUMMARY of CHANGE***

AR 525–92

Army Arms Control Implementation and Compliance Policy

This major revision, dated 27 September 2021—

- o Changes the title from “Army Arms Control Implementation Policy” to “Army Arms Control Implementation and Compliance Policy” (cover).
- o Introduces the concept of, assigns responsibilities, and defines treaty implementing agent (paras 1–1, 1–4*u*, and glossary).
- o Deletes Director, Army Staff (Technology Management Office) (formerly para 1–4*h*) and adds and assigns its responsibilities to the Director, Army Special Programs Directorate (para 1–4*a*).
- o Assigns manpower reporting responsibilities for treaties and agreements to Deputy Chief Staff, G–1 (para 1–4*i*).
- o Deletes the Army Material Command responsibility for providing a forensic laboratory to support implementation of the Chemical Weapons Convention, to include the laboratory maintaining certification as an Organization for the Prohibition of Chemical Weapons designated laboratory for Chemical Weapons Convention “full spectrum” analysis and verification (formerly para 1–4*p*(1)).
- o Adds Commanding General, U.S. Army Futures Command roles and responsibilities (para 1–4*q*).
- o Revises roles and responsibilities of Army stakeholders as required and incorporates Department of the Army General Order No. 2020–31 by updating all individual U.S. Army Europe and U.S. Army Africa references to reflect the consolidation of both commands into, U.S. Army Europe-Africa (para 1–4*s* and throughout).
- o Deletes responsibilities for and references to the Open Skies Treaty (formerly para 2–3*c*).
- o Adds New Strategic Arms Reduction Treaty strategic limitations (para 2–3*d*).
- o Adds the Wassenaar Arrangement Conventional Arms List and the Dual-use Goods and Technologies List data (para 2–4*d*(1)).
- o Deletes responsibilities for and references to the Intermediate Range Nuclear Forces Treaty (formerly para 2–4*d*).
- o Updates treaties and agreements binding on the Army with the current DoD Policy on Landmines, dated January 31, 2020 (para 2–5*c*).
- o Deletes references to the Comprehensive Nuclear Test-Ban Treaty roles and responsibilities (formerly para 2–5*d*).
- o Identifies Assistant Secretary of the Army (Acquisition, Logistics, and Technology)’s Deputy Assistant Secretary of the Army for Defense Exports and Cooperation as the office responsible for coordinating the foreign military sale of commodities controlled under the Missile Technology Control Regime (para 2–5*e*(6)).
- o Adds a treaty compliance function to the coordination phase to ensure that all Army activities and programs comply with arms control treaties and agreements as necessary (para 3–2*c*(5)).

- o Provides resource reassignment guidance for situations involving treaty or agreement changes, U.S. withdrawal from, and treaty or agreement expiration (para 3-2c(6)).
- o Updates policies, procedures, and processes (throughout).

Military Operations

Army Arms Control Implementation and Compliance Policy

By Order of the Secretary of the Army:

JAMES C. MCCONVILLE  
General, United States Army  
Chief of Staff

Official:



MARK F. AVERILL  
Acting Administrative Assistant  
to the Secretary of the Army

**History.** This publication is major revision.

**Summary.** This regulation establishes policies to ensure that all Department of the Army activities, including, but not limited to, research, tests, development, acquisition, exercises, and operations, comply with arms control agreements in accordance with United States law and other applicable national implementing policy in order to fulfill responsibilities assigned to the Secretary of the Army in DoDD 2060.01.

**Applicability.** This regulation applies to the Regular Army, the Army National Guard/Army National Guard of the United States, and the U.S. Army Reserve, unless otherwise stated. It also applies to Department of the Army Civilians. During mobilization or national emergency, this regulation remains in effect without change.

**Proponent and exception authority.** The proponent of this regulation is the Deputy Chief of Staff, G–3/5/7. The proponent has the authority to approve exceptions or waivers to this regulation that are consistent with controlling law and regulations. The proponent may delegate this approval authority, in writing, to a division chief within the proponent agency or its direct reporting unit or field operating agency in the grade of colonel or the civilian equivalent. Activities may request a waiver to this regulation by providing justification that includes a full analysis of the expected benefits and must include a formal review by the activity’s senior legal officer. All waiver requests will be endorsed by the commander or senior leader of the requesting activity and forwarded through their higher headquarters to the

policy proponent. Refer to AR 25–30 for specific requirements.

**Army internal control process.** This regulation contains internal control provisions and identifies key internal controls that must be evaluated (see app B).

**Supplementation.** Supplementation of this regulation and establishment of command and local forms are prohibited without prior approval from the Deputy Chief of Staff, G–3/5/7 (DAMO–SS), 400 Army Pentagon, Washington, DC 20310–0400.

**Suggested improvements.** Users are invited to send comments and suggested improvements on DA Form 2028 (Recommended Changes to Publications and Blank Forms) directly to the Deputy Chief of Staff, G–3/5/7 (DAMO–SS), 400 Army Pentagon, Washington, DC 20310–0400.

**Distribution.** This regulation is available in electronic media only and is intended for the Regular Army, the Army National Guard/Army National Guard of the United States, and the U.S. Army Reserve.

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\*This regulation supersedes AR 525-92, dated 2 August 2010.

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### **Glossary**

## Chapter 1 Introduction

### 1–1. Purpose

This regulation establishes the Army's Arms Control Implementation and Compliance (ACIC) Program. It assigns responsibilities within the Army for arms control agreements, identifies Army treaty implementing agents (TIAs), and establishes the policies, goals, and processes associated with the planning, programming, budgeting, and execution (PPBE) system for ACIC activities. Each arms control treaty is assigned an Army TIA to take lead responsibility for internal Army coordination of implementation and compliance (I&C) actions required by the arms control treaty or agreement. This regulation assigns TIAs, their general responsibilities, and their associated treaties.

### 1–2. References and forms

See appendix A.

### 1–3. Explanation of abbreviations and terms

See glossary.

### 1–4. Responsibilities

*a. Vice Chief of Staff of the Army.* On behalf of the VCSA, the Director, Army Special Programs Directorate will ensure that activities affecting special access programs are carried out in accordance with DoDD 5205.07 and DoDI 5205.11.

*b. Assistant Secretary of the Army (Acquisition, Logistics, and Technology).* The ASA (ALT) is responsible for ensuring that Department of the Army (DA) research, development, and acquisition activities comply with obligations of arms control treaties and agreements. The ASA (ALT) will—

(1) Ensure that Army international activities, including cooperative development and export of weapons systems, comply with obligations of arms control and weapons trafficking-associated treaties, agreements, and legislation.

(2) Ensure that acquisition programs are reviewed for compliance with arms control treaties and agreements in coordination with the Deputy Chief of Staff (DCS), G–3/5/7; DCS, G–8; The Judge Advocate General (TJAG); Office of the General Counsel (OGC); and the Army Implementation and Compliance Review Manager for arms control agreements.

(3) Serve as the Secretary of the Army (SECARMY)'s single executive for providing export policy oversight with respect to sale and transfer of items and technology, including—

*(a)* Tracking, validating, maintaining, and reporting data on exports of Army technologies, equipment, and munitions as required by arms control treaties, agreements, and legislation as prescribed by the Office of the Secretary of Defense (OSD).

*(b)* Collecting and compiling data on holdings, acquisitions, production, and transfers of major weapons and weapon systems as required by arms control treaties, agreements, and legislation.

*(c)* Coordinating and reporting data to Army Staff, or designated Army TIA, as required.

(4) Review proposals for new arms control agreements or changes to existing ones for their impact on Army acquisition programs. Support the arms control agreement negotiation and ratification processes as required.

(5) Assist TIAs as they assess an arms control agreement's impact on acquisition programs and coordinate on the agreement's I&C plan.

(6) Ensure that obligations, limitations, and security concerns associated with arms control treaties and agreements and any changes thereto, are communicated to program managers.

(7) Execute arms control actions assigned in I&C plans.

(8) Seek a compliance review from the appropriate TIA if an activity raises a question of compliance with provisions of an arms control treaty or agreement.

(9) Ensure that current and anticipated compliance requirements, obligations, and constraints associated with arms control treaties and agreements are integrated into the acquisition process of all Army programs and activities.

*c. Assistant Secretary of the Army (Financial Management and Comptroller).* The ASA (FM&C) will ensure that Army organizations plan, program, budget, and allocate resources, including personnel, for arms control agreement I&C.

*d. Assistant Secretary of the Army (Installations, Energy and Environment).* The SECARMY has assigned the ASA (IE&E) the responsibility for ensuring all DA activities are compliant with obligations of arms control treaties

and agreements and for overseeing arms control agreement implementation functions within DA. The ASA (IE&E) provides oversight and advocacy for all arms control agreement I&C policies, programs, and activities for the DA. The ASA (IE&E) will—

(1) Provide guidance for the development, dissemination, and implementation of policy for the direction, integration, and supervision of ACIC programs and activities.

(2) Monitor, assess, and interpret arms control agreement implementation policies issued by the U.S. Department of State (DOS), OSD, the Joint Staff (JS), and other appropriate authorities.

(3) Maintain awareness of DoD arms control agreement implementation treaty working group meetings and their results.

(4) Ensure Army's adherence to laws, policies, and regulations concerning compliance with, and implementation of, specific arms control agreements.

(5) Develop and conduct the process for reviewing Army plans, programs, and actions for compliance with arms control treaties and agreements.

(6) Ensure the development, as appropriate, of detailed procedures or plans for implementing arms control treaties and agreements. Specifically, provide overarching guidance for the creation of arms control agreement I&C plans, approve completed I&C plans, periodically review plans for currency, determine which agreements require an I&C plan, and provide waivers to assigned TIAs if it is determined an I&C plan is not required for a particular agreement.

(7) Review analyses of proposed and new arms control agreements or proposed changes to existing agreements for their impact on Army operations.

(8) Support Army and DoD efforts during the ratification process for arms control treaties and agreements, as required.

(9) With assistance from the DCS, G-3/5/7, confirm or designate which Army organization will be the TIA for an arms control agreement not otherwise assigned in this regulation.

(10) Recommend new ACIC policies in the absence of applicable guidance from higher authorities.

(11) Review the level of effort of ACIC programs and activities for consistency with U.S. national security objectives, international obligations, and planning priorities.

(12) Initiate changes to existing ACIC policies to better serve current U.S. national security and foreign policy objectives and obligations.

(13) Serve as the DA's final authority for arms control agreement compliance issues and issue compliance determinations, as required.

(14) Serve as the DA's Implementation and Compliance Review Manager for arms control agreements in accordance with DoDD 2060.01 and represent the DA on DoD compliance review groups (CRGs), as required.

*e. General Counsel.* The GC will—

(1) Determine the DA's position on any legal questions or procedures arising from arms control treaties and agreements or associated implementing statutes and regulations.

(2) Provide legal review of Army I&C with arms control treaties and agreements.

*f. Department of the Army Inspector General.* The DAIG will propose and conduct programs of inspection, including chemical and biological defense research programs.

*g. Chief, Public Affairs.* The CPA will conduct public affairs operations, as required, in all aspects of arms control agreement implementation.

*h. Chief, National Guard Bureau.* The CNGB has staff responsibility for the execution of treaty I&C plans within the Army National Guard (ARNG). The CNGB will—

(1) Ensure that ARNG units, installations, and activities are prepared to implement and comply with applicable treaties.

(2) Notify ARNG units, installations, activities, and tenants of treaty requirements and responsibilities, especially limitations and security concerns, and of changes to them.

(3) Review arms control proposals for impact on the ARNG's equities, whether new treaties or changes to existing treaties, and support negotiation and ratification processes as needed.

(4) Assist TIAs in assessing a treaty's impact on the ARNG's equities and coordinate on relevant I&C plans.

(5) Execute arms control actions assigned in appropriate I&C plans.

(6) Seek a TIA compliance review if a proposed action raises a question of compliance.

(7) Identify and provide annually to ASA (IE&E) and DCS, G-3/5/7 organizational points of contact (POCs) and contact information for arms control agreement issues, tasks, and guidance.

*i. Deputy Chief of Staff, G-1.* The DCS, G-1 has the staff responsibility for manpower reporting required by arms control treaties and agreements.

*j. Deputy Chief of Staff, G-2.* The DCS, G-2 has the staff responsibility for intelligence and counterintelligence policy activities for arms control treaties and agreements. The DCS, G-2 will—

- (1) Assess the foreign intelligence threat resulting from implementation of arms control agreements.
- (2) On request, evaluate ACIC requests for intelligence advice and assistance, and when appropriate for Army intelligence, coordinate for support.
- (3) Support the arms control agreement negotiation and ratification processes, as required.
- (4) Assist TIAs as they assess an arms control agreement's impact on operations security. Coordinate on the agreement's I&C plan as it is developed, update plans for security and intelligence concerns as required, and determine ways to carry out agreement provisions in order to avoid the compromise of national security information.
- (5) Through the U.S. Army Intelligence and Security Command, and in accordance with AR 381-10 and AR 381-20, review data, media, and reports collected at Army sites or activities during arms control activities, inspections, or observation overflight carried out under arms control treaty or agreement regimes and assess their impact on Army.

*k. Deputy Chief of Staff, G-3/5/7.* The DCS, G-3/5/7 provides strategic analysis of arms control issues and provides guidance and implementation oversight to ensure Army elements comply with arms control requirements. The DCS, G-3/5/7 will—

(1) Oversee the process for notifying Army commands (ACOMs), Army service component commands (ASCCs), and direct reporting units (DRUs) of impending inspections or observation flights in accordance with established notification procedures.

(2) Serve as DA's focal point for all arms control agreement operational reporting, planning, and programming, to include—

(a) Reviewing proposals for new arms control agreements, or changes to existing ones, and assess their impact on operations.

(b) Developing and coordinating the Army positions on all arms control agreement implementation activities, including representing the Army in DoD ACIC working groups.

(c) Planning and directing the commitment of ACIC assets in support of Joint and interagency missions.

(d) Initiating the arms control agreement compliance legal review process by submitting program data to the Office of the Judge Advocate General (OTJAG) on weapons, weapon systems, or other proposed activities subject to provisions of arms control agreements which are undergoing review by the Army Requirements Oversight Council (AROC), other requirements staff officer teams, or which raise compliance concerns.

(e) Providing strategic analysis pertaining to national security issues involving arms control treaties, agreements, and policies, ensuring that ACIC activities conform to OSD, JS, and national security policies and guidance.

(f) Leading analysis of proposals and supporting negotiations for new arms control treaties and agreements, or changes to existing ones.

(g) Responding to tasks regarding such proposals and supporting OSD and JS policy development groups, as well as leading the Army effort to understand a proposal's impact.

(h) Serving as the Army TIA for those treaties and agreements not otherwise assigned in this regulation.

(i) Assisting other TIAs in determining how arms control treaties and agreements impacts the Army, including monitoring OSD and JS implementation guidance and reviewing TIA I&C plans.

(j) Providing ACIC subject matter expert assistance to the ASA (IE&E) compliance review process.

(3) Oversee staff officers responsible for the requirements review process of Army capabilities documents for military needs and risks, including conformance with arms control agreements, and assurances that the review activities of the AROC include arms control issues.

(4) Lead and manage the PPBE process for the Army's ACIC Program.

(a) Manage the PPBE planning phase for the Army by developing arms control requirements and priorities based on guidance received from the SECARMY and Chief of Staff of the Army, OSD, and combatant command (COCOM) priorities, ensuring that Army planning responds to and complements OSD planning and joint strategic planning.

(b) Ensure that Army organizations plan, program, budget, and allocate resources, including personnel, for arms control agreement I&C.

(c) Serve as a member of the Program Evaluation Group Review Group that assigns the management decision package (MDEP) manager duties.

(d) Serve as a permanent member of the Army Resource Board which sets policy and approves guidance and priorities, approves the prioritization of Army arms control programs, selects resource allocation alternatives, and approves The Army Plan, the Program Objective Memorandum (POM), and the Budget Estimate Submission.

(5) Allocate apportioned ACIC funds to ACOMs, ASCCs, and DRUs.



(6) Develop obligation plans for each ACIC appropriation in coordination with field activities, commands, and appropriation sponsors. Provide a reconciliation mechanism to ensure that ACIC financial statements and reports accurately represent the results of the apportionment, allocation, and allotment program.

(7) Ensure that ACIC activities affecting special access programs are carried out in accordance with DoDD 5205.07 and DoDI 5205.11.

*l. Deputy Chief of Staff, G-4.* The DCS, G-4 will—

(1) Ensure that plans for movements, storage, transfers, and demilitarization of weapons and munitions directly pertaining to the object of arms control agreements are reviewed for compliance with any arms control agreements and related policies, in coordination with the DCS, G-3/5/7 and ASA (IE&E). Participate in the process for ensuring that movement plans of constrained equities are compliant with provisions of the arms control treaties and agreements.

(2) Review appropriate TIA I&C plans to ensure they contain provisions on implementing and complying with weapon system and munition movement restrictions, transfer and storage limitations, and notification requirements derived from treaties and agreements.

*m. Deputy Chief of Staff, G-8.* The DCS, G-8 will—

(1) When required, and with DCS, G-3/5/7, support and validate that planning and programming activities are in compliance with arms control treaties and agreements, and related policies.

(2) Review proposals for new arms control agreements, or changes to existing ones, for their impact on acquisition programs.

*n. Chief of Army Reserve.* The CAR has staff responsibility for execution of all treaty I&C within the U.S. Army Reserve (USAR). As such, the CAR will—

(1) Serve as the lead official for policies and resourcing pertaining to USAR's implementation of, and compliance with, applicable treaties.

(2) Ensure that USAR command units, installations, and activities are prepared to implement and comply with applicable treaties.

(3) Notify USAR command units, installations, and activities of treaty requirements and responsibilities, especially limitations and security concerns, and of changes to them.

(4) Review arms control proposals for impact on USAR's equities, whether new treaties or changes to existing treaties, and support negotiation and ratification processes as required.

(5) Assist TIAs in assessing a treaty's impact on USAR's equities and coordinate on relevant I&C plans.

(6) Execute arms control actions assigned in appropriate I&C plans.

(7) Seek a TIA compliance review if a proposed action raises a question of compliance.

(8) Identify and provide annually to ASA (IE&E) and DCS, G-3/5/7 organizational POCs and contact information for arms control agreement issues, tasks, and guidance.

*o. The Judge Advocate General.* TJAG will—

(1) Review weapons, weapon systems, or other proposed activities subject to provision of arms control agreements, in accordance with DoDD 5000.01 and AR 27-53, to determine whether said weapons, weapon systems, or activities and their intended use in combat are consistent with the obligations assumed by the United States Government (USG) under all applicable arms control agreements, other agreements, legislation, and customary international law.

(2) In coordination with OGC, provide legal reviews of ACIC activities.

*p. Commanding General, U.S. Army Materiel Command.* The CG, AMC will—

(1) Serve as the Army TIA for the Chemical Weapons Convention (CWC), with responsibilities as outlined in paragraphs 1-4*u* and 2-3*d*.

(2) Through the Logistics Data Analysis Center (LDAC), collect, compile, and report data on holdings, acquisitions, production, and transfers of major weapons and weapon systems as required by arms control treaties, agreements, and legislation.

*q. Commanding General, U.S. Army Futures Command.* The CG, AFC will provide a forensic laboratory to support implementation of the CWC, which will maintain certification as a full spectrum Organization for the Prohibition of Chemical Weapons (OPCW) designated laboratory for CWC verification, and deploy personnel and equipment during a CWC challenge inspection (CI) in accordance with Army's CI response plan.

*r. Commanding General, U.S. Army Space and Missile Defense Command/Army Forces Strategic Command.* The CG, USASMD/ARSTRAT will serve as the Army TIA for the New Strategic Arms Reduction Treaty (NST) or (New START), with responsibilities as outlined in paragraphs 1-4*u* and 2-3*e*.

*s. Commanding General, U.S. Army Europe-Africa.* The CG, USAREUR-AF will—

(1) Serve as the Army TIA for the Conventional Armed Forces in Europe (CFE) Treaty, as outlined in paragraphs 1-4*u* and 2-3*a*.

(2) Serve as the Army TIA for the Vienna Document (VDOC), as outlined in paragraphs 1-4*u* and 2-3*b*.

*t. Commanders of Army commands, Army service component command, direct reporting units, and directors of Army offices and agencies of Headquarters, Department of the Army.* All commanders and directors are responsible for the management and execution of arms control implementation programs and processes for which their organizations have functional responsibility. In addition, they will—

(1) Notify subordinate commands, components, agencies, reporting activities, or designated lead executive(s), as appropriate, of international arms control agreement planning and implementation activities occurring in their area of responsibility (AOR).

(2) Coordinate ACIC reporting, data calls, information requests, notifications of arms control related activities, and implementation requirements as requested by proponents responsible for ACIC duties, TIAs, ASA (IE&E), or the DCS, G-3/5/7.

(3) Pursue a management philosophy approach as defined in AR 5-1 to judge the efficiency and effectiveness of ACIC programs and activities. Ensure that management of ACIC programs and activities is consistent with the strategic planning and performance measurement requirements of Public Law 103-62 (PL 103-62).

(4) Inform the appropriate TIA of all programmatic, administrative, operational, and implementation matters that have the potential to produce an impact on their organization's ability to carry out ACIC policies. Contact the appropriate TIA for assistance whenever an activity reasonably raises a question of compliance with an arms control agreement.

(5) Ensure that all provisions and criteria available under the various arms control agreements are used as appropriate to avoid the unauthorized disclosure of classified, national security, or proprietary information.

(6) Ensure that all weapons, weapon systems, weapon programs, or proposed activities subject to provisions of arms control agreements undergo an appropriate treaty legal review by OTJAG in accordance with DoDD 5000.01 and AR 27-53.

(7) Support, as required, the drafting and review of host nation support agreements that may be required for treaty activities at overseas locations.

(8) Ensure that all Army military, civilian, and contractor personnel executing treaty duties are aware of the counterintelligence threat and reporting requirements under AR 381-12.

(9) Notify units, installations, and activities of treaty requirements and responsibilities, especially restrictions, limitations, and security concerns, and any changes communicated by the TIA, ASA (IE&E), or DCS, G-3/5/7.

(10) Develop and provide justification for ACIC resource requirements in the PPBE process.

(11) Review arms control proposals for their impact on the organization's equities, whether new treaties or changes to existing treaties, and support the negotiation and ratification processes as required.

(12) Assist the TIAs in assessing a treaty's impact on the organization's equities and coordinate on relevant I&C plans.

(13) Execute arms control actions assigned in appropriate I&C plans.

(14) Contact the appropriate TIA when considering ACIC activities involving the JS, OSD, other government agencies, or international organizations.

(15) Identify and provide annually to ASA (IE&E) and DCS, G-3/5/7 organizational POCs and contact information for arms control agreement issues, tasks, and guidance.

*u. Treaty implementing agents.*

(1) For each treaty or agreement covered in this regulation, the assigned TIA will—

(a) With guidance from ASA (IE&E) and DCS, G-3/5/7, develop treaty I&C plans unless a waiver is issued by ASA (IE&E).

(b) Revise required I&C plans as treaty provisions change or expire and communicate the changes to impacted organizations and reassign resources.

(c) Execute day-to-day treaty implementation tasks and those in the treaty I&C plan, if applicable.

(d) Conduct education and training for personnel implementing the arms control treaty and raise awareness of its provisions to leaders in impacted organizations.

(e) Support treaty negotiations in areas of relevant expertise and responsibility as required.

(f) Articulate any materiel solutions to arms control requirements (for example, information technology systems, equipment to support inspections, and so on).

(g) Support the PPBE process with program requirements data in order to request the resources to implement and comply with treaty obligations.

(h) Address compliance concerns from ASCCs, ACOMs, DRUs, or other Army organizations and raise them to ASA (IE&E) and DCS, G-3/5/7, when appropriate. Support the compliance review process at the Army and DoD levels.

(i) Review, periodically, treaty implementation activities with ASA (IE&E) and DCS, G-3/5/7.

(j) When contacted by an Army organization that is considering arms control related activities involving OSD, JS, the interagency, or international organizations, review the activity and contact ASA (IE&E) and DCS, G-3/5/7 as appropriate.

(2) Delegation of TIA duties and responsibilities are authorized as required. Notify ASA (IE&E) and DCS, G-3/5/7 with TIA assignments if different than assigned in this regulation.

v. *Chief of Legislative Liaison*. CLL will lead the process to develop and present Army's positions to the Senate as requested during the advice and consent process, or to other Congressional bodies and committees with support from the DCS, G-3/5/7; ASA (IE&E); the relevant TIAs; and any functional offices, organizations, and ACOMs and ASCCs that can provide appropriate information.

## **1-5. Records management (recordkeeping) requirements**

The records management requirement for all record numbers, associated forms, and reports required by this publication are addressed in the Records Retention Schedule-Army (RRS-A). Detailed information for all related record numbers, forms, and reports are located in Army Records Information Management System (ARIMS)/RRS-A at <https://www.arims.army.mil>. If any record numbers, forms, and reports are not current, addressed, and/or published correctly in ARIMS/RRS-A, see DA Pam 25-403 for guidance.

## **Chapter 2 Arms Control Policy Background**

### **2-1. Definition of arms control treaties and agreements**

Arms control treaties and agreements are bilateral or multilateral international agreements concluded by the United States for the purpose of limiting, eliminating, controlling, obtaining insight, or preventing the proliferation of military arms and weapons, technologies, equipment, force operations, or production facilities, to include those with dual-use capability that may be used as, or contribute to, military and other war-making equipment.

a. Arms control treaties are formal international agreements, either bilateral or multilateral, entered into by the United States and one or more States Parties (SPs). Formed and negotiated by the President, treaties are then subject to the constitutional requirements for Senate advice and consent and, when ratified by the President, have the force of law. The Senate may make its approval conditional by including such language in the consent resolution amendments of the treaty or other statements. Compliance within the United States with certain arms control treaties is governed by statute and federal regulations.

b. Arms control agreements are normally international agreements, either bilateral or multilateral, entered into by the President or other Executive Branch officials exercising the President's authority in foreign policy. Executive agreements are not subject to Senate advice and consent and are not formally ratified. Agreements by Executive Branch officials with foreign governments are binding in international law and are equivalent in U.S. law to treaties. Although such agreements are sometimes described as "political," under international and U.S. domestic law, they are generally considered to be binding. In some cases, arms control agreements may be enforced by U.S. statute.

c. Arms control treaties may have been concluded and signed but not ratified or entered into force. SPs that have ratified a treaty are bound by its provisions. SPs that have signed a treaty, but not ratified it, are not bound to the treaty but have some obligation to not defeat the object and purpose of the treaty. Where a treaty requires a certain number of SP ratifications to come into effect, those SPs that have ratified the treaty will not be bound until the required number of SPs have ratified, although they continue to have the obligation not to defeat the object and purpose of the treaty. Arms control treaties that have been signed, but not yet ratified by the United States, will be complied with unless otherwise directed by the National Command Authority.

### **2-2. Role of arms control implementation and compliance in national defense**

ACIC plays a crucial role in preserving and promoting U.S. national policy by receiving scheduled confidence building and security measure reporting; by eliminating or controlling weapons of mass destruction (WMD); by limiting or controlling some aspects of conventional weapons systems; by obtaining insight into these weapon systems, technologies, and related activities; and by limiting the abilities of actual or potential adversaries to threaten or attack U.S. forces.

a. ACIC is designed to meet the objectives outlined in the National Security Strategy, the National Military Strategy; Title 10, United States Code (10 USC); and 22 USC. Also, it is designed to fulfill the responsibilities of the Army and to ensure Army compliance with applicable treaties, international agreements, and specific statutory requirements.

b. U.S. participation in treaties and agreements may—

- (1) Reduce or eliminate the possible use of WMD and other means in warfare or against civilian targets.
  - (2) Eliminate, reduce, or limit the numbers, deployment, or employment of particular weapons systems or classes of systems in order to promote international peace and stability.
  - (3) Prevent or limit proliferation of weapons, weapons systems, or weapons-related technology by controlling or limiting international sale, export, or transfer of technology.
  - (4) Result in obtaining insight into the forces, technologies, activities, and deployments of other SPs.
- c. Failure to observe treaties and agreements may subject U.S. corporations, government agencies, and individuals to civil or criminal legal liability and action.
  - d. DoDD 2060.01 assigns responsibilities and provides policy guidance for DoD implementation of, and compliance with, arms control agreements of the USG.
  - e. Arms control treaties and agreements may impact the Army's force structure, facilities, training, equipping, operations, acquisition programs, and its research, development, test, and evaluation (RDT&E) programs. The Army is required to be fully compliant with USG arms control treaties and agreements, and for implementation of, and compliance with, arms control agreements using methods and practices that avoid the compromise of national security information.
  - f. The Army is required to provide separate budget presentations and justifications for all Army ACIC-related expenses.
  - g. The SECARMY designated the ASA (IE&E) as the U.S. Army Implementation and Compliance Review Manager required by DoDD 2060.01.

### **2–3. Treaties and agreements requiring verification by onsite inspection or overflight**

a. *Conventional Armed Forces in Europe Treaty.* The CFE Treaty entered into force in November 1992 and is of unlimited duration. The CFE Treaty limits the aggregate numbers of battle tanks, armored combat vehicles (ACVs), artillery, attack helicopters, and combat aircraft for each group of SPs, or with forces assigned on the territory of other SPs, in the land territory from the Atlantic Ocean to the Ural Mountains.

(1) The CFE Treaty requires an annual exchange of information (AEI) on the organization of land and air forces within the area of application (AOA), including the numbers and types of equipment holdings and personnel, locations of treaty limited equipment (TLE), declared sites, and objects of verification (OOVs). An OOV is a brigade or separate battalion-sized unit that possesses TLE.

(a) The AEI is conducted each year no later than 15 December and is projected to be current as of the first day of the next calendar year (CY). The CFE Treaty AEI is prepared and submitted simultaneously with the VDOC information exchange.

(b) Army units and garrisons conduct a hands-on inventory of all reportable items within their AOR in September to initiate the process. The inventory information is then forwarded to USAREUR–AF.

(c) USAREUR–AF validates the information and forwards copies to United States European Command (USEUCOM) and DCS, G–3/5/7.

(2) To verify the accuracy of data provided in the AEI, SPs have the right to conduct onsite inspection activities.

(a) The number of inspections a receiving SP is obligated to accept each year is determined by the annual quotas established based on the number of OOVs each SP declared in the AEI.

(b) There are three types of inspections:

1. *Declared site inspection.* A declared site inspection verifies information provided in the annual information exchange; it cannot be refused. The inspected SP receives a minimum 36-hour notification before inspectors arrive at its point of entry (POE). At least one declared site inspection is conducted each year and there is an annual quota equal to 15 percent of the number of OOVs an SP declared in the AEI.

2. *Challenge inspection.* A CI may be refused. The inspected SP receives a minimum 36-hour notification before inspectors arrive at its POE. The inspection does not exceed 65 square kilometers and no distance between two points may exceed 16 kilometers. When accepted, it replaces up to 23 percent of the inspected SP's declared site inspection quota.

3. *Certification inspection.* A certification inspection may be conducted when multipurpose attack helicopters are recategorized and when combat-capable trainer aircraft are reclassified in accordance with the Protocol on Helicopter Recategorization and the Protocol on Aircraft Reclassification, respectively. There is no right of refusal, and inspections of certification do not count toward fulfilling an SP's declared site inspection quota. Notification of the intent to conduct a certification inspection must be provided at least 96 hours prior to the inspection team's arrival at the POE.

(c) U.S. sites are most commonly subject to declared site inspections and CIs.

(d) CFE Treaty inspections on U.S. forces and sites may be conducted by any non-North Atlantic Treaty Organization (NATO) CFE Treaty SP (Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Moldova, and Ukraine). Russia

is also an SP to the CFE Treaty; however, it suspended active participation in the treaty in December 2007 and relinquished all inspection privileges as a result. Should Russia resume full participation in the CFE Treaty, its inspection authorities under the CFE Treaty would be reinstated.

(3) In addition to the AEI, the CFE Treaty requires an SP to provide notifications of changes in organizational structures or force levels.

(a) Permanent changes to the organizational structure of an SP's conventional armed forces within the AOA must be reported at least 42 days in advance of the change.

(b) Any change of 10 percent or greater in any one category of TLE assigned to a combat, combat support, or combat service support formation (brigade, wing, or separately-located battalion) since the last annual information exchange must be reported no later than 5 days after it has occurred.

(c) TLE transiting the AOA is not subject to reporting requirements as long as it remains within the AOA no longer than 7 days.

(4) The CG, USAREUR-AF is the Army TIA for the CFE Treaty and will carry out responsibilities as outlined in this paragraph and in paragraph 1-4u.

b. *The Vienna Document.* The VDOC is a set of confidence and security building measures (CSBM) developed by the participating States of the Organization for Security and Cooperation in Europe (OSCE) and is part of the OSCE's larger political-military CSBM framework, which also includes the Global Exchange of Military Information (GEMI). The VDOC contains training, operations, and equipment constraints, and requirements for annual information and calendar exchanges, written notifications, system demonstrations, verification inspections, and SP observations. All are designed to increase openness and clarify the military holdings, activities, and operations of each participating SP so that the potential for conflict based on insufficient or incorrect information is minimized. The VDOC is a politically binding agreement, but it is not a legally binding treaty.

(1) VDOC limits the number of large-scale military activities a participating SP may carry out within the zone of application (ZOA).

(2) The ZOA for VDOC extends from the Atlantic Ocean to the Ural Mountains.

(3) The United States participates as an SP with forces stationed on the territory of other participating SP within the ZOA.

(4) The VDOC exchange of information is conducted annually no later than 15 December. The information exchanged is projected to be current as of the first day of the next CY. The data exchange is prepared and submitted simultaneously with the information exchanged under the CFE Treaty, as some (battle tanks, ACVs, artillery), but not all, of the information overlaps. The annual VDOC information exchange requires the United States to provide information for the next CY on:

(a) Military forces, including information on command organization strengths down to brigade/regiment level, planned personnel increases, and combat units in the ZOA.

(b) Holdings of major weapons and equipment systems.

(c) Planned deployments of major weapons and equipment systems.

(d) Defense planning, including written statements addressing national defense policy and doctrine, force planning, information on military budgets, and previous expenditures.

(5) The VDOC annual calendar exchange requires the United States to exchange with all other participating SP, no later than 15 November, an annual calendar of its upcoming CY military activities subject to prior notification.

(6) At least 42 days before the start of notifiable military activities within the ZOA, participating SPs are obligated to provide all other participating SPs with written notification of those notifiable military activities.

(7) Each participating SP has the right to conduct inspections on the territory of any other SP within the ZOA. Participating SPs are not obliged to accept more than three inspections per year with no more than one inspection from the same SP in the same CY. The inspections are of activities in the field and may not last longer than 48 hours. SP may voluntarily accept more inspections or apply regional measures.

(8) Another means of verification consists of evaluation visits that are used to confirm information on units at their garrisons. Each SP must accept a quota of one evaluation visit per CY for every 60 units or portion thereof reported, but in no case more than 15 visits per CY. Evaluation visits may not last longer than 12 hours.

(9) VDOC is subject to continual review which may impact its provisions and requirements. Consult with DCS, G-3/5/7 to confirm current VDOC version and requirements as necessary.

(10) USAREUR-AF reviews and validates the annual information and calendar exchange submissions from its staff and subordinate organizations and forwards copies to USEUCOM and DCS, G-3/5/7.

(11) The CG, USAREUR-AF is the Army TIA and will carry out responsibilities for VDOC as outlined in this paragraph and in paragraph 1-4u.

*c. Chemical Weapons Convention.* The CWC prohibits the use, development, production, acquisition, retention, or transfer of chemical weapons (CW) except for purposes not prohibited by the convention. CWC is of unlimited duration. The United States ratified the CWC on 25 April 1997, and the treaty entered into force on 29 April 1997. The CWC seeks to eliminate all existing CW, globally, and to prevent and deter their spread in the future. The treaty prohibits SPs from engaging in military preparations to use CW, using riot-control agents as a method of warfare, and assisting anyone to engage in activities prohibited by the convention.

(1) CWC verification activities include submission of national data declarations, CW destruction and scheduled chemical production and transfer reporting, and onsite inspections. For Army, routine inspections occur at declared sites that include chemical weapons destruction facilities (CWDFs), chemical weapons storage facilities (CWSFs) where the remaining U.S. CW stockpile is stored, and permitted purposes facilities.

(2) The CWC establishes an international body to implement and verify its provisions, the OPCW. Through onsite inspections, inspectors from the OPCW can monitor the destruction of CWs being destroyed at multiple CWDFs. OPCW onsite inspections of CWSFs and associated CWDFs will occur until the remaining U.S. CW stockpile is destroyed. At the discretion of the OPCW, destruction facilities associated with recovered chemical warfare materiel (RCWM) that operate intermittently are subject to monitoring while operating.

(3) The Army must be prepared to host routine inspections by the OPCW at all declared Army facilities on U.S. territory. The declared facilities are:

(a) Two CWSFs: Pueblo Chemical Depot, Pueblo, CO and Blue Grass Chemical Activity, Blue Grass, KY.

(b) Two CWDFs operated by the Program Executive Office for Assembled Chemical Weapons Alternatives: Pueblo Chemical Agent Destruction Pilot Plant, Pueblo, CO and Blue Grass Chemical Agent Destruction Pilot Plant at Bluegrass, KY. Each plant can have a supplemental destruction capability as required (for example, Static Detonation Chambers).

(c) Three CWDFs operated by Army located at Aberdeen Proving Ground/Edgewood Area, MD that involves the destruction of recovered CW items: the Chemical Transfer Facility Munitions Assessment and Processing System, the Prototype Detonation Test Destruction Facility, and the Recovered Chemical Weapons Destruction Facility (RCWDF). The RCWDF also includes multiple temporary storage and destruction sites across the United States related to RCWM reported to the OPCW.

(d) Two permitted purpose Schedule 1 chemical production facilities: the Chemical Defense Training Facility/Permitted Protective Purposes Facility at Fort Leonard Wood, MO and the Chemical Transfer/Single Small Scale Facility task organized under the Combat Capabilities Development Command, Chemical Biological Center, Aberdeen Proving Ground/Edgewood Area, MD.

(4) The CWC contains provisions for short notice CIs. CIs can occur at any Army installation. The Army maintains a CI response plan. The CI response plan assigns roles and responsibilities to ACOMs and components, and provides guidance for conducting CI planning, preparation, and execution. Army will ensure its readiness to respond to a CI event. Host nations in the USAREUR–AF AOA are responsible for a CWC CI in coordination with USEUCOM and Defense Threat Reduction Agency (DTRA). A CI cannot be refused and can occur at any Army installation.

(5) Army maintains a full spectrum OPCW certified laboratory in accordance with paragraph 1–4q through annual OPCW proficiency testing.

(6) The ASA (IE&E) will oversee CWC reporting requirements for RCWM in accordance with DoDD 5101.17E, 11 May 2016 as well as DoDI 5210.65.

(7) In coordination with ASA (IE&E), the DCS, G–3/5/7 will review all CWC verification declaration documents, CW destruction, and scheduled chemical production reporting and transmit information to JS and the Office of the Assistant Secretary of Defense for Nuclear, Chemical, and Biological Defense Programs OASD (NCB).

(8) The CG, AMC has designated the Director, U.S. Army Chemical Materials Activity (CMA) as the Army TIA for the CWC. CMA is responsible for coordination of Army guidance and actions on matters of CWC I&C, issue resolution, and those duties outlined in paragraph 1–4u.

*d. New Strategic Arms Reduction Treaty.* The NST (or New START) is the successor treaty to the original Strategic Arms Reduction Treaty (START). The original START was negotiated between the United States and the Union of Soviet Socialist Republics during 1982–1991 to reduce and limit strategic offensive arms, to reduce the risk of outbreak of nuclear war, to strengthen international peace and security, and to strengthen strategic stability. The START expired on 5 December 2009. The United States and Russia subsequently negotiated a successor treaty, NST, in 2009–2010 that they signed in April 2010. Both countries ratified the NST, and it entered into force on 5 February 2011. The NST mandates the following aggregate limits on strategic-range offensive delivery vehicles, launchers, and warheads (these limits were met by the 5 February 2018 deadline):

(1) NST limits each side to 700 deployed intercontinental ballistic missiles (ICBMs), submarine-launched ballistic missiles (SLBMs), and heavy bombers equipped for nuclear armaments.

(2) NST limits each side to 800 deployed and nondeployed ICBM and SLBM launchers, and heavy bombers equipped for nuclear armaments.

(3) NST limits each side to 1,550 nuclear warheads on deployed ICBMs, SLBMs, and heavy bombers equipped for nuclear armaments (each such heavy bomber is counted as one warhead toward this limit).

(a) To promote openness and provide verification measures, the NST includes multiple onsite inspections each year of each side's declared facilities at deployed and nondeployed strategic sites, an exchange of data on the delivery vehicles, and notifications of weapon system movements.

(b) The NST provides for 18 onsite inspections per year for each signatory. There are two basic types of inspections. Type One inspections focus on sites with deployed and nondeployed strategic systems; Type Two inspections focus on sites with only nondeployed strategic systems. Permitted inspection activities include confirming the number of re-entry vehicles on deployed ICBMs and deployed SLBMs, confirming numbers related to nondeployed launcher limits, counting nuclear weapons onboard or attached to deployed heavy bombers, confirming weapon system conversions or eliminations, and confirming facility eliminations. Each side is allowed to conduct 10 Type One inspections and eight Type Two inspections annually.

(c) Under NST, Camp Navajo, AZ is currently the only Army facility subject to onsite Type Two (nondeployed strategic systems) inspections. Camp Navajo is an ARNG storage site for treaty-accountable ICBM and SLBM rocket motors. More than 100 U.S. Air Force Minuteman III first-stage motors are in long-term storage at Camp Navajo, and it's also the storage site for multiple U.S. Navy Trident II first-stage motors.

(d) NST will expire on 5 February 2026.

(e) The CG, USASMDC/ARSTRAT is the Army TIA for NST and will carry out responsibilities as outlined in paragraph 1-4u.

*e. U.S.-International Atomic Energy Agency Safeguards Agreement and Additional Protocol.* The U.S.-International Atomic Energy Agency (IAEA) Safeguards Agreement and Additional Protocol (AP) are measures used by the IAEA to verify the Treaty on the Non-Proliferation of Nuclear Weapons, known as the Non-proliferation Treaty (NPT) compliance. The NPT is the primary legal and political barrier against the proliferation of nuclear weapons, and the fundamental legal obligation upon which the IAEA Safeguards Agreement and AP are based. These measures are designed to monitor and verify nuclear activities worldwide to ensure they are solely being used for peaceful purposes, and to prevent the proliferation of nuclear weapons.

(1) Bilateral safeguards agreements are established between the IAEA and individual non-nuclear weapon states (NNWS), and, on a voluntary basis, with recognized nuclear weapon states (NWS) such as the United States. The agreements voluntarily concluded with NWS cover only those nuclear activities the NWS declares. The U.S.-IAEA Safeguards Agreement was signed on 18 November 1977 and entered into force on 9 December 1980.

(2) AP provisions were later negotiated to strengthen the IAEA's Safeguards Agreement and to enhance the IAEA's ability to detect secret nuclear programs. The AP is a legal document granting the IAEA greater inspection authority than those provided in the Safeguards Agreement. The principal aim is to enable the IAEA inspectorate to provide assurance about both declared and possible undeclared activities. The AP addition to the Safeguards Agreement authorize IAEA inspectors greater access to information and locations that must be declared, the right to conduct short notice onsite inspections, request complimentary access if required, and use specialized equipment during an inspection. The AP was signed by the United States on 12 June 1998 and its provisions entered into force on 6 January 2009. Both the Safeguards Agreement and the AP are of unlimited duration.

(3) DoD and defense-contractor nuclear facilities, activities, and programs are excluded from declaration and inspection under the U.S. National Security Exclusion. However, DoD nuclear activities and programs could be collocated with, or in close proximity to, U.S. Department of Energy (DOE), U.S. Department of Commerce (DOC), and U.S. Nuclear Regulatory Commission (NRC) declared locations. When this is the case, a site vulnerability assessment (SVA) will be conducted to determine whether the DoD activity or program could be vulnerable during IAEA inspection activities and whether additional protective measures should be applied as IAEA inspectors may request "complimentary access" to any location on an inspection site, or to conduct wide-area environmental sampling.

(4) Each year the USG declares approximately 500 nuclear related facilities to the IAEA. The eligible facilities list (EFL) consist of approximately 300 facilities that meet the provisions of the U.S.-IAEA Safeguards Agreement. These facilities include commercial nuclear power reactors, research reactors, fuel fabrication plants, and nuclear storage facilities. The U.S.-IAEA AP expanded the types of facilities requiring declaration. The remaining approximately 200 facilities declarable under the AP provision include nuclear fuel cycle-related facilities not involving nuclear materials. Many DoD equities are potentially at risk of inadvertent exposure because they are co-located with facilities that declaring U.S. agencies (DOE, DOC, and NRC) include on the EFL and AP declaration. However, currently, the IAEA inspects only one of the eligible U.S. facilities, the DOE K-Area Plutonium Storage Facility at the Savannah

River Site, SC. The IAEA conducts routine inspections at this facility once per month, often using IAEA-installed remote monitoring equipment instead of sending inspectors to the site.

(5) DCS, G-3/5/7 will conduct an annual data call to determine if Army equities exist at or near DOE, DOC, and NRC sites declared to the IAEA on the EFL and AP declaration, and submit this information to OSD, and will—

(a) Coordinate SVAs to determine if Army activities or programs are at risk during IAEA inspections at non-DoD declared facilities.

(b) Coordinate SVAs for locations identified during a site survey that cannot be protected through managed access.

(c) Request an arms control treaty-related survey and/or countermeasure planning support from DTRA during the SVA coordination process, when required.

(6) Under the U.S.-IAEA AP, the United States has the right to “manage access” during IAEA inspections at declared or undeclared facilities to protect national security, proprietary, and proliferation-sensitive information from inadvertent disclosure.

(7) When managing or denying access to information or locations to protect sensitive and proprietary information from inadvertent disclosure during inspection activities, the United States will make every effort to demonstrate compliance by alternative means.

(8) The DCS, G-3/5/7 is the Army TIA responsible for the I&C plan for the U.S.-IAEA Safeguards regime and will carry out responsibilities as outlined in this paragraph and in paragraph 1-4u.

## **2-4. Treaties and agreements requiring reporting**

*a. Global Exchange of Military Information.* The GEMI is an annual information exchange agreement sponsored by the OSCE. The GEMI agreement is politically binding, of unlimited duration, and designed to promote openness and confidence building among OSCE participants regarding their worldwide military force structures to help avert conflicts that may result from misinformation or misinterpretation of political-military intentions of participating SPs.

(1) The GEMI entered into force on 1 January 1995 and is part of the OSCE’s larger political-military confidence building framework, which also includes VDOC and other agreements and information exchanges.

(2) The GEMI contains no military force limits or data verification measures. Information is shared only with OSCE participating SPs, and not with the public. Data exchanges are reported as of 1 January and due to the OSCE by 30 April of each year.

(3) The GEMI obligates participating SP to exchange information on their military organizations command structure, manpower, conventional weapon systems, and equipment holdings located within and deployed outside their national territory. Information on major weapon and equipment systems undergoing testing or evaluation is not required provided that they have not yet entered into service.

(a) Data provided on the command structure of land forces is reported down to the division level.

(b) Data reported for peacetime authorized personnel strengths includes the total number of Regular Component officers and enlisted personnel by rank, reservists who had either completed their initial service or had been called up for service during the reporting year, and the total number of military personnel serving under United Nations (UN) commands or OSCE mandates.

(c) Reporting level of conventional weapon systems and equipment holdings—

1. Report down to the Army level for land forces stationed within United States territories.

2. Report down to the Service level for land forces stationed outside the United States by region: Europe, East Asia and Pacific, Near East and South Asia, Africa, and Western Hemisphere (minus the United States).

(d) Data provided on the holdings of major conventional weapon systems and equipment are reported in eight categories (to include technical data and photographs for each type or class of major system and equipment):

1. Battle tanks.

2. ACVs (with subcategories of armored personnel carriers, armored infantry fighting vehicles, and heavy armor combat vehicles).

3. Armored vehicle launched bridges.

4. Anti-tank guided missile launchers permanently integrated/integrally mounted on armored vehicles.

5. Self-propelled and towed artillery (including 100 millimeter or larger guns, howitzers and artillery pieces, mortars, and multiple launch rocket systems).

6. Aircraft (with subcategories of combat aircraft (specifying total number of aircraft carrier capable), military transport aircraft, primary trainer aircraft, and unmanned combat aerial vehicles).

7. Helicopters (with subcategories of attack helicopters, combat support helicopters, and military transport helicopters).

8. Surface warships greater than 400 tons; and submarines greater than 50 tons of submerged displacement.



(e) New equipment reporting includes data on total number of weapon systems and equipment entering service during the previous CY through national production and imports.

(f) DCS, G-3/5/7 is responsible for the verification, accuracy, and completion of the annual GEMI data call on the Army's command structure, peacetime authorized personnel strengths, holdings of major conventional weapons systems and equipment, and for transmittal of final report to the JS and entry into the Army Control Enterprise System (ACES).

1. DCS, G-1 will submit Army's personnel strengths for the GEMI report to the DCS, G-3/5/7.

2. DCS, G-3/5/7 (DAMO-FM) will submit Army's command structure of land forces for the GEMI report to the DCS, G-3/5/7 (DAMO-SS).

3. AMC (LDAC) will submit Army's holdings of major conventional weapons systems and equipment for the GEMI report to the DCS, G-3/5/7.

(4) DCS, G-3/5/7 is the Army TIA responsible for GEMI implementation and will carry out the responsibilities above and as outlined in paragraph 1-4u.

b. *United Nations Transparency in Armaments.* United Nations Transparency in Armaments (UNTIA), established by the UN General Assembly in 1991, is a voluntary information exchange through which SP submit data annually on imports and exports of arms transfers and military equipment holdings. UNTIA does not set any limits or controls on arms transfers or holdings. UNTIA aims to improve international transparency related to arms transfers and holdings, to build mutual confidence, to restrain excessive or irresponsible arms imports and exports, and to promote timely international consultations on potentially destabilizing regional arms buildups.

(1) Each year, no later than 31 May, SP, to include the United States, are requested to voluntarily submit data for the UN Register of Conventional Arms (referred to as "the Register") concerning the previous year's imports, exports, and holdings of conventional armaments in the following seven categories:

(a) Battle tanks.

(b) ACVs.

(c) Large caliber artillery systems.

(d) Combat aircraft and unmanned combat aerial systems.

(e) Attack helicopters.

(f) Warships (including submarines).

(g) Missiles and missile launchers.

(2) DCS, G-3/5/7 is responsible for the verification, accuracy, and completion of the annual UNTIA data exchange on the Army's previous year's imports, exports, and holdings of conventional armaments, and for transmittal of final report to the JS and entry into ACES.

(a) AMC, U.S. Army Security Assistance Command, New Cumberland (USASAC-NC) will submit Army's export data on conventional arms for the annual UNTIA report to the ASA (ALT) Office of the Deputy Assistant Secretary of the Army for Defense Exports and Cooperation (DASA (DE&C)). The DASA (DE&C) coordinates a review of data submission with DCS, G-3/5/7 before final submission to Defense Security Cooperation Agency (DSCA), then to DTRA, OSD, and eventually DOS for compliance with reporting requirements.

(b) AMC, LDAC will submit data on Army's holdings of major conventional weapons systems and equipment for the annual UNTIA report to the DCS, G-3/5/7.

(3) The DCS, G-3/5/7 is the Army TIA responsible for implementation of UNTIA and will carry out the responsibilities outlined in paragraph 1-4u.

c. *Biological Weapons Convention.* The Biological Weapons Convention (BWC) is a global ban on the development, production, stockpiling, and/or acquisition of biological and toxin weapons, and the munitions, equipment, or means of delivery of biological and toxin weapons. Each signatory pledges to destroy all existing stocks of biological weapons and implement national measures to prohibit their production. The BWC entered into force in March 1975 and is of unlimited duration. The BWC does not contain a legally binding verification protocol or any provisions for verifying compliance.

(1) The United States does not possess biological weapons, but maintains biological defense research programs permitted under the BWC.

(2) In 1986, SP adopted politically binding confidence building measures (CBMs) in the form of annual data declarations. The voluntary BWC CBMs are intended to promote openness and to "prevent or reduce the occurrence of ambiguities, doubts, and suspicions" with regard to the biological research and development (R&D) activities of SP.

(3) The United States remains committed to the voluntary submission of BWC CBMs as a transparency measure. As a result, USG biological defense facilities will prepare annually and submit information on their biological defense activities, facilities, and budgets.

(a) Army organizations with biological research and biodefense programs (prophylactic, protective, and other peaceful purposes) permitted under the BWC will submit annual BWC CBM information in accordance with OASD (NCB) instructions and submit to the DCS, G-3/5/7.

(b) The DCS, G-3/5/7 will compile Army input and complete the annual BWC CBM report, and submit the report to the JS and OASD (NCB).

(4) The DCS, G-3/5/7 is the Army's TIA for BWC and will carry out responsibilities as outlined above and in paragraph 1-4u.

d. *Wassenaar Arrangement.* The Wassenaar Arrangement (WA) is a voluntary arms export control regime established to promote openness and international non-proliferation goals by discouraging nations from exporting conventional arms, dual-use, and sensitive military technologies to non-WA states. The WA complements and reinforces existing control regimes for WMD and their delivery systems, and uses export controls as a means to combat terrorism. Through the export control policies of each participating SP, the WA attempts to ensure that transfers of conventional arms and sensitive items do not contribute to the development or enhancement of military capabilities that will undermine global or regional security and stability. The WA is designed to enhance member cooperation and harmonize the export regimes of all participating States to prevent "States of concern" from acquiring armaments and sensitive dual-use items for military end-uses. The WA framework document entered into force in July 1996 and operates by consensus.

(1) WA is not a treaty and has no formal mechanism to enforce compliance. However, as a CBM, the WA calls on SP to make a series of voluntary information exchanges and notifications on their export activities related to two WA's control lists: the List of Dual-use Goods and Technologies and, the Munitions List. The Dual-Use Goods and Technologies List also contains two annexes: a sensitive items list and, a very sensitive items list.

(a) Semi-annually, WA members exchange information on the exports of conventional arms to non-Wassenaar members that fall under the eight broad weapon categories of the Munitions List.

1. Battle tanks.
2. ACVs.
3. Large caliber artillery.
4. Military aircraft/unmanned aerial vehicles (UAVs).
5. Military and attack helicopters.
6. Warships.
7. Missiles or missile systems.
8. Small arms and light weapons (SALW).

(b) Semi-annually, members exchange information on all export licenses denied to non-Wassenaar members for the proposed transfer of basic dual-use goods in the following nine categories of the List of Dual-Use Goods and Technologies.

1. Special materials and related equipment.
2. Materials processing.
3. Electronics.
4. Computers.
5. Telecommunications/information security.
6. Sensors and lasers.
7. Navigation and avionics.
8. Marine.
9. Aerospace and propulsion.

(c) Reporting on goods and technologies listed on the Sensitive and the Very Sensitive List annexes.

1. Semi-annually, members exchange information on all export licenses issued to non-Wassenaar members and the export of dual-use goods listed on the Sensitive and the Very Sensitive List annexes.

2. Within 60 days, members are requested to notify the WA Secretariat of all export licenses denied to non-Wassenaar members for the proposed transfer of dual-use goods listed on the Sensitive and the Very Sensitive List annexes.

3. Within 60 days, members are requested to notify the WA Secretariat of any export license approvals of transactions that are "essentially identical" to transactions that another WA member denied within the past three years. WA members are not obligated to deny transfers previously denied by others.

4. Items on the Sensitive List annex represent key elements directly related to the indigenous development, production, use, or enhancement of advanced conventional military capabilities whose proliferation would significantly undermine the objectives of the WA.

5. Items on the Very Sensitive List annex apply to the most advanced conventional military capabilities, which could include advanced levels of technological accuracy (such as machine tool positioning capabilities), specially designed software for items (such as “real-time” capabilities), or sound-pressure levels exceeding a set decibel level.

(d) Wassenaar members agreed that all information exchanges, notifications, and Wassenaar discussions will be kept confidential.

(2) AMC, USASAC–NC is responsible for collection of all reportable WA data and submission of the data to the ASA (ALT), Office of the Deputy Assistant Secretary of the Army (Defense Exports and Cooperation) DASA (DE&C). DASA (DE&C) is responsible for coordinating with USASAC–NC and obtaining the WA data (semi-annual information exchanges and notifications) and for submitting the information to the DSCA and to DCS, G–3/5/7.

(3) DCS, G–3/5/7 coordinates with the ASA (ALT) and AMC, LDAC to ensure that the WA data reported does not contradict or conflict with data submitted under the UNTIA agreement.

(4) The DCS, G–3/5/7 is the Army TIA for the WA and will carry out responsibilities as outlined in paragraph 1–4u.

*e. Small arms and light weapons.* SALW are generally defined as man-portable weapons made or modified to military specifications for use as lethal instruments of war. These weapons include assault rifles, machine guns, grenade and rocket launchers, portable launchers of anti-aircraft missile systems (known as man-portable air defense systems or MANPADS), and mortars smaller than 100 millimeters. The specific definition of SALW varies, and SALW are defined differently under different agreements.

(1) The United States has robust SALW export control laws and regulations. These controls are supplemented by obligations under several international agreements and reporting regimes.

(a) In July 2001, international efforts to control illicit trade and the production of SALW resulted in the creation of a United Nations General Assembly sponsored Programme of Action (POA). The POA is not legally binding. However, the United States supports and participates in its measures. The POA calls on member States to prevent, combat, and eradicate the illicit trade in SALW by enacting laws, regulations, and standard operating procedures.

(b) The Arms Trade Treaty (ATT) is the first global treaty to regulate the trade of conventional arms. ATT entered into force in December, 2014. The United States signed ATT, but has not ratified the Treaty.

1. Arms covered in the ATT are SALW, battle tanks, ACVs, large caliber artillery systems, combat aircraft, attack helicopters, warships, missiles, and missile launchers. Parts and components that make up weapons systems also fall under ATT.

2. The ATT obligates participants to assess if an overriding risk exists that a proposed arms export to another country will be used for, or contribute to, serious human rights abuses (genocide, crimes against humanity, war crimes, or other serious human rights violations). If so, those arms must not be transferred.

3. Other parts of the ATT set guidelines for countries that are importing weapons and requires importers and exporters to cooperate in sharing information necessary to make the above assessment. It also includes obligations for countries that have weapons transiting through their borders and for brokering arms export activities.

(2) Army has no reporting obligations under ATT. However, the Army prepares and provides input on SALW holdings under the following agreements:

(a) OSCE SALW documents annual data exchange.

(b) Category eight of the Wassenaar Arrangement Conventional Arms List.

(3) AMC, USASAC–NC is responsible for collection of all Army SALW transfers and holdings information and reporting it to the ASA (ALT), Office of the DASA (DE&C). DASA (DE&C) is responsible for submission of SALW holdings information to the DSCA and to DCS, G–3/5/7.

(4) The DCS, G–3/5/7 is the Army TIA and will carry out responsibilities as outlined in paragraph 1–4u and is responsible for coordination of internal Army guidance and actions on matters of arms control compliance, policy development, and issue resolution related to the implementation of the SALW Initiatives.

## **2–5. Treaties and agreements requiring no reporting or formal verification but are binding on the Army**

*a. Convention on Certain Conventional Weapons.* The Convention on Certain Conventional Weapons (CCW) was negotiated by the UN Conference on Disarmament from 1979 to 1980. It prohibits or restricts the use of specific types of conventional weapons employed in conflicts that are considered to cause unnecessary or unjustifiable suffering to combatants, or affect civilians indiscriminately. The CCW entered into force in December 1983. The United States ratified Protocols I and II in March 1995, and Protocols III, IV, and V in January 2009.

(1) Protocol I prohibits the use of weapons that injure by fragments undetectable by X-ray. The United States inventory does not contain any such weapons.

(2) Protocol II restricts the use of mines and booby traps, prohibits the indiscriminate use of anti-personnel landmines (APLs) against civilian populations and nonmilitary objectives, and requires mines to have self-destruct and self-deactivate capabilities.

(a) In 1998, Protocol II was amended to include stricter prohibitions, and it came to be known as the Amended Mine Protocol (AMP). The United States ratified the AMP in May 1999.

(b) Protocol II amendments prohibit the use of nondetectable APL; requires 90 percent of remotely delivered mines (RDM) to self-destruct within 30 days and 99.9 percent to self-deactivate within 120 days; requires RDM locations to be recorded; requires marking and monitoring of non-self-destructing minefields; and requires the removal of mines when appropriate.

(c) All provisions of Protocol II (AMP) have been incorporated into U.S. doctrine and practices.

(3) Protocol III prohibits the use of incendiary weapons against civilian populations and any targets that are not military objectives. It also prohibits the use of air-delivered incendiary weapons and provides restrictions on the use of non-air-delivered incendiary weapons against military targets located in concentrated civilian areas.

(4) Protocol IV prohibits the employment of laser weapons specifically designed to cause permanent blindness to unenhanced vision. Announced in 1995, the DoD Policy on Blinding Lasers (1997) prohibits the development or employment of laser systems specifically designed to cause permanent blindness. This DoD policy is more stringent than Protocol IV.

(5) Protocol V calls upon member SPs involved in a conflict to clear explosive remnants of war (ERW) within the territory under their control, to record and share information on ERW, and to take precautions to protect civilian populations and humanitarian organizations operating in areas affected by ERW.

(6) The DCS, G-3/5/7 is the Army TIA for CCW. The TIA will carry out responsibilities as outlined in paragraph 1-4u and is responsible for coordination of internal Army guidance and actions on matters of arms control compliance, policy development, and issue resolution related to the implementation of the CCW.

*b. Cluster munitions control initiatives.* Cluster munitions (CM) control initiatives and agreements, such as the Convention on Cluster Munitions (CCM), are aimed at restricting or banning the use, acquisition, transfer, or development of CMs. The CCM was negotiated from 2007 to 2008 during a series of meetings beginning in Oslo, Norway. The CCM entered into force in 2010 and is also known as the Oslo or Dublin Treaty. The United States is not a party to the CCM and does not intend to sign or ratify the agreement. However, ASCCs may be constrained by other nations that did sign or ratify the CCM agreement.

(1) A CM is defined as a “non-useable canister or delivery body containing multiple, conventional explosive submunitions” that can be delivered by ground-based (artillery, mortars, tanks, rocket launchers, or missiles) platforms or dropped by aircraft systems to disperse submunitions over a targeted area that detonate via target acquisition, impact, or altitude, or that self-destruct.

(2) CMs are legitimate weapons with clear military utility as they provide distinct advantages against a range of threats in the operating environment. CMs provide the Joint Force with an effective and necessary capability to engage targets, including massed enemy formations, individual targets dispersed over a defined area, and targets whose precise locations are not known, time-sensitive, or on the move. In many situations, using CMs saves civilian lives and decreases property damage.

(3) CMs are a key component of Army tactical indirect-fire weapons systems. They provide the field commander with the unique ability to destroy time-sensitive area and material targets with shock effect and lethality while expending fewer rounds than with unitary high-explosive munitions and minimizing collateral damage and civilian casualties.

(4) DoD will retain CMs in active inventories until the capabilities they provide are replaced with enhanced munitions. It is DoD policy that (see Deputy Secretary of Defense memorandum, Subject: DoD Policy on Cluster Munitions, November 30, 2017):

(a) DoD will only procure CMs containing submunitions or submunition warheads that do not result in more than one percent unexploded ordnance across the range of intended operational environments, that possess advanced features to minimize the risks posed by unexploded submunitions, or is a munition not subject to the CCM (for example, cannon launched/sensor fused munitions).

(b) Continuing, or beginning with fiscal year 2019 budgets, military departments will program capabilities to replace CM in active inventories that do not meet the standards prescribed by DoD policy for procuring new CM. The department’s annual program and budget review will be used to assess the sufficiency of the CM replacement effort.

(c) The military departments and COCOMs will maintain sufficient CM inventories and a robust stockpile surveillance program to ensure operational quality and reliability of CM. In extremis, to meet immediate warfighting demand, COCOM may accept transfers of CM that do not meet the standards prescribed by DoD policy for procuring new CM.

(d) The department's operational planners should plan for the availability of CM in their planning efforts. The approval authority to employ CM that do not meet the DoD policy standards prescribed for procuring new CM rests with combatant commanders (CCDRs). In accordance with their existing authorities, commanders may use CM that meet the standards prescribed by DoD policy for procuring new CM, as appropriate.

(e) CM that do not meet the standards prescribed by DoD policy for procuring new CM will be removed from active inventories and demilitarized after their capabilities have been replaced by sufficient quantities of munitions that meet DoD standards for new CM procurements.

(f) The military departments and COCOMs, in keeping with U.S. legal obligations under Protocol V on ERW annexed to the CCW and consistent with past practices, will continue to record and retain information on the use of CM and provide relevant information to facilitate the removal or destruction of unexploded submunitions.

(g) DoD will not transfer CM except as provided for under U.S. law. The operational use of CM that include APL submunitions are not subject to this policy but will comply with Presidential policy guidance.

(5) Humanitarian concerns and legitimate military uses of CM are best addressed through existing agreements, such as the CCW. The U.S. developed a framework for providing international cooperation and assistance to conduct activities such as ensuring adequate care and rehabilitation services are provided to CM survivors and their communities, conducting CM clearance operations in contaminated areas, providing risk-reduction education, and destroying CM stockpiles.

(6) The DCS, G-3/5/7 is responsible for coordination of internal Army guidance on matters of arms control policy development and issue resolution related to the implementation of CM initiatives.

*c. Landmine control initiatives.* The Convention on the Prohibition of the Use, Stockpiling, Production, and Transfer of Anti-Personnel Mines and on their Destruction, typically referred to as the "Ottawa Convention" (or "Mine Ban Treaty" or "Anti-Personnel Landmine Convention"), seeks to end the use of APLs worldwide by banning the use, stockpiling, production, or transfer of APL. The Ottawa Convention entered into force on 1 March 1999.

(1) The United States has not signed the Ottawa Convention and is therefore not obligated to its provisions. However, ASCCs may be constrained by other nations that did sign or ratify the Ottawa Convention.

(2) The United States has ratified and incorporated all requirements and specified mine restrictions of Protocol II of the CCW (1995) and the amendment to Protocol II (AMP) into U.S. doctrine and practices.

(3) DoD Policy on Landmines (Secretary of Defense memorandum, Subject: DoD Policy on Landmines, January 31, 2020) sets forth U.S. APL policy. Policy states that the U.S. will—

(a) Continue its commitment not to employ persistent landmines. For the purposes of this policy, "persistent landmines" means landmines that do not incorporate self-destruction mechanisms and self-deactivation features. The DoD will only employ, develop, produce, or otherwise acquire landmines that are non-persistent, meaning they must possess self-destruction mechanisms and self-deactivation features.

(b) The DoD will continue to apply standards that, in certain respects, are more protective of non-combatants than standards required under the Amended Mines Protocol. For example, all activated landmines, regardless of whether they are remotely delivered or not, will be designed and constructed to self-destruct in 30 days or less after emplacement and will possess a back-up self-deactivation feature. Some landmines, regardless of whether they are remotely delivered or not, will be designed and constructed to self-destruct in shorter periods of time, such as 2 hours or 48 hours.

(c) Under this policy, the DoD's ability to employ non-persistent landmines will not have any expressed geographic limitations. Appropriate geographic limitations will be formulated based on specific operational contexts and will be reflected in relevant rules of engagement, consistent with existing DoD policy and practice.

(d) Notwithstanding the policy set forth above, the military departments and other relevant acquisition authorities may evaluate, and where feasible and affordable, acquire "on/off" area denial systems that can be remotely activated to address an imminent or probable threat and deactivated when the threat subsides. Furthermore, although non-persistent landmines appropriately reduce the risk of unintended harm to non-combatants, the military departments should explore acquiring landmines and landmine alternatives that could further reduce the risk of unintended harm to non-combatants.

(e) The approval authority to employ non-persistent landmines resides with the CCDRs. CCDRs may authorize the use of non-persistent landmines when necessary for mission success in major contingencies or other exceptional circumstances. The DoD's operational planners should plan for the availability of non-persistent landmines in their planning efforts. CCDRs will notify the Secretary of Defense through the Chairman of the Joint Chiefs of Staff as soon as practicable after the use of non-persistent landmines has been authorized in a major contingency or other exceptional circumstances.

(f) The military departments and COCOMs will maintain a robust stockpile surveillance program to ensure the operational quality and reliability of landmines, particularly the reliability of self-destruction mechanisms and self-deactivation features.

(g) The DoD will not seek to transfer landmines except as provided for under U.S. law.

(h) The military departments will continue to demilitarize any persistent landmines remaining in existing inactive stockpiles.

(i) Notwithstanding the policy set forth above, the DoD may acquire, retain, and transfer a limited number of persistent landmines for the purposes of training personnel engaged in demining and countermining operations and improving countermine capabilities. The stocks of such persistent landmines will not exceed the minimum number absolutely necessary for such purposes.

(4) Consistent with longstanding U.S. landmine policy (PPD-37, NSPD 30, and PDD-48, 54, and 64), the U.S. will not employ any APL or anti-vehicle landmines that:

(a) Do not self-destruct and/or deactivate.

(b) Are non-detectable.

(5) APL that do not self-destruct, deactivate and/or are nondetectable must be destroyed as soon as practicable, except for a minimum required for the development of, and training in, mine detection, mine clearance, or mine destruction techniques.

(6) The DCS, G-3/5/7 is responsible to coordinate internal Army guidance on matters of arms control policy development and issue resolution related to APL control initiatives.

*d. Non-Proliferation Treaty.* The NPT is a landmark international treaty negotiated by the UN General Assembly in 1968 to prevent the proliferation of nuclear weapons (Articles I and II); assure, through international safeguards, that peaceful nuclear activities of NNWS are not diverted for the purpose of developing nuclear weapons (Article III); promote cooperation in the peaceful use of nuclear energy (Articles IV and V); and to further the goal of achieving general nuclear disarmament (Article VI). The United States ratified the NPT in March 1970. A 1995 Conference of States Parties agreed that the treaty is of unlimited duration.

(1) The NPT prohibits NNWS signatories from developing nuclear weapons. The treaty, however, exempts the five recognized NWS (France, the People's Republic of China, the Russian Federation, the United Kingdom, and the United States) from this ban because these SPs had built and tested a nuclear explosive device before 1 January 1967.

(2) To further the goal of nuclear non-proliferation, and as a CBM between SPs, the NPT established a safeguards system under the oversight of the IAEA. Through separately negotiated bilateral agreements with SPs, the IAEA uses these safeguards and AP to verify the nuclear activities of NNWS signatories are compliant with the NPT. The NPT promotes cooperation in the field for the peaceful use of nuclear technology and equal access to this technology for all SPs, while safeguards and AP prevent the diversion of fissile material for weapons use.

(3) Safeguards and AP include data declarations, reporting, onsite inspections, and environmental sampling. All safeguards and AP are essential for helping the IAEA track and verify the locations and quantities of nuclear materials and activities worldwide, and to detect nuclear weapon proliferation.

(4) As members of the NPT, the five NWS are obligated not to transfer nuclear weapons, other nuclear explosive devices, or their technologies to NNWS. However, NWS are not obligated to conclude a safeguards agreement or AP with the IAEA or to declare their nuclear activities.

(5) Even though not obligated, each of the five NWS has concluded a voluntary offer safeguards agreement and AP with IAEA to declare their civil nuclear activities. Under such agreements, the IAEA applies safeguards to nuclear material in those civil facilities or parts thereof which have been selected by the IAEA from the State's list of eligible facilities and AP declaration in order to verify that such material is not withdrawn from safeguards except as provided for in the agreements. The NWS conclude such agreements with the IAEA, voluntarily, in order to encourage NNWS to conclude safeguard and AP agreements with the IAEA and to ensure NNWS are not economically disadvantaged due to the costs associated with allowing safeguards and AP to be applied in their countries.

(6) DoD nuclear activities and facilities are exempt from NPT declaration obligations and IAEA inspections.

(7) During IAEA onsite inspections of U.S. civil nuclear activities, the United States has the right to apply procedures to "manage access" whenever the United States determines such procedures are necessary to protect sensitive and proprietary information from inadvertent disclosure. In these circumstances, alternative means of demonstrating NPT compliance will be provided, if possible.

(8) The DCS, G-3/5/7 is the TIA for the NPT. The Army TIA will carry out responsibilities as outlined in paragraph 1-4u and is responsible for coordination of internal Army guidance and actions on matters of arms control compliance, policy development, and issue resolution related to the implementation of the NPT.

*e. Missile Technology Control Regime.* The Missile Technology Control Regime (MTCR) is a voluntary export control arrangement formally adopted in 1987 and currently signed by most of the world's advanced suppliers of

missile related materials, equipment, and technologies, to include the United States. The MTCR is the only multilateral missile non-proliferation regime negotiated with the intent to restrict the proliferation of missiles, certain UAVs, and related technology for systems capable of carrying a 500 kilogram payload at least 300 kilometers, as well as systems intended for the delivery of WMD (for example, nuclear, chemical, and biological weapons). MTCR imposes no legally binding obligations.

(1) The MTCR consists of export control policy guidelines applied to a common list of controlled items. The export guidelines aim to restrain trade and control transfers of UAVs, precision and other delivery systems, and their technologies, and to prevent terrorists from acquiring missiles and related technology. MTCR controls virtually all equipment, software, and technology needed for missile development, production, and operation. The MTCR members are required to incorporate these regime guidelines into their national export control systems.

(2) MTCR guidelines and the Equipment, Software, and Technology Annex (also known as the Annex of Controlled Items) will be used to evaluate a potential transfer.

(a) The MTCR members will implement these guidelines in accordance with national legislation, export control laws, policies, and procedures, which include:

1. Information-sharing on any denied cases to ensure no commercial advantage.
2. No impediments to national space programs.
3. No retransfers to another country without authorization of the original supplying country.
4. The presumption of denial for transfer requests of unmanned delivery systems that can carry a payload of 500 kilograms to a distance of 300 kilometers or greater.
5. The presumption of denial for transfer requests of unmanned delivery systems of any capability if there is reason to believe that systems will be used for the delivery of WMD.

(b) MTCR Equipment, Software, and Technology Annex (Category I and II common controlled items list) includes:

1. *Category I items.* Complete rocket systems (ballistic and cruise missiles, space launch vehicles, and sounding rockets) and unmanned air vehicle systems (including cruise missiles systems, target and reconnaissance drones, and remotely piloted vehicles) capable of delivering a payload of at least 500 kilograms to a range of at least 300 kilometers, their major complete subsystems (rocket stages, engines, guidance sets, and warhead mechanisms), and related software and technology, as well as specially designed production facilities for these items. Pursuant to the MTCR guidelines, exports of Category I items are subject to an unconditional strong presumption of denial regardless of the purpose of the export and are licensed for export only on rare occasions. Additionally, exports of production facilities for Category I items are prohibited.

2. *Category II items.* Propulsion and propellant components; launch and ground support equipment, software, and precision flight technologies (control and navigation systems and instruments); as well as the materials for the construction of missiles. Other items include less-sensitive and dual-use missile related components, as well as other complete missile systems (Sub-Category I) capable of a range of at least 300 kilometers, regardless of payload. Category II export is subject to licensing requirements taking into consideration the non-proliferation factors specified in the MTCR guidelines. Exports, judged by the exporting country to be intended for use in WMD delivery, are to be subjected to a strong presumption of denial. The transfer of Category II items is less restricted, but still requires case-by-case review and end-use certification or verification where appropriate.

(3) The United States can export controlled items to its NATO partners as long as the following criteria are met:

(a) A statement from the end user specifying the use and end location of the controlled item.

(b) An assurance stating that the proposed transfer will not be used for the development of WMD.

(c) If deemed necessary, an assurance that a post transfer inspection may be conducted by the exporter.

(4) MTCR has no formal mechanism to enforce compliance. Partners are responsible for implementing the MTCR guidelines and annex on the basis of sovereign national discretion and in accordance with national legislation and practice. U.S. laws, beginning with PL 101–510, require the imposition of sanctions on SPs that violate their MTCR commitments.

(5) MTCR partners regularly exchange information about relevant national missile non-proliferation export licensing issues in the context of the regime's overall aims. A plenary meeting is held annually and chaired on a rotational basis.

(6) ASA (ALT)'s DASA (DE&C) will carry out the responsibility of coordinating the foreign military sale of commodities controlled under the MTCR and inform the DCS, G–3/5/7 on the sale of MTCR controlled commodities. Additionally, as required, DASA (DE&C) will coordinate with the DCS, G–3/5/7 on issues related to MTCR I&C and their resolution.

(7) The DCS, G-3/5/7 is the TIA for MTCR. The Army TIA will carry out responsibilities as outlined in paragraph 1-4u and is responsible for the coordination of internal Army guidance and actions on matters of arms control compliance, policy development, and issue resolution related to the implementation of the MTCR.

## Chapter 3

### Army Arms Control Goals, Processes, and Resource Allocation

#### 3-1. Arms control implementation and compliance goals

It is DoD policy (see DoDD 2061.01) that all DoD activities be fully compliant with all arms control treaties and agreements of which the United States is a member. The major objective of Army ACIC is to sustain an enduring framework for all planning, programming, and budgeting guidance in relation to how the Army will implement and comply with applicable arms control treaties, agreements, corresponding regulations, and U.S. laws so as to provide the necessary resources to ACOMs and officials charged with I&C responsibilities for arms control treaty or agreement obligations, and to contribute to the United States' objective of sustaining arms control regimes. ACIC goals are designed to ensure the Army complies with U.S. international obligations, promote international stability, and to encourage other nations to observe arms control measures. Army's ACIC goals are to:

- a. Promote U.S. compliance of international arms control treaties and agreements.
- b. Ensure personnel adhere to and comply with arms control treaties and agreements as required by U.S. law.
- c. Identify any deviations from ACIC obligations on the part of Army or other U.S. forces, and any efforts by non-U.S. entities to exploit the rights and obligations provided under treaties and international agreements to expand their access to U.S. facilities and proprietary information.
- d. Protect Army forces in the field from the use of WMD or other weapons, considered under various treaty regimes, to be illegal for use in warfare.

#### 3-2. Arms control implementation and compliance processes

a. *Establishment of arms control implementation and compliance processes.* It is incumbent upon the Army, based on U.S. treaty obligations, statute, and DoD directives, to have processes in place that provide policies, procedures, and resources to ensure the Army implements and complies with all applicable U.S. treaties and agreements. The processes described in this regulation are a systematic approach to meeting the Army's ACIC requirements. These processes establish priorities for commanders and senior leaders faced with ACIC responsibilities, and for Headquarters, Department of the Army (HQDA) to establish priorities for resources required to meet the Army's ACIC obligations. These processes are the tools and procedures Army organizations will use to achieve organizational, command, Army, and DoD level success, in the continental United States (CONUS) and outside CONUS, in satisfying their ACIC obligations. These processes are to be used by all Army organizations to determine where and when they should concentrate their ACIC efforts.

- b. *Premises and assumptions.* The following premises and assumptions underlie the ACIC processes:
- (1) ACIC activities are in the interest of the Army.
  - (2) ACIC activities are mandated by international treaties and agreements, U.S. statute, and DoD instructions and directives.
  - (3) ACIC activities are subject to formal review by a variety of external authorities in DoD, other Executive Branch agencies, the Congress, and by other States and by international organizations.
  - (4) U.S. interactions with other states and with international organizations, and Army interactions with other militaries, occur both bilaterally and multilaterally.
  - (5) Army activities are under formal and informal observation and evaluation by a variety of nongovernmental and governmental organizations both in the United States and abroad.
  - (6) The ACIC activities are not static. Changes constantly occur both through reinterpretation of existing agreements and negotiation of new agreements, as well as because of various political and public relations pressures that affect U.S. policies and interests.

c. *Process functions and phases.* International arms control treaties and agreements have a lifecycle. An arms control treaty or agreement can be proposed, negotiated, signed, ratified, implemented and complied with, modified, expire, or be replaced. The Army arms control functions are based on this lifecycle. The Army ACIC process consists of six functions: analysis, negotiation involvement, ratification support, implementation, compliance, and reassignment. Although described sequentially, depending upon the circumstances, one or more of these functions could be occurring simultaneously for a given arms control treaty or agreement.

- (1) *Analysis.* Regardless of the source, the Army may be asked to, or seek to, analyze a proposed idea for a new arms control treaty or agreement. This may also be a proposed modification to an existing agreement.



(a) Proposals can come from within USG, other States, an international organization, or a nongovernmental organization. The Army may be asked by OSD or JS to review a proposed idea for its impact, or the Army may analyze and develop its own proposals for consideration.

(b) In this function, the Army will examine the proposed idea and determine the impact on the Army and develop an Army position. Depending upon the topic and scope, many Army organizations may become involved in the analysis. The analysis may take the form of a quick informal review, a formal task seeking in-depth details on the proposal's impact, or a longer-term study initiated among many stakeholders. The outcome of this analysis will be a greater understanding by the Army of the proposal, its impact on the Army, and an Army position, which could include a possible counter-proposal. It will also create a group of subject matter experts that can be called upon in the event the proposal moves into the negotiations phase. Army policy and planning meetings may also be assembled in response to taskings from higher authority to assess the impact of a proposal under negotiation on Army activities, programs, resources, and/or to develop an Army position on an issue.

(c) This process is led by the DCS, G-3/5/7 and supported by the ASA (IE&E), the relevant TIAs, and those functional offices, organizations, and ACOMs and ASCCs that will assist in assessing the proposal's impact.

(2) *Negotiation involvement.* Negotiations for new arms control agreements or for interpretation of existing arms control agreements or issues, and reconsideration of agreements already in effect, is a constant, ongoing process. Involvement in negotiations and policy development will ensure the Army is aware of new or changed ACIC obligations or guidelines before they are implemented or become binding. It will also enable the Army to assess ongoing policies and programs and to make required modifications as suggested by negotiations and other external events. It is essential that the Army participates in advising in arms control treaties, agreements, and policy negotiations through all appropriate available means, including:

(a) Supporting OSD working groups and CRGs assembled to develop coordinated DoD positions on specific issues or to address issues of interpretation and implementation.

(b) Supporting interagency working groups or other interagency forums assembled to develop overall USG positions on specific issues or broad policy guidance.

(c) As directed, while participating in the membership on U.S. delegations to international meetings devoted to implementation of existing agreements, to advise on broad questions of international policy related to arms control.

(d) As directed, serve as an advisor in U.S. negotiating delegations for revision of existing treaties and agreements, or to negotiate new treaties and agreements.

(e) This process is led by DCS, G-3/5/7 and supported by the ASA (IE&E), the relevant TIAs, and those functional offices, organizations, and ACOMs and ASCCs that will assist in assessing the impact of a negotiated proposal.

(3) *Ratification support.* Once the United States signs a new arms control treaty or agreement, or a modification to an existing document, and it is submitted to the Senate for its consideration for ratification, DoD may be called upon to present information and views on its impact. As required or directed, the Army will develop and present its positions to the Senate as requested during the advice and consent process, or to other Congressional bodies and committees. This process will be led by the Chief, Office of the Chief Legislative Liaison, with support from the DCS, G-3/5/7; ASA (IE&E); the relevant TIAs; and any functional offices, organizations, and ACOMs and ASCCs that can provide appropriate information. The Army may also provide information via the JS, in written or oral testimony, or in information sessions.

(4) *Implementation.* The focus of this function is to create implementation plans and develop the implementation processes, to execute implementation actions, and to review the plans and procedures periodically. The implementation function consists of three phases: an assessment phase, a selection phase, and a coordination phase. Arms control implementation for Army is led by the DCS, G-3/5/7; ASA (IE&E); and the relevant TIAs. It is supported by the OGC, OTJAG, functional offices, and organizations, especially ASA (ALT); the DCS, G-2; DCS, G-4; DCS, G-8; and the ASCC, ACOM, and DRU commanders.

(a) *Assessment.* The outcome of this phase is an understanding of how the arms control treaty or agreement's provisions impact Army policies, programs, activities, and equities. The Army must assess the effect of existing or new arms control treaties and agreements on Army policies, activities, and programs, including responsibilities and vulnerabilities created by inspection, visitation, observation, image and information collection, and reporting requirements. Assessment, coordinated and led by the DCS, G-3/5/7, is an essential step in defining measures to counter vulnerabilities in determining what Army activities and programs are affected, in assigning responsibilities for implementation and reporting, and in ascertaining the resources required for ongoing implementation.

1. The first step of the assessment phase is a thorough legal and operational review to determine what specific obligations and/or prohibitions are placed on the Army and its activities through U.S. adherence to a treaty or international agreement. This process is informed by reviewing the provisions of the arms control treaty or agreement as well

as legislation, Senate ratification record, Presidential directives, and OSD and/or JS guidance on how to implement the treaty.

2. The second step is to determine responsibilities, specific actions, activities, and issues for Army implementation, notably for the commands, units, or other organizations affected; to understand the degree of effect or involvement on current or future operations, equipment, and technology; to calculate the resource requirements to execute implementation actions by determining the budgetary and personnel costs of implementation; and to determine the long-term implications for resources, force structure, operational doctrine, R&D, and acquisition. This step will take into account how onsite visits, inspections, data reporting, and information collection will be conducted. It will assess how system limits and restrictions (such as location, capability, and use) will be enforced. It will also assess how security vulnerabilities posed by arms control provisions can be mitigated.

3. The third step is identification of the command, unit, or organization best qualified and able to assume responsibility for Army implementation policy and action, and to take measures as required for the formal assignment of responsibilities as the TIA. This should result in a determination of the Army organization that should be designated the TIA for the treaty and that will be assigned implementation responsibilities. The TIA will prioritize implementation activities based on criteria in the selection phase and will formalize those actions in an I&C plan (unless a waiver has been issued). This includes determining which organizations will collect required data, which will provide the data, what the timeline is, and the mechanism for doing so.

*(b) Selection.* The selection phase matches Army implementation activities to the goals or objectives required. Priorities in providing resources will be based on the following guidelines:

1. Mandated Army ACIC activities, resulting from international agreements or specifically directed by the chain of command, including onsite inspections to be accepted and information or reports to be provided, will have priority for planning and providing resources.

2. Activities that the Army is obligated to conduct in response to its Title 10, USC requirements or specific statute will have second priority for planning and providing resources.

3. Activities that the Army is committed to implement or support in response to a requirement validated by the Chairman of the Joint Chiefs of Staff, such as those appearing in the approved Theater Security Cooperation Plan or planning documents, will have third priority for planning and providing resources.

4. All Army ACIC activities that do not meet any of the preceding criteria will have a lower priority for planning and providing resources, including those ACIC activities in which the Army is already involved and that are included in existing operational plans or PPBE.

5. The priorities of the CCDRs will prevail when ACIC activities not incorporated in specific operational guidance compete for resources in only one AOR.

6. Planning and providing resources for Army ACIC activities involving the allocation or reallocation of resources between AORs will be based on priorities established or as directed under specified circumstances. The ACIC Program and activities involving the assets of more than one ACOM, ASCC, or DRU will be coordinated with ASA (IE&E) prior to implementation. When necessary, offsetting program reductions will be based on priorities established by ASA (IE&E) in coordination with the DCS, G-3/5/7.

7. No Army element should ever attempt an arms control treaty or agreement activity without that activity directly supporting the implementation of a U.S. obligation established by treaty, international agreement, or statute.

8. Nothing in this regulation mandates, requires, or authorizes the release of classified information or changes the responsibilities of commanding officers.

*(c) Coordination.* The coordination phase has both static and dynamic elements. For most purposes, the static elements of established implementation activity which reflect obligations and activities in existing treaties, international agreements, and statute will predominate.

1. Treaty and international agreement planning requires regular coordination among planners, executors, and participants. Coordination is important in the planning of implementation activities themselves, the measurement of progress, the assessment of problems, and adjustments to future activities. In addition, the relevant TIA will raise awareness of implementation responsibilities and tasks with affected organizations and execute actions in the I&C plan on a routine basis.

2. To ensure that Army goals in paragraph 3-1 of this regulation are being pursued effectively, the ACOMs and ASCCs will report on the fulfillment of scheduled implementation obligations; any deviations from scheduled activities; the conduct of any unscheduled activities whether or not authorized under treaties, international agreements, or statute; and any efforts by nonauthorized entities, both U.S. and non-U.S., to exploit the provisions of treaties, international agreements, or statute to obtain unauthorized access to Army activities, planning, or information. Reporting will be done directly to the interested functional ACOM or DRU on an as-required basis (with an information copy to DCS, G-3/5/7).

3. All HQDA staff elements and functional ACOMs will notify the ASCCs and unified commands concerning their contemplated, planned, and ongoing activities involving the requirements of Army implementation in their AOR. The coordination is to ensure that Army implementation activities are conducted in accordance with U.S. obligations and to ensure that additional resources or support can be provided if and when required.

4. The implementation activities planned for or conducted in one AOR that are likely to have a significant effect on matters in a second AOR will be coordinated with the ACOM or designated lead executive responsible for the second AOR. This is particularly important for activities that are normally unscheduled with regard to timing or physical extent, such as onsite inspections and over flights.

5. As implementation proceeds, the TIA and HQDA will participate in Army, OSD, JS, and interagency efforts to review and revise implementation and will analyze proposals to alter the treaty. They will revisit the impact of the treaty and associated guidance as the treaty is implemented and provisions are fulfilled or expire or new activities are required. Any new Army implementation activities will be conducted in accordance with instructions coordinated by DCS, G-3/5/7 through the appropriate chain of command.

6. ACOM agencies will only attempt to interpret provisions of treaties, international agreements, or statutes in coordination with the ASA (IE&E); DCS, G-3/5/7(DAMO-SS); OGC; or the National Security Law Division, OTJAG, as appropriate. No unilateral interpretations or decisions are authorized.

(5) *Compliance.* The focus of the compliance function is to ensure that all Army activities and programs comply with arms control treaties and agreements as necessary. This process is informed by the assessment, selection, and coordination phases conducted under the Implementation function. TIAs will raise potential compliance issues to ASA (IE&E) and DCS, G-3/5/7. The compliance process is led by ASA (IE&E) and supported by DCS, G-3/5/7; the TIAs; OGC; OTJAG; and functional offices and organizations, especially ASA (ALT); DCS, G-4; and the ASCC, ACOM, and DRU commanders.

(a) To carry out the compliance function, the Army must first use the assessment, selection, and coordination phases above to review the treaty for its requirements and their impact on the Army. When a treaty compliance issue is identified, the DCS, G-3/5/7 and ASA (IE&E) will-

1. Request a legal and operational review of the treaty or agreement's compliance obligations.
2. Initiate a review of the treaty or agreement to determine the impact on Army research efforts, acquisition programs, resources, force structure, posture, doctrine, and operations.
3. Initiate a review of the treaty or agreement to identify all organizations impacted by the compliance issue.

(b) Any Army organization or component with a treaty concern or compliance issue requiring action by the DCS, G-3/5/7 will follow the guidance in paragraphs 3-2c(5)(b)1 through 3-2c(5)(b)4:

1. Contact the appropriate TIA and copy the DCS, G-3/5/7.
2. The TIA will coordinate a compliance resolution with the DCS, G-3/5/7 and ASA (IE&E) by contacting them and briefly describing the treaty concern or issue.
3. If the ASA (IE&E), in coordination with DCS, G-3/5/7, cannot resolve the issue, the issue may be referred to a DoD CRG for resolution.
4. The ASA (IE&E) will represent the Army at CRG meetings, aided by the appropriate subject matter expert on the issue.

(c) Given the impacts that arms control treaties have on Army activities and programs in the RDT&E process, in the acquisition system, and as these systems are fielded, deployed, and operated, specific processes will apply to those elements, as described below:

1. *Weapon system acquisition (including budget, research, development, and testing).* ASA (ALT) and the DCS, G-8 will review requirements documents, acquisition documents, and research funding documents through the lifecycle of a program or research project to ensure they are compliant with arms control treaties. The details of these procedures will be developed by ASA (ALT) and the DCS, G-8.

2. *Weapon system deployment.* ASA (ALT), AMC, ASCCs, and DCS, G-4 will review plans for movement of systems subject to locational restrictions under arms control treaties. The details of these procedures will be developed by these organizations.

3. *Weapon system operation.* DCS, G-3/5/7; ACOMs; and ASCCs will review initial capabilities documents and operational plans to ensure that the planned use for weapons systems is not contrary to an arms control treaty.

(6) *Reassignment.* As an arms control treaty is implemented and complied with, provisions in the treaty, or the treaty itself, may expire, be superseded, or may no longer be applicable because the United States withdraws from it. In these situations, the Army must reassess the impact of any treaty provisions remaining and the resources assigned to comply with them and reassign other resources as required. The Army must communicate that U.S. obligations and restrictions have been modified or lifted and associated guidance and processes need to be altered. This function is led by DCS, G-3/5/7 and ASA (IE&E) with assistance from the TIA and supported by OGC, OTJAG, and functional

offices and organizations, especially ASA (ALT); DCS, G-2; DCS, G-4; and the ASCC, ACOM, and DRU commanders. In this function:

(a) ASA (IE&E) and DCS, G-3/5/7 will receive OSD or JS guidance on the termination of an arms control treaty's obligation, limitation, or specific provision contained in a treaty.

(b) ASA (IE&E) and DCS, G-3/5/7 may determine when an element of an arms control treaty is expiring and seek OSD and JS guidance or develop Army guidance.

(c) Based on this guidance, ASA (IE&E) and DCS, G-3/5/7 will determine the I&C activities that the Army can cease performing.

(d) In coordination with the TIA, DCS, G-3/5/7 will coordinate with DCS, G-8 and ASA (ALT) to determine what resources are impacted by ceasing these activities and how to redistribute the resources (such as funding and personnel) back to the Army at large.

(e) To ensure that Army organizations understand an ACIC change and its impact, ASA (IE&E) and DCS, G-3/5/7 will coordinate with the TIA and respective commands or organizations to develop an awareness campaign that informs personnel, organizations, and Army leadership affected by the change.

(f) ASA (IE&E) and DCS, G-3/5/7 will coordinate with the TIA to modify oversight processes and procedures (such as I&C plans, DoD guidance, memos, and standard operating procedures) that involve treaty obligations, activities, or provisions.

### **3-3. Resource allocation**

a. All Army ACIC programs and activities must compete for resources within the PPBE system (see AR 1-1).

b. The DCS, G-3/5/7 coordinates and oversees the development and implementation of policy and regulatory guidance for all Army ACIC programs and activities. Additionally, the DCS, G-3/5/7 will coordinate and oversee the planning, programming, and budgeting for all Army ACIC programs and activities, and serve as the ACIC MDEP manager. Although the DCS, G-3/5/7 manages only a portion of the total ACIC Program and its associated resources, the DCS, G-3/5/7 will serve as the primary advocate for all ACIC programs and activities throughout the Army under the PPBE system. In performing this function, the DCS, G-3/5/7 must rely upon information provided by the ACOMs, ASCCs, and DRUs in preparing for the PPBE process.

c. The ACOMs, ASCCs, and DRUs designated as TIAs are the primary implementers of the Army's ACIC programs and activities. Designated TIAs are responsible for developing, justifying, presenting, and defending resource requirements that support their assigned ACIC programs and activities, ensuring their approved ACIC budgets are properly executed, and assessing ACIC Program performance. The DCS, G-3/5/7 will provide specific guidance about future requirements and activities to ACOMs, ASCCs, and DRUs when necessary. The identification of requirements needed to support ACIC programs and activities in the POM submissions, including the Commander's Narrative Assessment, is critical to ensuring that these programs and activities compete successfully for Army resources. As part of the process, ACOMs, ASCCs, and DRUs will assess the effect on Army vulnerabilities if adequate resources are not provided, and they will provide those assessments to DCS, G-3/5/7 for use during all phases of the PPBE process. The respective ACOM, ASCC, or DRU will emphasize, as appropriate, the importance of ACIC programs and activities in supporting 10 USC, 22 USC, international treaties and agreements, and other statutory responsibilities and obligations of the Army. To ensure maximum understanding of their requirements, the ACOMs, ASCCs, and DRUs will maintain an active dialogue with DCS, G-3/5/7 throughout the PPBE process.

d. The arms control MDEPs managed by DCS, G-3/5/7 contain funding for personnel involved in ACIC. These personnel are assigned distinct tasks for specific treaties and agreements, and these arms control tasks are their primary function. The TIAs for whose treaties these personnel are assigned to work are responsible for ensuring these personnel are trained to carry out their ACIC tasks. Additionally, the accomplishment of arms control tasks also relies upon personnel in organizations other than those funded in the MDEPs. In order to get information to and from these organizations most efficiently, it is requested that ACOMs, ASCCs, and DRUs identify an arms control POC (preferably in their G-3 or G-5) as a focal point for arms control tasks and issues. It is also requested that they annually provide this information to DCS, G-3/5/7.

## **Appendix A**

### **References**

#### **Section I**

##### **Required Publications**

This section contains no entries.

#### **Section II**

##### **Related Publications**

A related publication is a source of additional information. The user does not have to read it to understand this publication. Unless otherwise indicated, DA publications are available on the Army Publishing Directorate website (<https://armypubs.army.mil>). CJCSIs are available at <https://www.jcs.mil/library/>. Public Laws are available at <https://www.congress.gov/public-laws/>.

##### **AGO 2019–01**

Assignment of Functions and Responsibilities within Headquarters, Department of the Army

##### **AR 1–1**

Planning, Programming, Budgeting, and Execution

##### **AR 5–1**

Management of Army Business Operations

##### **AR 5–22**

The Army Force Modernization Proponent System

##### **AR 10–16**

U.S. Army Nuclear and Countering Weapons of Mass Destruction Agency

##### **AR 10–87**

Army Commands, Army Service Component Commands, and Direct Reporting Units

##### **AR 11–2**

Managers' Internal Control Program

##### **AR 12–1**

Security Assistance, Training, and Export Policy

##### **AR 25–22**

The Army Privacy Program

##### **AR 25–30**

Army Publishing Program

##### **AR 25–55**

The Department of the Army Freedom of Information Act Program

##### **AR 27–53**

Legal Review of Weapons and Weapon Systems

##### **AR 50–6**

Chemical Surety

##### **AR 70–1**

Army Acquisition Policy

##### **AR 73–1**

Test and Evaluation Policy

##### **AR 190–13**

The Army Physical Security Program

##### **AR 190–51**

Security of Unclassified Army Resources (Sensitive and Nonsensitive)

**AR 360–1**

The Army Public Affairs Program

**AR 380–5**

Army Information Security Program

**AR 380–10**

Foreign Disclosure and Contacts with Foreign Representatives

**AR 380–381**

Special Access Programs (SAPS) and Sensitive Activities

**AR 381–10**

U.S. Army Intelligence Activities

**AR 381–12**

Threat Awareness and Reporting Program

**AR 381–14**

Technical Surveillance Countermeasures

**AR 381–20**

Army Counterintelligence Program

**AR 385–10**

The Army Safety Program

**AR 530–1**

Operations Security

**AR 550–51**

International Agreements

**AR 690–11**

Department of the Army Expeditionary Civilian Workforce and Civilian Deployments, in Support of Military Contingency and Emergency Operations

**Assistant to the Secretary of Defense for Nuclear and Chemical and Biological Defense Programs Memorandum, dated 31 May 2006**

Planning Assumptions for Nuclear and Chemical and Biological Treaties and Agreements for Fiscal Years 2007–2013 (Available upon request from Department of the Army, Office of the Deputy Chief of Staff, G–35 (DAMO–SSD), 400 Army Pentagon, Washington, DC 20310–0400)

**Assistant to the Secretary of Defense for Nuclear and Chemical and Biological Defense Programs Memorandum, dated 28 May 2009**

Department of Defense Planning Guidance for Implementation of the Chemical Weapons Convention (Available upon request from Department of the Army, Office of the Deputy Chief of Staff, G–35 (DAMO–SSD), 400 Army Pentagon, Washington, DC 20310–0400)

**CJCSI 2030.01D**

Chemical Weapons Convention Implementation and Compliance Policy Guidance

**CJCSI 2110.01E**

International Transfer of U.S. Defense-Related Technology and Munitions

**CJCSI 2320.01D**

Guidance for the Implementation of the Vienna Document 1999 and Associated Documents

**CJCSI 3500.01H**

Joint Training Policy for the Armed Forces of the United States

**CJCSN 3500.01**

2017–2020 Chairman’s Joint Training Guidance

**DA Pam 25–403**

Guide to Recordkeeping in the Army

**Deputy Assistant Secretary of the Army for Environmental Safety and Occupational Health Memorandum, dated 1 April 2009**

Interim Guidance for Chemical Warfare Material Responses (Available at [https://phc.amedd.army.mil/phc%20resource%20library/memo\\_interim%20guidance%20for%20cwm%20responses%20and%20related%20activities.pdf](https://phc.amedd.army.mil/phc%20resource%20library/memo_interim%20guidance%20for%20cwm%20responses%20and%20related%20activities.pdf).)

**DoDD 2060.01**

Implementation of, and Compliance with, Arms Control Agreements

**DoDD 2060.02**

DoD Countering Weapons of Mass Destruction (WMD) Policy

**DoDD 5000.01**

The Defense Acquisition System

**DoDD 5101.17E**

Roles And Responsibilities Associated With The Recovery Of Chemical Warfare Material

**DoDD 5111.18**

Assistant Secretary of Defense for Global Strategic Affairs (ASD (GSA))

**DoDD 5134.08**

Assistant Secretary of Defense for Nuclear, Chemical, and Biological Defense Programs (ASD (NCB))

**DoDD 5160.05E**

Roles and Responsibilities Associated with the Chemical and Biological Defense Program (CBDP)

**DoDD 5205.07**

Special Access Program (SAP) Policy

**DoDD 5230.11**

Disclosure of Classified Military Information to Foreign Governments and International Organizations

**DoDD 5530.3**

International Agreements

**DoDI 5000.02**

Operation of the Defense Acquisition System

**DoDI 5205.11**

Management, Administration, and Oversight of DoD Special Access Programs (SAPS)

**DoDI 5210.65**

Security Standards for Safeguarding Chemical Agents

**JP 3-0**

Joint Operations (Available at <https://www.jcs.mil/>.)

**JP 3-40**

Countering Weapons of Mass Destruction (Available at <https://www.jcs.mil/>.)

**National Military Strategy of the United States of America**

(Available at <https://www.jcs.mil/>.)

**National Security Strategy of the United States of America**

Available at <https://history.defense.gov/historical-sources/national-security-strategy/>.)

**PL 101-510**

National Defense Authorization Act for Fiscal Year 1991

**PL 102-484**

National Defense Authorization Act for Fiscal Year 1993

**PL 103-62**

Government Performance and Results Act of 1993

**PL 110-161**

Consolidated Appropriations Act, 2008

**PL 113–235**

Consolidated and Further Continuing Appropriations Act, 2015

**PPD–37**

U.S. Landmine Policy (27 January 2016)

**Secretary of Defense Memorandum, dated 17 January 1997**

Department of Defense Policy on Blinding Lasers (Available upon request from Department of the Army, Office of the Deputy Chief of Staff, G–35 (DAMO–SSD), 400 Army Pentagon, Washington, DC 20310–0400)

**Secretary of Defense Memorandum, dated 30 November 2017**

Department of Defense Policy on Cluster Munitions (Available at <https://dod.defense.gov/portals/1/documents/pubs/dod-policy-on-cluster-munitions-osd071415-17.pdf>.)

**U.S. Department of State Fact Sheet, Bureau of Political–Military Affairs**

New United States Policy on Landmines: Reducing Humanitarian Risk and Saving Lives of United States Soldiers, dated 27 February 2004 (Available at <https://2001–2009.state.gov/t/pm/wra/c11735.htm>.)

**10 USC**

Armed Forces (Available at <https://uscode.house.gov/>.)

**22 USC**

Foreign Relations and Intercourse (Available at <https://uscode.house.gov/>.)

**Section III**

**Prescribed Forms**

This section contains no entries.

**Section IV**

**Referenced Forms**

Unless otherwise indicated, DA forms are available on the Army Publishing Directorate website (<https://armypubs.army.mil>).

**DA Form 11–2**

Internal Control Evaluation Certification

**DA Form 2028**

Recommended Changes to Publications and Blank Forms



## Appendix B

### Internal Control Evaluation

#### B–1. Function

The function covered by this evaluation is the Army ACIC and associated PPBE of ACIC activities.

#### B–2. Purpose

The purpose of this evaluation is to assist ACOMs, ASCCs, DRUs, and where appropriate their commanders and acquisition officials with key internal controls. It is not intended to cover all controls.

#### B–3. Instructions

Answers must be based on the actual testing of key internal controls (for example, document analysis, direct observation, interviewing, other). Answers that indicate deficiencies must be explained and corrective action indicated in the supporting documentation. Internal controls must be evaluated every 5 years. Certification that the evaluation has been conducted must be accomplished on DA Form 11–2 (Internal Control Evaluation Certification).

#### B–4. Test questions

The test questions below are designed so that a negative answer indicates a potential internal control weakness.

- a.* Is there an ACIC proponent for the command designated in writing?
- b.* Are there written ACIC plans, standard operating procedures, or continuity and succession reference materials?  
Is there a procedure for maintaining the currency of ACIC plans?
- c.* Are separate budget presentations and justifications maintained for all Army ACIC-related expenses? Are copies provided to DCS, G–3/5/7 for use by the Army ACIC MDEP manager during PPBE activities?
- d.* Is there ACIC-related accountable or reportable property? If so, is that property managed in accordance with existing Army guidance governing property accountability?
- e.* Are there ACIC-related manpower authorizations and are they managed in accordance with existing Army guidance applying to manpower management?

#### B–5. Supersession

This evaluation replaces the evaluation previously published in AR 525–92, dated 2 August 2010.

#### B–6. Comments

Help make this a better tool for evaluating internal controls. Users are invited to send comments and suggested improvements on DA Form 2028 (Recommended Changes to Publications and Blank Forms) directly to Deputy Chief of Staff, G–3/5/7 (DAMO–SS), 400 Army Pentagon, Washington, DC 20310–0400.

## **Glossary**

### **Section I**

#### **Abbreviations**

**ACES**

Army Control Enterprise System

**ACIC**

arms control implementation and compliance

**ACOM**

Army command

**ACV**

armored combat vehicle

**AEI**

annual exchange of information

**AFC**

Army Futures Command

**AGO**

Department of the Army General Orders

**AMC**

U.S. Army Materiel Command

**AMP**

Amended Mine Protocol

**AOA**

area of application

**AOR**

area of responsibility

**AP**

additional protocol

**APL**

anti-personnel landmine

**AR**

Army regulation

**ARIMS**

Army Records Information Management System

**ARNG**

Army National Guard

**AROC**

Army Requirements Oversight Council

**ASA (ALT)**

Assistant Secretary of the Army (Acquisition, Logistics, and Technology)

**ASA (FM&C)**

Assistant Secretary of the Army (Financial Management and Comptroller)

**ASA (IE&E)**

Assistant Secretary of the Army (Installations, Energy and Environment)

**ASCC**

Army service component command

**ATT**  
Arms Trade Treaty

**BWC**  
Biological Weapons Convention

**CAR**  
Chief of Army Reserve

**CBM**  
confidence building measures

**CCDR**  
combatant commander

**CCM**  
Convention on Cluster Munitions

**CCW**  
Convention on Certain Conventional Weapons

**CFE**  
Conventional Armed Forces in Europe

**CG**  
commanding general

**CI**  
challenge inspection

**CJCSI**  
Chairman of the Joint Chiefs of Staff instruction

**CJCSN**  
Chairman of the Joint Chiefs of Staff notice

**CLL**  
Chief of Legislative Liaison

**CM**  
cluster munitions

**CMA**  
U.S. Army Chemical Materials Activity

**CNGB**  
Chief, National Guard Bureau

**COCOM**  
combatant command

**CONUS**  
continental United States

**CPA**  
Chief, Public Affairs

**CRG**  
compliance review group

**CSBM**  
confidence and security building measures

**CW**  
chemical weapons

**CWC**  
Chemical Weapons Convention

**CWDF**  
chemical weapons destruction facility

**CWSF**  
chemical weapons storage facility

**CY**  
calendar year

**DA**  
Department of the Army

**DA Form**  
Department of the Army form

**DAIG**  
Department of the Army Inspector General

**DASA (DE&C)**  
Deputy Assistant Secretary of the Army for Defense Exports and Cooperation

**DCS**  
Deputy Chief of Staff

**DOC**  
U.S. Department of Commerce

**DoD**  
Department of Defense

**DoDD**  
Department of Defense directive

**DoDI**  
Department of Defense instruction

**DOE**  
U.S. Department of Energy

**DOS**  
U.S. Department of State

**DRU**  
direct reporting unit

**DSCA**  
Defense Security Cooperation Agency

**DTRA**  
Defense Threat Reduction Agency

**EFL**  
eligible facilities list

**ERW**  
explosive remnants of war

**GC**  
General Counsel

**GEMI**  
Global Exchange Of Military Information

**HQDA**  
Headquarters, Department of the Army

**I&C**  
implementation and compliance

**IAEA**

International Atomic Energy Agency

**ICBM**

intercontinental ballistic missile

**JS**

Joint Staff

**LDAC**

Logistics Data Analysis Center

**MDEP**

management decision package

**MTCR**

Missile Technology Control Regime

**NATO**

North Atlantic Treaty Organization

**NNWS**

non-nuclear weapon state

**NPT**

Non-Proliferation Treaty

**NRC**

U.S. Nuclear Regulatory Commission

**NST**

New Strategic Arms Reduction Treaty

**NWS**

nuclear weapon state

**OASD (NCB)**

Office of the Assistant Secretary of Defense for Nuclear, Chemical, and Biological Defense Programs

**OGC**

Office of the General Counsel

**OOV**

object of verification

**OPCW**

Organization for the Prohibition of Chemical Weapons

**OSCE**

Organization for Security and Cooperation in Europe

**OSD**

Office of the Secretary of Defense

**OTJAG**

Office of The Judge Advocate General

**PL**

Public Law

**POA**

Programme of Action

**POC**

point of contact

**POE**

point of entry

**POM**

program objective memorandum

**PPBE**

planning, programming, budgeting, and execution

**R&D**

research and development

**RCWDF**

recovered chemical weapons destruction facility

**RCWM**

recovered chemical warfare materiel

**RDM**

remotely delivered mines

**RDT&E**

research, development, test, and evaluation

**SALW**

small arms and light weapons

**SECARMY**

Secretary of the Army

**SLBM**

submarine-launched ballistic missile

**SP**

State Party

**START**

Strategic Arms Reduction Treaty

**SVA**

site vulnerability assessment

**TIA**

treaty implementing agent

**TJAG**

The Judge Advocate General

**TLE**

treaty limited equipment

**UAV**

unmanned aerial vehicle

**UN**

United Nations

**UNTIA**

United Nations Transparency in Armaments

**USAR**

U.S. Army Reserve

**USAREUR–AF**

U.S. Army Europe-Africa

**USASAC–NC**

U.S. Army Security Assistance Command, New Cumberland

**USASMDC/ARSTRAT**

U.S. Army Space and Missile Defense Command/Army Forces Strategic Command

**USC**

United States Code

**USEUCOM**

United States European Command

**USG**

United States Government

**VCSA**

Vice Chief of Staff of the Army

**VDOC**

Vienna Document

**WA**

Wassenaar Arrangement

**WMD**

weapons of mass destruction

**ZOA**

zone of application

**Section II****Terms****Active quota**

The number of inspections one SP can conduct against another, as opposed to a passive quota or the number of inspections an SP must receive.

**Army command**

The highest level of command, designated by the SECARMY, primarily responsible for generating Army forces and planning and executing 10 USC functions.

**Army service component command**

An operational command responsible for recommendations to the joint force commander on the allocation and employment of Army forces within a COCOM.

**Chemical demilitarization program**

The program to safely destroy all U.S. chemical warfare materiel; managed by the CMA.

**Compliance review group**

The DoD working group designed to conduct an executive-level review of compliance issues. Established for each arms control agreement as needed. Meets on an ad hoc basis to address critical issues.

**Confidence and security building measures**

Activities such as notifications, exchanges of observers, prior notification of military movements, and visits by observers. CSBM were first introduced in the Helsinki Final Act in 1975 to reduce the dangers of armed conflict, misunderstanding, or miscalculation of military activities. Many of these features are now embedded in arms control and other agreements in the form of data exchanges/declarations, missile launch notifications, inspection activities, and voluntary presentation for national technical means.

**Direct reporting unit**

An Army organization comprised of one or more units with institutional or operational support functions, designated by the SECARMY, normally to provide broad general support to the Army in a single, unique discipline not otherwise available elsewhere in the Army. DRUs report directly to an HQDA principal and/or ACOM and operate under authorities established by the SECARMY.

**Implementation and Compliance Review Manager**

Represents DA on the DoD CRG as required and serves as the Army's initial POC for Army arms control compliance issues.

**International monitoring system**

International system that comprises a worldwide network of facilities for seismological and radionuclide monitoring, including certified laboratories, hydro-acoustic, and infrasound monitoring for events associated with possible nuclear test activities pursuant to the Comprehensive Nuclear Test-Ban Treaty. Data is transmitted to the International Data Centre and is available to all treaty partners.

**Managed access**

The use of methods, other than granting full access, to protect critical information while demonstrating compliance with an arms control treaty or agreement. Whenever less than full access is provided, the inspected party is obligated to make every reasonable effort to demonstrate compliance by alternate means; for example, by partially removing a shroud or by showing inspectors convincing photos or documentation related to the compliance concern rather than granting physical access to an area.

**National security exclusion**

A legal provision of the U.S. AP, the United States will permit the IAEA to apply the provisions of the Protocol “excluding only instances where its application would result in access by the Agency to activities with direct national security significance to the United States or to locations or information associated with such activities.”

**Passive quota**

The number of observation flights or onsite inspections each SP is obliged to accept as an observed or inspected SP. Treaties such as the CFE Treaty have quotas.

**Permitted protective purposes facility**

Under the CWC, an SP-approved facility producing schedule 1 chemicals for protective purposes and in aggregate quantities not exceeding 10 kilograms per year. An SP may have one such facility outside a single small scale facility.

**Single small scale facility**

Under the CWC, an SP-approved facility producing schedule 1 chemicals for research, medical, pharmaceutical, or protective purposes. Production will be carried out in reaction vessels in production lines not configured for continuous operation. The CWC requires that the volume of such a reaction vessel will not exceed 100 liters, and the total volume of all reaction vessels with a volume exceeding 5 liters will not be more than 500 liters.

**Site vulnerability assessment**

A mission conducted by a team of arms control security experts with specialized backgrounds to evaluate a site to determine its susceptibility to arms control implementation activities and to perform risk analyses and develop specific, cost effective security countermeasures recommendations.

**Strategic target system**

The Army’s strategic target system is a Polaris A1 SLBM with an Orbus I third-stage.

**Treaty implementing agent**

The organization assigned lead responsibility for internal Army coordination of I&C actions required by an arms control treaty or agreement.



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