



DEPARTMENT OF THE NAVY
OFFICE OF THE CHIEF OF NAVAL OPERATIONS
2000 NAVY PENTAGON
WASHINGTON, DC 20350-2000

OPNAVINST 5721.1G
N514
8 Jan 2014

OPNAV INSTRUCTION 5721.1G

From: Chief of Naval Operations

Subj: RELEASE OF INFORMATION ON NUCLEAR WEAPONS AND ON NUCLEAR
CAPABILITIES OF U.S. NAVY FORCES

Ref: (a) SECNAVINST 5720.44C
(b) DoD Directive 5230.16 of 20 December 1993
(c) OPNAVINST F3100.6J
(d) OPNAVINST 5513.9C

1. Purpose. To publish policy concerning the release of information about nuclear weapons and nuclear capabilities of U.S. Navy forces. This revision includes policy updates to ensures compliance with references and ratified treaties and clarifies policy on the release of information on guided missile submarines, naval aircraft, Antarctica and port visits to Japan. This instruction is a complete revision and should be reviewed in its entirety.

2. Cancellation. OPNAVINST 5721.1F.

3. Scope and Applicability

a. This instruction applies to all U.S. Navy personnel and U.S. Marine Corps personnel under the Chief of Naval Operations chain of command, hereafter referred to as Navy personnel.

b. The policies of this instruction are applicable at all times, although certain weapons systems have been publicly identified as having nuclear capability. They also apply during any public discussion with respect to the presence and or absence of nuclear weapons or components aboard any U.S. Navy ship, submarine, installation, or aircraft, or in any general location.

4. Background

a. The Operations Coordinating Board (part of President Eisenhower's National Security Council) established the U.S. policy in 1958 of neither confirming nor denying ("confirm/deny"

policy) the presence or absence of nuclear weapons at any general or specific location, including aboard any U.S. military station, ship, vehicle, or aircraft. Neither confirming nor denying serves two essential functions: (1) deterrence and (2) security of the weapons. Uncertainty as to the location of nuclear weapons complicates an adversary's military planning and reduces his or her chances of successful attack, thereby increasing the deterrent value of U.S. Navy forces and the security of the weapons. The policy also denies information about nuclear weapons to terrorists and saboteurs.

b. The United States ratified the "Agreement relating to cooperation in scientific and logistical operations in Antarctica," known as the Antarctica Treaty. The Treaty recognizes that "Antarctica shall continue forever to be used exclusively for peaceful purposes and shall not become the scene or object of international discord. . . ." By ratifying the Treaty, the United States and all signatories undertook to use Antarctica for peaceful purposes only, and to prohibit "any measures of a military nature, such as the establishment of military bases and fortifications, the carrying out of military maneuvers, as well as the testing of any type of weapons."

c. The United States ratified Additional Protocols I and II to the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean, known as the Treaty of Tlatelolco. By ratifying Additional Protocol I, the United States undertook not to test, use, manufacture, produce, store, or deploy nuclear weapons within the zone of application of the Treaty. By ratifying Additional Protocol II, the United States undertook not to contribute to any acts that would lead the Treaty Contracting Parties to test, produce, store, install, or deploy nuclear weapons within the zone of application of the Treaty. When the United States ratified these Protocols, it did so with the understanding that the provisions of the Treaty made applicable by the Additional Protocols do not affect the exclusive power and legal competence under international law of a State adhering to the Protocol to grant or deny transit and transport privileges to its own or any other vessels or aircraft irrespective of cargo or armaments. In addition, the Protocols do not affect rights under international law of a State adhering to the Protocols regarding the exercise of the freedom of the seas, or regarding passage through or over waters subject to the sovereignty of a State.

d. On 27 September 1991, the President directed that tactical nuclear weapons be removed from U.S. Navy surface ships, attack submarines, and aircraft. Additionally, the 2010 Nuclear Posture Review directed the final retirement of all remaining tactical weapons in the U.S. Navy inventory.

e. Following the 1994 Nuclear Posture Review, which directed that the U.S. Navy reduce its inventory of ballistic missile submarines, the 2001 Nuclear Posture Review directed that four ballistic missile submarines be converted into guided missile submarines. For these four ships, the submarine-launched ballistic missile capability was replaced with a conventionally armed, guided cruise missile capability similar to that resident on attack submarines.

f. The current neither confirming nor denying policy mirrors the original policy taking into account employment and program policy changes.

5. Policy

a. Navy personnel shall not reveal, purport to reveal, or cause to be revealed any information, rumor, or speculation with respect to the presence or absence of nuclear weapons or components, either on their own initiative or in response, direct or indirect, to any inquiry. The spreading of inaccurate or distorted information with respect to the location of nuclear weapons or components may be as damaging to the United States as the revealing of accurate information. Accordingly, provisions of this paragraph apply without regard to the accuracy of such information, rumor, or speculation.

b. Navy personnel shall use the following guidance for replying to any inquiry regarding the nuclear capabilities of U.S. Navy forces. Follow the procedures in reference (a) for any other proposed release of information not covered by this instruction.

(1) General Response. The general approved responses concerning general inquiries are as follows. Responses for port visits to Japan, the Latin American nuclear weapon free zone, and Antarctica, are addressed in paragraphs 5b(2) through 5b(4).

(a) The response to inquiries about the presence of nuclear weapons on U.S. Navy surface ships, attack or guided missile submarines, and aircraft is:

"It is the policy of the U.S. Government not to deploy nuclear weapons aboard U.S. Navy surface ships, attack or guided missile submarines, and aircraft. However, we do not discuss the presence or absence of nuclear weapons."

(b) The response to inquiries about the presence of nuclear weapons on U.S. Navy shore installations, ballistic missile submarines (strategic submarines), supporting and container ships is:

"It is the policy of the U.S. Government to neither confirm nor deny the presence or absence of nuclear weapons at any general or specific location."

(2) Port Visits to Japan. The approved response to inquiries about the presence of nuclear weapons on U.S. Navy surface ships, attack or guided missile submarines and aircraft making port visits to Japan is:

"It is the policy of the U.S. Government not to deploy nuclear weapons aboard U.S. Navy surface ships, attack or guided missile submarines and aircraft. However, we do not discuss the presence or absence of nuclear weapons. The U.S. Government understands the special sentiment of the Japanese people concerning nuclear weapons and has faithfully honored its obligations under the treaty of mutual cooperation and security, and will continue to do so."

(3) Latin American Nuclear Weapon Free Zone. The approved response to questions about the presence of nuclear weapons on U.S. Navy shore installations in the Latin American (including all of South and Central America, and the entire Caribbean) nuclear weapon free zone is:

"The United States has ratified Additional Protocols I and II to the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean, known as the Treaty of Tlatelolco. We are in full compliance with our commitments under Additional Protocols I and II to the Treaty of Tlatelolco."

(4) Antarctica. The approved response to inquiries about the presence of nuclear weapons on U.S. Navy commands located in Antarctica (south of 60 degrees south latitude, including all ice shelves) is:

"It is the position of the U.S. Government that nothing in the Antarctica Treaty shall prejudice or in any way affect the rights, or the exercise of the rights, of any State under international law concerning the high seas within that area. We are aware of our commitments under that Treaty and are in full compliance with those commitments."

c. In the event of a nuclear weapon accident or significant incident, specific guidance on public release of information may be obtained from reference (b). Details high media interest and information released to the public shall be reported per reference (c).

d. Guidance and information pertaining to the security classification of nuclear warfare programs may be obtained from reference (d). Notwithstanding the classification guidance in reference (d), when responding to inquiries concerning the presence or absence of nuclear weapons or components, the response shall be per this instruction.

e. Violations of these provisions may be punishable per the Uniform Code of Military Justice, section 801 of title 10, United States Code (U.S.C.); section 793 of title 18, U.S.C.; sections 2271 through 2277 of title 42, U.S.C.; and related provisions of the Atomic Energy Act.

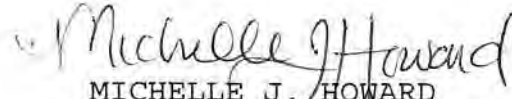
6. Action

a. Navy personnel shall comply with the provisions of this instruction.

b. Commanders, commanding officers, and officers in charge shall give this instruction the widest possible dissemination, especially as part of a command's established general military training routine.

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7. Records Management. Records created as a result of this instruction, regardless of media and format, shall be managed per Secretary of the Navy Manual 5210.1 of January 2012.



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