



DEPARTMENT OF THE NAVY  
OFFICE OF THE SECRETARY  
1000 NAVY PENTAGON  
WASHINGTON, D.C. 20350-1000

SECNAVINST 5710.27A  
ASN(RD&A)  
DEC 03 2018

SECNAV INSTRUCTION 5710.27A

From: Secretary of the Navy

Subj: DEPARTMENT OF THE NAVY READINESS FOR CHALLENGE  
INSPECTIONS UNDER THE CHEMICAL WEAPONS CONVENTION

Ref: (a) SECNAVINST 5710.23D  
(b) Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, adopted on 3 September 1992, 1974 U.N.T.S. 317, S. Treaty Doc. No. 103-21 (1994) (entered into force 29 April 1997)  
(c) CJCSI 3110.07D (NOTAL)  
(d) Inspection Readiness Plan for Department of the Navy Facilities of 2 October 2006 (available at [https://web.ntip.navy.mil/cwc/chemical\\_weapons\\_convention\\_readiness.shtml](https://web.ntip.navy.mil/cwc/chemical_weapons_convention_readiness.shtml))  
(e) DON Chemical Weapons Convention Implementation and Compliance Plan of 2 September 2014 (NOTAL)  
(f) CJCSI 2030.01D  
(g) CJCSM 2030.01  
(h) SECNAV M-5214.1

Encl: (1) Responsibilities  
(2) Action

1. Purpose. To implement readiness, in accordance with references (a) through (g), for challenge inspections in compliance with United States Government obligations under the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction per reference (b), known colloquially as the Chemical Weapons Convention (CWC), without compromising national security information or Department of Defense (DoD) processes or equities.

2. Cancellation. SECNAVINST 5710.27.

3. Background. The CWC is a multilateral treaty that entered into force on 29 April 1997. The CWC prohibits the development, production, acquisition, stockpiling, retention, transfer, and

use of Chemical Weapons (CWs). It also prohibits the use of Riot Control Agents (RCAs) as a method of warfare. The CWC permits certain CW-related defensive programs, training, and operations and allows the use of RCAs for purposes other than as a method of warfare. Guidance on the use of RCAs during military operations is contained in reference (c). The Organization for the Prohibition of Chemical Weapons (OPCW), an international organization, monitors U.S. Government compliance with CWC requirements through a verification regime that includes declarations of past CW-related activities, declaration of activities not prohibited under the CWC related to toxic chemicals and their precursors, and on-site inspections at declared and suspected undeclared facilities. Therefore, the CWC subjects all facilities, public vessels, state aircraft, and geographically separated units under U.S. jurisdiction or control to intrusive, "anytime - anywhere" challenge inspections conducted by OPCW inspectors. Because the U.S. Government has no right of refusal and is obligated to make all reasonable efforts to facilitate the conduct of the challenge inspection both in the United States and abroad, if not properly addressed, CWC challenge inspection activities could compromise national security information or lead to inadvertent noncompliance with U.S. treaty obligations.

4. Applicability. This instruction applies to the Office of the Secretary of the Navy (SECNAV), the Chief of Naval Operations (CNO), the Commandant of the Marine Corps (CMC), and all U.S. Navy, U.S. Marine Corps installations, commands, activities, field offices, and all other organization entities within the DON.

5. Policy

a. Department of the Navy (DON) policy is to comply with the obligations of the CWC. This does not diminish or modify established requirements to comply with Navy and Marine Corps safety and security regulations and directives. During a challenge inspection, the DON's objective is to demonstrate compliance, when and if required, and to protect sensitive, proprietary and classified information.

b. CWC challenge inspections may be conducted at any DON or DON-controlled facility worldwide. Challenge Inspections can also include DON ships, submarines, aircraft, United States

Naval Ship (USNS) vessels, maritime prepositioned ships (MPS), bases, and other naval activities.

c. CWC challenge inspections do not alter existing DON command relationships or the operational chain of command. Commanders, Commanding Officers, and Officers in Charge and Masters of USNS/MPS vessels, (hereinafter referred to as "Commanding Officers") of Navy and Marine Corps installations facilities, ships, submarines, aircraft, USNS vessels, and MPS designated for a challenge inspection shall coordinate such inspections and procedures with their chain of command. Once notified of a potential challenge inspection, Commanding Officers of ships and aircraft squadron commanders shall coordinate any departure or other movement of ships, aircraft, and naval forces with their operational chain of command. Ships and aircraft normally will not be required to remain in a U.S. or foreign port or airfield longer than their scheduled departure time solely to accommodate a challenge inspection.

(1) Commanding Officers are responsible under Navy Regulations for the routine conduct of operations, control of access, safety of visitors, protection of national security information, and compliance with U.S. Government obligations under international agreements. Only the Commanding Officer will exercise command authority at inspected DON or DON-controlled installations, bases, and facilities, or DON ships, submarines, aircraft, USNS vessels, and MPS.

(2) Program Managers are responsible for protecting national security and sensitive information regarding their programs in accordance with existing U.S. law and associated regulations (e.g., DoD Directives and Instructions, and DON Instructions and Notices). Access by OPCW inspectors or other unauthorized personnel shall not be granted to any restricted data or formerly restricted data, including nuclear propulsion spaces.

d. The CWC provides for the right to "managed access" measures that can be used to protect sensitive information not related to chemical weapons. Although the specifics of managed access will be negotiated between the OPCW inspectors and the Host Team, managed access shall be employed when providing access for inspectors and observers. Managed access includes, among other things, securing classified papers, media, and computers; shrouding sensitive items (restricted visual access); use of selective access techniques; and control of routes and

timing. Reference (d) provides guidance for DON activities on how to support a CWC challenge inspection.

6. Responsibilities. See enclosure (1).

7. Action. See enclosure (2).

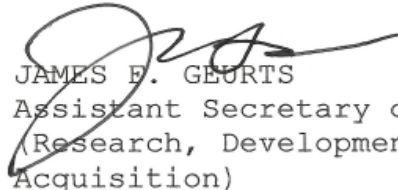
8. Records Management

a. Records created as a result of this instruction, regardless of format or media, must be maintained and dispositioned according to the records disposition schedules found on the Directives and Records Management Division (DRMD) portal page:

<https://portal.secnav.navy.mil/orgs/DUSNM/DONAA/DRM/SitePages/Home.aspx>

b. For questions concerning the management of records related to this instruction or the records disposition schedules, please contact your local Records Manager or the DRMD program office.

9. Reports. The requirement contained in enclosure 2, paragraph 1 is exempt from information collection control by Part IV paragraph 7n of reference (h).

  
JAMES E. GEURTS  
Assistant Secretary of the Navy  
(Research, Development &  
Acquisition)

Distribution:

Electronic only, via Department of the Navy Issuances Web site  
<http://doni.documentservices.dla.mil/>

### RESPONSIBILITIES

1. Assistant Secretary of the Navy (Research, Development and Acquisition) (ASN(RDA)) is, per reference (a), responsible for managing CWC implementation and compliance for Navy and Marine Corps programs.

2. The Director, Undersea Warfare Division (OPNAV (N97)) shall serve as the DON funding sponsor for CWC implementation and compliance programs.

3. In accordance with reference (a), Director, Strategic Systems Programs (DIRSSP), under ASN(RDA), is the DON Lead Office for all DON CWC implementation and compliance functions. Reporting directly to DIRSSP, the Naval Treaty Implementation Program (NTIP), will:

a. Provide CWC challenge inspection readiness and facility preparation guidance. This includes exercises at Navy and Marine Corps installations to ensure DON is adequately prepared. The Inspection Readiness Plan for Department of the Navy Facilities of Oct. 2, 2006 and DON Chemical Weapons Convention Implementation and Compliance Plan of Sept. 2, 2014, provide plans that shall be used for a CWC challenge inspection and should be used during an exercise. Coordination for a DON exercise will be initiated at least three months in advance of the event and will include amplifying data on tasks, conditions, and standards;

b. Prepare CWC training materials and coordinate training activities;

c. Notify DON installations, the appropriate chain of command, and the Naval Criminal Investigative Service (NCIS) of CWC challenge inspections;

d. Assemble and dispatch the DON Service assistance team, known as the DON CWC Tiger Team, to DON facilities in the United States or overseas to support DoD CWC challenge inspection operations and provide direct assistance to DON facilities, U.S. escorts, and negotiators; and

e. Assemble and dispatch a DON CWC Point of Entry (POE) Team to support the DON Lead Service Representative and facility

representative during U.S Host Team negotiations with OPCW Inspection Team at the POE.

f. Execute other functions as required in per references (f) and (g).

4. Fleet Commanders and Fleet Marine Force Commanders shall minimize any adverse impact on schedules and operations of the Combatant Commands (COCOMs) while accommodating CWC challenge inspection activities. They shall prepare plans and execute operations to facilitate the conduct of CWC challenge inspections at DON facilities located on the territory of host governments overseas.

5. Director, DON Special Access Programs Central Office, is responsible to ensure DON Special Access Programs (SAPs) are prepared to demonstrate compliance during CWC challenge inspections without compromise of special access program information.

6. Director, NCIS, is responsible for providing criminal, counter-intelligence, and counterterrorism support to Navy and Marine Corps commands during CWC challenge inspections.

7. Chief of Information, Department of the Navy (CHINFO), in accordance with the Inspection Readiness Plan for Department of the Navy Facilities of Oct. 2, 2006, is responsible for public affairs planning and support during CWC challenge inspections. Release of DON Program Data shall be coordinated through the appropriate DON Program Managers.

8. Commanding Officers of Navy and Marine Corps facilities involved in a challenge inspection are responsible for:

a. CWC implementation and compliance at their facilities while also complying with Navy and Marine Corps safety and security regulations and directives;

b. Coordination and cooperation with the DON CWC Tiger Team and chain of command;

c. Raising reasonable CWC arms control compliances concerns, per reference (a).

**ACTION**

1. Commanding Officers of Navy and Marine Corps installations that receive requests for CWC challenge inspections from sources other than their operational chain of command or NTIP shall notify their chain of command using OPREP-3 reporting procedures.
2. Commanding Officers of Navy and Marine Corps facilities that are subjected to a CWC challenge inspection, including Commanding Officers of public vessels or commanders of state aircraft, shall comply with this instruction and reference (c).
3. DIRSSP shall, for CWC challenge inspections:
  - a. Provide guidance and assistance to DON facilities as provided in this instruction;
  - b. Provide a DON representative to the Host Team;
  - c. Budget and allocate resources for these functions.