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DEPARTMENT OF THE NAVY
Office of the Chief of Naval Operations
Washington, DC 20350-2000

OPNAVINST 5721.1E
N312
29 March 1993

OPNAV INSTRUCTION 5721.1E

From: Chief of Naval Operations
To: All Ships and Stations (less Marine Corps field addressees not having Navy personnel attached)

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

Ref: (a) SECNAVINST 5720.44A, DON Public Affairs Policy and Regulations
(b) OPNAVINST S5513.9B, DON Security Classification Guidance for Nuclear Warfare Programs (NOTAL)

- 1. **Purpose.** To publish regulations concerning release of information about nuclear weapons and nuclear capabilities of U.S. forces.
- 2. **Cancellation.** OPNAVINST 5721.1D (NOTAL).
- 3. **Regulations**

a. The requirements stated here are binding upon all members of the Department of the Navy and its civilian employees. Violations of these provisions may be punishable in accordance with the Uniform Code of Military Justice, Title 10 United States Code (U.S.C.), section 801ff; Title 18 U.S.C., section 793; and Title 42 U.S.C., sections 2271-2277; and related provisions of the Atomic Energy Act.

b. Military members and civilian employees of the Department of the Navy 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 on board any specific ship, station or aircraft, 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.

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 (NCND) the presence or absence of nuclear weapons at any general or specific location, including aboard any U.S. military station, ship, vehicle, or aircraft. NCND 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 chances of successful attack thereby increasing the deterrent value of our forces and the security of the weapons. The policy also denies information about nuclear weapons to terrorists and saboteurs.

b. On 27 September 1991, the President directed that tactical nuclear weapons be removed from U.S. surface ships, attack submarines, and naval aircraft. A 2 July 1992 announcement indicated that the drawdown of tactical nuclear weapons from these platforms was complete. However, the President also allowed for the storage of some remaining tactical nuclear weapons in secured central areas so that they could be made available, if necessary, in a future crisis.

c. The current NCND policy (which became effective on 2 July 1992) is:

(1) First, that our NCND policy remains in effect for all U.S. forces, and;

(2) Second, because of the changes in our deployment policy for tactical nuclear weapons on surface ships, attack submarines, and naval aircraft, the new statement to be used in response to questions about nuclear weapons is:

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

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5. Guidance

a. Any military member or civilian employee of the Department of the Navy who receives or is informed of any request, oral or written, for information or assurances with respect to the presence or absence of nuclear weapons or components on board any ship, shore station, or aircraft shall not provide any such information or assurance. The guidance listed below can be used for replying to any inquiry regarding the presence of nuclear weapons on or in the following locations:

(1) Surface ships, attack submarines, and naval aircraft (with the exception of those forces listed in subparagraph 5a(2) below):

“It is general U.S. policy not to deploy nuclear weapons aboard surface ships, attack submarines, and naval aircraft. However, we do not discuss the presence or absence of nuclear weapons aboard specific ships, submarines or aircraft.”

(2) Shore stations (except those listed in subparagraphs 5a(3) and 5a(4)), strategic submarines (SSBNs) and supporting ships (e.g., submarine tenders (ASs) and fleet ballistic missile ships (TAKs)):

“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.”

(3) Shore stations in the Latin American Nuclear Weapons Free Zone (includes all of South and Central America, and the entire Caribbean).

“In November 1981 the U.S. ratified Additional Protocol I to the Treaty for the Prohibition of Nuclear Weapons in Latin America, known as the Treaty of Tlatelolco. By ratifying Additional Protocol I the U.S. undertook not to produce, store, install or deploy nuclear weapons in territories for which the U.S. is responsible within the geographical limits of the Treaty. The provisions of the Treaty made applicable by Additional Protocol I do not affect the exercise of rights under the law of the sea. We are in full compliance with our commitments under that Protocol within the zone of the Treaty of Tlatelolco.”

(4) Commands located in Antarctica (south of 60 degrees south latitude).

“On 23 June 1961 the President proclaimed the ratification of The Antarctic Treaty which recognized that ‘Antarctica shall continue forever to be used exclusively for peaceful purposes and shall not become the scene or object to international discord; ...’ By ratifying the Treaty the United States and all signatories undertook to ‘use Antarctica for peaceful purposes only; ...’ We are aware of our commitments under that Treaty and are in full compliance with those commitments.”

b. The above guidance continues to apply, notwithstanding that certain weapons systems have been publicly identified as having nuclear capability, and notwithstanding any public discussion with respect to the presence or absence of nuclear weapons or components on board any ship, station, or aircraft, or in any general location. In general, it is U.S. policy not to deploy nuclear weapons aboard surface ships, attack submarines, and naval aircraft.

c. Any proposed release of information of the type which is the subject of this instruction, other than the guidance included in this directive, shall be submitted through the chain of command in accordance with procedures of reference (a). Such referral does not constitute violation of this instruction.

d. In the event of a nuclear weapon accident or significant incident, specific guidance on public release of information may be obtained from reference (a).

e. Guidance and information pertaining to the security classification of Nuclear Warfare Programs may be obtained from reference (b). Notwithstanding the classification guidance in reference (b), when responding to inquiries concerning the presence or absence of nuclear weapons or components, the response shall be in accordance with this instruction.

6. Action

a. All military members and civilian employees of the Department of the Navy shall comply with the regulations contained in this instruction.

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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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