SECNAV INSTRUCTION 5440.5B

From: Secretary of the Navy

Subj: DEPARTMENT OF THE NAVY OVERSEAS FORCE STRUCTURE CHANGE AND HOST-NATION NOTIFICATION PROCEDURES

Ref: (a) 10 U.S.C. §8013 (b) CJCS Instruction 2300.02J of 15 April 2016 (c) DoD Instruction 3000.12 of 8 May 2017

1. Purpose

   a. Pursuant to Secretary of the Navy (SECNAV) responsibilities stated in reference (a), and to ensure oversight of recommendations to modify Department of the Navy (DON) overseas posture, this instruction provides policy direction for the proposed Overseas Force Structure Changes (OFSC) and Host-Nation Notification (HNN).

   b. Revisions to this instruction direct Service Headquarters to submit OFSC and/or HNN proposed changes in accordance with references (b) and (c).

2. Cancellation.  SECNAVINST 5440.5A.

3. Applicability. This instruction applies to the Offices of 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 organizational entities within the DON.

4. Policy

   a. This instruction applies to the introduction, change, or removal of any overseas force and other changes consistent with guidance in references (b) and (c).

   b. An overseas force is one that is outside the continental United States, Alaska, Hawaii, and U.S. territories, and consists of an aggregation of military personnel, weapon
systems, equipment, and necessary support, or combination thereof. Other changes that do not affect force assignment will normally be addressed in the unit deployment process or deployment order process.

5. Responsibilities

a. SECNAV. The SECNAV is the approval authority for submission of DON OFSC and HNN proposals to the Joint Staff as described in reference (b).

b. Under Secretary of the Navy (UNSECNAV). The UNSECNAV is responsible for oversight of overseas posture within the DON to include OFSC and HNN proposals.

c. CNO and CMC. Perform day-to-day management and administration for overseas posture and prepare OFSC and HNN proposals, as necessary, for SECNAV approval.

d. The Assistant Secretaries of the Navy (ASNs). Review OFSC and HNN proposals for implications to assigned responsibilities and respective portfolios during the Secretariat review process.

e. General Counsel (GC). Reviews OFSC and HNN proposals consistent with role as SECNAV's principal legal advisor.

f. The Judge Advocate General (JAG) of the Navy. Has cognizance of international agreements and shall coordinate on OFSC and HNN proposals during Secretariat-level reviews.

6. Procedures

a. Navy or Marine Corps Service Headquarters initiating an OFSC or HNN proposal will inform SECNAV of proposed changes, to include a description of the proposed change, an anticipated timeline, the strategic rationale for the proposed action(s), and a funding statement which identifies cost estimates by year including construction requirements.

b. Per reference (b), OFSC and HNN proposals are closely related to international agreements and the realignment of DoD overseas sites. As such, all OFSC and HNN proposals shall be submitted through the Office of the UNSECNAV and coordinated with the ASNs, the Office of the JAG (Code 10); and GC.
c. Following SECNAV approval, Navy and Marine Corps Service Headquarters shall submit OFSC and/or HNN proposals per guidance in reference (b). Service Headquarters should anticipate at least 180 days to complete the OFSC/HNN process once proposals are received by the Joint Staff.

d. Service Headquarters and Service Component Commands shall not conduct any action that meets the threshold for an OFSC without ensuring an OFSC proposal was initiated and the HNN process has been completed.

e. As identified in reference (b), the originating Service Headquarters shall classify pending OFSC events CONFIDENTIAL or higher as appropriate.

7. 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.

THOMAS B. MODLY
Under Secretary of the Navy

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