

PROGRAM REVIEW 4.7

Area of Review: NAVSEA Physical Security Program at Washington Navy Yard, Building 197

Date: 22 Oct 2013

References:

1. OPNAVINST 3591.1F, Small Arms Training and Certification, 12 Aug 2009
2. OPNAVINST 5530.14E, Navy Physical Security and Law Enforcement, 28 Jan 2009 w/CH1 dated 19 Apr 2010
3. OPNAVINST 5530.13C, Department of the Navy Physical Security Instruction for Conventional Arms, Ammunition and Explosives, 26 Sep 2003
4. NAVSEAINST 8370.2D, Small Arms and Weapons Management Policy and Guidance, 29 Jun 2012
5. NTRP 3-0.7.2.2, Force Protection Weapons Handling Standard Procedures and Guidelines, Jul 2003
6. NTPP 3-07.2.3, Law Enforcement and Physical Security, Aug 2011
7. NAVFAC Security Guard Contract for NAVSEA buildings, Contract number N40080-12-D-0467, 1 Apr 2012
8. U.S. Fleet Forces Command (USFF) Antiterrorism (AT) Operation Order (OPORD) 3300-13, 1 Jan 2013

Method of Review/Summary:

A review of the NAVSEA Physical Security Program for execution of and compliance with listed directives was conducted. Documents reviewed included NAVSEA instructions and orders, interviews were conducted with NAVSEA 09P personnel, and field inspections were conducted at Building 197.

Deficiencies were identified in contract administration, execution and oversight. Specific findings were reviewed with the Director of NAVSEA Security on 23 Oct 2013.

1. NAVSEA Physical Security: The Investigation Team reviewed the implementation of Physical Security and Law Enforcement requirements at NAVSEA headquarters Buildings 104, 197 and 201 at the Washington Navy Yard. Deficiencies were identified, several of which were identified by the Naval Criminal Investigative Service (NCIS) during a 2009 Assist Visit and have not been corrected.

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a. The NAVSEA Restricted Area designation letter 5530 Ser 00P/019 of 27 Apr 2010 does not meet the requirements of paragraph 0210.g.(2) of OPNAVINST 5530.14E. The list does not reference OPNAVINST 5530.14E, has not been provided to the Installation Commander or Region Commander, and is not part of the Installation Commander Antiterrorism (AT) Plan. The NAVSEA Restricted Area list references SECNAVINST M-5510.36; however, Restricted Area requirements and regulations are found in OPNAVINST 5530.14E. As written, the list is designed and used as an Information Security document rather than as a Physical Security document, as would be appropriate.

(b) (7)(E)

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d. Contrary to OPNAVINST 5530.14E, NAVSEA does not have an approved Physical Security Plan. This deficiency was identified by NCIS during a security assist visit to NAVSEA in June of 2009.²

(b) (7)(E)

f. Contrary to OPNAVINST 5530.14E, NAVSEA has not performed required annual physical security surveys or inspections. The only physical security survey provided to the Investigation Team was completed by NCIS in June 2009.

2. NAVSEA Security Guard Arms, Ammunition, and Explosives (AA&E) Issues:
The Investigation Team accounted for all Government owned weapons; (b) (7)(E)

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a. OPNAVINST 5530.13C requires that each command holding AA&E designate in writing an AA&E Accountability Officer, military or civilian, with responsibility for all AA&E accountability and who will regularly report status to the commanding officer. Contrary to OPNAVINST 5530.13C, NAVSEA has not designated an AA&E Accountable Officer. Contract Attachment J-0401060-12 states that "Firearms required for contractor's armed guards at NAVSEA will be government provided." Small Arms

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(b) (7)(E)

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. NAVSEA is responsible for all firearms (handguns) associated with this contract and must comply with all OPNAVINST 5530.13C security and accountability requirements.

b. The weapons (handguns) used by the contractor are government owned, but the ammunition used is commercially procured ammunition belonging to the contractor, contrary to NAVSEAINST 8370.2D which states "...non-government ammunition is not authorized for use in Navy small arms (SA)."

(b) (7)(E)

d. The contractor is not conducting small arms qualification training in accordance with current Navy requirements. Training requirements in the contract specify that the contractor will train personnel in the use of firearms per OPNAVINST 3591.1D (30 Nov 2004). A more recent version of requirements, OPNAVINST 3591.1F, was issued on 12 Aug 2009 and supersedes 3591.1D; the current contract was effective 1 Apr 2012 and should have incorporated the latest Navy training requirements. The contractor is not conducting firearms training to the current requirements as specified in OPNAVINST 3591.1F by training to superseded standards.

e. The contractor is not certifying firearms training as required by NTTP 3-07.2.3. NTTP 3-07.2.3 paragraph B.7 states that "No contract security guard shall bear firearms aboard a Navy installation until written certification of qualification meeting Navy standards is provided by the contractor and the guard has successfully completed training in the use of deadly force." A certification may not be given if the contractor is training to an outdated standard.

¹ Reference Document (RD) 4.2 NCIS Security Assist Visit to NAVSEA report 8-11 Jun 2009

² Id.

³ Id.