



**DEPARTMENT OF DEFENSE
FREEDOM OF INFORMATION DIVISION
1155 DEFENSE PENTAGON
WASHINGTON, DC 20301-1155**

Ref: 22-F-1028
August 29, 2023

Mr. John Greenwald
The Black Vault, Inc.
27305 W. Live Oak Rd.
Suite #1203
Castaic, CA 91384

Dear Mr. Greenwald:

This is a final response to your June 16, 2022 Freedom of Information Act (FOIA) request, a copy of which is enclosed for your convenience. We received your request on June 16, 2022, and assigned it FOIA case number 22-F-1028. We ask that you use this number when referring to your request.

The Joint Staff, conducted a search of their records systems and located 140 pages determined to be responsive to your request. Mr. Scott L. McPherson, Chief, Information Management Division Declassification Branch, in his capacity as an Initial Denial Authority, has determined that portions of the 140 responsive pages are exempt from release pursuant to 5 U.S.C. § 552 (b)(1), which pertains to information that is currently and properly classified in the interest of national security pursuant to Executive Order 13526, as amended, applying Sections 1.4 (a) which pertains to information concerning the protection of military plans, weapons, systems, or operations. Please note that we have considered the foreseeable harm standard when reviewing records and applying exemptions under the FOIA in the processing of this request.

In this instance, fees for processing your request were below the threshold for requiring payment. Please note that fees may be assessed on future requests.

If you have any questions or concerns about the foregoing or about the processing of your request, please do not hesitate to contact the Action Officer assigned to your request, Kayla Webster, at kayla.n.webster2.civ@mail.mil or 571-372-0440. Additionally, if you have concerns about service received by our office, please contact a member of our Leadership Team at 571-372-0498 or Toll Free at 866-574-4970.

Should you wish to inquire about mediation services, you may contact the OSD/JS FOIA Public Liaison, Toni Fuentes, at 571-372-0462, or by email at OSD.FOIALiaison@mail.mil. You may also contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows:

Office of Government Information Services
National Archives and Records Administration
8601 Adelphi Road-OGIS
College Park, MD 20740
E-mail: ogis@nara.gov
Telephone: 202-741-5770
Fax: 202-741-5769
Toll-free: 1-877-684-6448

You have the right to appeal to the appellate authority, Ms. Joo Chung, Assistant to the Secretary of Defense for Privacy, Civil Liberties, and Transparency (PCLT), Office of the Secretary of Defense, at the following address: 4800 Mark Center Drive, ATTN: PCLFD, FOIA Appeals, Mailbox #24, Alexandria, VA 22350-1700.

Your appeal must be postmarked within 90 calendar days of the date of this response. Alternatively, you may email your appeal to osd.foia-appeal@mail.mil. If you use email, please include the words "FOIA Appeal" in the subject of the email. Please also reference FOIA case number 22-F-1028 in any appeal correspondence.

We appreciate your patience in the processing of your request. As stated previously, please contact the Action Officer assigned to your request, Kayla Webster, and reference FOIA case number 22-F-1028, if you have any questions or concerns.

Sincerely,

Stephen L. Fisher

Stephanie L. Carr
*For*Chief

Enclosures:
As stated

This document is made available through the declassification efforts
and research of John Greenewald, Jr., creator of:

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CJCSI 3121.01B

13 June 2005

Directive current as of 18 June 2008

**STANDING RULES OF
ENGAGEMENT / STANDING
RULES FOR THE USE OF
FORCE FOR US FORCES (U)**



JOINT STAFF

WASHINGTON, D.C. 20318

~~Classified by LtGen J. T. Conway, OSMC; DJ-3~~

~~Reason: E.O. 13526 (c)~~

~~Declassify on: 30 June 2030~~

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CHAIRMAN OF THE JOINT CHIEFS OF STAFF INSTRUCTION

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STANDING RULES OF ENGAGEMENT/STANDING RULES FOR THE USE OF FORCE FOR US FORCES

References: Enclosures K and Q

1. Purpose. To provide guidance on the standing rules of engagement (SROE) and establish standing rules for the use of force (SRUF) for DOD operations worldwide. Use of force guidance contained in this instruction supercedes that contained in DOD Directive 5210.56.

2. Cancellation. CJCSI 3121.01A, 15 January 2000, CJCSI 3121.02, 31 May 2000 and CJCSI 3123.01B, 01 March 2002 are canceled.

3. Applicability

a. The SROE (enclosures A through K) establish fundamental policies and procedures governing the actions to be taken by US commanders and their forces during all military operations and contingencies and routine Military Department functions occurring outside US territory (which includes the 50 states, the Commonwealths of Puerto Rico and Northern Marianas, US possessions, protectorates and territories) and outside US territorial seas. Routine Military Department functions include AT/FP duties, but exclude law enforcement and security duties on DOD installations, and off-installation while conducting official DOD security functions, outside US territory and territorial seas. SROE also apply to air and maritime homeland defense missions conducted within US territory or territorial seas, unless otherwise directed by the Secretary of Defense (SecDef).

b. The SRUF (Enclosures L through Q) establish fundamental policies and procedures governing the actions to be taken by US commanders and their forces during all DOD civil support (e.g., military assistance to civil authorities) and routine Military Department functions

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(including AT/FP duties) occurring within US territory or US territorial seas. SRUF also apply to land homeland defense missions occurring within US territory and to DOD forces, civilians and contractors performing law enforcement and security duties at all DOD installations (and off-installation while conducting official DOD security functions), within or outside US territory, unless otherwise directed by the SecDef. Host nation laws and international agreements may limit US forces' means of accomplishing their law enforcement or security duties.

4. Policy. IAW Enclosures A (SROE) and L (SRUF).

5. Definitions. Definitions are contained in Joint Pub 1-02 and the enclosures. Enclosures K and Q list ROE/RUF references that provide additional specific operational guidance.

6. Responsibilities. The SecDef approves and the Chairman of the Joint Chiefs of Staff (CJCS) promulgates SROE and SRUF for US forces. The Joint Staff, Operations Directorate (J-3), is responsible for the maintenance of this instruction, in coordination with OSD.

a. Commanders at all levels are responsible for establishing ROE/RUF for mission accomplishment that comply with ROE/RUF of senior commanders, the Law of Armed Conflict, applicable international and domestic law and this instruction.

b. Standing Rules of Engagement (SROE)

(1) Self-Defense. Unit commanders always retain the inherent right and obligation to exercise unit self-defense in response to a hostile act or demonstrated hostile intent. Unless otherwise directed by a unit commander as detailed below, military members may exercise individual self-defense in response to a hostile act or demonstrated hostile intent. When individuals are assigned and acting as part of a unit, individual self-defense should be considered a subset of unit self-defense. As such, unit commanders may limit individual self-defense by members of their unit. Both unit and individual self-defense includes defense of other US Military forces in the vicinity.

(2) Mission Specific ROE

(a) Supplemental measures allow commanders to tailor ROE for mission accomplishment during the conduct of DOD operations. There are two types of supplemental measures:

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1. Those supplemental measures that specify certain actions that require SecDef approval (001-099 in Enclosure I).

2. Those supplemental measures that allow commanders to place limits on the use of force during the conduct of certain actions (100-599 in Enclosure I). Enclosure I provides ROE supplemental measures guidance.

(b) Supplemental measures may also be used by unit commanders to limit individual self-defense by members of their unit, when in the context of exercising the right and obligation of unit self-defense.

(c) Commanders at all levels may use supplemental measures to restrict SecDef-approved ROE, when appropriate. US commanders shall notify the SecDef, through the CJCS, as soon as practicable, of restrictions (at all levels) placed on Secretary of Defense-approved ROE/RUF. In time critical situations, make SecDef notification concurrently to the CJCS. When concurrent notification is not possible, notify the CJCS as soon as practicable after SecDef notification.

(3) SROE are designed to be permissive in nature. Therefore, unless a specific weapon or tactic requires Secretary of Defense or combatant commander approval, or unless a specific weapon or tactic is restricted by an approved supplemental measure, commanders may use any lawful weapon or tactic available for mission accomplishment.

c. Standing Rules for the Use of Force (SRUF)

(1) Self-Defense. Unit commanders always retain the inherent right and obligation to exercise unit self-defense in response to a hostile act or demonstrated hostile intent. Unless otherwise directed by a unit commander as detailed below, military members may exercise individual self-defense in response to a hostile act or demonstrated hostile intent. When individuals are assigned and acting as part of a unit, individual self-defense should be considered a subset of unit self-defense. As such, unit commanders may limit individual self-defense by members of their unit. Both unit and individual self-defense includes defense of other US Military forces in the vicinity.

(2) Mission Specific RUF

(a) Commanders may submit requests to the SecDef, through the CJCS, for mission- specific RUF, as required.

(b) Commanders at all levels may restrict SecDef-approved RUF, when appropriate. US commanders shall notify the SecDef, through the CJCS, as soon as practicable, of restrictions (at all levels) placed on Secretary of Defense-approved ROE/RUF. In time critical situations, make SecDef notification concurrently to the CJCS. When concurrent notification is not possible, notify the CJCS as soon as practicable after SecDef notification.

(3) Unlike SROE, specific weapons and tactics not approved within these SRUF require SecDef approval.

7. Summary of Changes. This instruction is a comprehensive update and replacement of the existing SROE and addresses SecDef guidance, USNORTHCOM establishment and USSTRATCOM/USSPACECOM reorganization. In addition, SRUF guidance is added to allow this single instruction to provide guidance for worldwide US military operations. Existing combatant commander standing ROE/RUF guidance should be reviewed for consistency. Existing SecDef-approved mission-specific ROE/RUF remain in effect, unless otherwise noted.

8. Procedures

a. Guidance for the use of force for self-defense and mission accomplishment is set forth in this document. Enclosure A (less appendixes) is UNCLASSIFIED and is intended to be used as a ROE coordination tool in developing combined or multi-national ROE, if necessary. Enclosure L is UNCLASSIFIED and intended to be used with US law enforcement agencies and organizations as a RUF coordination tool in developing combined RUF, if necessary.

b. Combatant commander requests for ROE supplemental measures and combatant commander requests for mission-specific RUF will be submitted to the SecDef, through the CJCS, for approval.

c. Combatant commanders will also provide the following, when applicable:

(1) Notification to the SecDef, through the CJCS, as soon as practicable, of restrictions (at all levels) placed on Secretary of Defense-approved ROE/RUF. In time critical situations, make SecDef notification concurrently to the CJCS. When concurrent notification is not possible, notify the CJCS as soon as practicable after SecDef notification.

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(2) Notification of all supplemental measures, not requiring SecDef approval, to the SecDef through the CJCS, as soon as practicable.

d. Geographic combatant commanders may augment these SROE/SRUF, as necessary, through theater-specific ROE/RUF in order to reflect changing political and military policies, threats and missions specific to their respective areas of operations.

e. Ensure that operational ROE/RUF currently in effect are made available on appropriately classified command web sites.

9. Releasability. This instruction is approved for limited release. DOD components, including the combatant commands and other Federal agencies may obtain this instruction through controlled Internet access at <http://www.js.smil.mil/masterfile/sjsimd/jel/Index.htm>. Joint Staff activities may access or obtain copies of this instruction from the Joint Staff local area network.

10. Effective Date. This instruction is effective upon receipt for all US commanders and supersedes all other nonconforming guidance. It is to be used as the basis for all subsequent mission-specific ROE/RUF requests to SecDef and guidance promulgated by combatant commanders.

11. Document Security. This basic instruction is UNCLASSIFIED. Enclosures are classified as indicated.


RICHARD B. MYERS
Chairman
of the Joint Chiefs of Staff

Enclosures:

- A--Standing Rules of Engagement for US Forces
 - Appendix A--Self-Defense Policy and Procedures
- B--Maritime Operations
 - Appendix A--Defense of US Nationals and their Property at Sea
 - Appendix B--Recovery of US Government Property at Sea
 - Appendix C--Protection and Disposition of Foreign Nationals In the Control of US Forces
- C--Air Operations
- D--Land Operations
- E--Space Operations

Appendix A--Hostile Acts and Hostile Intent Indicators in
Space Operations

F--Information Operations

G--Noncombatant Evacuation Operations

H--Counterdrug Support Operations Outside US Territory

I--Supplemental Measures

Appendix A--General Supplemental Measures

Appendix B--Supplemental Measures for Maritime Operations

Appendix C--Supplemental Measures for Air Operations

Appendix D--Supplemental Measures for Land Operations

Appendix E--Supplemental Measures for Space Operations

Appendix F--Message Formats and Examples

J--Rules of Engagement Process

K--ROE References

L--Standing Rules for the Use of Force for US Forces

M--Maritime Operations Within US Territory

N--Land Contingency and Security-Related Operations Within US
Territory

O--Counterdrug Support Operations Within US Territory

P--RUF Message Process

Q--RUF References

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LIST OF EFFECTIVE PAGES

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1 thru 6	O	I-1 thru I-4	O
i thru viii	O	I-A-1 thru I-A-14	O
A-1 thru A-6	O	I-B-1 thru I-B-6	O
A-A-1 thru A-A-2	O	I-C-1 thru I-C-2	O
B-1 thru B-4	O	I-D-1 thru I-D-6	O
B-A-1 thru B-A-4	O	I-E-1 thru I-E-2	O
B-B-1 thru B-B-4	O	I-F-1 thru I-F-8	O
B-C-1 thru B-C-2	O	J-1 thru J-6	O
C-1 thru C-6	O	K-1 thru K-2	O
D-1 thru D-4	O	L-1 thru L-6	O
E-1 thru E-4	O	M-1 thru M-4	O
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ENCLOSURE A

STANDING RULES OF ENGAGEMENT FOR US FORCES

1. Purpose and Scope

a. The purpose of the SROE is to provide implementation guidance on the application of force for mission accomplishment and the exercise of self-defense. The SROE establish fundamental policies and procedures governing the actions to be taken by US commanders during all military operations and contingencies and routine Military Department functions. This last category includes Antiterrorism/Force Protection (AT/FP) duties, but excludes law enforcement and security duties on DOD installations, and off-installation while conducting official DOD security functions, outside US territory and territorial seas. SROE also apply to air and maritime homeland defense missions conducted within US territory or territorial seas, unless otherwise directed by the SecDef.

b. Unit commanders at all levels shall ensure that individuals within their respective units understand and are trained on when and how to use force in self-defense. To provide uniform training and planning capabilities, this document is authorized for distribution to commanders at all levels and is to be used as fundamental guidance for training and directing of forces.

c. The policies and procedures in this instruction are in effect until rescinded. Supplemental measures may be used to augment these SROE.

d. US forces will comply with the Law of Armed Conflict during military operations involving armed conflict, no matter how the conflict may be characterized under international law, and will comply with the principles and spirit of the Law of Armed Conflict during all other operations.

e. US forces performing missions under direct control of heads of other USG departments or agencies (e.g., Marine Corps Embassy Security Guards and other special security forces), operate under use of force policies or ROE promulgated by those departments or agencies,

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when authorized by the SecDef. US forces always retain the right of self-defense.

f. US Forces Operating With Multinational Forces

(1) US forces assigned to the operational control (OPCON) or tactical control (TACON) of a multinational force will follow the ROE of the multinational force for mission accomplishment, if authorized by SecDef order. US forces retain the right of self-defense. Apparent inconsistencies between the right of self-defense contained in US ROE and the ROE of the multinational force will be submitted through the US chain of command for resolution. While a final resolution is pending, US forces will continue to operate under US ROE.

(2) When US forces, under US OPCON or TACON, operate in conjunction with a multinational force, reasonable efforts will be made to develop common ROE. If common ROE cannot be developed, US forces will operate under US ROE. The multinational forces will be informed prior to US participation in the operation that US forces intend to operate under US ROE.

(3) US forces remain bound by international agreements to which the US is a party even though other coalition members may not be bound by them.

g. International agreements (e.g., status-of-forces agreements) may never be interpreted to limit US forces' right of self-defense.

2. Policy

a. Unit commanders always retain the inherent right and obligation to exercise unit self-defense in response to a hostile act or demonstrated hostile intent.

b. Once a force is declared hostile by appropriate authority, US forces need not observe a hostile act or demonstrated hostile intent before engaging the declared hostile force. Policy and procedures regarding the authority to declare forces hostile are provided in Appendix A to Enclosure A, paragraph 3.

c. The goal of US national security policy is to ensure the survival, safety, and vitality of our nation and to maintain a stable international

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environment consistent with US national interests. US national security interests guide global objectives of deterring and, if necessary, defeating armed attack or terrorist actions against the US, including US forces, and, in certain circumstances, US persons and their property, US commercial assets, persons in US custody, designated non-US military forces, and designated foreign persons and their property.

d. Combatant Commander Theater-Specific ROE

(1) Combatant commanders may augment these SROE as necessary by implementing supplemental measures or by submitting supplemental measures requiring SecDef approval to the CJCS. The mechanism for requesting and disseminating ROE supplemental measures is contained in Enclosure I.

(2) US commanders shall notify the SecDef, through the CJCS, as soon as practicable, of restrictions (at all levels) placed on Secretary of Defense-approved ROE/RUF. In time critical situations, make SecDef notification concurrently to the CJCS. When concurrent notification is not possible, notify the CJCS as soon as practicable after SecDef notification.

3. Definitions and Authorities

a. Inherent Right of Self-Defense. Unit commanders always retain the inherent right and obligation to exercise unit self-defense in response to a hostile act or demonstrated hostile intent. Unless otherwise directed by a unit commander as detailed below, military members may exercise individual self-defense in response to a hostile act or demonstrated hostile intent. When individuals are assigned and acting as part of a unit, individual self-defense should be considered a subset of unit self-defense. As such, unit commanders may limit individual self-defense by members of their unit. Both unit and individual self-defense includes defense of other US military forces in the vicinity.

b. National Self-Defense. Defense of the United States, US forces, and, in certain circumstances, US persons and their property, and/or US commercial assets from a hostile act or demonstration of hostile intent. Unit commanders may exercise National Self-Defense, as authorized in Appendix A to Enclosure A, paragraph 3.

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c. Collective Self-Defense. Defense of designated non-US military forces and/or designated foreign nationals and their property from a hostile act or demonstrated hostile intent. Only the President or SecDef may authorize collective self-defense.

d. Declared Hostile Force. Any civilian, paramilitary or military force or terrorist(s) that has been declared hostile by appropriate US authority. Policy and procedures regarding the authority to declare forces hostile are provided in Appendix A to Enclosure A, paragraph 3.

e. Hostile Act. An attack or other use of force against the United States, US forces or other designated persons or property. It also includes force used directly to preclude or impede the mission and/or duties of US forces, including the recovery of US personnel or vital USG property.

f. Hostile Intent. The threat of imminent use of force against the United States, US forces or other designated persons or property. It also includes the threat of force to preclude or impede the mission and/or duties of US forces, including the recovery of US personnel or vital USG property.

g. Imminent Use of Force. The determination of whether the use of force against US forces is imminent will be based on an assessment of all facts and circumstances known to US forces at the time and may be made at any level. Imminent does not necessarily mean immediate or instantaneous.

4. Procedures

a. Principles of Self-Defense. All necessary means available and all appropriate actions may be used in self-defense. The following guidelines apply.

(1) De-escalation. When time and circumstances permit, the forces committing hostile acts or demonstrating hostile intent should be warned and given the opportunity to withdraw or cease threatening actions.

(2) Necessity. Exists when a hostile act occurs or when a force demonstrates hostile intent. When such conditions exist, use of force in

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self-defense is authorized while the force continues to commit hostile acts or exhibit hostile intent.

(3) Proportionality. The use of force in self-defense should be sufficient to respond decisively to hostile acts or demonstrations of hostile intent. Such use of force may exceed the means and intensity of the hostile act or hostile intent, but the nature, duration and scope of force used should not exceed what is required. The concept of proportionality in self-defense should not be confused with attempts to minimize collateral damage during offensive operations.

b. Pursuit. Self-defense includes the authority to pursue and engage forces that have committed a hostile act or demonstrated hostile intent, if those forces continue to commit hostile acts or demonstrate hostile intent.

c. Defense of US Persons and Their Property, and Designated Foreign Persons

(1) Within a Foreign Nation's US-Recognized Territory, Airspace or Seas. The foreign nation has the principal responsibility for defending US persons and property within its territory, airspace or seas. Detailed guidance is contained in Enclosures B, C and D.

(2) Outside territorial seas. Nation of registry has the principal responsibility for protecting civilian vessels outside territorial seas. Detailed guidance is contained in Appendix A to Enclosure B (Maritime Operations).

(3) In International Airspace. Nation of registry has the principal responsibility for protecting civil aircraft in international airspace. Detailed guidance is contained in Enclosure C (Air Operations).

(4) In Space. Detailed guidance is contained in Enclosure E (Space Operations).

d. Piracy. US warships and aircraft have an obligation to repress piracy on or over international waters directed against any vessel or aircraft, whether US or foreign flagged. For ship and aircraft commanders repressing an act of piracy, the right and obligation of unit self-defense extend to the persons, vessels or aircraft assisted. Every effort should be made to obtain the consent of the coastal state prior to

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continuation of the pursuit if a fleeing pirate vessel or aircraft proceeds into the territorial sea, archipelagic waters or airspace of that country.

e. Operations Within or in the Vicinity of Hostile Fire or Combat Zones Not Involving the United States. US forces should not enter or remain in areas in which hostilities (not involving the United States) are imminent or occurring between foreign forces, unless directed by proper US authority.

f. Right of Assistance Entry

(1) Ships and, under certain circumstances, aircraft have the right to enter a foreign territorial sea or archipelagic waters and corresponding airspace without the permission of the coastal state when rendering emergency assistance to those in danger or distress from perils of the sea.

(2) Right of Assistance Entry extends only to rescues where the location of those in danger is reasonably well known. It does not extend to entering the territorial sea, archipelagic waters or territorial airspace to conduct a search.

(3) For ships and aircraft rendering assistance on scene, the right and obligation of unit commanders to exercise unit self-defense extends to and includes persons, vessels or aircraft being assisted. The extension of self-defense in such circumstances does not include interference with legitimate law enforcement actions of a coastal nation. Once received on board the assisting ship or aircraft, however, persons assisted will not be surrendered to foreign authority unless directed by the SecDef.

APPENDIX A TO ENCLOSURE A

SELF-DEFENSE POLICY AND PROCEDURES (U)

1. (U) Purpose and Scope. This appendix provides additional guidance for US forces to defend the United States, US forces, US nationals and their property, US commercial assets and designated non-US military forces and foreign nationals from a hostile act or demonstrated hostile intent outside US territory and territorial seas. SROE also apply to military missions (e.g., homeland air defense) conducted within US territory, unless otherwise directed by the SecDef.

2. (U) Policy. IAW Enclosure A.

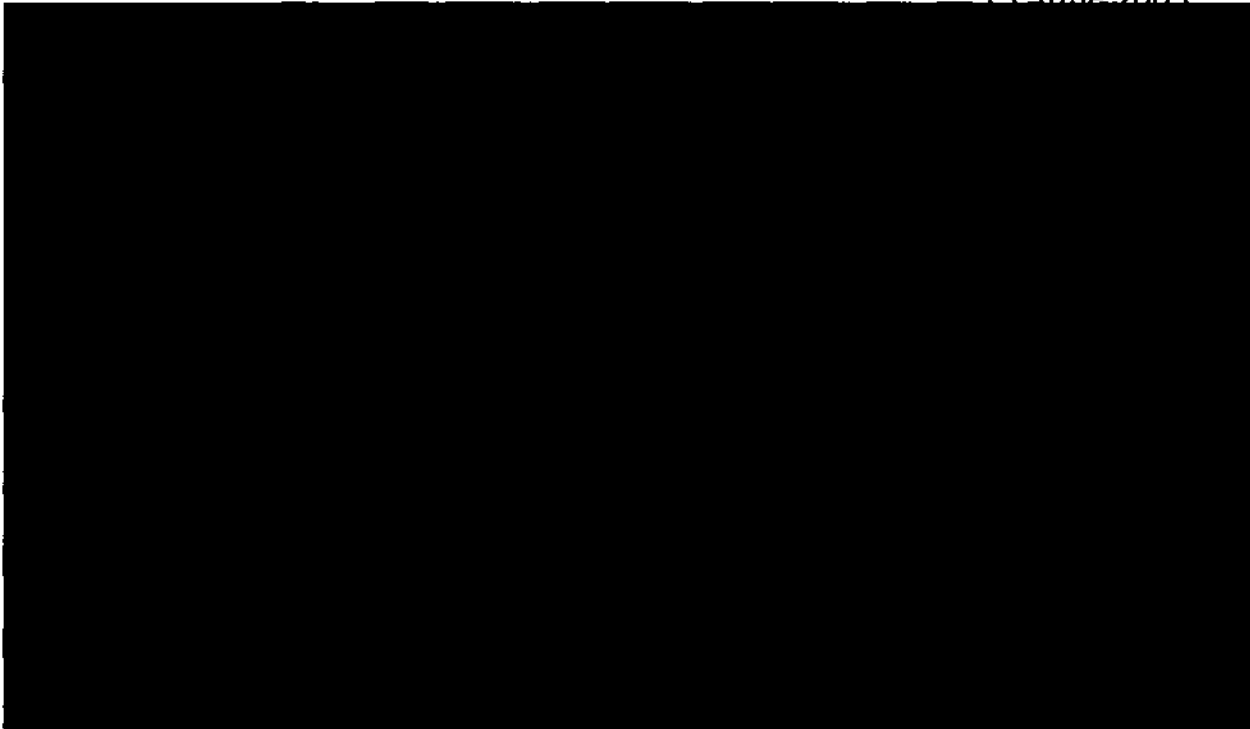
3. (U) Definitions and Authorities



4. (U) Procedures. IAW Enclosure A as amplified by the following:

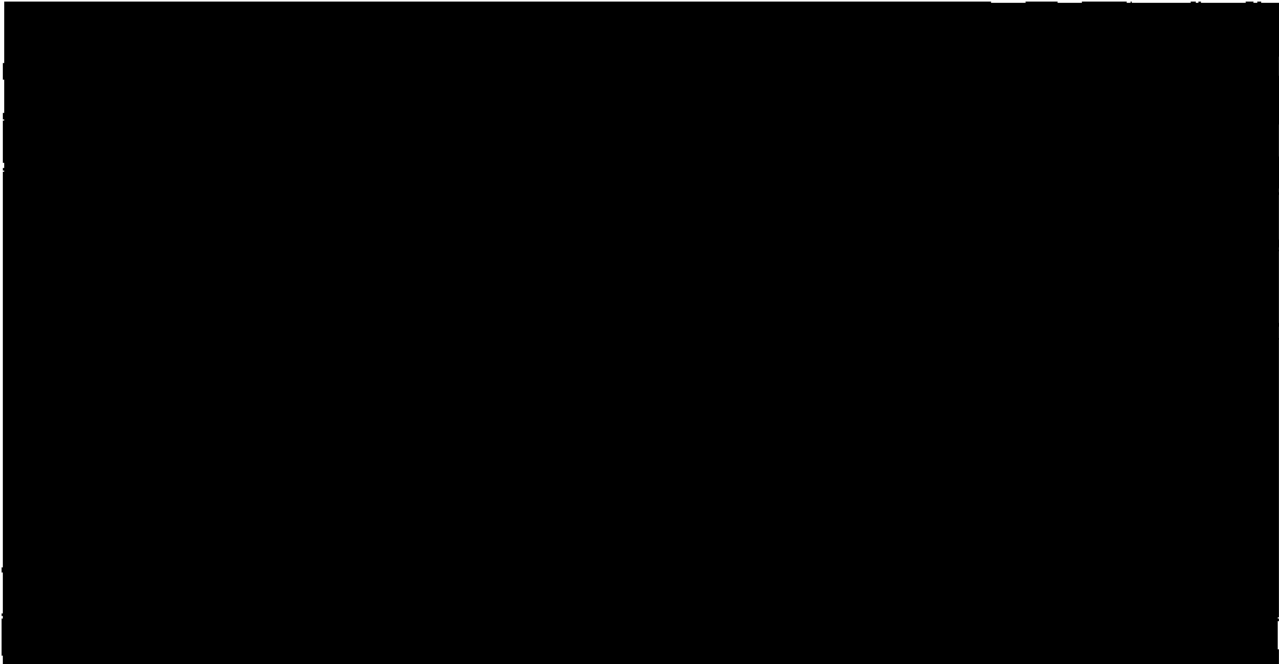


~~Classified by: LtGen J.T. Conway USMC, DJ-3
Reason: (S) (U) (g)
Declassify on: 13 June 2030~~



5. (U) Special Considerations. IAW Enclosure A and the following:

a. (U) Security Operations at US Diplomatic and Consular Facilities Abroad.



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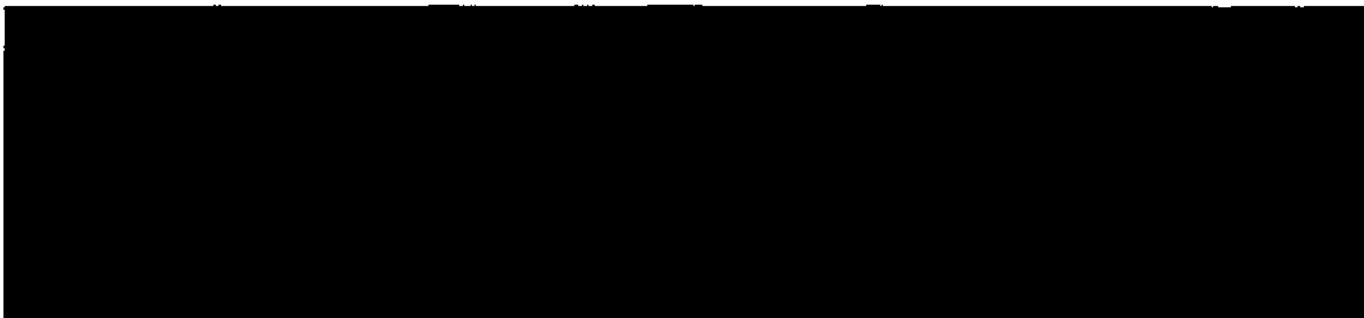
ENCLOSURE B

MARITIME OPERATIONS (U)

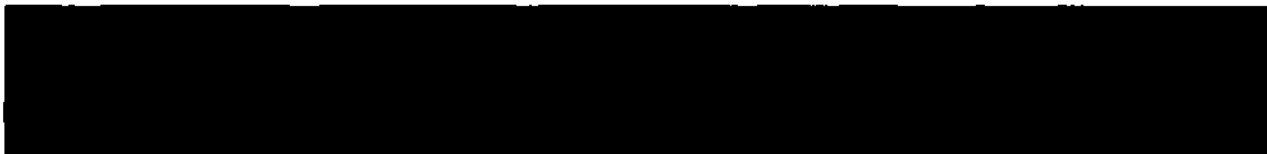
1. (U) Purpose and Scope

a. (U) This enclosure guides actions to be taken by US forces operating at sea or in support of seaborne forces. Appendix A to this enclosure provides guidance for using force to defend US nationals and their property and US commercial assets against all uses of force in cases of emergency when there is insufficient time to communicate with higher authority or when communications are impaired.

b. (U) US Coast Guard (USCG) units operating under DOD TACON outside US territorial seas, and not conducting USCG law enforcement missions, will operate under these SROE. USCG units, conducting USCG law enforcement missions, even when operating as a Service in the Department of the Navy, follow the USCG Use of Force Policy as contained in the USCG Maritime Law Enforcement annual, COMDTINST M16247.1B.



3. (U) Definitions and Authorities. Hostile Intent Indicators. Commanders will use their best judgment and available information including intelligence, political-military factors, and technological capabilities to determine hostile intent. No list of actions will, in all cases, define hostile intent, but examples of actions that might demonstrate hostile intent include:



~~Classified by: LtGen J.T. Conway, USMC; P3-B
Reason: 1.4.(1)(4)(g)
Declassify on: 13 June 2030~~

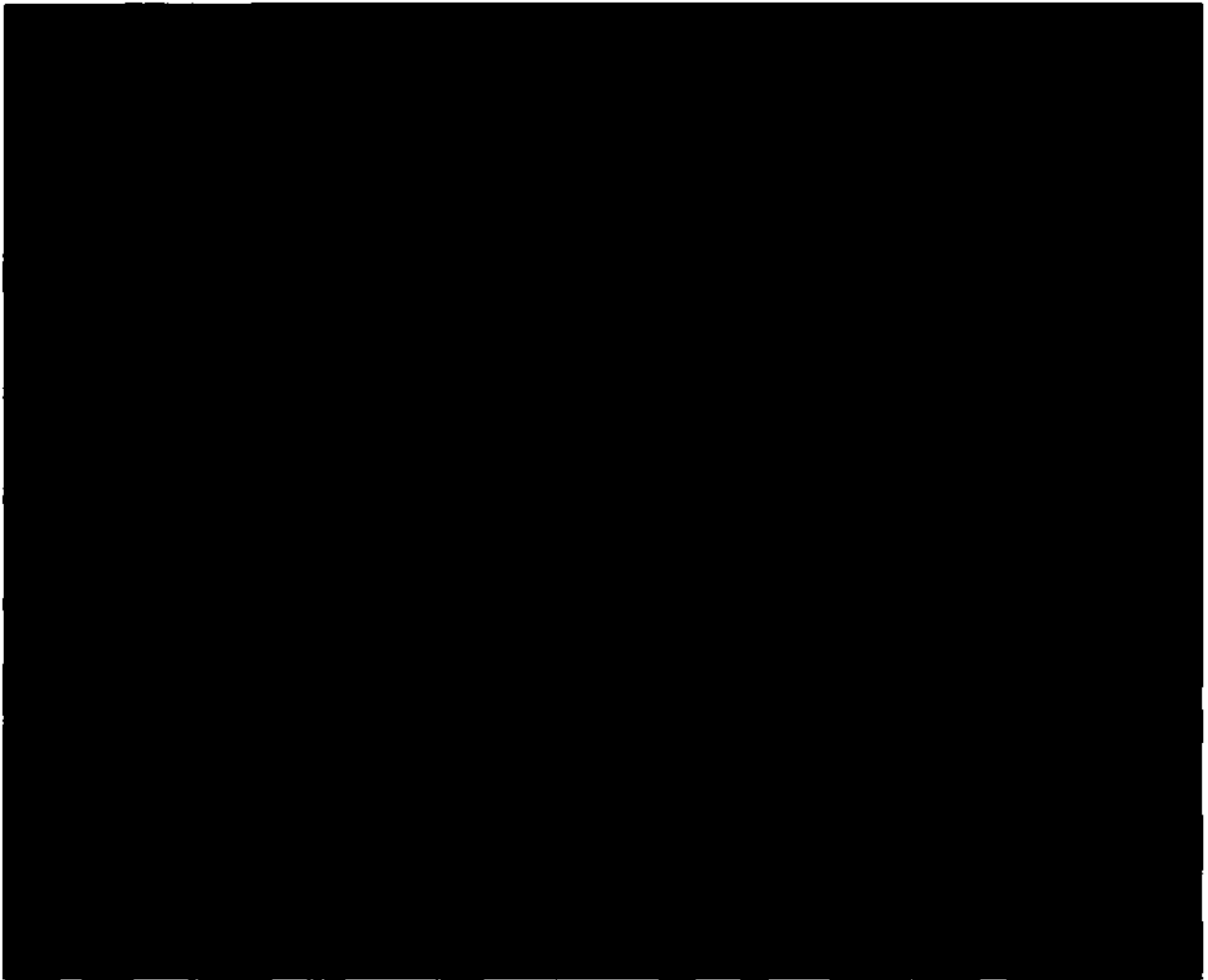
B-1

Enclosure B

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CJCSI 3121.01B
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(3) (U) Missile capable aircraft may display hostile intent when
it:



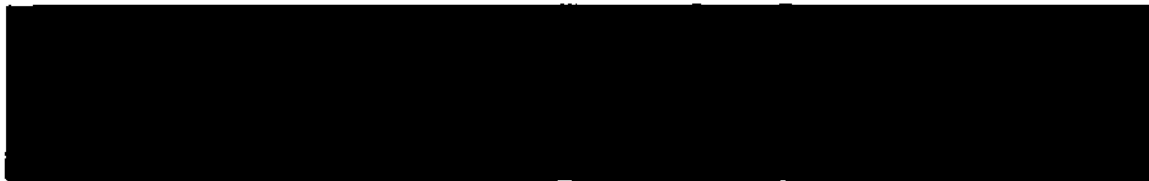
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CJCSI 3121.01B
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4. (U) Procedures

a. (U) Maritime Interception Operations. Within DOD, only the Secretary of Defense may approve conduct of maritime interception operations (MIO). As MIO potentially infringe upon freedom of navigation, it is incumbent upon US forces engaged in these operations to conduct them in a way that limits interference with other nations' exercise of freedom of the seas. A Notice to Mariners (NOTMAR) or special warning (as appropriate) should be published prior to MIO execution, if appropriate. NOTMARs should identify interception areas, prohibited cargo and cargo access inspection requirements.



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APPENDIX A TO ENCLOSURE B

DEFENSE OF US NATIONALS AND THEIR PROPERTY AT SEA (U)

1. (U) Purpose and Scope. This appendix provides additional guidance for US forces in the defense of US nationals and their property and US commercial assets against a hostile act or demonstrated hostile intent at sea outside US territory.

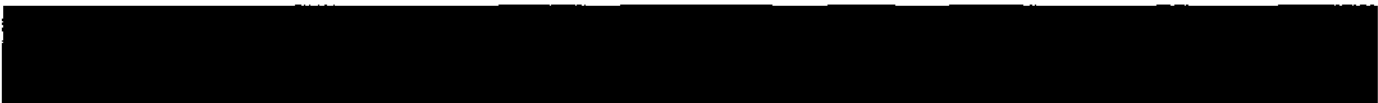
2. (U) Policy. IAW Enclosure A, and the following:

a. (U) General. US policy is to protect US nationals and their property and US commercial assets against the illegal use of force at sea. Foreign forces are allowed to use reasonable force without US interference while exercising jurisdiction or control over US nationals and their property, in conformity with international law. Illegal use of force includes injury or threat of injury to US nationals or damage to or loss of their property in violation of principles of US or international law.

b. (U) Conformity With US and International Law. Defense of US nationals and their property will conform to US and international law and is limited to that force that is necessary and proportional to the threat.



3. (U) Definitions and Authorities



~~Classified by: LtGen J.T. Conway, USMC, DJ-3
Reason: 1.4 (a) (3) (g)
Declassify on: 30 June 2030~~

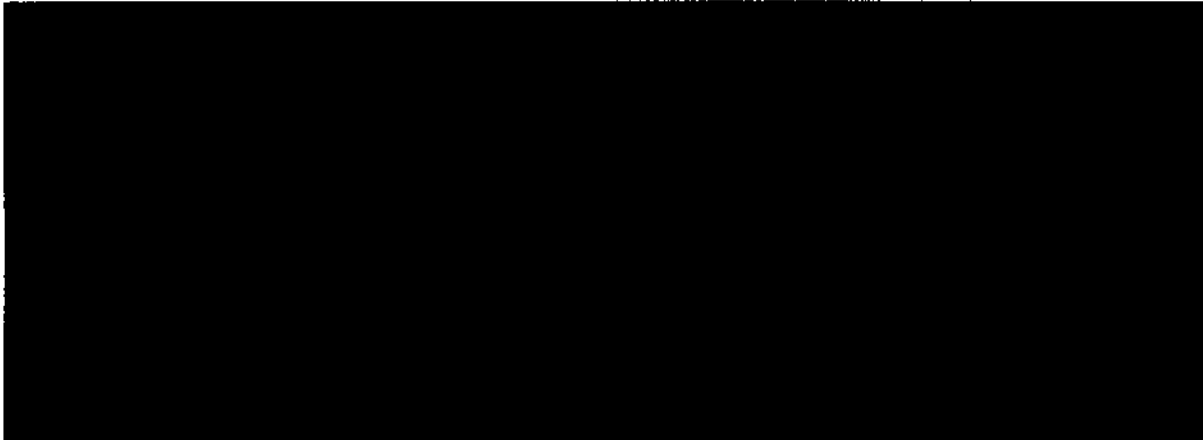
B-A-1

Appendix A
Enclosure B

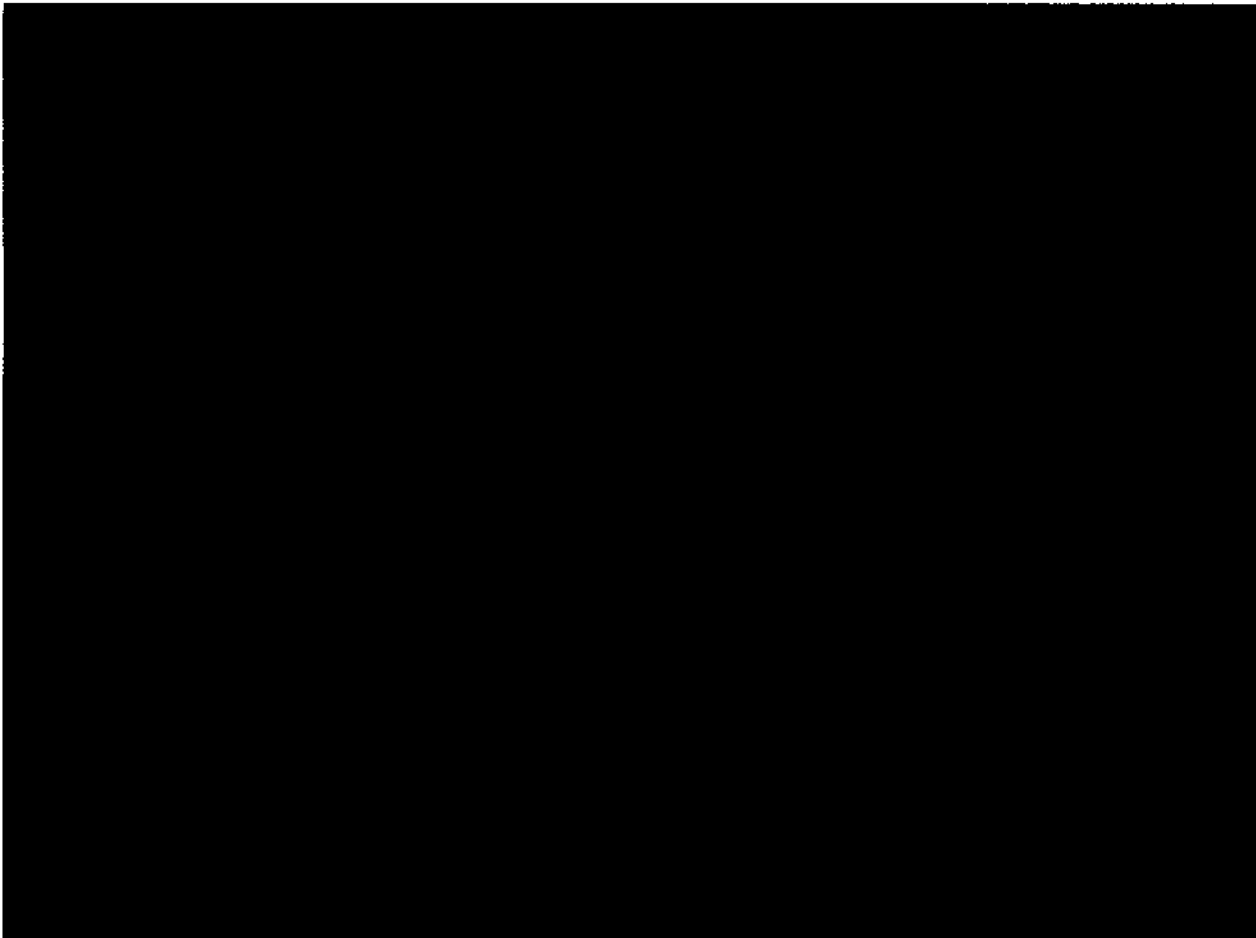
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(3) (U) The SecDef authorizes the use of force.



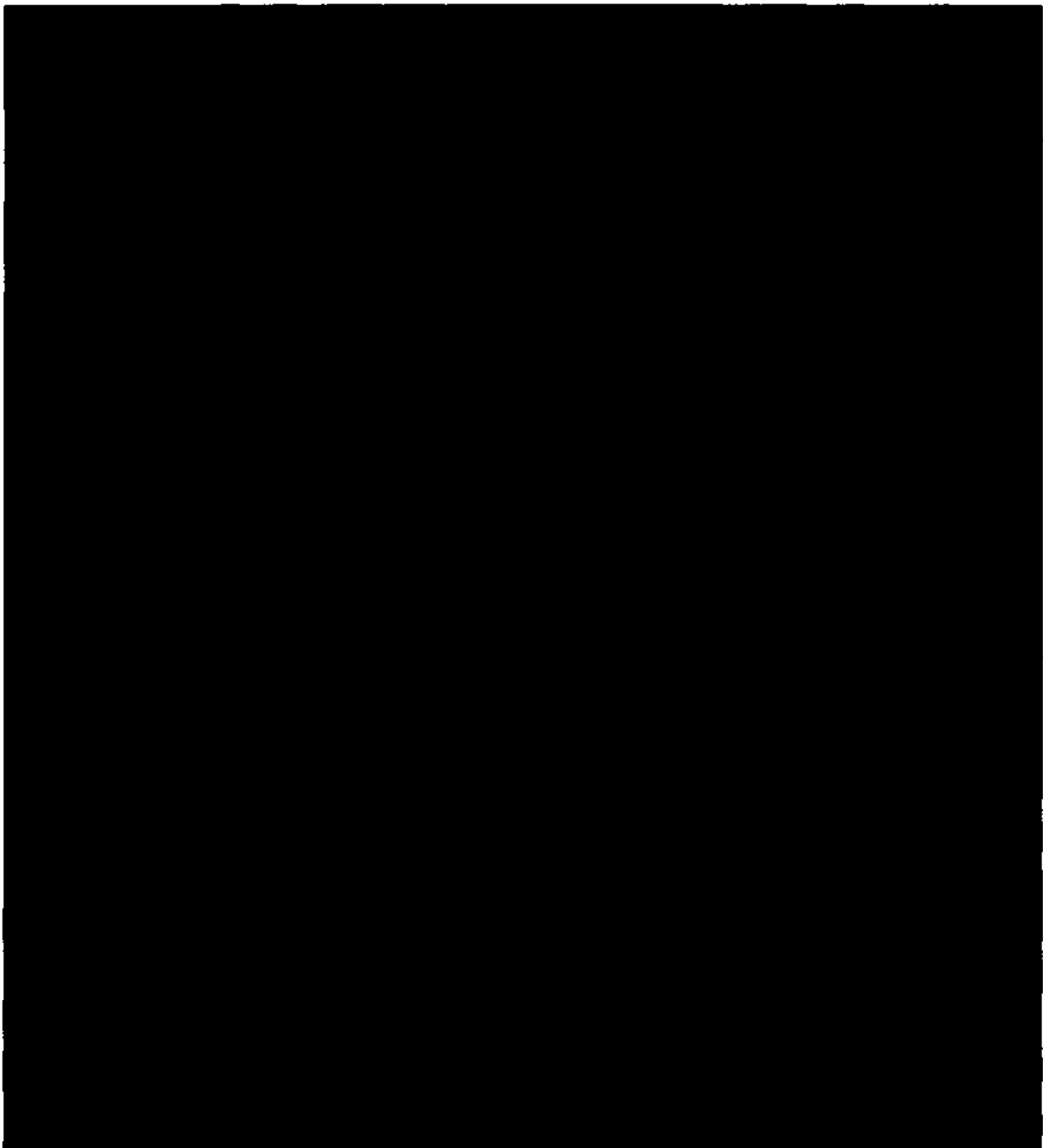
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Appendix A
Enclosure B

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4. (U) Procedures

a. (U) When unit commanders observe threats to US nationals or their property at sea, unit commanders will:

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(1) (U) Determine if hostile intent exists.

(2) (U) Determine the precise location of the incident and the nature of the authority, if any, that foreign states may lawfully exercise over US nationals or their property at that location.

(3) (U) Attempt to communicate, when appropriate, with the foreign forces to ascertain the basis for their action against US nationals or their property.



c. (U) US commanders shall notify the SecDef, through the CJCS, as soon as practicable, when they act in defense of US nationals or their property. In time critical situations, make SecDef notification concurrently to the CJCS. When concurrent notification is not possible, notify the CJCS as soon as practicable after SecDef notification.

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APPENDIX B TO ENCLOSURE B

RECOVERY OF US GOVERNMENT PROPERTY AT SEA (U)

1. (U) Purpose and Scope. This appendix establishes policies and procedures applicable to US forces operating at sea when confronted with attempts by foreign forces to recover or interfere with US forces' recovery of US Government wreckage, debris, material or property.
2. (U) Policy. IAW Enclosure A, and the following: International law provides that state-owned property at sea is not abandoned unless the state of ownership abandons the property by explicit pronouncement. Accordingly, the United States has a superior right to recover US Government-owned property at sea regardless of whether or not US or foreign vessels or aircraft are first to arrive on scene. The same rule of law applies when a foreign nation has specifically requested the United States to act as its agent with respect to government-owned property of that nation at sea. Any use of force by foreign forces to disrupt US recovery of assets vital to national security or other specified US government property at sea constitutes a hostile act and will be countered using proportionate measures necessary to prevent disruption of US recovery or seizure by the foreign force.
3. (U) Definitions and Authorizations. Assets Vital to National Security. President or SecDef-designated DoD or non-DOD property, the actual theft or sabotage of which would seriously jeopardize the fulfillment of a national defense mission. Examples may include, but are not limited to, nuclear weapons; nuclear command and control facilities; and designated restricted areas containing strategic operational assets, sensitive codes or special access programs.
4. (U) Procedures
 - a. (U) Where US and another state's forces are searching for the same US Government property at sea, the US on-scene commander will:

~~Classified by: LtGen J.T. Conway, USMC; DJ-3
Reason: 1.4 (a) (1) (g)
Declassify on: 30 June 2030~~

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(1) (U) Request immediate issuance of a NOTMAR, Notice to Airmen or special warning (as appropriate) stating that US recovery operations have commenced or are about to commence.

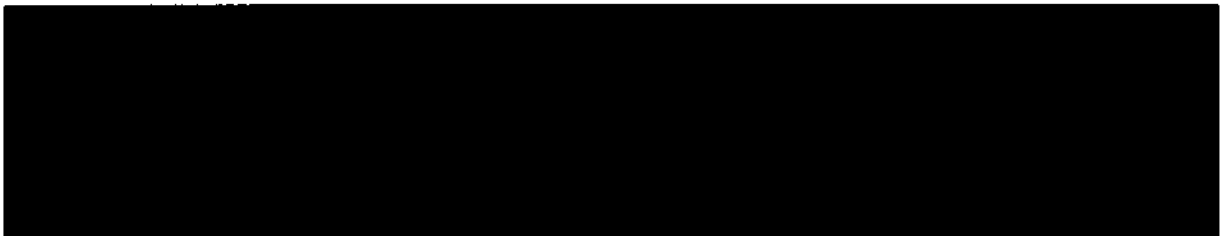
(2) (U) Advise foreign forces, via bridge-to-bridge radio telephone (channel 16 VHF-FM) or other means of communications, that the property belongs to the United States, that operations are underway to recover the property, and to request the foreign force maintain a safe distance from US operations.

(3) (U) If the foreign force is Russian, ensure US units hoist appropriate special incidents at sea (INCSEA) signal for conducting salvage operations.

(4) (U) If the foreign units involved refuse to comply with the request to stand clear and they continue to search, immediately notify higher authority via OPREP-3 Pinnacle and update as appropriate.

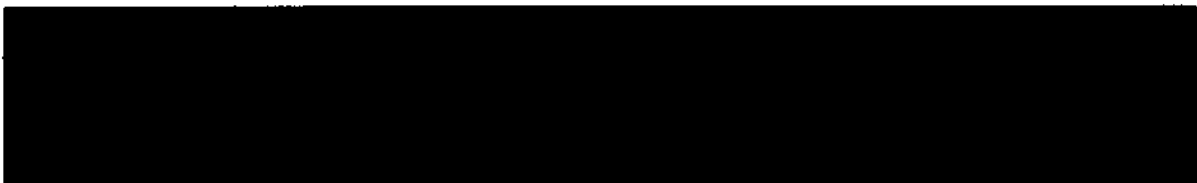


b. (U) When the US on-scene commander observes foreign forces in the process of recovering US government-owned property, the US on-scene commander will:



(2) (U) Request that such operations cease immediately.

(3) (U) Insist that any property already recovered be returned without delay and that such foreign forces stand clear.



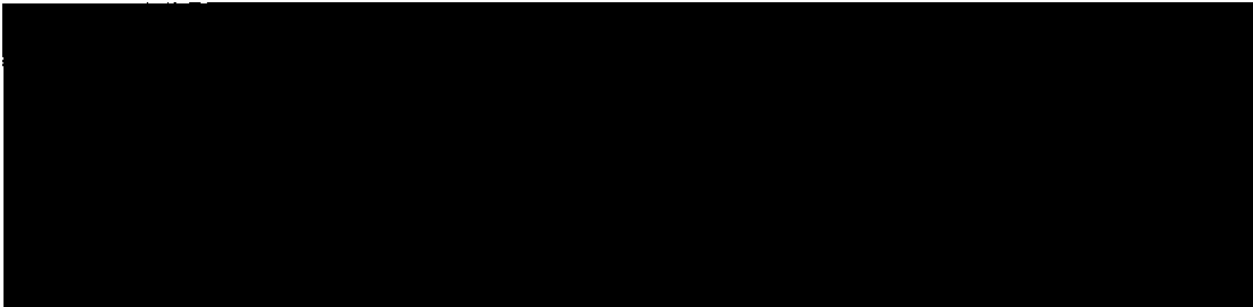
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Appendix B
Enclosure B

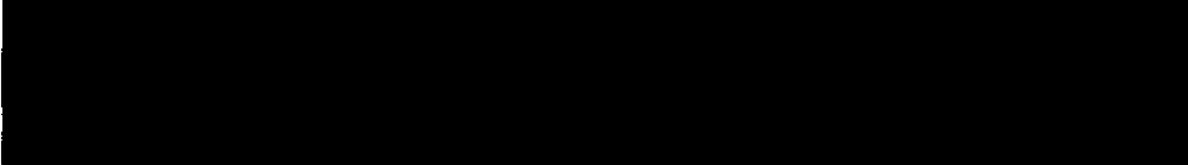
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(6) (U) In all cases, communicate with the foreign force by any means available, stating that the property being retrieved, or which has been retrieved by the foreign force, belongs to the United States or that the United States is acting with the express and exclusive authority of the owner and the foreign forces' actions are unlawful.



c. (U) Where foreign forces have recovered US government-owned property and have retained it in their possession, the US on-scene commander will:

(1) (U) Communicate with the foreign force, by any means available, that the retrieved property belongs to the United States (or that the United States is acting as agent of the owner) and the actions of the foreign force are unlawful.

(2) (U) Request return of property without delay.



(4) (U) Notify higher authority via OPREP-3 Pinnacle and request further guidance.

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Appendix B
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APPENDIX C TO ENCLOSURE B

PROTECTION AND DISPOSITION OF FOREIGN NATIONALS IN THE
CONTROL OF US FORCES (U)

1. (U) Purpose and Scope. This appendix establishes policies and procedures governing the actions to be taken by US forces conducting migrant interdiction operations, maritime interception operations, search and rescue operations, or other operations wherein contact and control of migrants, asylum seekers and other foreign nationals may occur.

2. (U) Policy. IAW Enclosure A.

3. (U) Procedures

a. (U) Humanitarian Assistance and Control

(1) (U) Asylum. DOD Directive 2000.11, "Procedures for Handling Requests for Political Asylum and Temporary Refuge," provides authority and further guidance to US forces to take necessary measures to provide support and protection to asylum seekers pending instructions from higher authorities. Persons seeking refuge who are not in immediate danger will normally be directed to the nearest embassy or consular facility of the country of their choice. Authority to grant asylum is solely vested with the President or Secretary of State.

(2) (U) Temporary Refuge. Immediate temporary refuge may be granted in extreme or exceptional circumstances where the life or safety of a person is in danger.

b. (U) Shipwrecked and Rescued Foreign Nationals and Persons in Distress at Sea. Commanders will rescue and provide humanitarian assistance and reasonable care and protection. Subject to operational considerations, such persons will normally be disembarked at the next port of call, consistent with US Navy Regulations.

~~Classified by: LtGen J.T. Conway, USMC, DJ-3
Reason: 1.4 (a) (1) (i)
Declassify on: 30 June 2030~~

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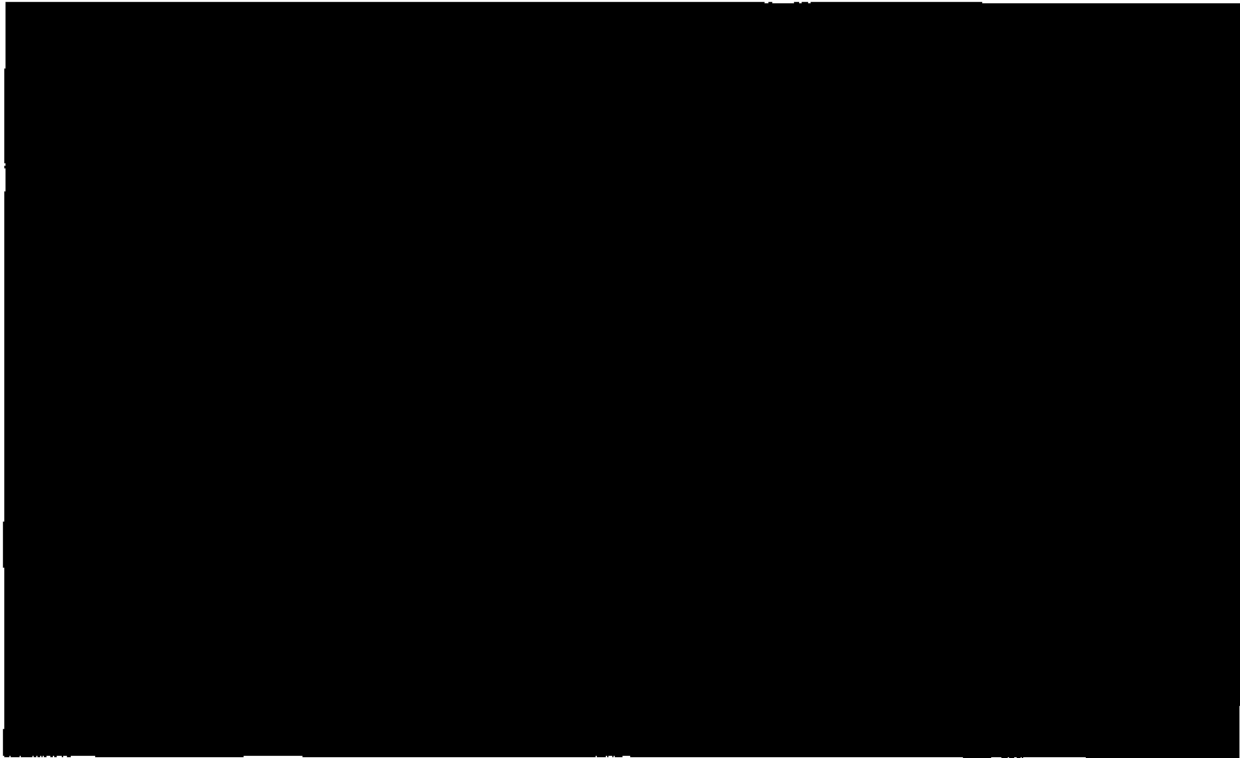
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c. (U) Migrants. Foreign nationals who are seeking to enter and re-settle in a country other than their lawful country of origin are considered migrants. Migrants coming into the control of US forces will be protected and provided humanitarian assistance and reasonable care and protection. Ultimate disposition of migrants will be determined on a case-by-case basis, using guidance from higher authority.



e. (U) Use of Force. With respect to migrants, asylum seekers and other foreign nationals in US control:



f. (U) Unit commanders will report to higher authority, by the quickest means practicable, when control is taken of migrants, asylum seekers, and other foreign nationals IAW this guidance.

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Appendix C
Enclosure B

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13 June 2005

ENCLOSURE C

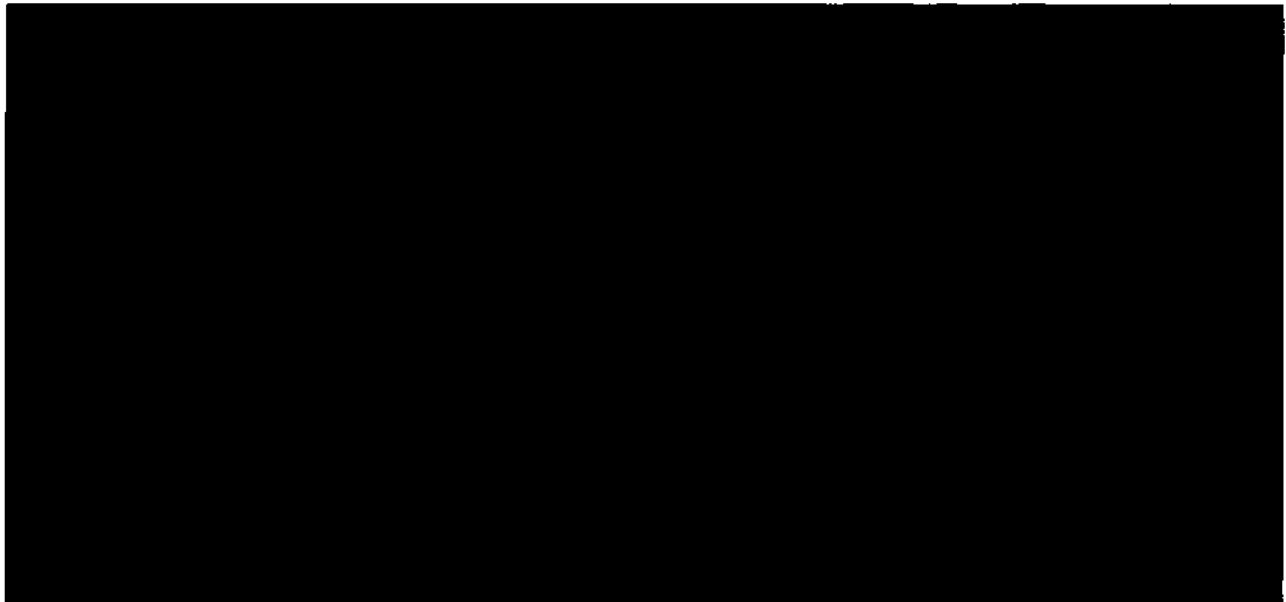
AIR OPERATIONS (U)

1. (U) Purpose and Scope. This enclosure guides actions to be taken by US forces conducting air operations, including the interception, identification, intervention and engagement of airborne objects by US air forces.

2. (U) Policy. IAW Enclosure A.

3. (U) Definitions and Authorities. Hostile Intent Indicators. Commanders will use their best judgment and available information including intelligence, politico-military factors and technological capabilities to determine hostile intent. No list of actions will, in all cases, define hostile intent.

a. (U) Airborne Objects. Indicators of demonstrated hostile intent for airborne objects may include:



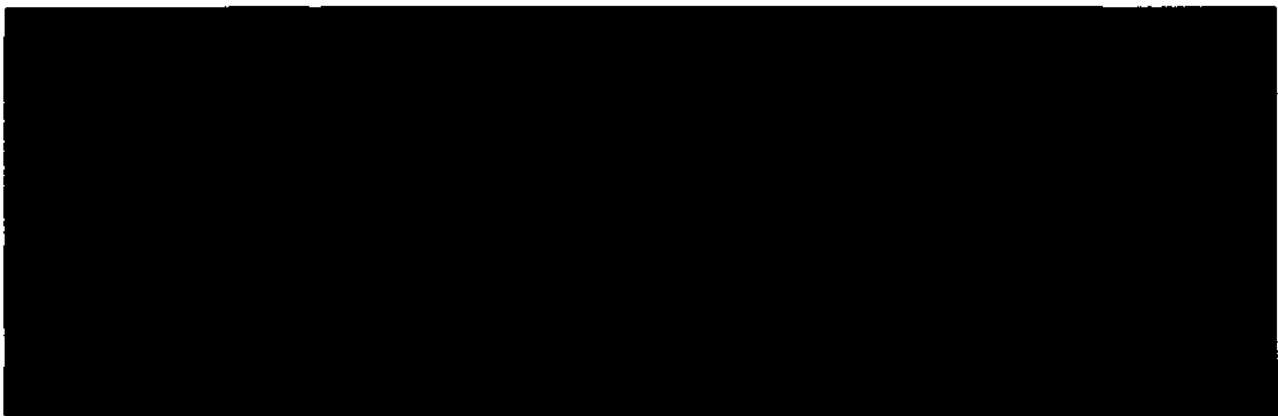
b. (U) Surface-to-Air Threats. Indicators of demonstrated hostile intent for surface-to-air threats may include:

~~Classified by: LtGen J.T. Conway, USMC; DJ-3
Reason: 1.4(a)(1)(g)
Declassify on: 30 June 2030~~

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4. (U) Procedures

a. (U) Factors to consider before using force in self-defense against airborne objects include, but are not limited to:

(1) (U) Identification difficulties, both visual and electronic.

(2) (U) The presence of civilian aircraft and the special treatment afforded such aircraft under international law and these SROE.

(3) (U) The need to give defectors safe passage.

(4) (U) The possibility that an aircraft is in distress or that the crew is unaware of their position.

(5) (U) Whether an airborne object is an aircraft or an unmanned aerial vehicle (UAV).

(6) (U) The possibility that the crew is not in control of an aircraft (hijack) or that an airborne object is derelict. (Guidance for these cases is contained in CJCSI 3610.01, "Aircraft Piracy (Hijacking) and the Destruction of Derelict Airborne Objects").

b. (U) Interception, Identification and Intervention

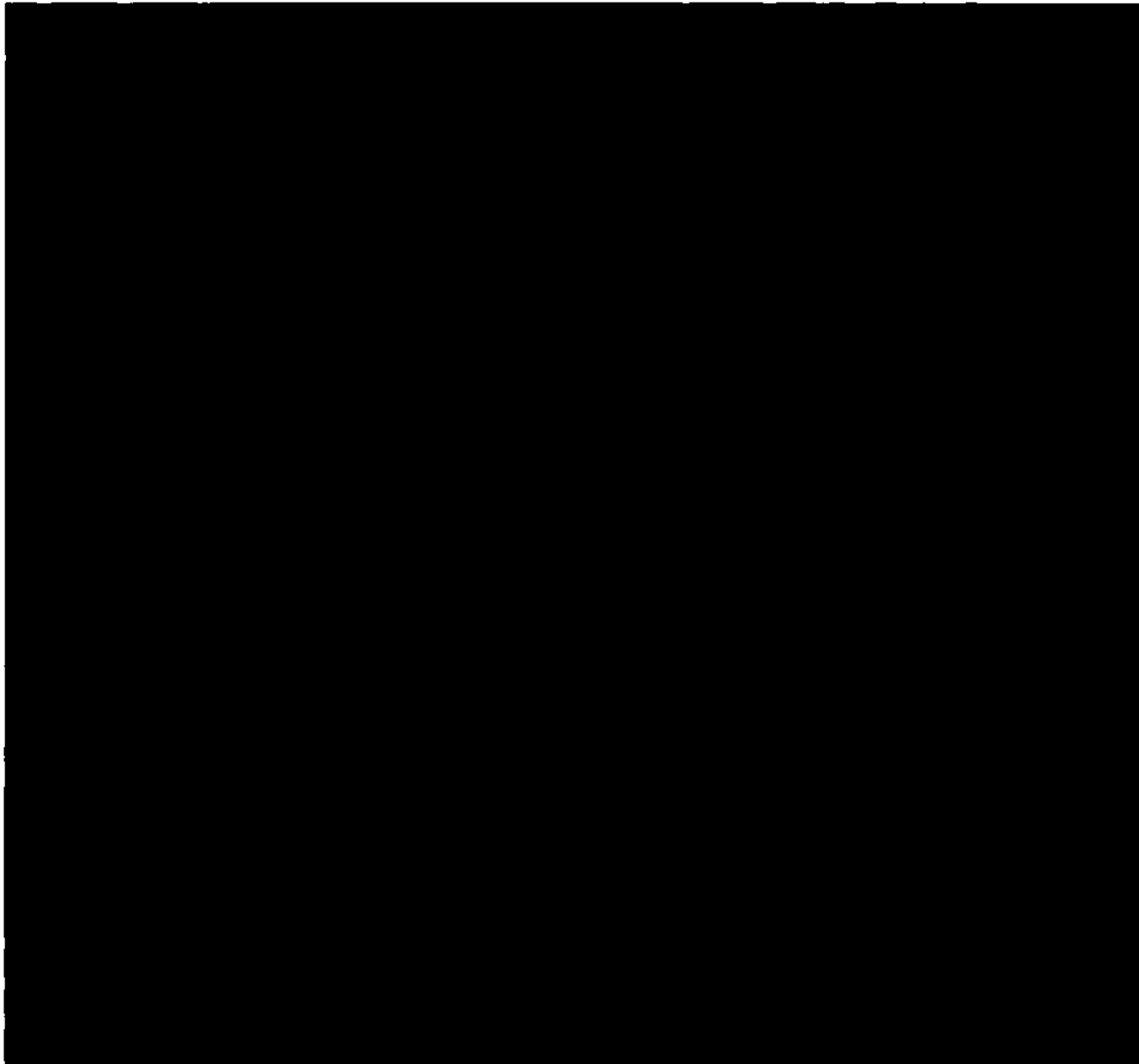
(1) (U) Any unidentified airborne object in or approaching defended airspace or other area in which US aircraft are operating will be identified by any means available (e.g., visual recognition, radio communication, flight plan correlation, electronic interrogation and track analysis).

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(2) (U) When feasible, airborne objects that have not been satisfactorily identified will be intercepted for visual identification purposes.

(3) (U) The intercepting pilot will take every precaution to avoid startling any intercepted aircrew or passengers. The desired effect is to assure personnel in the intercepted aircraft that the interceptor is making a routine investigation. Standard International Civil Aviation Organization (ICAO) signals and procedures will be employed.



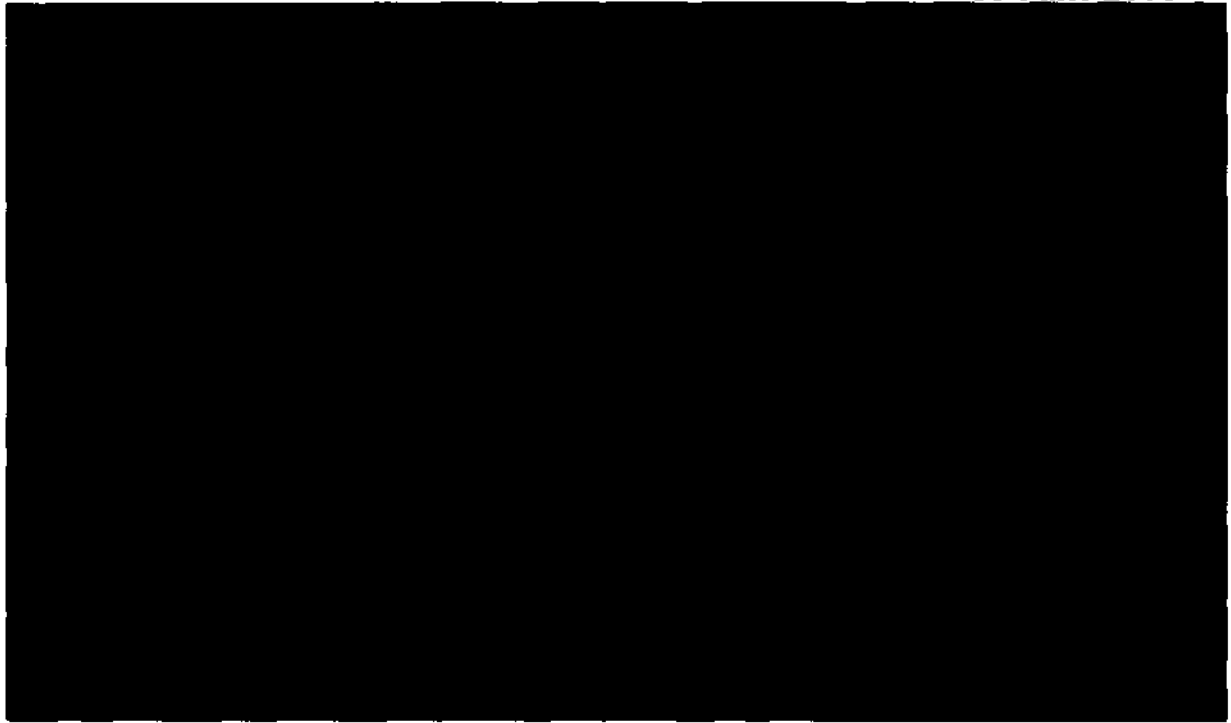
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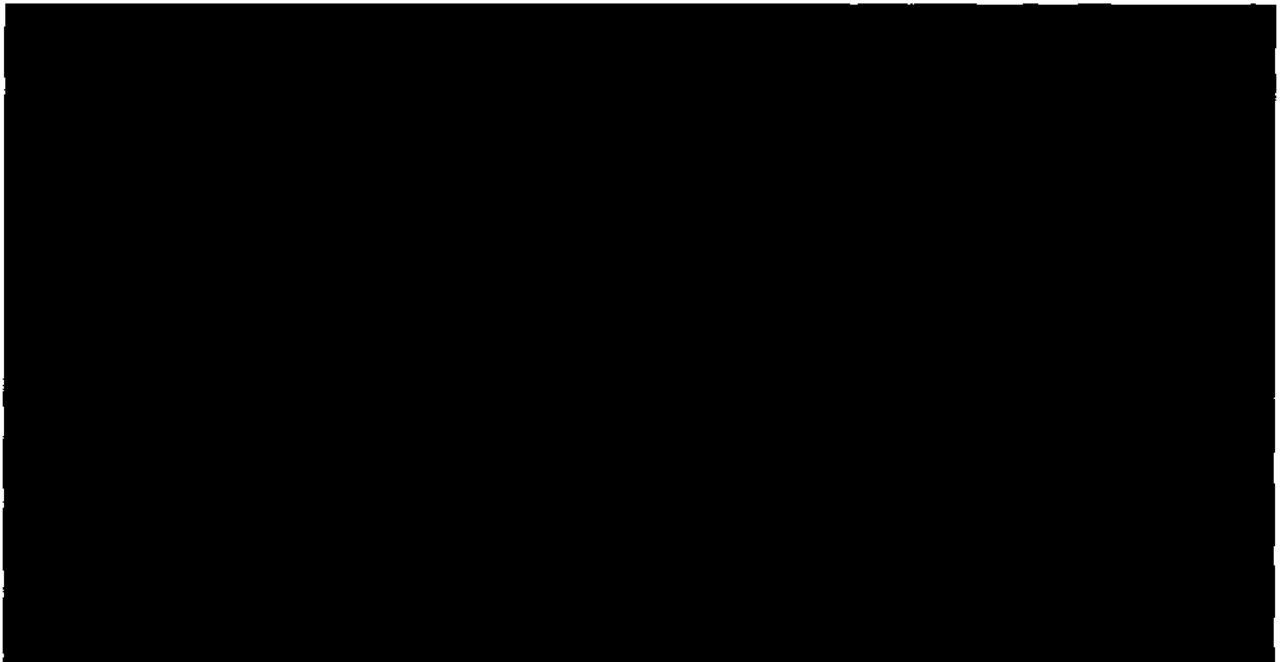
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5. (U) Action

- a. (U) Aircrews may engage an airborne object:

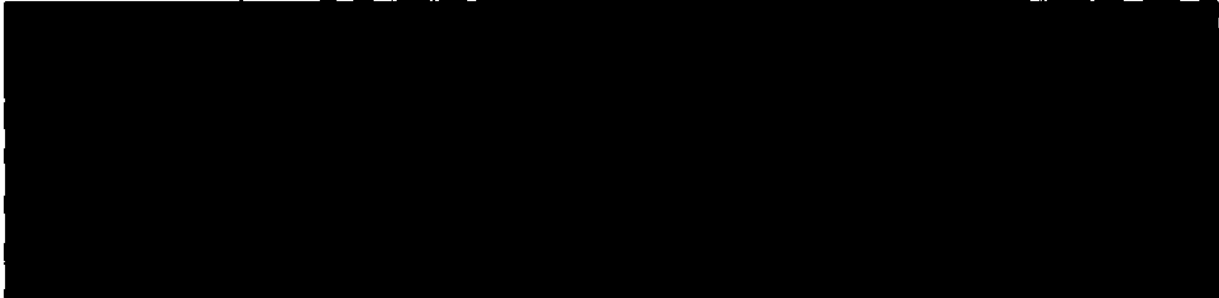


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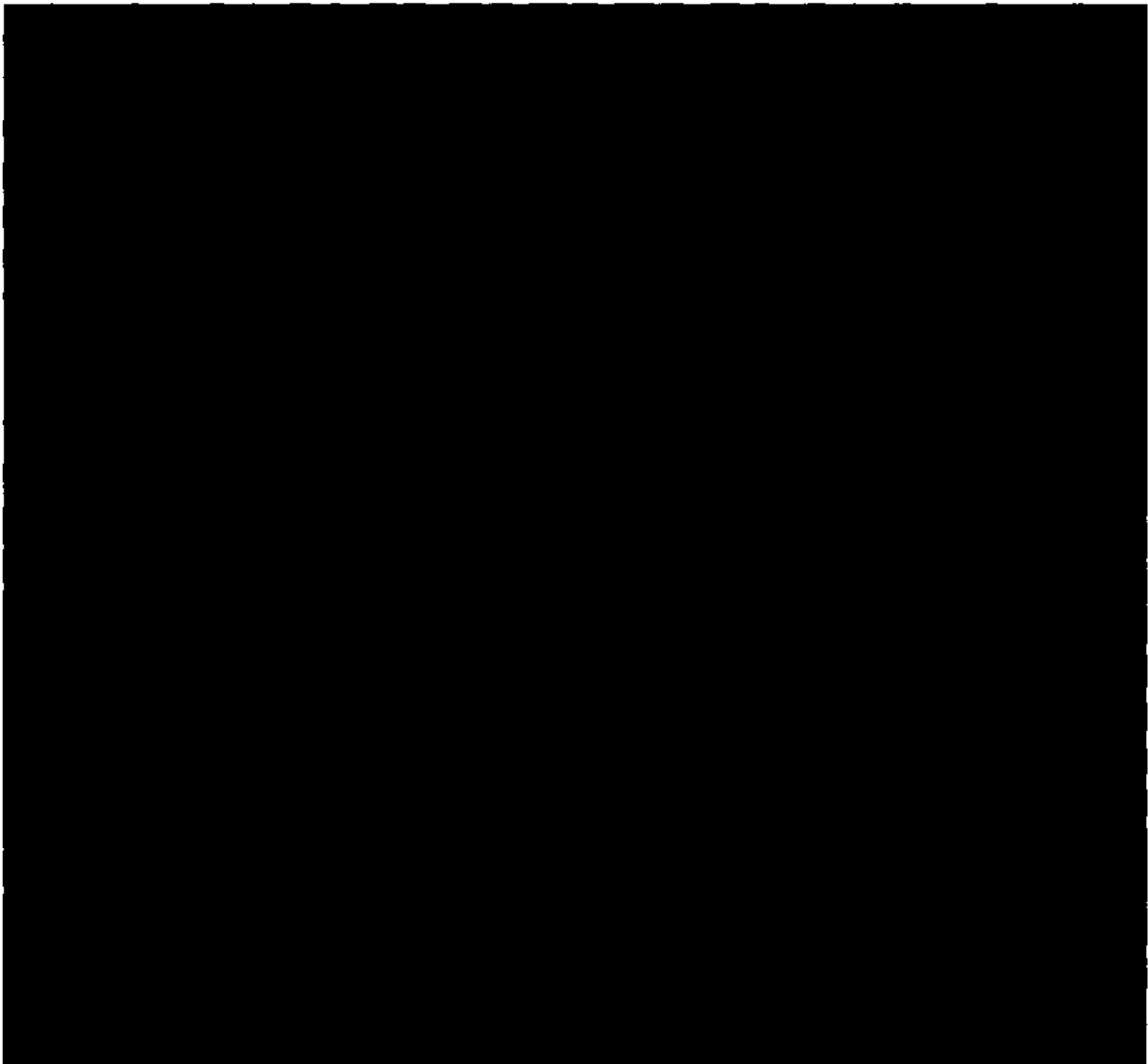
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b. (U) Area air defense commanders may direct engagement when:



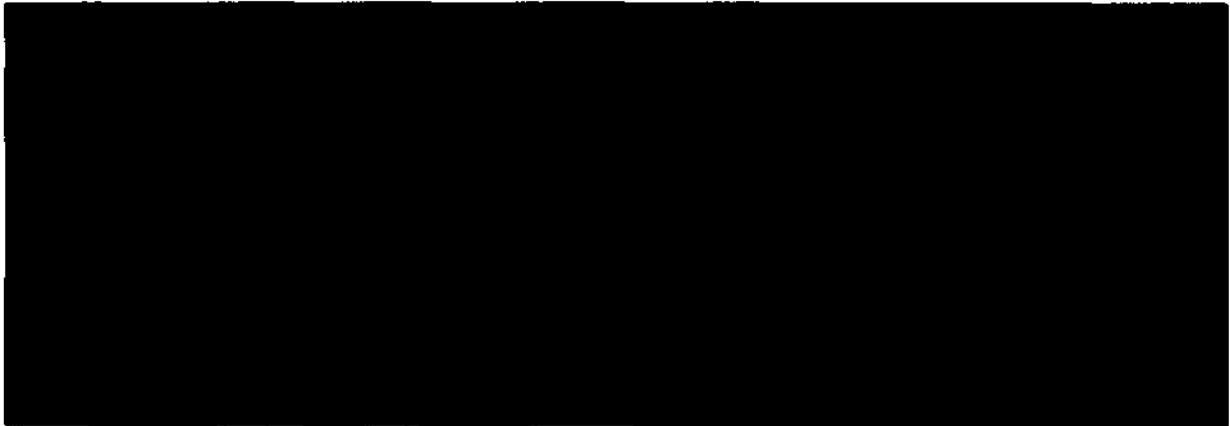
(3) (U) Directed by higher authority.



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7. (U) Special Instructions (SPINS). Joint forces air component commander (JFACC) promulgated SPINS typically contain supplemental ROE measures and other ROE guidance and should be consulted during mission planning for all applicable air operations.

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ENCLOSURE D

LAND OPERATIONS (U)

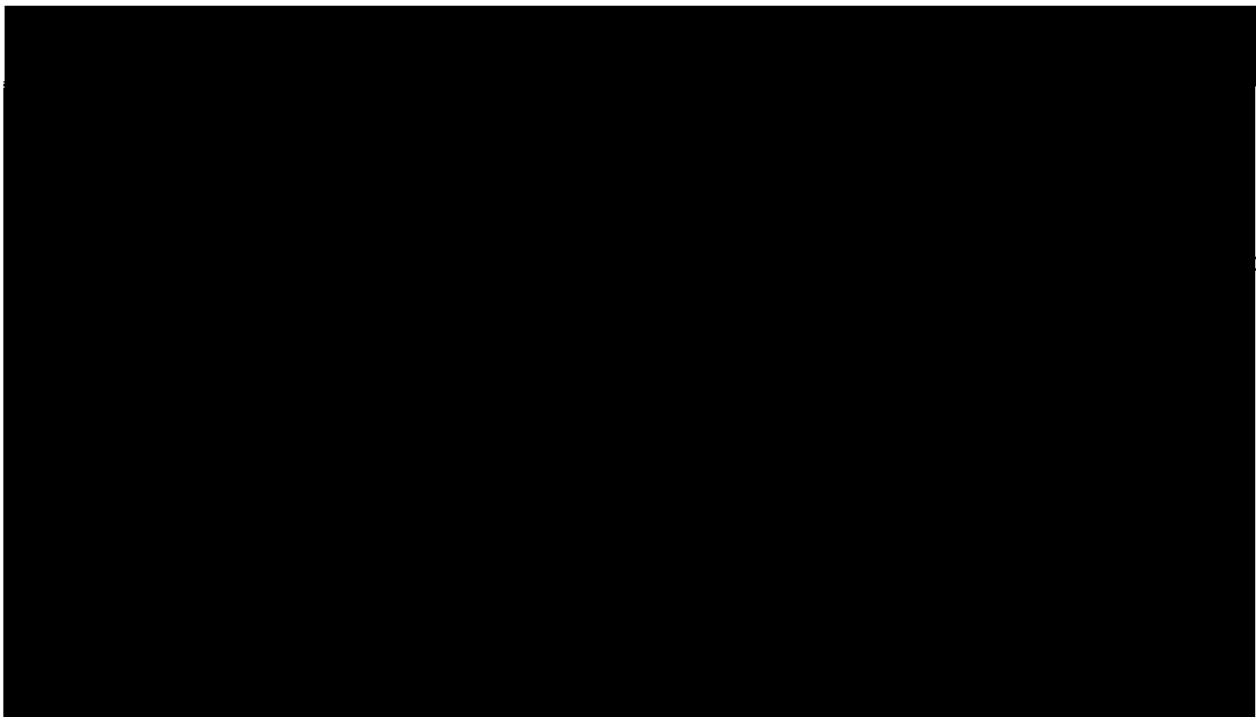
1. (U) Purpose and Scope. This enclosure governs the actions to be taken by US forces operating on land to defend the United States, US forces and, in certain circumstances, US nationals and their property, US commercial assets and designated non-US military forces and foreign nationals from a hostile act or demonstrated hostile intent.

2. (U) Policy IAW Enclosure A.

3. (U) Procedures

a. (U) Defense of US Nationals and Their Property in Foreign Territory

(1) (U) Within foreign territory, the host nation (HN) has the primary responsibility to protect US nationals and their property.



~~Classified by: LtGen J.T. Conway, USMC; DJS
Reason: 1.4 (a) (1) (g)
Declassify on: 30 June 2030~~


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Enclosure D

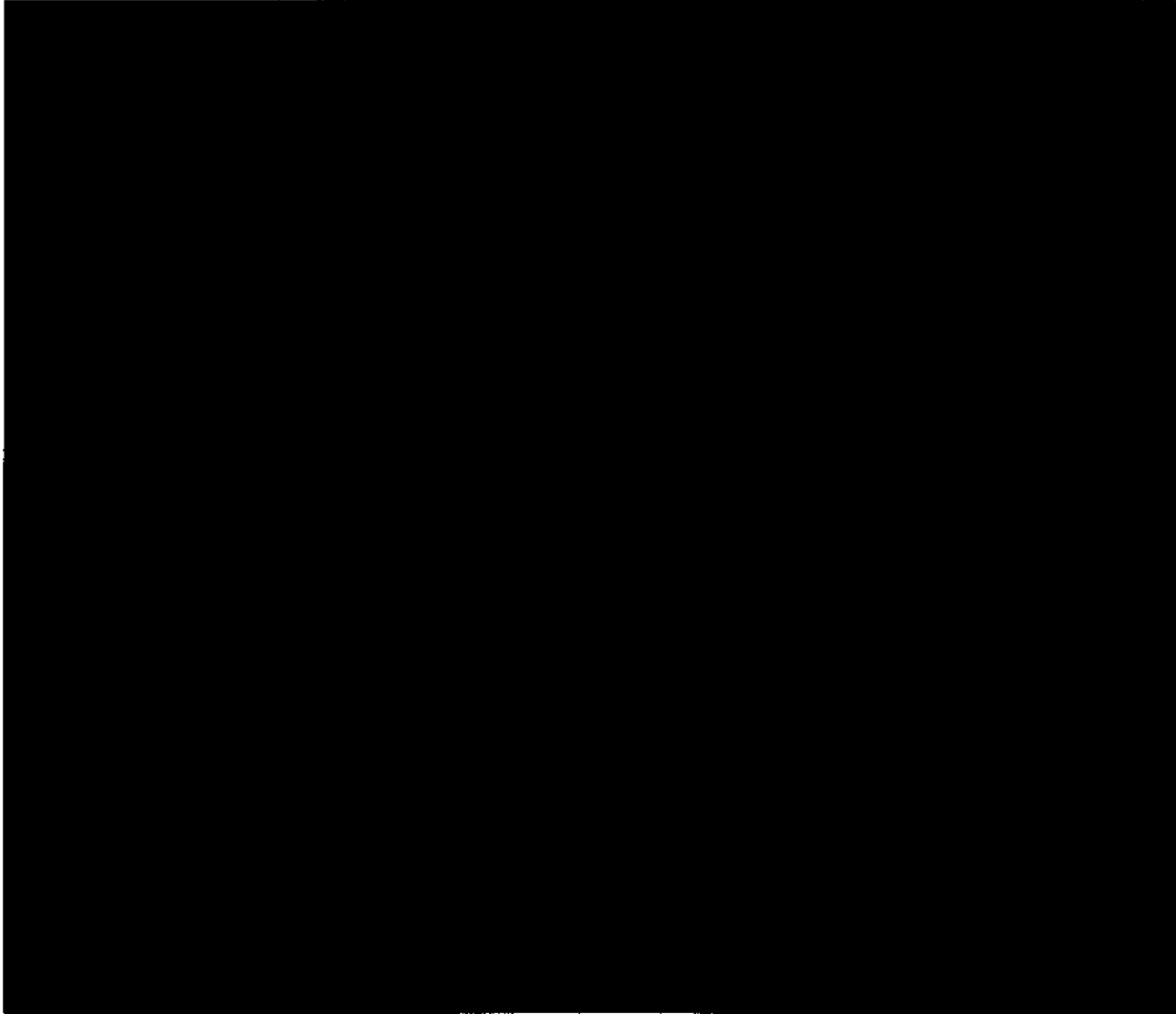
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b. (U) Additional Guidance for Responding to Hostile Acts and Demonstrated Hostile Intent. In the event that US land forces are subjected to a hostile act or demonstration of hostile intent, unit commanders may respond IAW the following:



- (a) (U) Warnings. (listed in Appendix C to Enclosure B)
- (b) (U) Show of force, including use of riot control formation.

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(c) (U) Use of riot control agents (as authorized by appropriate authority). Detailed guidance on peacetime use of riot control agents is provided in CJCSI 3110.07 Series, "Nuclear, Biological, and Chemical Defense; Riot Control Agents; and Herbicides" (reference b listed in Enclosure K).

(d) (U) Use of non-lethal weapons.



c. (U) Political Asylum and Migrant Operations. See Appendix C to Enclosure B for handling asylum seekers, migrants and other foreign nationals in US custody.

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ENCLOSURE E

SPACE OPERATIONS (U)

1. (U) Purpose and Scope. This enclosure governs the actions to be taken by US forces in defense of terrestrial or on-orbit space assets, including defense of terrestrial space assets within the United States, its territories, or its territorial seas against threats from hostile on-orbit space assets.

2. (U) Policy. IAW Enclosure A, and the following:

a. (U) Defense of On-Orbit Space Assets and Forces Generally. Commander, USSTRATCOM (CDRUSSTRATCOM), has the responsibility to protect on-orbit space forces and on-orbit space systems, as designated herein. Because of the impact on terrestrial operations of a hostile act against on-orbit space systems, close coordination among USSTRATCOM, its components, and subordinate commands and geographic combatant commanders is required to ensure unity of effort. Nothing in this enclosure, however, limits the authority of any commander who controls an on-orbit or terrestrial space asset to take passive action to defend that asset (e.g., maneuvering, re-orienting the asset or turning off the asset).

b. (U) Space Situational Awareness. Before exercising the right to use force to respond in self-defense, careful consideration will be given to the state of space situational awareness, including the ability to:

(1) (U) Obtain and assess useful information in a timely manner about the condition of on-orbit space assets.

(2) (U) Assess the effect of weapons on other on-orbit space assets.

c. (U) Space Defense Operational Constraints. All space defense operations will be conducted, insofar as practicable, under the following constraints:

~~Classified by: LtGen J.T. Conway, USMC, DJ-3
Reason: 1.7(a) (1)(g)
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(1) (U) Use such force as is necessary to counter the hostile act or demonstrated hostile intent decisively. Use of localized, reversible, temporary effects is the preferred approach to countering these events.

(2) (U) Minimize the creation of space debris.

(3) (U) Minimize collateral interference with or damage to on-orbit space systems.

(4) (U) Avoid space defense operations that could escalate hostilities.

(5) (U) Consider the impact of defensive action on non-combatants and civilian facilities and infrastructure.

(6) (U) Avoid defensive actions that would interfere with other nations' National Technical Means of treaty verification or with another nation's strategic missile launch detection capabilities.

(7) (U) Avoid defensive actions that could cause harmful interference with space assets owned or operated by non-hostile parties.

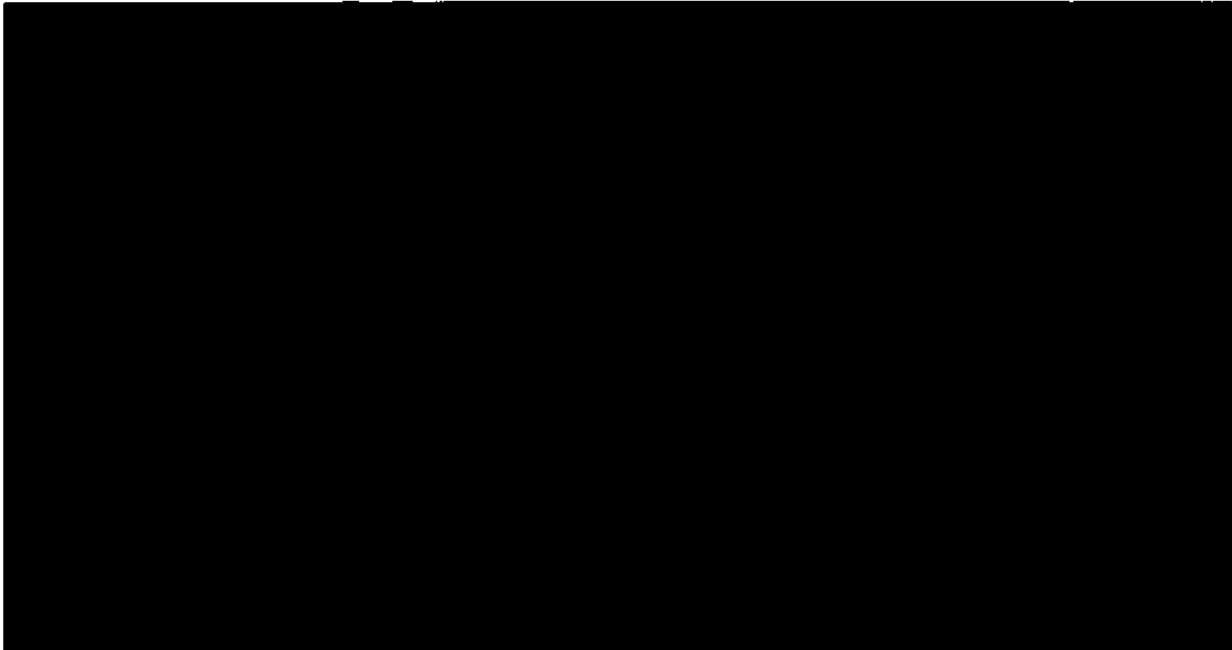
3. (U) Definitions and Authorities



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c. (U) National Security Space (NSS). Refers to both military and intelligence community space assets.

d. (U) Space Asset. A space asset is equipment that is or can be placed in orbit (e.g., a satellite or launch vehicle) or terrestrially based equipment that directly supports space activity (e.g., a satellite ground station). This does not include terminals designed to transmit or receive data via satellite where such terminals are widely distributed, and their destruction or degradation would not have significant adverse effects on the tracking, telemetry or control of a space asset or the overall existence of the network. Examples of such terminals are satellite telephones, GPS receivers and direct broadcast satellite television or radio receivers. Engagement of these platforms will be IAW Enclosures B, C, D and F.

e. (U) Space Systems. Space systems are all of the devices and organizations forming the space network. These consist of: spacecraft; mission package(s); ground stations; data links among spacecraft, ground stations, mission or user terminals, which may include initial reception, processing and exploitation; launch systems; and directly related supporting infrastructure, including space surveillance and battle management/command, control, communications and computers.



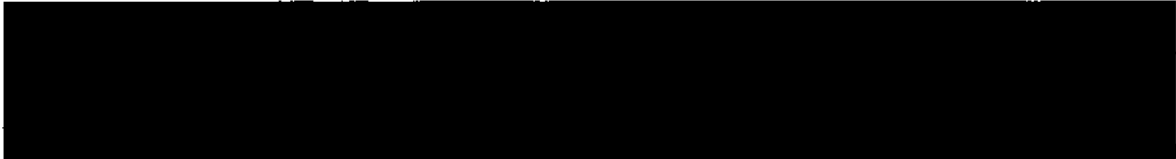
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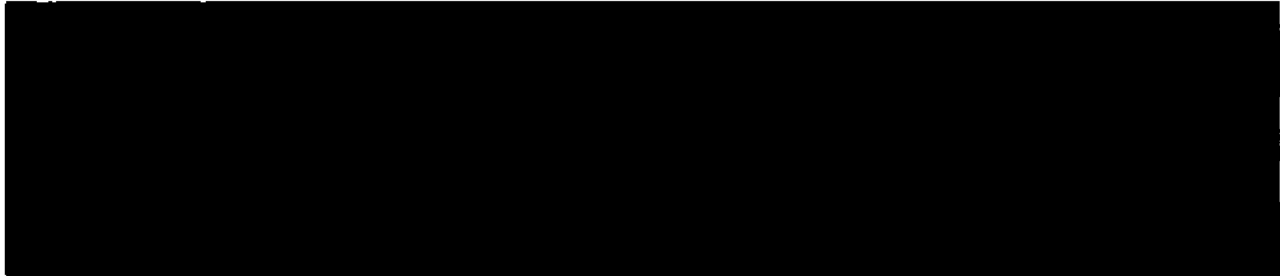
g. (U) On-orbit. Used to describe assets or effects that are in a space orbit, including space assets that have left a launch pad on their way to orbit.

h. (U) National Technical Means. Diplomatically declared orbital and terrestrial assets, including communications and space assets, used to verify compliance with various arms control agreements.

i. (U) Terrestrial. Used to describe assets or effects that are located or occur on land, sea or air, but excluding those that are located or occur in a space orbit.



4. (U) Procedures



b. (U) Defense of Terrestrial Space Assets and Forces From Terrestrial Threats. IAW Enclosures B, C, D and F.

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13 June 2005

APPENDIX A TO ENCLOSURE E

HOSTILE ACTS AND HOSTILE INTENT INDICATORS IN SPACE
OPERATIONS (U)

(U) Purpose and Scope. This appendix lists some of the actions that might lead a commander to the reasonable belief that a hostile act has occurred or hostile intent has been demonstrated. The chart is not meant to be a "checklist," but rather to provide examples that taken alone or in combination might lead a commander to determine that a force is exhibiting hostile intent.

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HOSTILE ACT AND HOSTILE INTENT INDICATORS (U)



~~Classified by: LtGen J.T. Conway, USMC, DJ-3
Reason: 1.4 (a) (1) (b)
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HOSTILE ACT AND HOSTILE INTENT INDICATORS (U)



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Appendix A
Enclosure E

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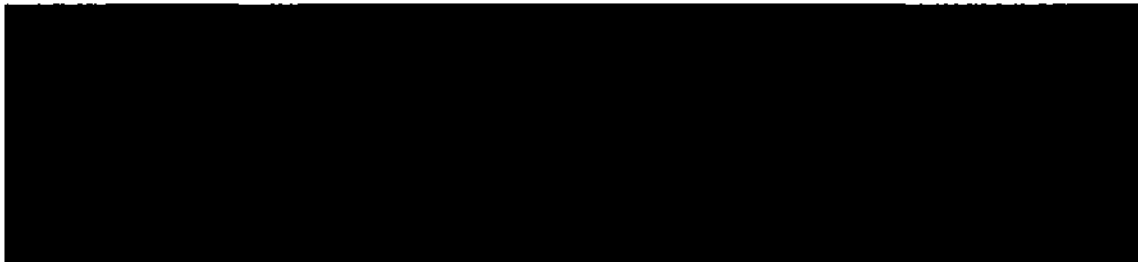
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13 June 2005

ENCLOSURE F

INFORMATION OPERATIONS (U)

1. (U) Purpose and Scope. This enclosure governs the actions to be taken by US forces conducting Information Operations to defend the United States and US forces and equipment from a hostile act or demonstrated hostile intent. The computer network defense measures discussed in the enclosure also apply when it is determined that a response from the United States is required.

2. (U) Policy. In accordance with Enclosure A and the following:



(2) (U) If actions jeopardize the safety of non-hostile, protected, or neutral personnel.

(3) (U) If actions are likely to be perceived as US hostile intent against non-hostile forces.

b. (U) SecDef authorization is required if offensive IO will affect foreign safety or navigational devices in peacetime.

c. (U) SecDef authorization is required for tactical military deception operations that involve intrusions on information systems (including communications and computer nets).

d. (U) SecDef authorization is required for the use of electronic mail (e-mail) or web pages for psychological operations.

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Enclosure F

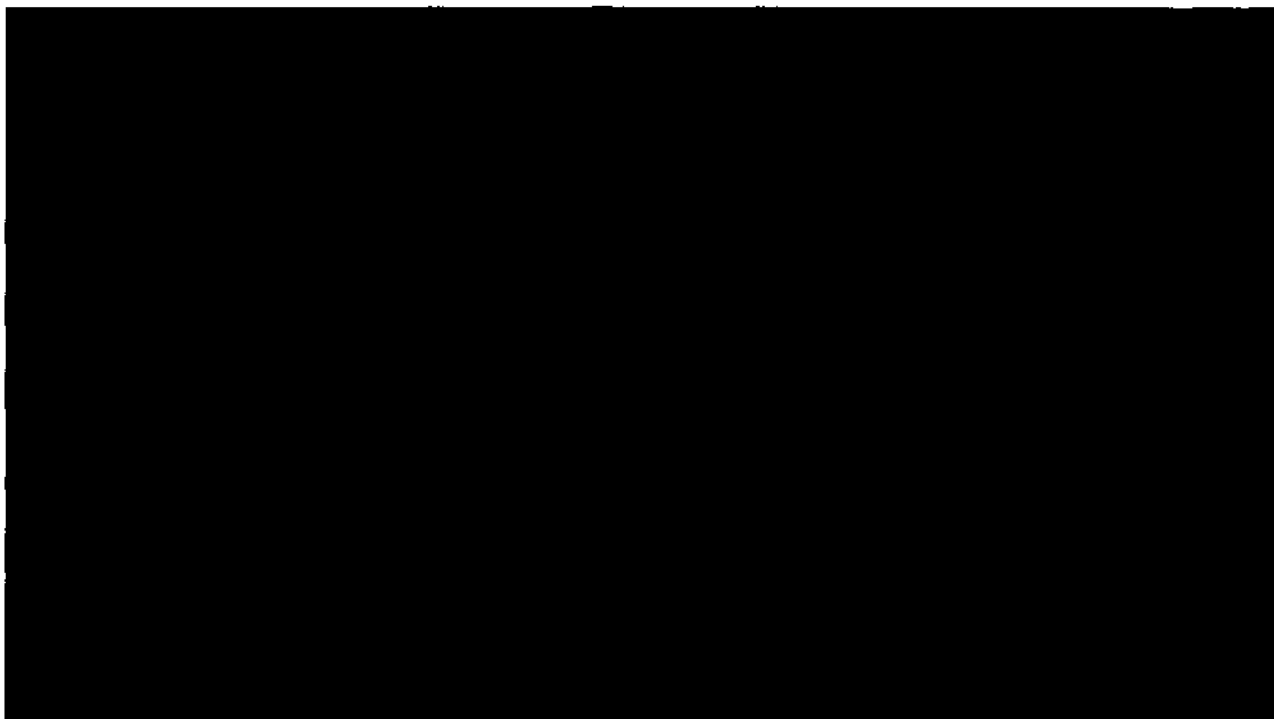
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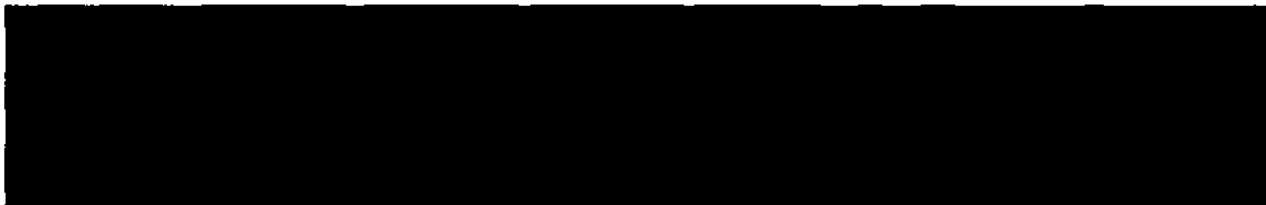
3. (U) Definitions and Authorities. Joint Pub 1-02, *Department of Defense Dictionary of Military and Associated Terms* contains relevant accepted definitions, except as follows:

a. (U) Information Operations (IO). IO is the integrated employment of the core capabilities of Electronic Warfare (EW), Computer Network Operations (CNO), Psychological Operations (PSYOP), Military Deception (MILDEC), and Operations Security (OPSEC), in concert with specified supporting and related capabilities, to influence, disrupt, corrupt or usurp adversarial human and automated decision-making while protecting our own.

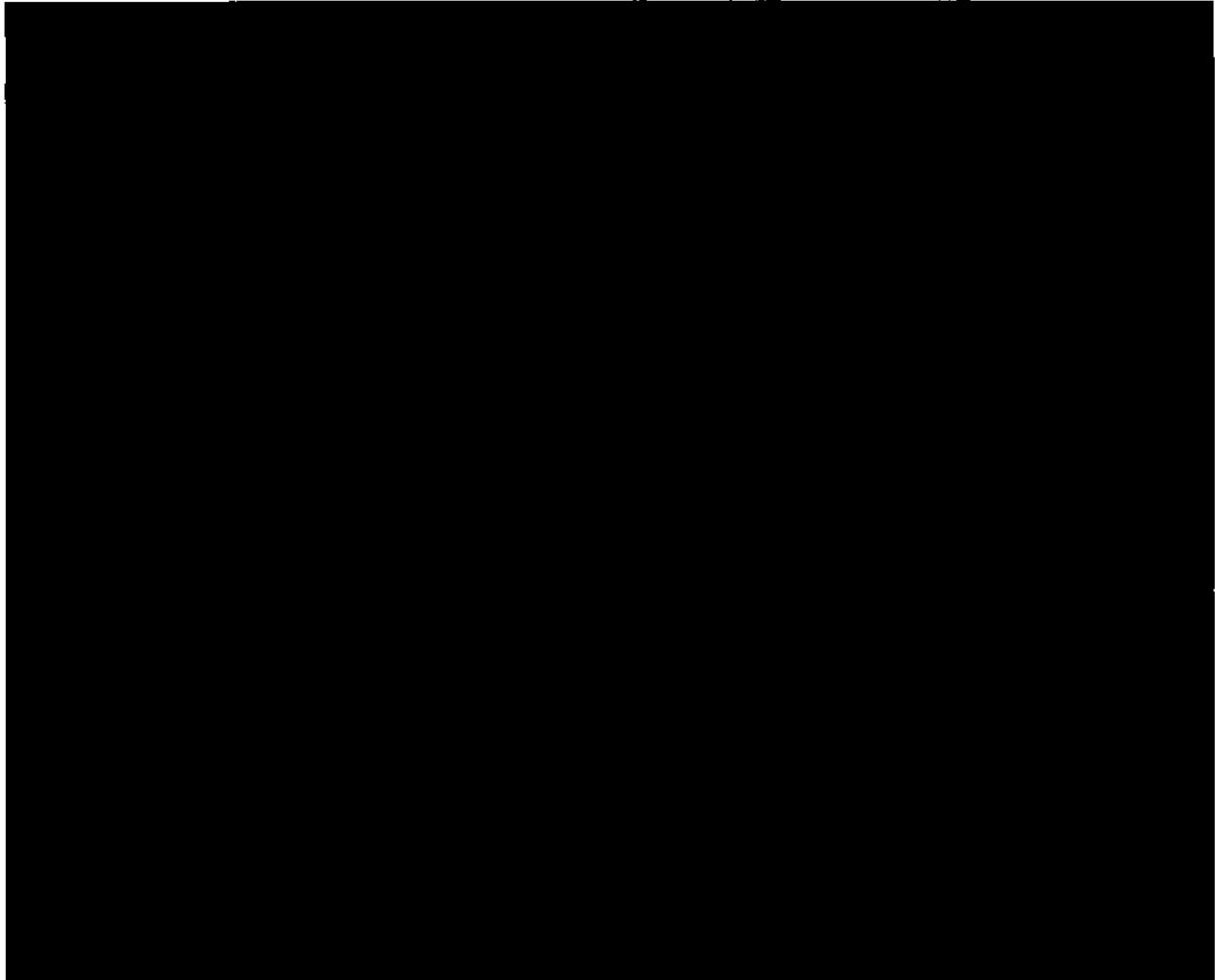


4. (U) Procedures

a. (U) Electronic and Acoustic Warfare



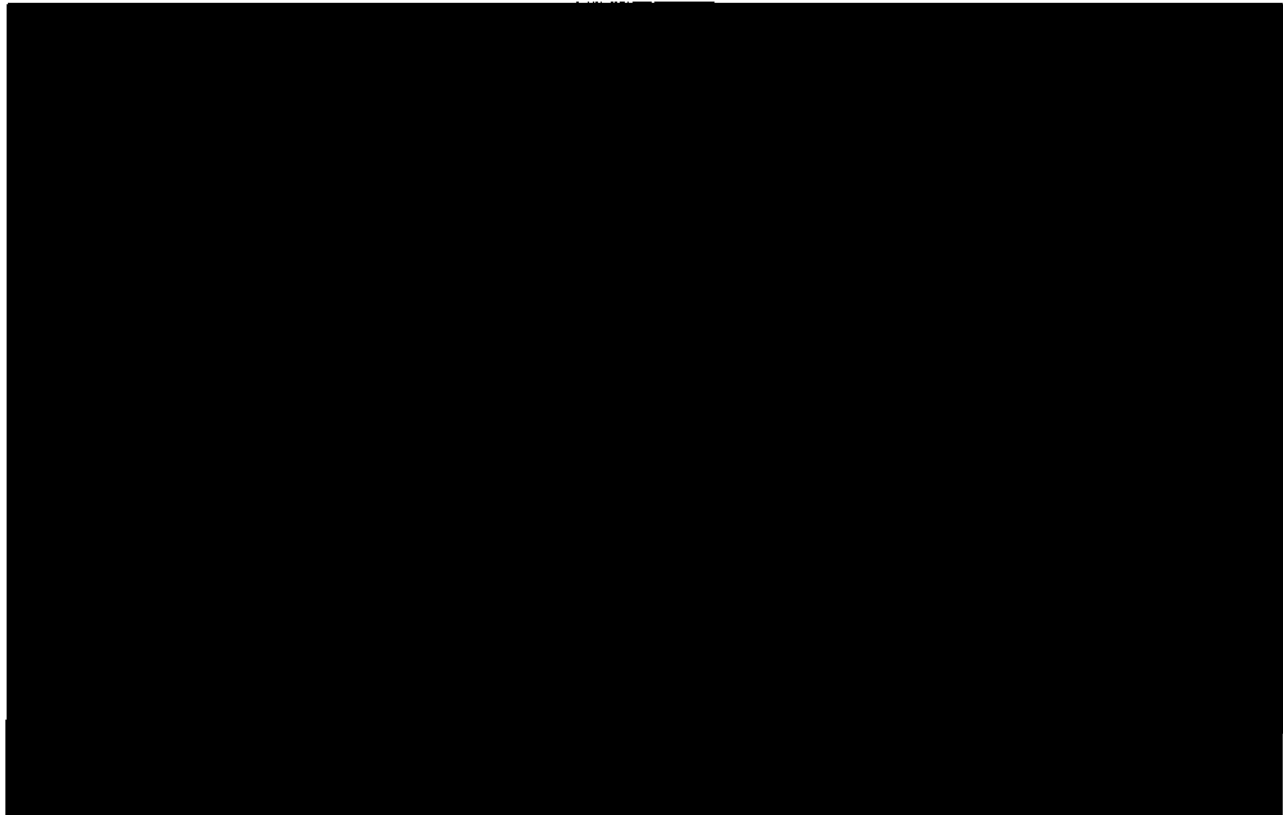
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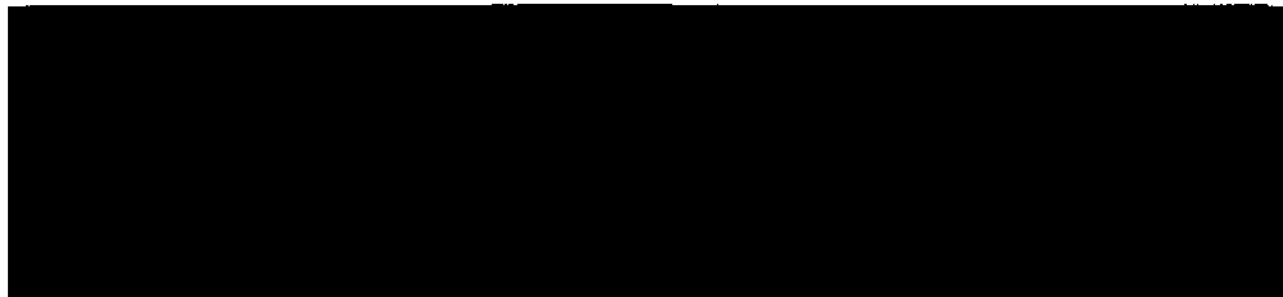
b. (U) Tactical Military Deception. Combatant commanders and their delegated subordinate commanders are authorized to conduct tactical military deception. Tactical military deception plans, including training, will be submitted for CJCS review if they meet one or more of the criteria:

- (1) (U) Have strategic-level implications, including potential impact on politically or militarily sensitive areas.
- (2) (U) Misrepresent the intentions of US Government foreign policy or threaten the conduct of effective US foreign policy.
- (3) (U) Require major US military resources (or national assets) to execute the plan.

- (4) (U) Could reveal or result in the inadvertent exposure of sensitive US military capabilities.
- (5) (U) Could be interpreted as demonstrating hostile intent.
- (6) (U) Could have a significant collateral effect on a non-targeted country or organization.
- (7) (U) Uses methods or means that require SecDef approval.

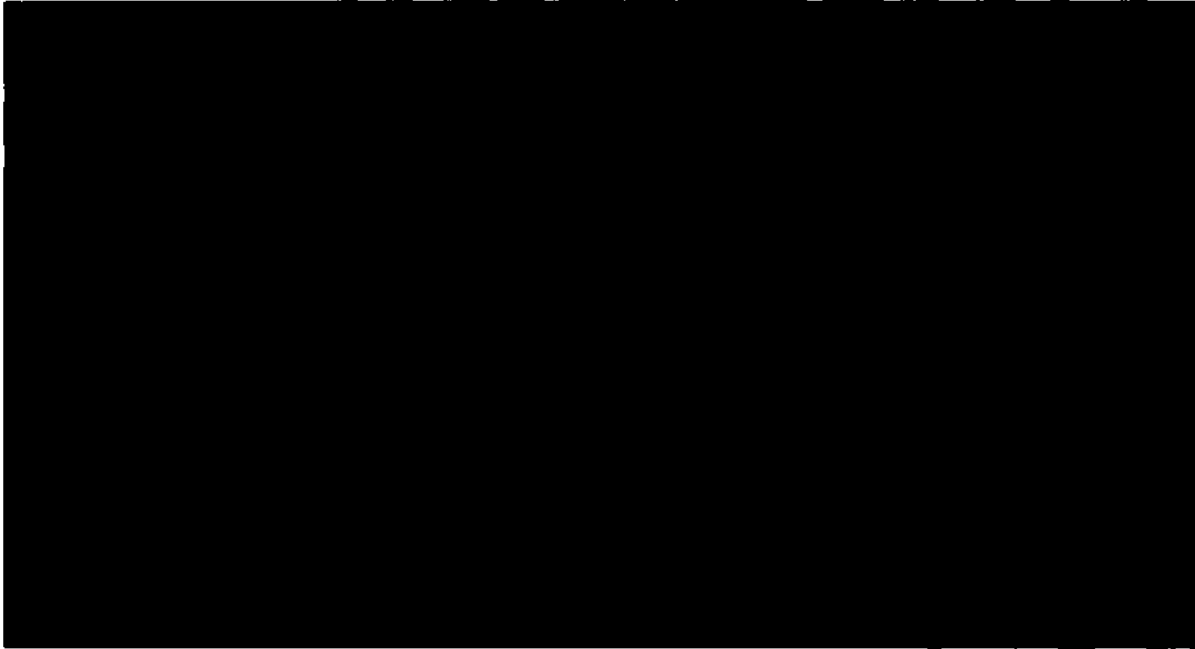


e. (U) Computer Network Defense (CND)



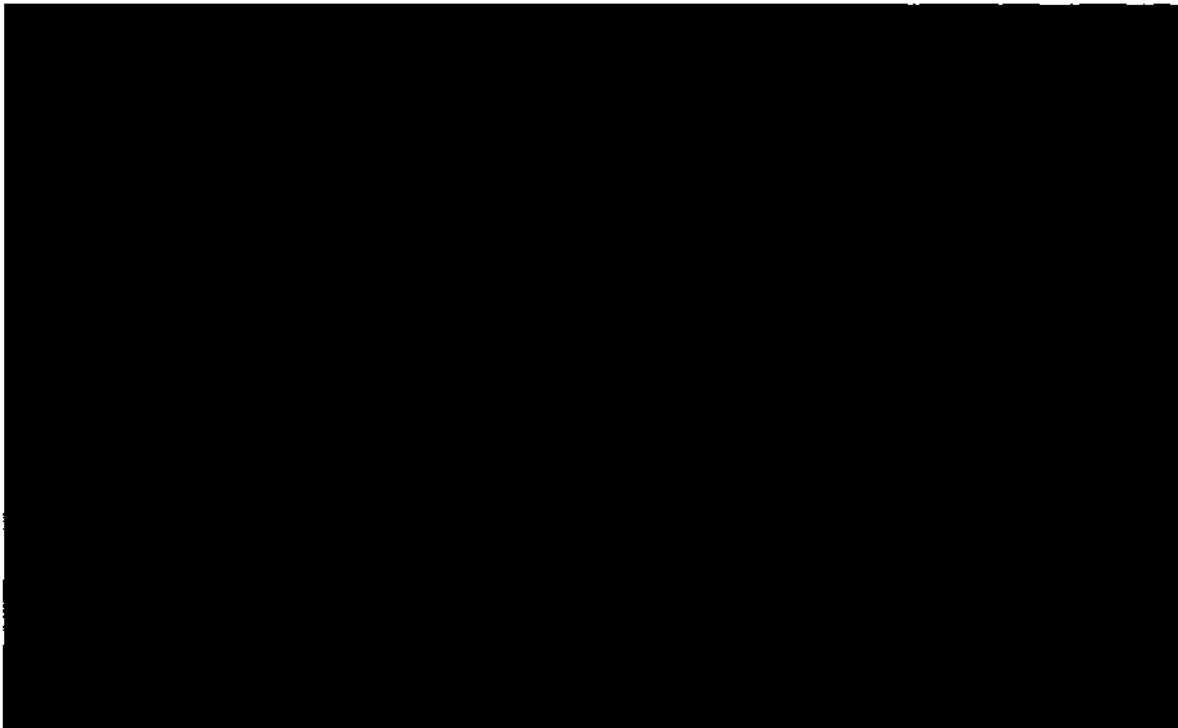
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(a) (U) Actions to identify the source of the hostile act.

(b) (U) Actions to affect adversely intermediary and adversary systems temporarily and minimally using generally accepted protocols.



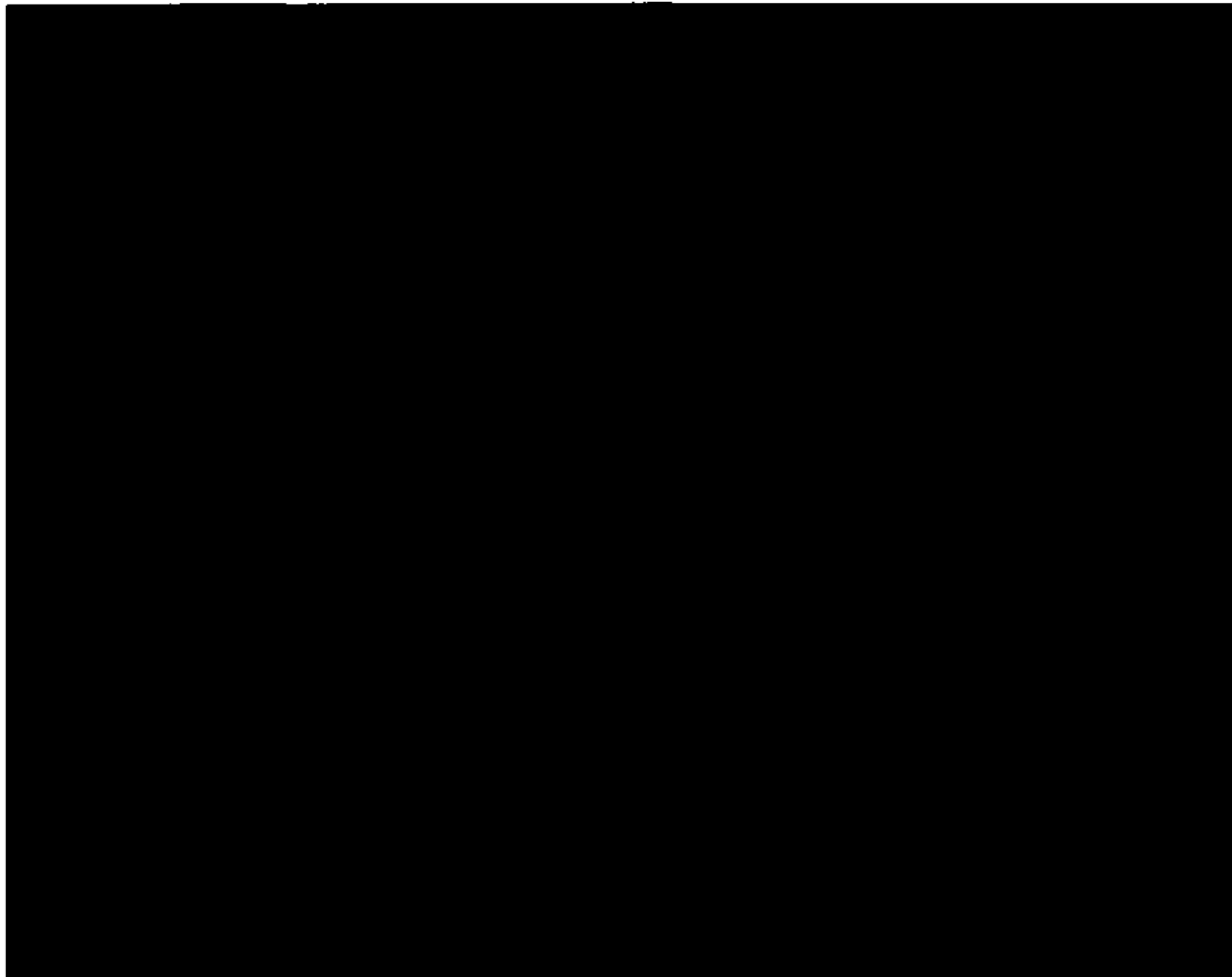
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h. (U) Special Access Programs. Guidance provided in separate correspondence.

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ENCLOSURE G

NONCOMBATANT EVACUATION OPERATIONS (U)

1. (U) Purpose and Scope. This enclosure governs the actions to be taken by US forces conducting a noncombatant evacuation operation (NEO). The mission is to protect and evacuate US nationals and other designated persons upon order of the SecDef.

2. (U) Policy. IAW Enclosure A and the following:
 - a. (U) The SROE reflect the limited objective of NEO operations. The use of military force is restricted to that necessary to provide successfully for the self-defense of the evacuees and complete the mission.

 - b. (U) The Department of State is charged with the overall responsibility to protect US citizens abroad, and the Ambassador or Chief of Mission at a particular embassy or consulate is responsible for evacuation of US citizens. During the execution of a NEO, however, DOD is specifically responsible for the protection of US nationals and designated third-country nationals within the embassy grounds until the evacuation is complete. The Ambassador or Chief of Mission orders the evacuation of US Government personnel and dependents, including other than "wartime essential" DOD personnel at a particular US Government overseas mission. DOD acts in a supporting role and is responsible to advise and assist DOS in such evacuations. Coordination between the Chief of Mission and the combatant commander in developing the ROE is necessary; however, ultimate approval for the DOD ROE will remain with the military chain of command.

3. (U) Definitions and Authorities
 - a. (U) Defense of US Nationals and Their Property in Foreign Territory. Commanders may conduct self-defense actions as necessary to safeguard US persons, property and equipment. Commanders are authorized to pursue a force that has committed a hostile act or

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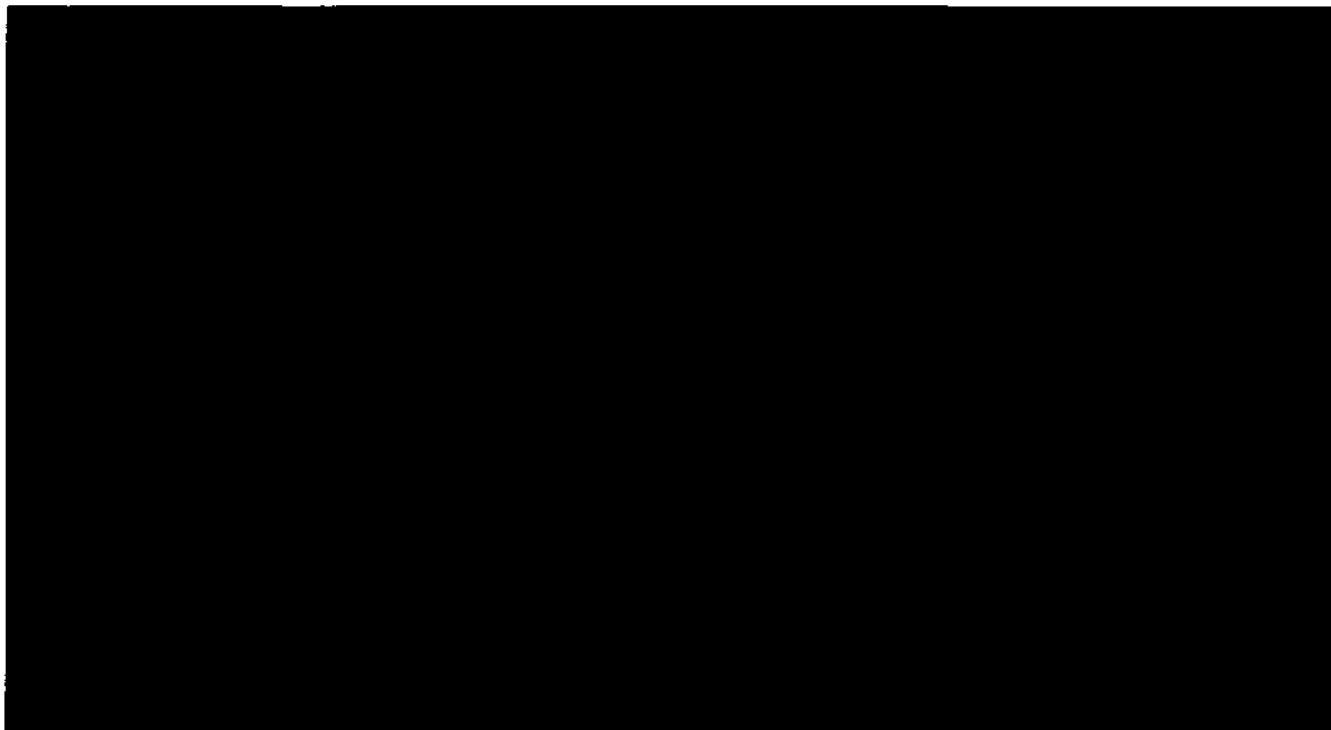
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demonstrated hostile intent, only if that force presents a continuing threat to US persons or property.

b. (U) Defense of Designated Third-Country Nationals in Foreign Territory (Supplemental Measure 009). The SecDef may authorize US forces to provide protection, assistance and evacuation of designated third-country nationals and foreign-service national employees of the US Government. If so tasked, US forces will act as they would in protecting and evacuating US nationals in a foreign territory.

c. (U) Unit commanders will tailor their NEO planning and execution with conditions at the evacuation site. US forces may encounter three operational environments in a NEO:



4. (U) Procedures

a. (U) US on-scene commanders may temporarily detain persons who interfere with the NEO mission or who pose an imminent threat of death or serious bodily harm to US forces, US nationals, persons in US custody or designated foreign nationals. Commanders will ensure detained persons are turned over to appropriate authorities or released at the earliest opportunity.

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b. (U) Foreign diplomats will be accorded treatment consistent with international law and any other courtesies extended to them by the US Ambassador. Foreign diplomats are subject to inspection for weapons or other dangerous materials prior to boarding any vehicle, ship, or aircraft being used in the NEO. If an individual refuses to submit to inspection, he/she may be denied boarding.

c. (U) Unit commanders may not grant political asylum to any foreign national. Temporary refuge under emergency conditions is authorized if there is imminent danger to safety, health or life. Appendix C to Enclosure B contains SROE for handling asylum seekers and other foreign nationals in US custody.

d. (U) The Ambassador or Chief of Mission may order all US persons employed by the US Government to evacuate. The Embassy will handle all cases where evacuation is refused. Forced evacuation of US persons is not authorized. If US persons refuse evacuation, commanders will make every effort to obtain their signatures on a Waiver of Evacuation Opportunity, which will be forwarded to the Embassy.

e. (U) Additional guidance on actions to be used in dealing with mobs or rioters is contained in Enclosure D.

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ENCLOSURE H

COUNTERDRUG SUPPORT OPERATIONS OUTSIDE US TERRITORY (U)

1. (U) Purpose and Scope

a. (U) This enclosure governs actions taken by US forces conducting counterdrug (CD) support operations under DOD control outside US territory. CD Operations conducted within US territory (including US territorial seas) are governed by SRUF.

b. (U) DOD units under US Coast Guard (USCG) control, conducting operations both outside and within the territorial limits of the US, will follow the Use of Force Policy for warning shots and disabling fire issued by the Commandant, USCG, per 14 USC 637 (reference w). Unit commanders of US Naval units or personnel, operating under USCG control and outside the territorial limits of the US, retain the inherent right and obligation to exercise unit self-defense IAW these SROE.

2. (U) Policy. IAW Enclosure A.

3. (U) Definitions and Authorities

a. (U) Accompany. To be or go with physically. DOD personnel "accompany" US or host nation (HN) law enforcement agents (LEA) or HN military forces on CD-related deployments when they travel with such personnel on foot or in the same vehicle, aircraft, ship or boat, including any groupings of the same.

b. (U) Actual CD Field Operations. Activities during which the intent, or the reasonable expectation, is that the US or HN LEAs or HN military forces on CD-related deployments will conduct CD law enforcement functions.

c. (U) Law Enforcement Functions. These activities include, but are not limited to, search, seizure, arrest or other similar activities.

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d. (U) Imminent. All available facts indicate that a CD activity or CD-related hostile action is about to occur.

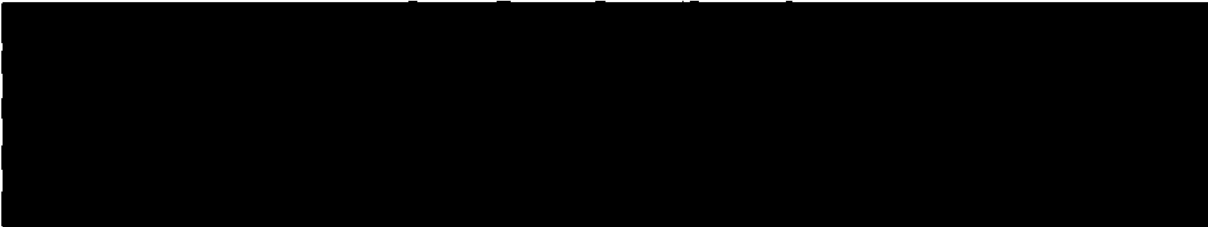
4. (U) Procedures

a. (U) DOD personnel will not accompany US LEAs, HN LEAs, or HN military forces on actual CD field operations, or participate in any CD activities where CD-related hostilities are imminent, unless specifically authorized by the SecDef.

b. (U) DOD personnel will not accompany US LEAs or HN personnel to or provide CD support from a location outside a secured base or area (ground operations).

(1) (U) This limitation is not intended to prevent DOD personnel from accompanying LEAs on authorized transportation, aerial reconnaissance and/or detection and monitoring support missions, or on other authorized support missions from one secure area to another if the latter is no closer than small-arms range from the site of the anticipated LEA activity.

(2) (U) DOD personnel may proceed to a forward operating or support base or area only after the commander or other official designated by the responsible combatant commander makes a determination that such a base or area is secure and adequately protected.



d. (U) The limitations described above are not meant to prevent US military forces from conducting non-CD related authorized exercises or training in designated drug interdiction areas. In this event, appropriate measures will be taken to ensure that US military forces will not be in a location where involvement in related hostilities is likely to occur.

e. (U) DOD personnel will make every attempt to avoid confrontation with non-mission personnel or civilians.

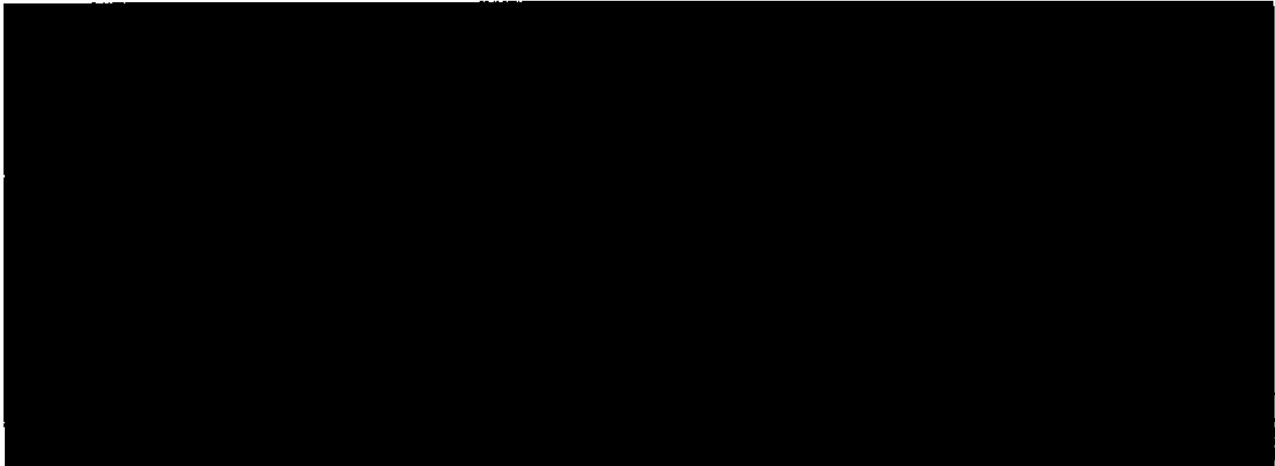
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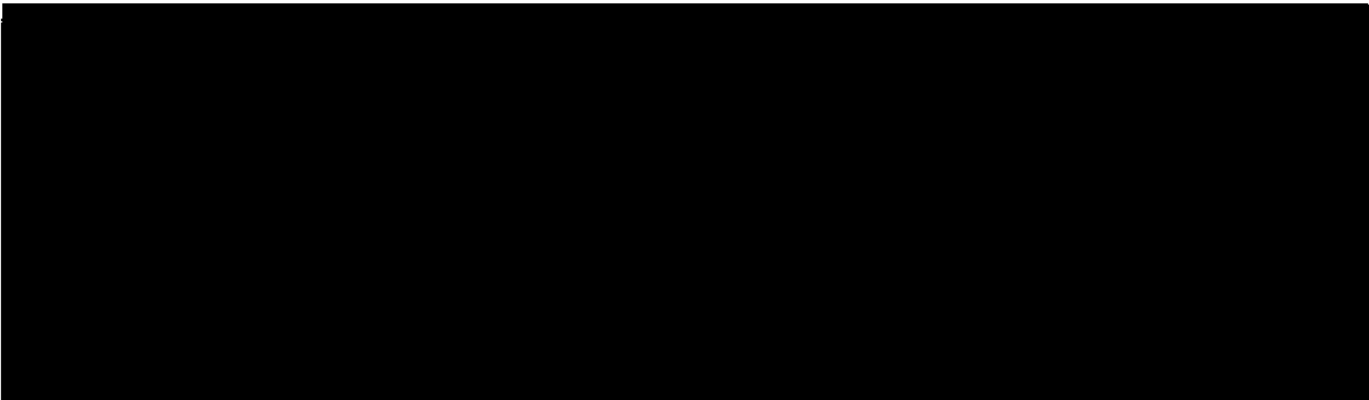


h. (U) USG space assets may be used for detection, monitoring and communication of suspected narcotrafficker activities in support of CD operations, consistent with applicable policy and law.

i. (U) Force will only be used in self-defense unless otherwise directed by the SecDef. The following general guidelines apply:

(1) (U) Unit Self-Defense. Unit commanders retain the inherent right and obligation of unit self-defense from a hostile act or demonstrated hostile intent, including defense of other DOD personnel and US LEAs in the vicinity.

(2) (U) Use of Force in Self-Defense. The right to use force in self-defense may not be used to justify the substitution of DOD personnel for US or HN law enforcement personnel or for HN military forces on CD-related deployments acting in a law enforcement capacity. Additionally, DOD personnel may not be used to augment the offensive use of force by law enforcement personnel in CD operations intended to apprehend drug traffickers.



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ENCLOSURE I

SUPPLEMENTAL MEASURES (U)

1. (U) Purpose and Scope. Supplemental measures enable commanders to tailor ROE for specific missions. This enclosure establishes the procedures for formulation of, request for, and approval of supplemental measures. Appendices A through E to Enclosure I list supplemental measures for commanders to use when requesting and authorizing supplemental ROE measures.

2. (U) Policy. IAW Enclosure A.

a. (U) The goal in formulating ROE is to ensure they allow maximum flexibility for mission accomplishment while providing clear, unambiguous guidance to the forces affected. ROE must be properly crafted and commanders properly trained to avoid any hesitation when determining whether and how to use force.

b. (U) Operational ROE supplemental measures are primarily used to define limits or grant authority for the use of force for mission accomplishment. However, unit commanders may issue supplemental measures to limit individual self-defense by members of their units. The use of force for mission accomplishment may sometimes be restricted by specific political and military goals that are often unique to the situation. Developing and implementing ROE is a dynamic process that must be flexible enough to meet changes in the operational situation. In addition to ROE, a commander must take into account the assigned mission, the current situation, the higher commander's intent and all other available guidance in determining how to use force for mission accomplishment.

c. (U) The SROE are fundamentally permissive in that a commander may use any lawful weapon or tactic available for mission accomplishment, unless specifically restricted by approved supplemental measures, or unless the weapon/tactic requires prior approval of the SecDef or a combatant commander. Thus, other commanders are authorized to employ the full range of supplemental measures set forth in measures 200 through 699 for mission accomplishment, unless

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specifically constrained by more restrictive measures promulgated by higher authority.

d. (U) Although normally used to place limits on the use of force for mission accomplishment, supplemental measures may also be used specifically to authorize a certain action if clarity is required or requested.

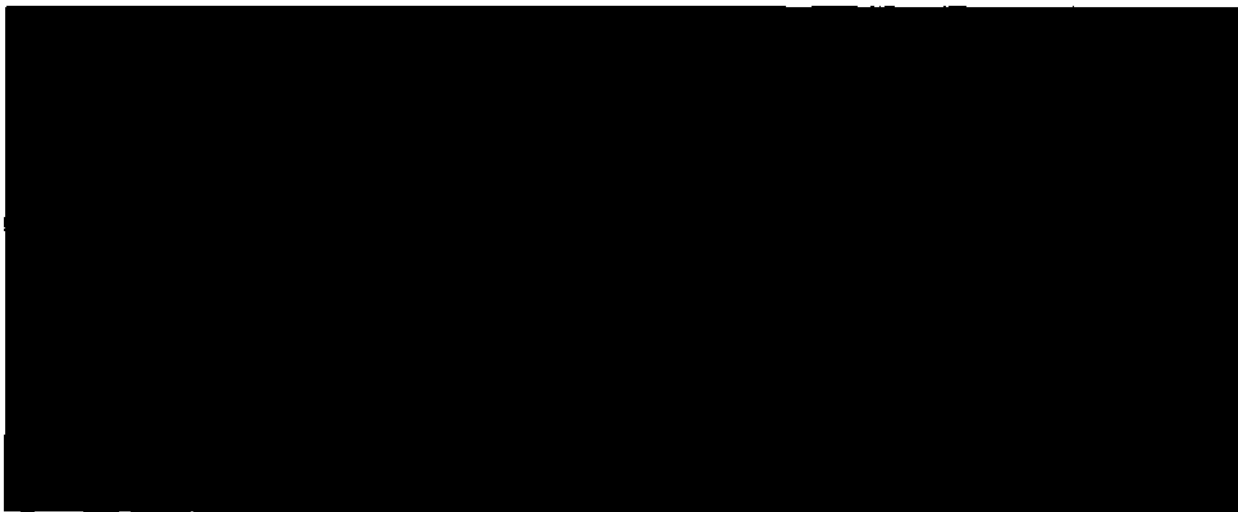
3. (U) Objectives. This enclosure establishes the procedures for formulation of, request for, and approval of supplemental measures. Supplemental measures are intended to:

a. (U) Provide enough of the framework underlying the policy and military guidance to enable the commanders to appropriately address unforeseen situations when immediate decisions and reactions are required. Commanders must never forget that ROE are a tool to guide them through their decision-making process and can never substitute for their sound judgment.

b. (U) Provide clear and tactically realistic military policy and guidance to commanders on the circumstances in which use of force can be used for mission accomplishment.

c. (U) Enable subordinate commanders to request additional measures needed to carry out their mission.

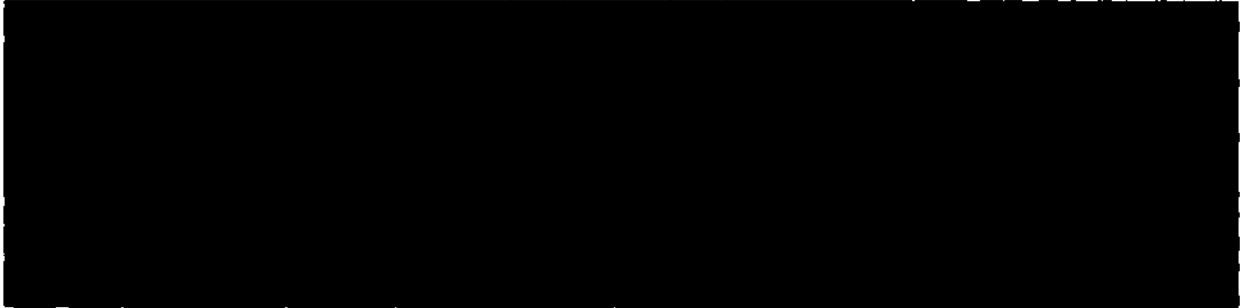
4. (U) Action. To accomplish the above objectives, directives changing existing ROE or supplemental measures will, whenever possible, include the following information:



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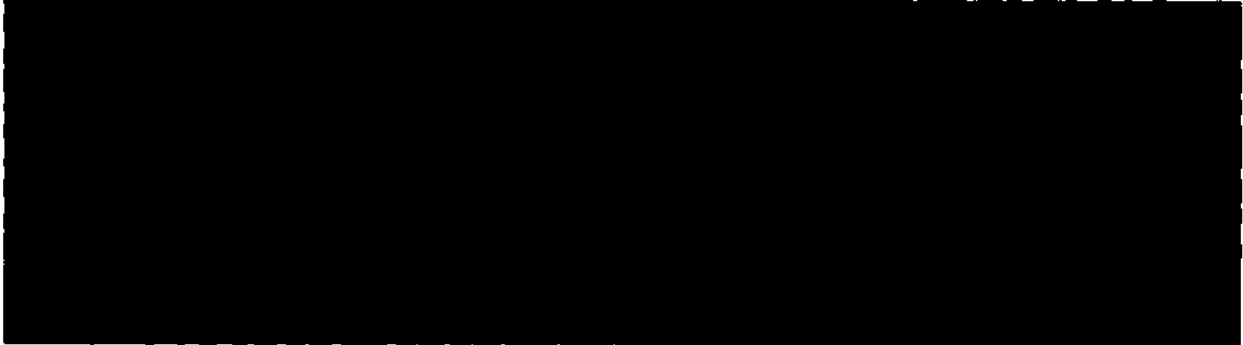


5. (U) Activation of Supplemental Measures. Measures are enumerated in Appendices A-E of this enclosure.



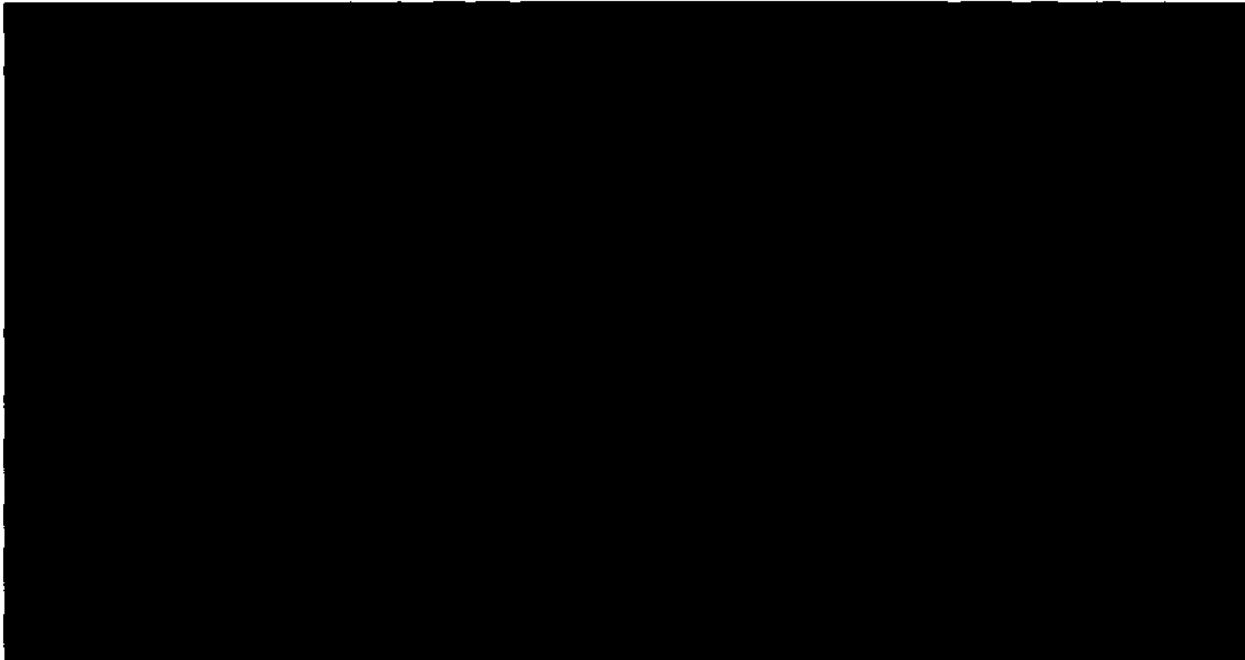
b. (U) It is incumbent upon subordinate commanders to request supplemental measures if existing guidance are not sufficient.

c. (U) The supplemental measures consist of detailed instructions to control the actions of subordinates within the limits of the approved national and military policies. To achieve the necessary state of readiness, supplemental measures must consist of instructions (e.g., authorizations and prohibitions) applicable to a wide range of military operations, including those involving the threat or use of armed force.

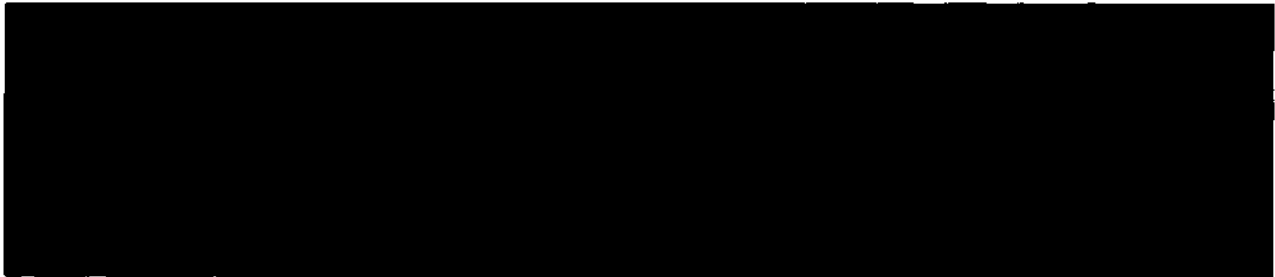


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f. (U) Appendix F to this enclosure sets forth supplemental measures message formats and examples.



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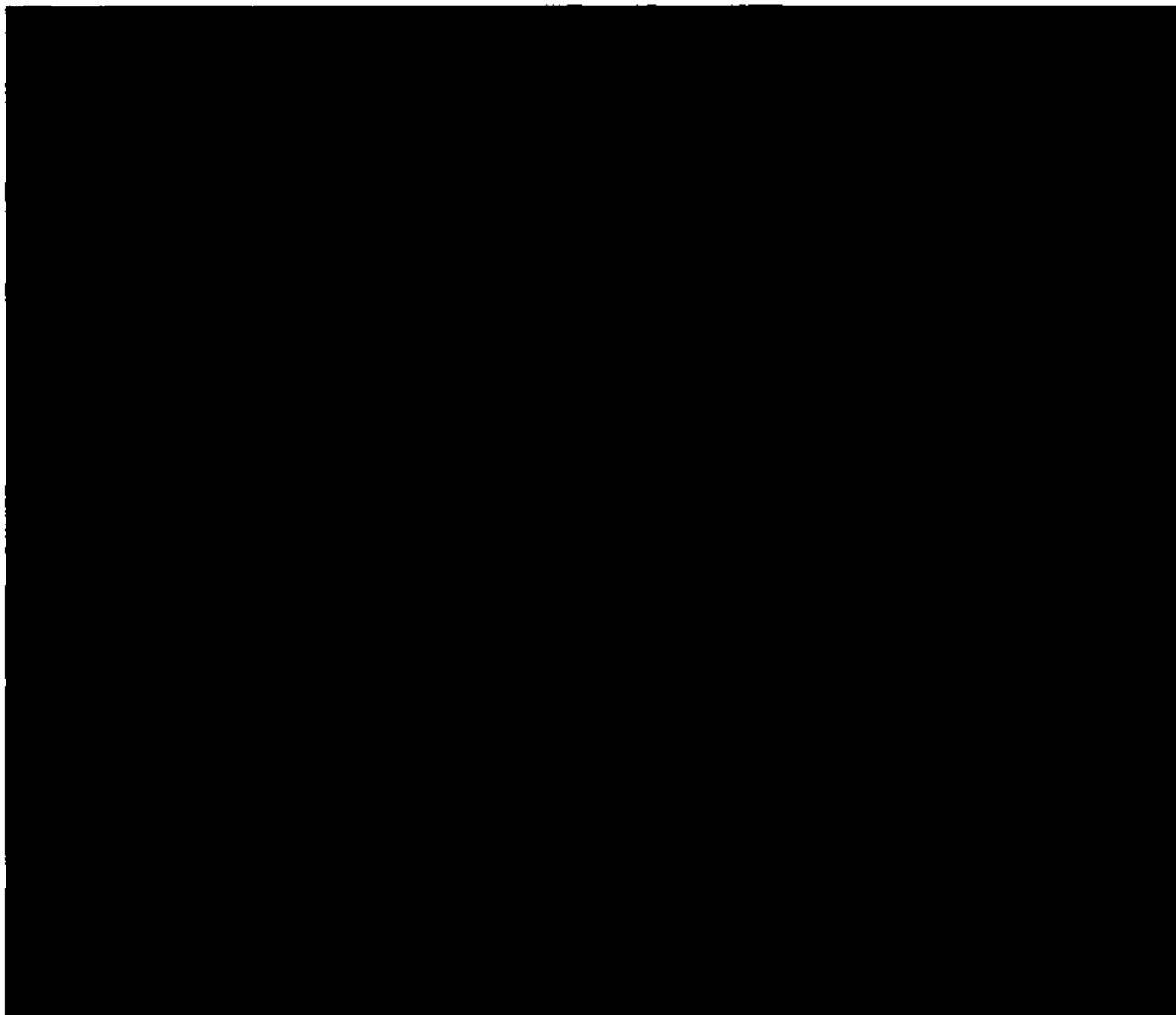
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APPENDIX A TO ENCLOSURE I

GENERAL SUPPLEMENTAL MEASURES (U)

1. (U) Measures Requiring SecDef Approval



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Reason: 1.4 (a) (1) (g)
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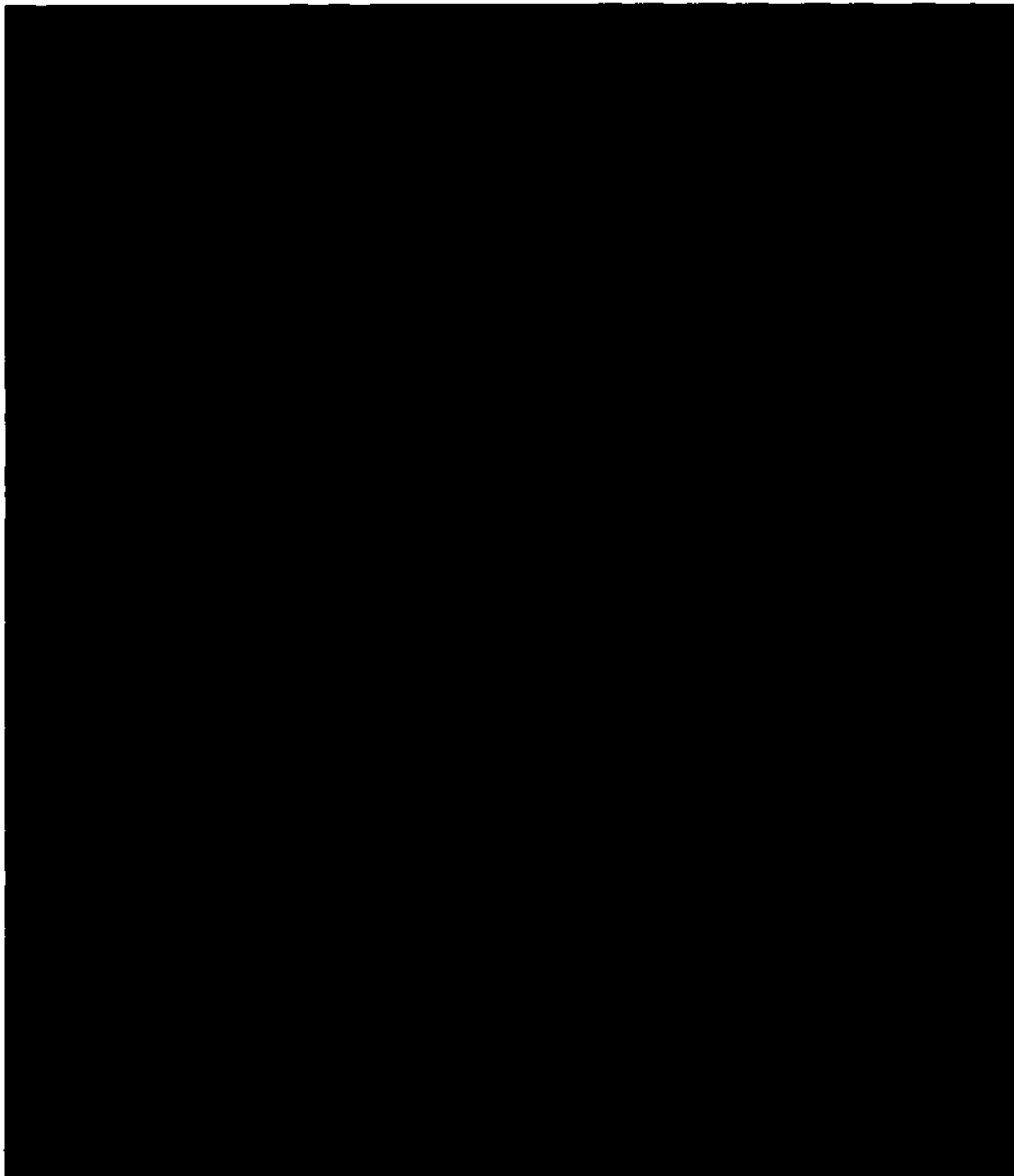
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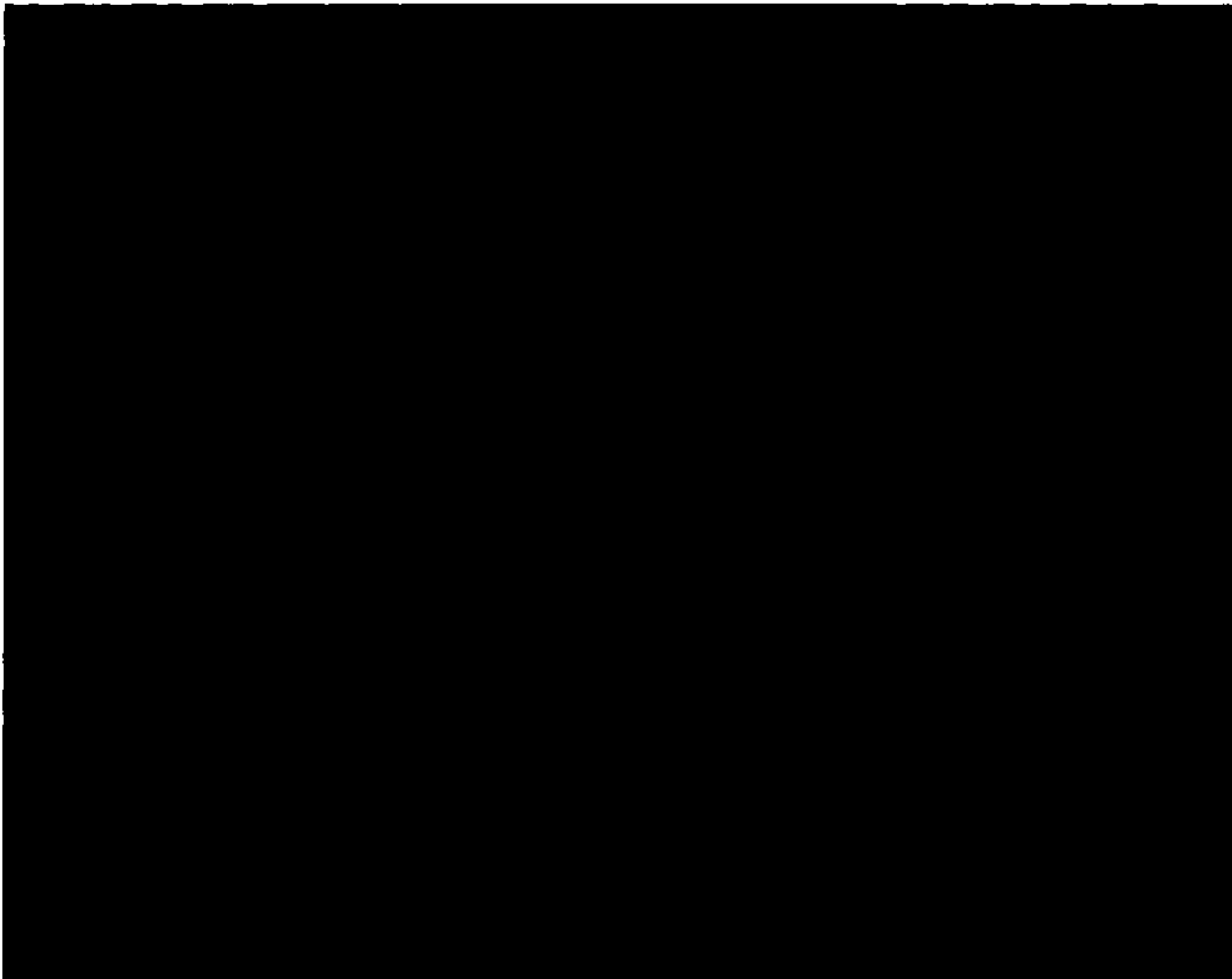
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023. (U) Combatant commander approval of PSYOP products is authorized [specify restrictions].

024 through 099. (U) Spares to be used for supplemental measures not listed above.

2. (U) Measures Delegated to Combatant Commanders (May be withheld by SecDef)



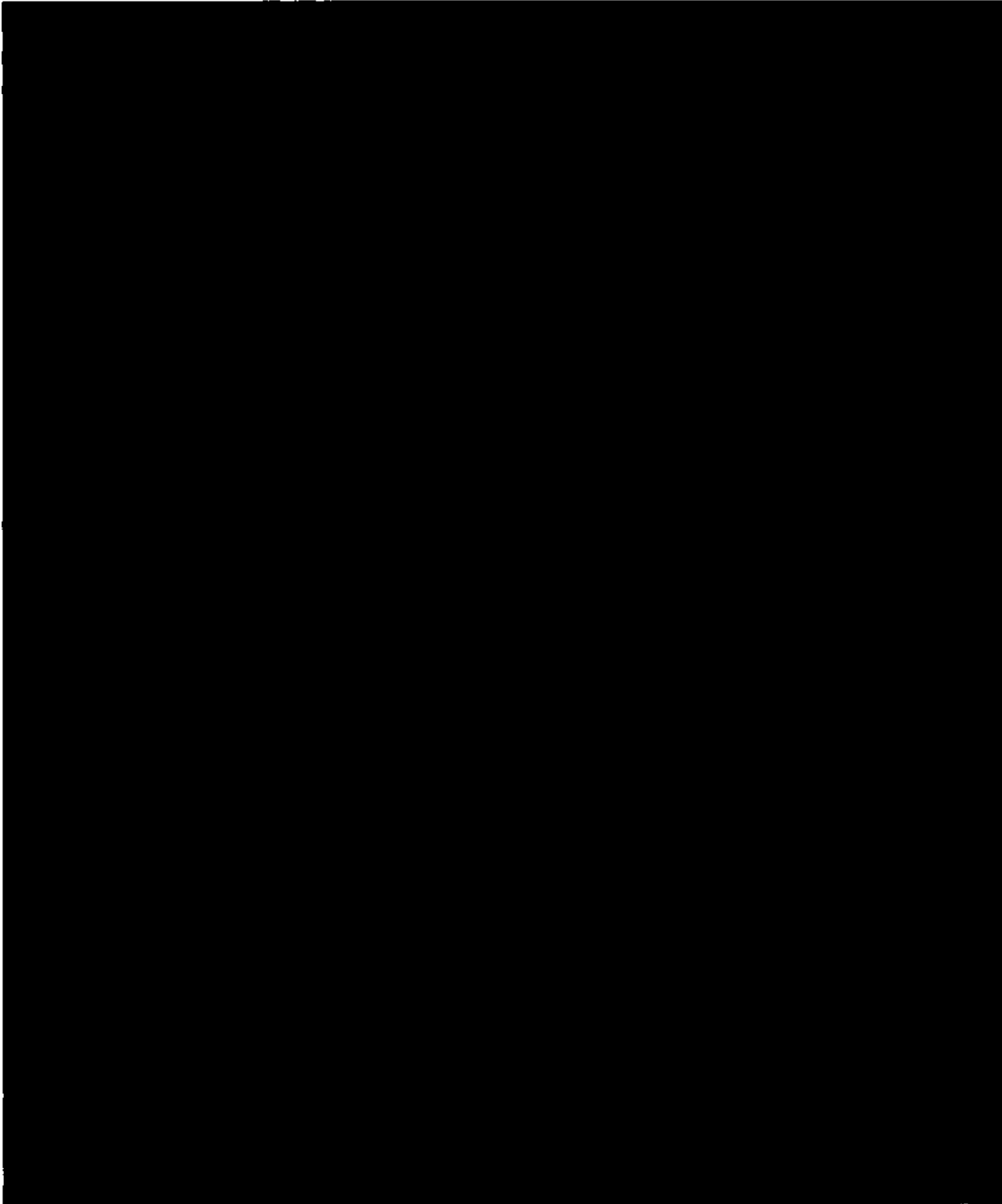
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Appendix A
Enclosure I

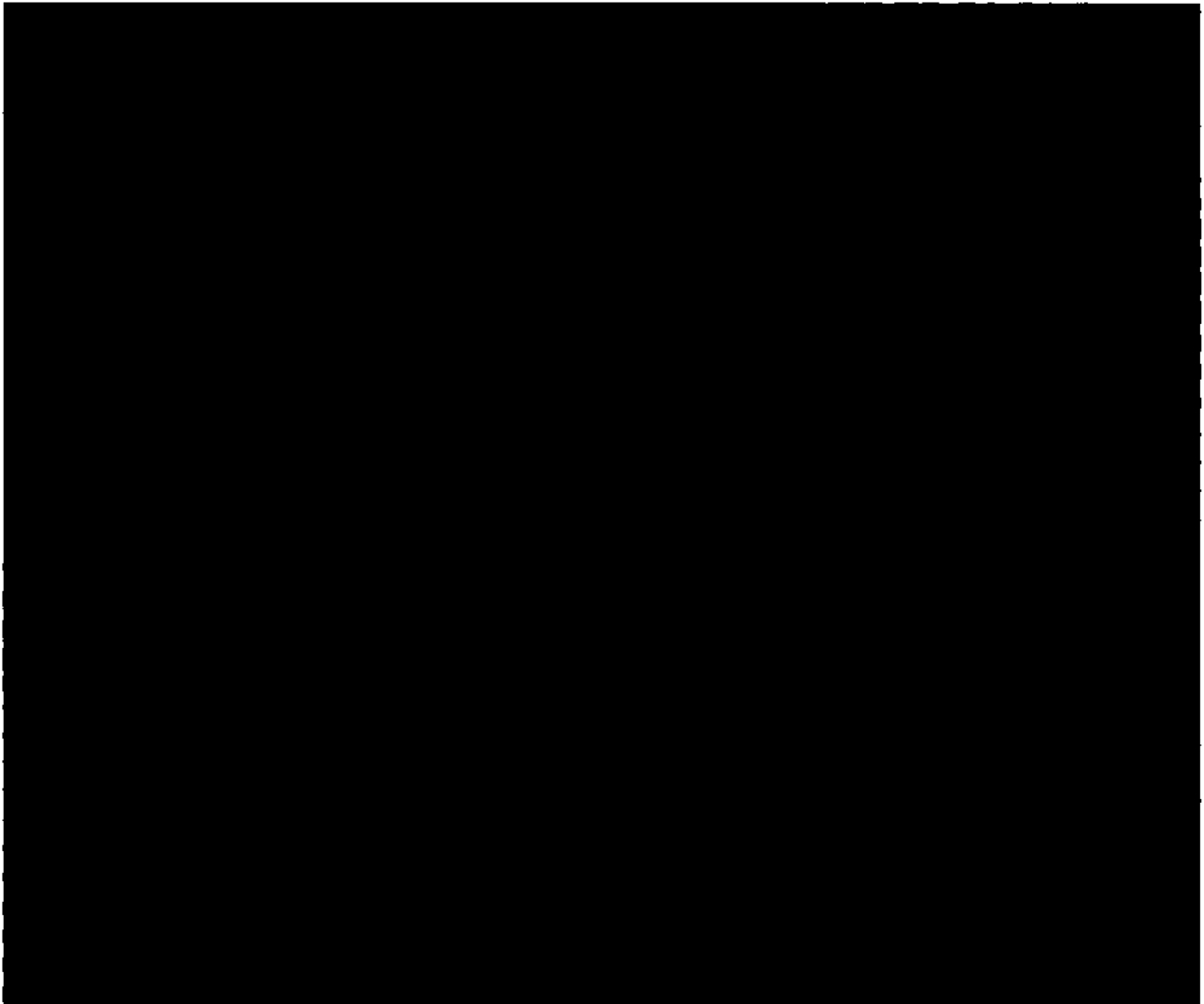
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113. (U) Not used.



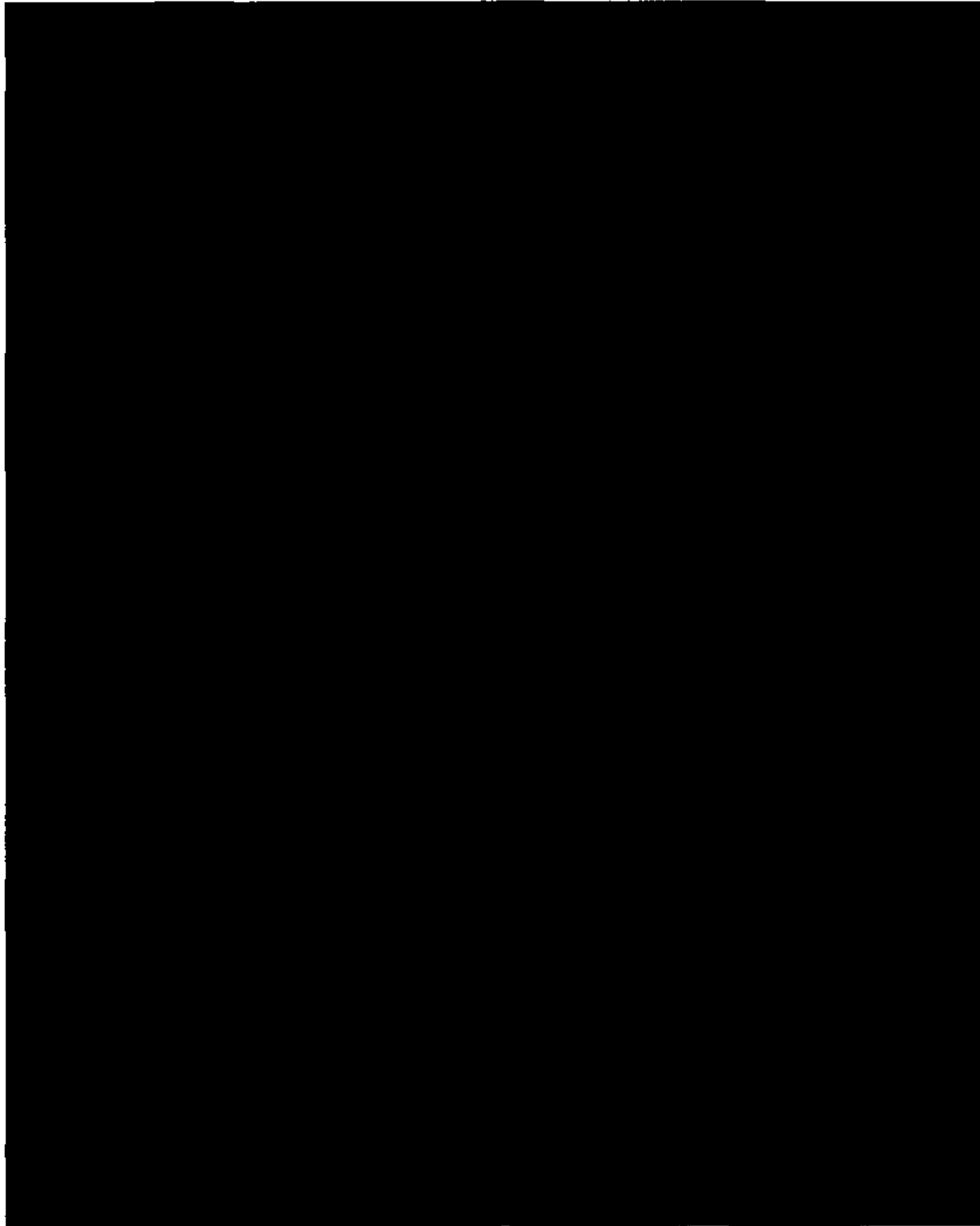
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130 through 199. (U) Spares.

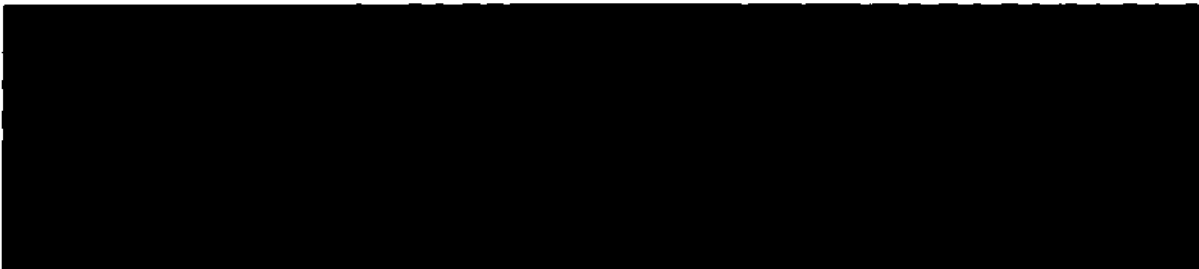
3. (U) Measures Delegated to Subordinate Commanders, Unless Specifically Withheld by Higher Authority

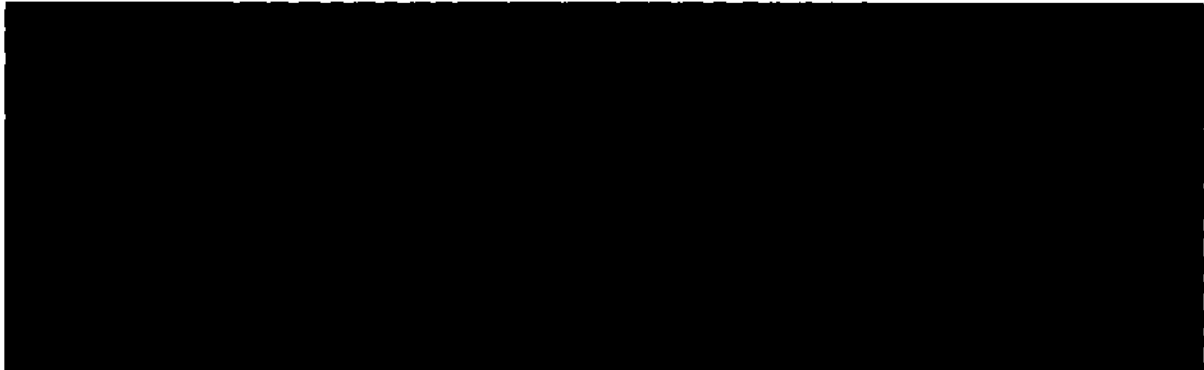
a. (U) General Measures



203 through 240. (U) Spare.

b. (U) Air Defense Measures





245 through 247. (U) Spares.

c. (U) Reconnaissance, Surveillance, and Target Acquisition



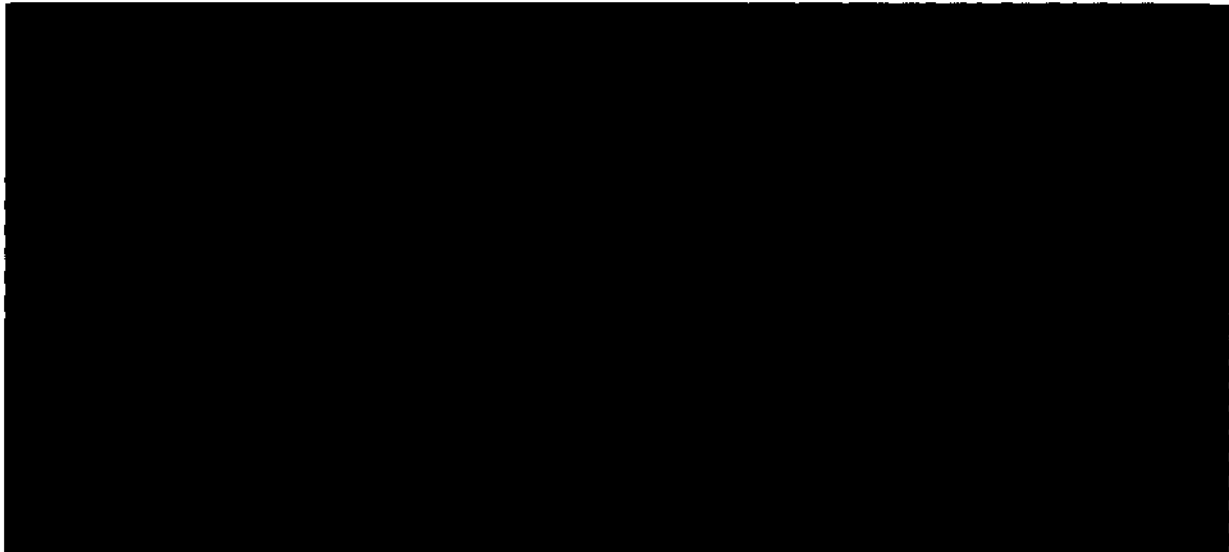
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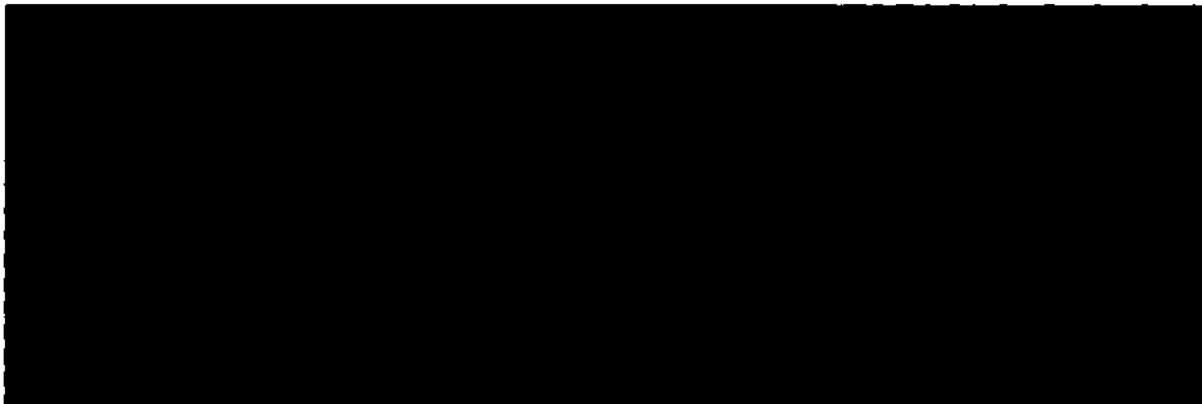
253 through 255. (U) Spares.

d. (U) Movement and Contact



260 through 262. (U) Spares.

e. (U) Civilians



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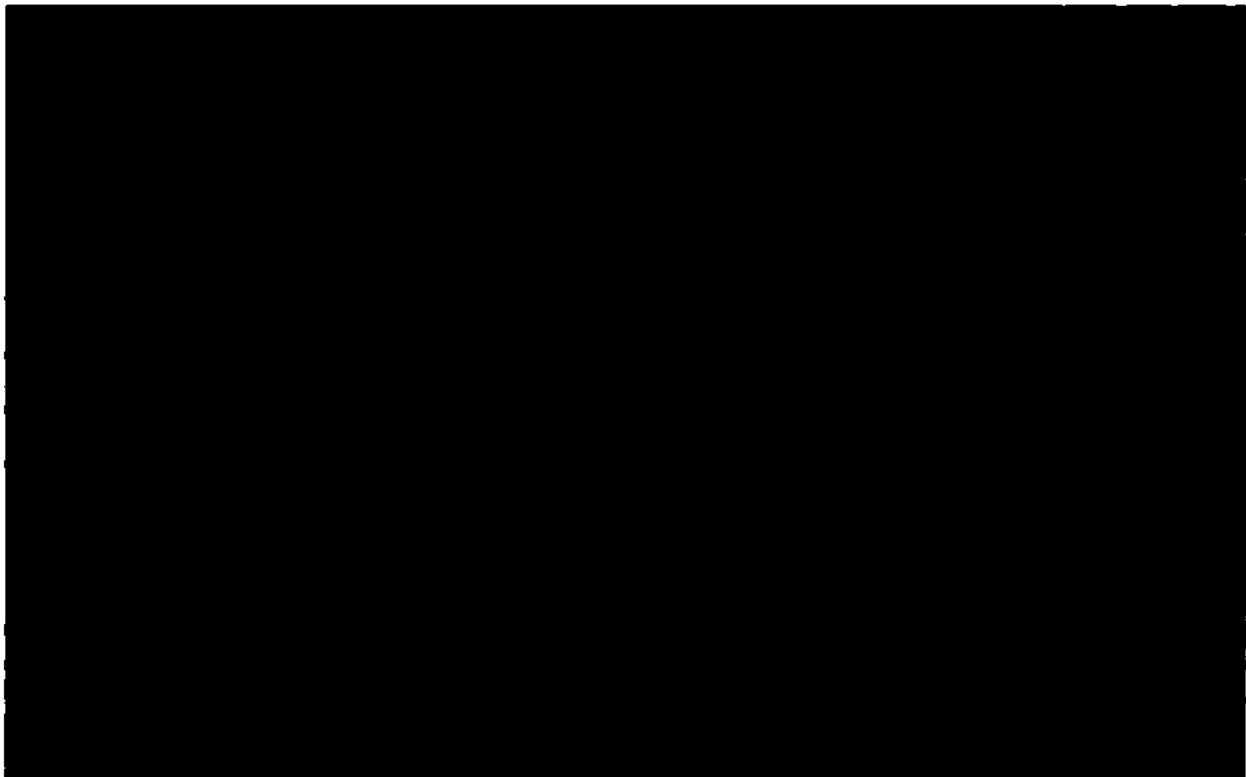
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267. (U) Spare.

f. (U) Information Operations



g. (U) Use of Force



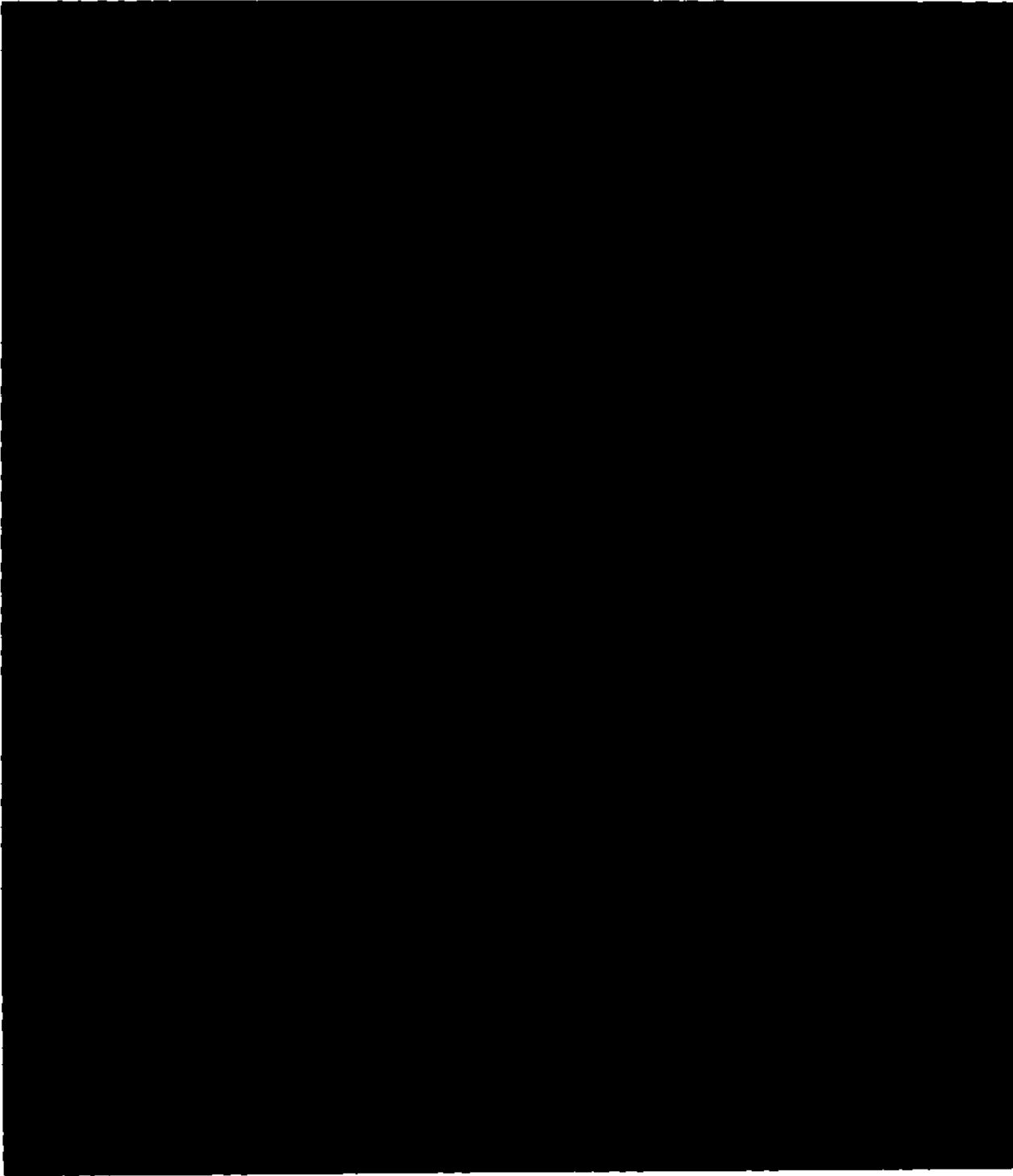
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293 through 299. (U) Spares.

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APPENDIX B TO ENCLOSURE I

SUPPLEMENTAL MEASURES FOR MARITIME OPERATIONS (U)

1. (U) General Maritime Measures

(b)(1), 1.4(a)



306 through 311. (U) Spares.

2. (U) Protection of Fishing, Merchant and Private Vessels

(b)(1), 1.4(a)



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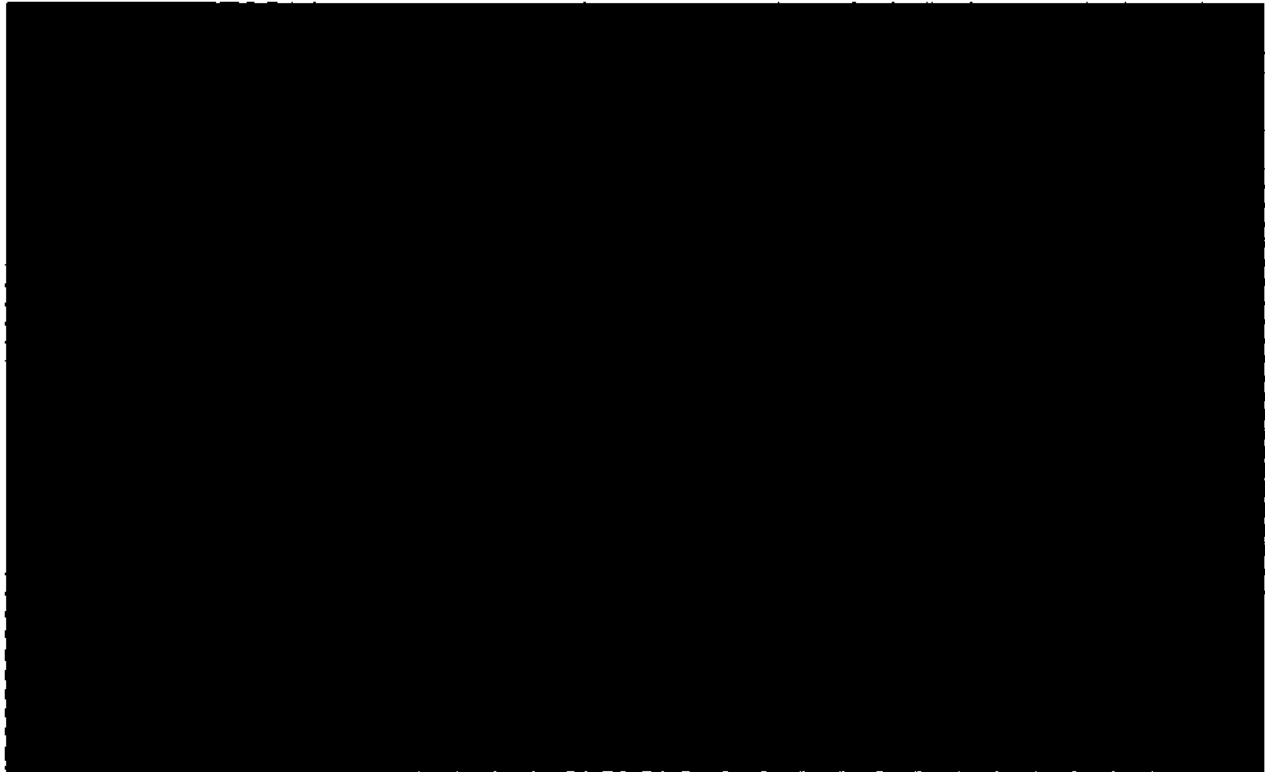
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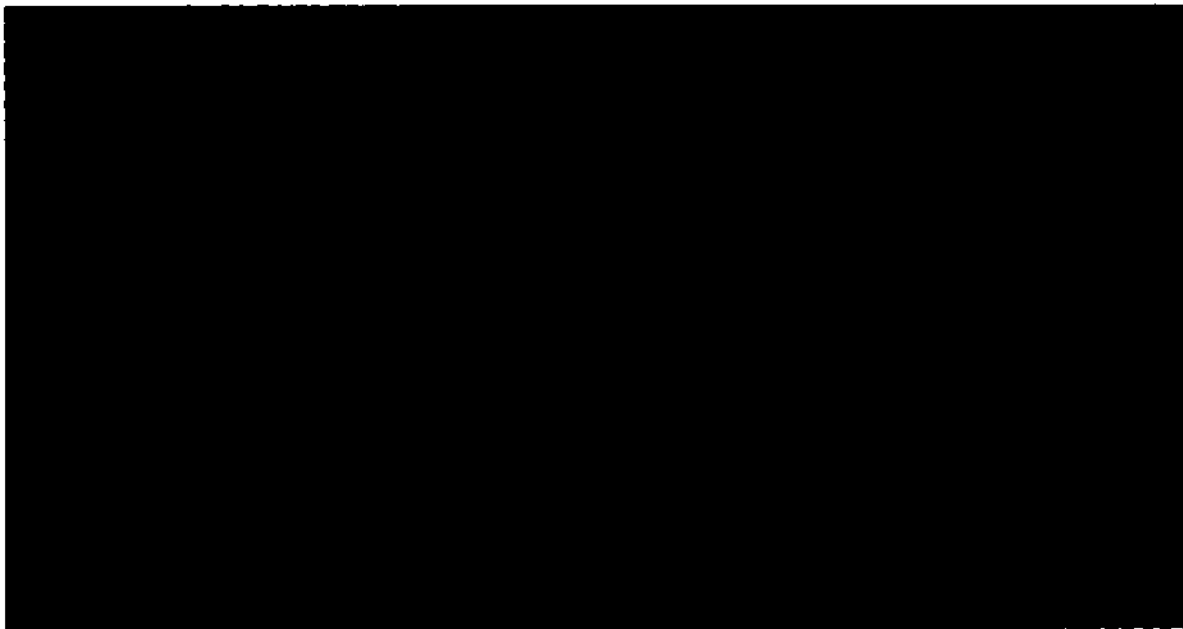
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322 through 339. (U) Spares.

3. (U) Interception Measures



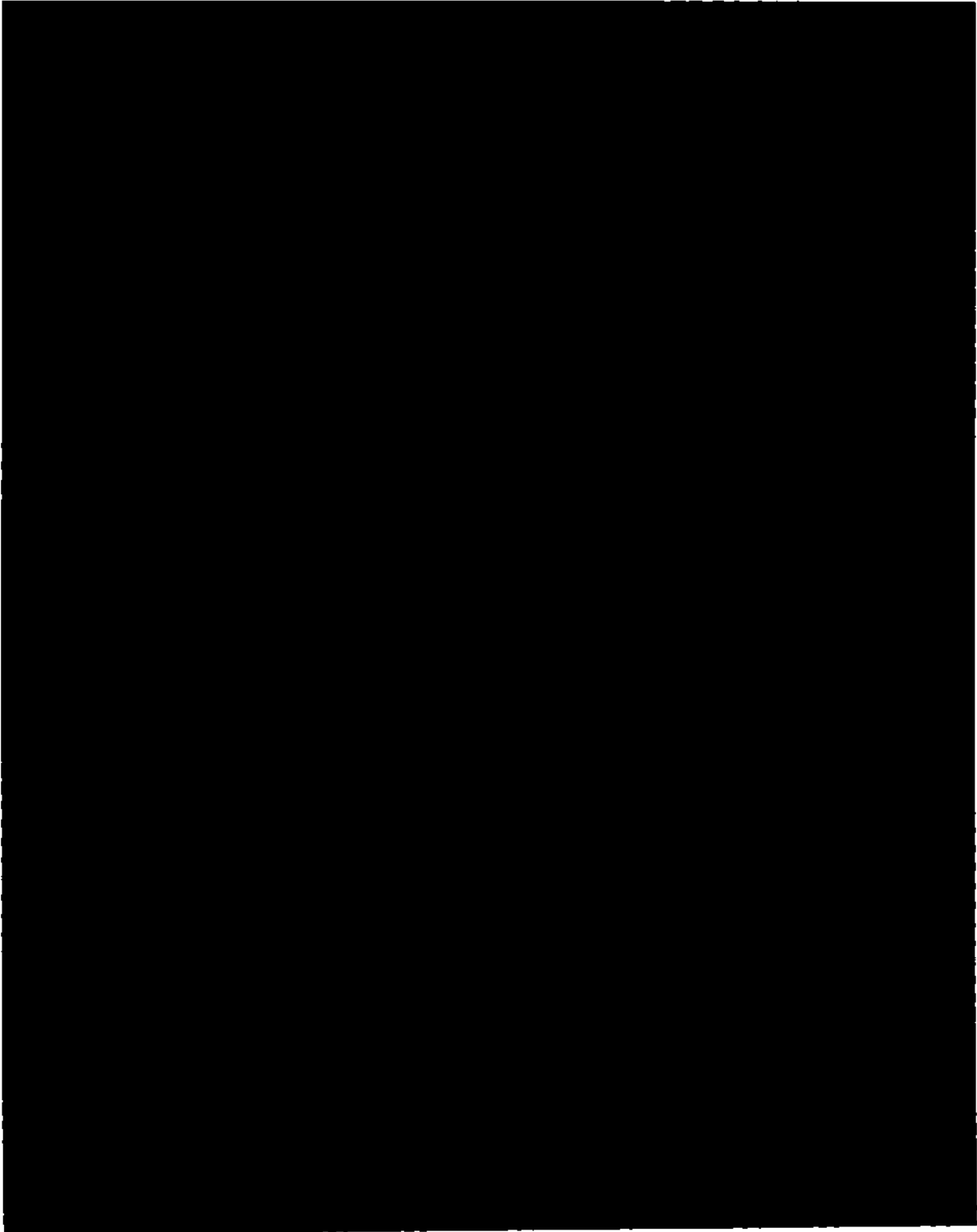
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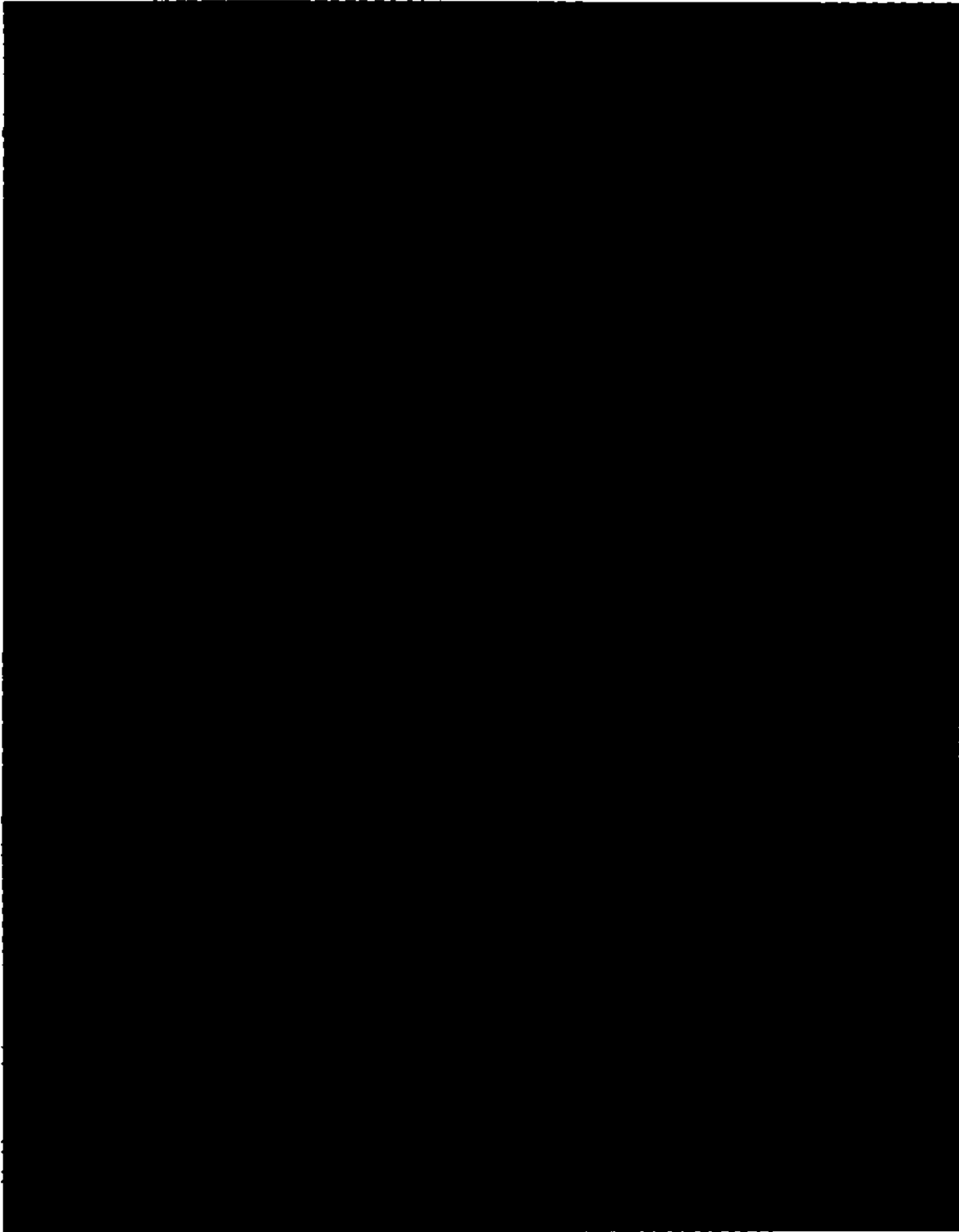
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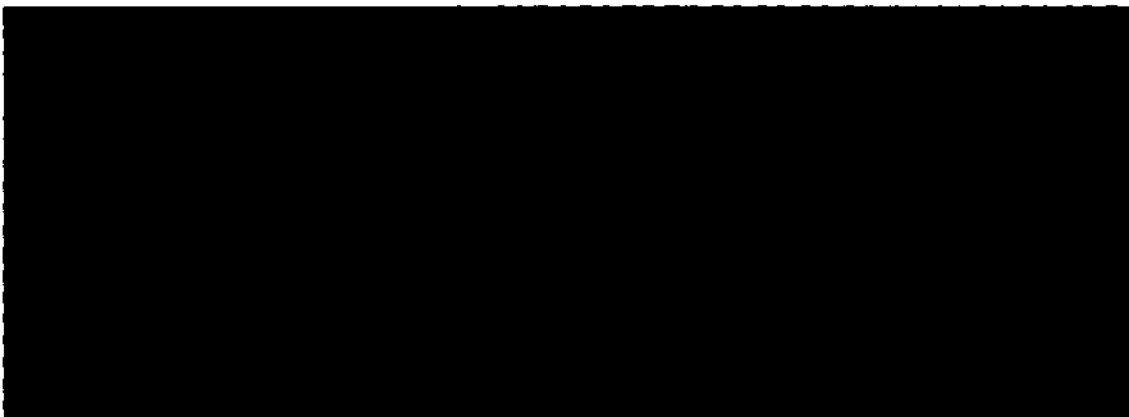
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358 through 399. (U) Spares.

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APPENDIX C TO ENCLOSURE I

SUPPLEMENTAL MEASURES FOR AIR OPERATIONS (U)

1. (U) General Air Supplementals



401. (U) Not used.



~~Classified by: LtGen J.T. Conway, USMC; DJ-3
Reason: 1.4 (a) (d) (g)
Declassify on: 30 June 2030~~

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2. (U) Close Air Support



409 through 499. (U) Spares.

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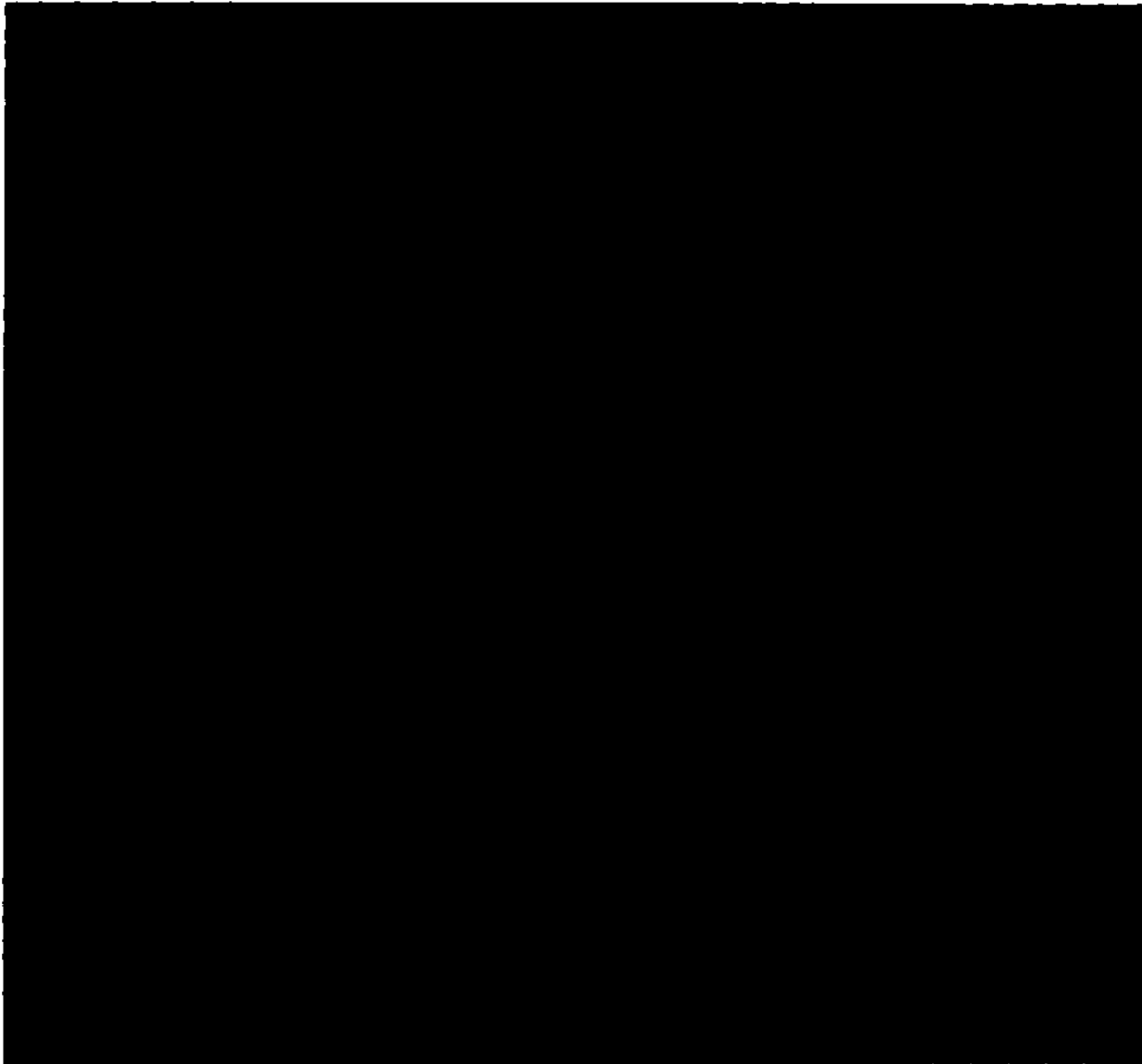
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APPENDIX D TO ENCLOSURE I

SUPPLEMENTAL MEASURES FOR LAND OPERATIONS (U)

1. (U) General Land Operation Measures



~~Classified by: LtGen J.T. Conway, USMC, DJ-3
Reason: 1.4 (a) (1) (i)
Declassify on: 30 June 2030~~

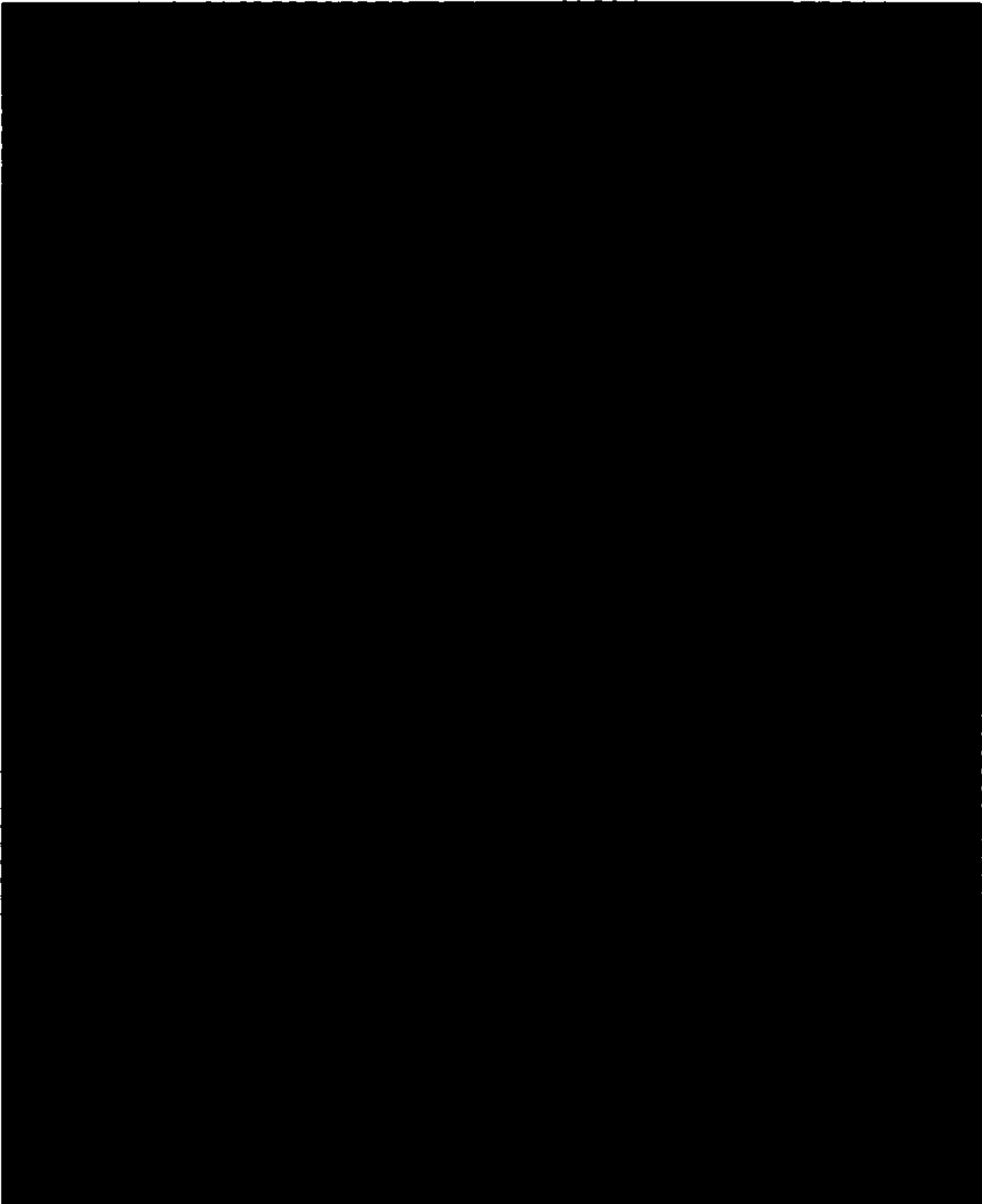
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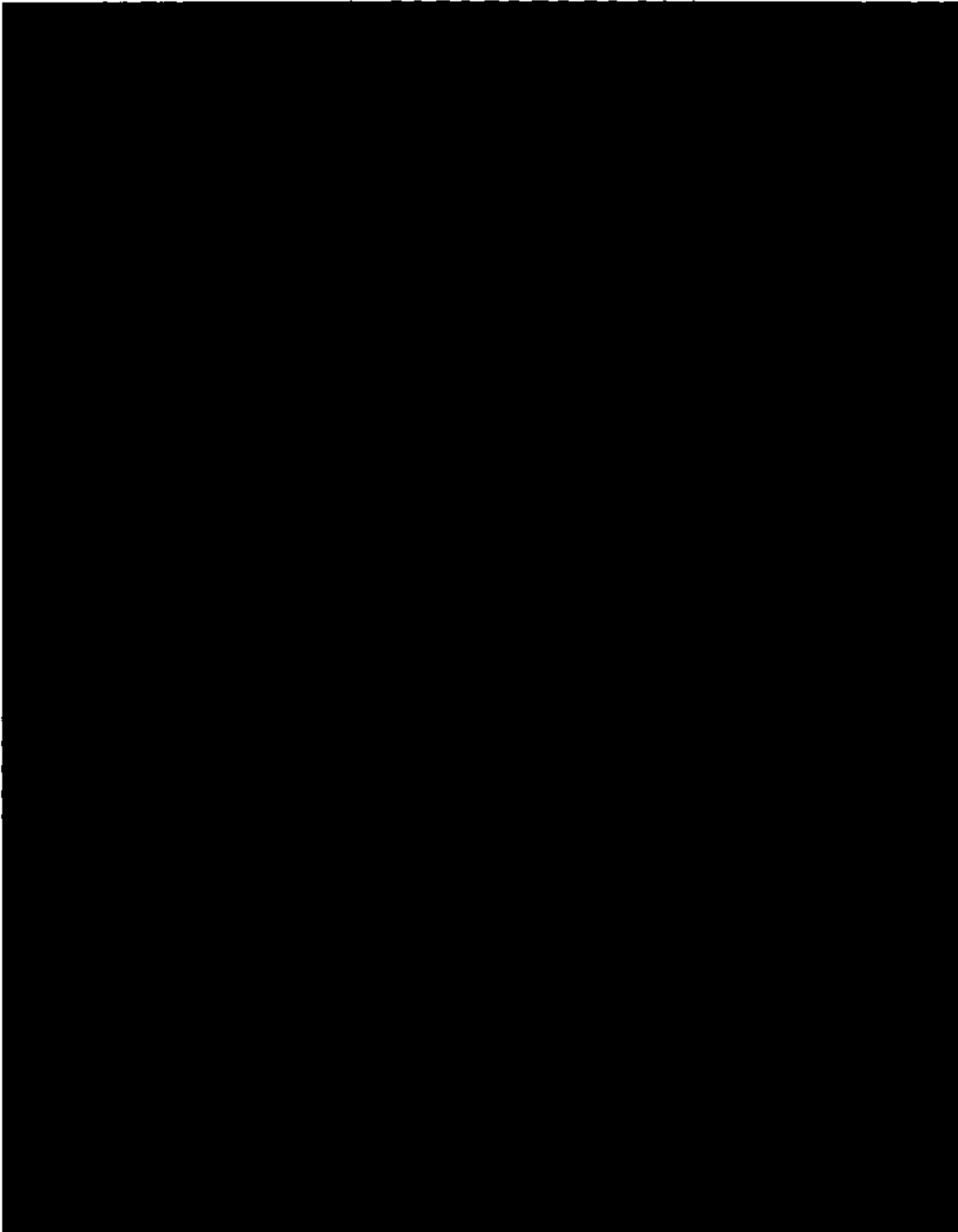
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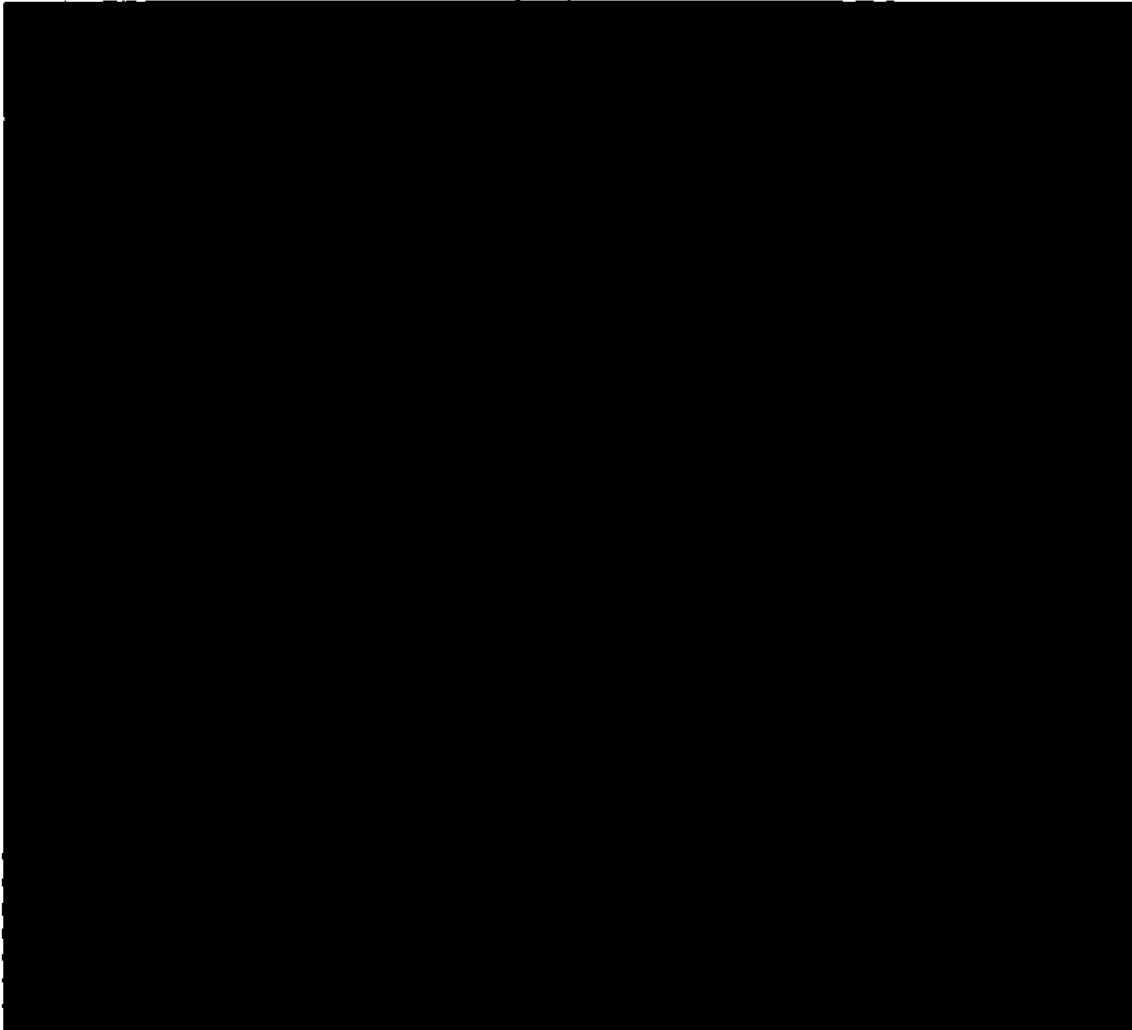
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523 through 550. (U) Spares.

2. (U) Diplomatic Security Operations Measures



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(b)(1), 1.4(a)



558 through 599. (U) Spares.

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APPENDIX E TO ENCLOSURE I

SUPPLEMENTAL MEASURES FOR SPACE OPERATIONS

General Space Supplementals

600 through 699. Reserved for future use. This section will be classified when information is filled in.

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APPENDIX F TO ENCLOSURE I

MESSAGE FORMATS AND EXAMPLES (U)

1. (U) ROE Supplemental Measures Message Formats

a. (U) Requests for supplemental measures should incorporate language consistent with SecDef guidance and should be a result of lessons learned from Joint Staff and combatant commander ROE review teams.

b. (U) Messages containing supplemental measures are to be classified at least CONFIDENTIAL. Each alphabetized national policy and numbered measure is to be spelled out. The individual designation number or meaning is UNCLASSIFIED, but when the two are used together, they become CONFIDENTIAL.

c. (U) If required, additional amplifying remarks will follow the alphabetized national policy or numbered measure.

d. (U) ROE messages are numbered serially. Each unit will separately serialize its requesting and approved ROE messages. For example, a combatant commander may respond to a subordinate unit's ROE Request Serial One with its ROE Approval Serial Five, referencing the request in the approval message. The next request, a different unit's ROE Request Serial Three, receives ROE Approval Serial Six, and so forth. Any requests from the combatant commander to the SecDef are serialized separately.



~~Classified by: LtGen J.T. Conway, USMC, DS-3
Reason: 1.4 (b) (4) (c)
Declassify on: 30 June 2030~~

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(b)(1); 1.4(a)



2. (U) ROE Message Examples

a. (U) The message examples and explanatory notes on the following pages are provided for the purpose of preparing and interpreting ROE messages.

(b)(1); 1.4(a)



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Sample Number One

"Authorization Message"

FM CDR USSOUTHCOM MIAMI FL
TO CJTF-BRAVO PALMEROLA AB HO
INFO SECDEF WASHINGTON DC
CJCS WASHINGTON DC
CSA WASHINGTON DC
CNO WASHINGTON DC
CSAF WASHINGTON DC
CMC WASHINGTON DC
CMDT COGARD WASHINGTON DC
CDR USCENTCOM MACDILL AFB FL
CDR USEUCOM VAHINGEN GE
CDR USJFCOM NORFOLK VA
CDR USNORTHCOM
CDR USPACOM HONOLULU HI
CDR USSOCOM MACDILL AFB FL
CDR USSTRATCOM OFFUTT AFB NE
CDR USTRANSCOM SCOTT AFB IL
COMJSOC FT BRAGG NC
DIA WASHINGTON DC
DIRNSA FT GEORGE G MEADE MD
DLA WASHINGTON DC
DISA WASHINGTON DC

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MSGID/GENADMIN/CDRUSSOUTHCOM//
SUBJ/ROE AUTHORIZATION SERIAL ONE, COUNTRY PURPLE BORDER
/CONFLICT (U)//
POC/KUEPPER/LCDR/J3/LOC:USSOUTHCOM/TEL:DSN 438-5155//
AKNLDG/YES//
RMKS/1. ~~(C)~~ ALPHA. BOTH ADVERSARIES ARE US ALLIES. BOTH
PURPLE AND YELLOW ARE BEING ENCOURAGED TO CEASE THEIR BORDER
PROVOCATIONS.
2. ~~(C)~~ COMPLETE MILITARY NEUTRALITY BY US FORCES SHOULD BE
OBSERVED AND ONLY HUMANITARIAN AID OFFERED IF NECESSARY.
3. ~~(C)~~ THREE FOUR ZERO (US MERCHANTS ONLY), TWO FIFTY SEVEN (50
NM YELLOW AND PURPLE.)
4. (U) N/A.
5. (U) N/A.
6. ~~(C)~~ US MILITARY POLICY IS FOR US FORCES TO REMAIN NEUTRAL
AND OFFER ONLY HUMANITARIAN AID. US FORCES ARE TO WARN US
MERCHANT SHIPS AND DIRECT THEM AWAY FROM THE AREA OF CONFLICT
WHILE REMAINING THEMSELVES AT LEAST 50 NM FROM THE COASTS OF BOTH
YELLOW AND PURPLE.//
DECL/XX XXX XX//

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Sample Number Two

"Request Message"

FM CJTF-ROME0
TO CDR USJFCOM NORFOLK VA
INFO SECDEF WASHINGTON DC
CJCS WASHINGTON DC
CSA WASHINGTON DC
CNO WASHINGTON DC
CSAF WASHINGTON DC
CMC WASHINGTON DC
CMDT COGARD WASHINGTON DC
CDR USCENTCOM MACDILL AFB FL
CDR USEUCOM VAIHINGEN GE
CDR USNORTHCOM
CDR USPACOM HONOLULU HI
CDR USSOCOM MACDILL AFB FL
CDR USSOUTHCOM MIAMI FL
CDR USSTRATCOM OFFUTT AFB NE
CDR USTRANSCOM SCOTT AFB IL
COMJSOC FT BRAGG NC
DIA WASHINGTON DC
DIRNSA FT GEORGE G MEADE MD
DLA WASHINGTON DC
DISA WASHINGTON DC

~~CONFIDENTIAL~~

MSGID/GENADMIN/CJTF-R//

SUBJ/ROE REQUEST SERIAL ONE ~~(S)~~//

POC/BERNADO/LCDR/N3/LOC:XXXX/TEL:DSN XXX-XXXX//

AKNLDG/YES//

RMKS/1. (U) N/A.

2. (U) N/A.

3. ~~(S)~~ ONE ONE ZERO. REQUEST AUTHORITY TO USE RIOT CONTROL AGENTS, TO INCLUDE CAYENNE PEPPER SPRAY, FOR THE PROTECTION AND SECURITY OF JTF PERSONNEL AND FACILITIES.

4. (U) N/A.

5. (U) N/A.

6. ~~(S)~~ HIGH RATE OF INDISCRIMINATE CRIME WITHIN THE JTF AOR REMAINS AN ONGOING CONCERN. THE ON-SCENE COMMANDER REQUESTS AUTHORITY TO USE RIOT CONTROL AGENTS, TO INCLUDE CAYENNE PEPPER SPRAY, FOR THE PROTECTION AND SECURITY OF JTF PERSONNEL AND FACILITIES.//

DECL/XX XXX XX//

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Sample Number Three
"Authorization Message"

FM CDR USSOUTHCOM MIAMI FL
TO CJTF-BRAVO PALMEROLA AB HO
INFO SECDEF WASHINGTON DC
CJCS WASHINGTON DC
CSA WASHINGTON DC
CNO WASHINGTON DC
CSAF WASHINGTON DC
CMC WASHINGTON DC
CMDT COGARD WASHINGTON DC
CDR USCENTCOM MACDILL AFB FL
CDR USEUCOM VAHINGEN GE
CDR USJFCOM NORFOLK VA
CDR USNORTHCOM
CDR USPACOM HONOLULU HI
CDR USSOCOM MACDILL AFB FL
CDR USSTRATCOM OFFUTT AFB NE
CDR USTRANSCOM SCOTT AFB IL
COMJSOC FT BRAGG NC
DIA WASHINGTON DC
DIRNSA FT GEORGE G MEADE MD
DLA WASHINGTON DC
DISA WASHINGTON DC

~~CONFIDENTIAL~~

MSGID/GENADMIN/CDRUSSOUTHCOM//
SUBJ/ROE AUTHORIZATION SERIAL TWO, COUNTRY PURPLE BORDER CONFLICT
/WITH YELLOW (U)//
REF/A/FLTCO SERIAL #1/211453ZDEC89/-/NOTAL//
POC/MCCARTHY/MAJ/J3/LOC:USSOUTHCOM/TEL:DSN XXX-XXXX//
AKNLDG/YES//
RMKS/1. ~~(C)~~ BRAVO. BORDER CONFLICT APPEARS TO HAVE SETTLED
DOWN. ORANGE FORCES IN AREA MAY ATTEMPT TO REIGNITE CONFLICT IN
FAVOR OF YELLOW.
2. ~~(C)~~ MAINTAIN COMPLETE MILITARY NEUTRALITY REGARDING YELLOW
AND PURPLE FORCES. UNDERTAKE CLOSE SURVEILLANCE OF ORANGE
FORCES. DISCOURAGE ANY ATTEMPTS TO ESCALATE SITUATION.
3. ~~(C)~~ TWO FORTY NINE ALFA. MAINTAIN VISUAL SURVEILLANCE OF
ORANGE COMBATANTS; TWO EIGHTY EIGHT. WARN OFF INTRUDING
ORANGE FORCES. REPORT IMMEDIATELY. CARRY OUT TASK USING ALL
MEANS SHORT OF ARMED FORCE.
4. ~~(C)~~ TWO FIFTY SEVEN. (REMAIN OUTSIDE 50 NM YELLOW AND
PURPLE COASTS).
5. ~~(C)~~ THREE FOUR ZERO (US MERSHIPS ONLY).

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6. (U) US NATIONAL POLICY IS TO MAINTAIN THE STATUS QUO NOW THAT ACTUAL ARMED CONFLICT HAS CEASED. ORANGE FORCES IN THE VICINITY MAY TRY TO REIGNITE THE CONFLICT AND CAN BE EXPECTED TO BACK YELLOW IN AN ENSUING CONFRONTATION. US MILITARY POLICY IS TO REMAIN SCRUPULOUSLY NEUTRAL CONCERNING YELLOW AND PURPLE. US FORCES ARE TO GAIN AND MAINTAIN VISUAL CONTACT WITH ORANGE COMBATANTS IN THE AREA WITH THE PURPOSE OF DISCOURAGING ANY ATTEMPTS BY ORANGE FORCES TO REIGNITE THE FIGHTING. US FORCES ARE TO CARRY OUT THIS TASK USING ALL MEANS SHORT OF ARMED FORCE. US FORCES ARE NO LONGER REQUIRED TO REMAIN 50 NM FROM YELLOW AND PURPLE COASTS, BUT THEY SHOULD CONTINUE TO WARN AND DIVERT US FLAG MERCHANT SHIPS AWAY FROM THE AREA AS PREVIOUSLY ORDERED.//
DECL/XX XXX XX//

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ENCLOSURE J

RULES OF ENGAGEMENT PROCESS

1. Purpose and Scope. Developing and implementing effective ROE are critical to mission accomplishment. This enclosure provides guidelines for incorporating ROE development into the crisis action planning (CAP) and deliberate planning processes by commanders and staff at all levels. All supplemental measures not specifically requiring Presidential, SecDef or combatant commander approval (001-199) are available for use by commanders unless expressly withheld by higher authority.

2. ROE Development

a. General Guidelines

(1) ROE are an operational issue and must directly support the operational concept. Once assigned a mission, the commander and staff must incorporate ROE considerations into mission planning. Operations planning and ROE development are parallel and collaborative processes that require extensive integration.

(2) As missions develop and requirements emerge, it is natural to need to request supplemental measures from higher headquarters for mission accomplishment. The issues addressed throughout the planning process will form the basis for supplemental ROE requests requiring SecDef or combatant commander approval in support of a selected course of action (COA). ROE development is a continuous process that plays a critical role in every step of crisis action and deliberate planning.

(3) Due to the operational nature of ROE, the Director for Operations (J-3) and his staff are responsible for developing ROE during crisis action planning. Likewise, the Director for Strategic Plans and Policies (J-5) should play a large role in ROE development for deliberate planning.

(4) As an expert in the law of military operations and international law, Staff Judge Advocate (SJA) plays a significant role, with the J-3 and J-5, in developing and integrating ROE into operational planning.

(5) ROE should be classified at the lowest level possible to ensure widest distribution to US forces.

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b. Task Steps. The following steps can be used to assist staffs in developing and implementing ROE during planning.

(1) Mission Analysis

(a) Review the SROE, including any current combatant commander theater-specific ROE.

(b) Review supplemental ROE measures already approved for the mission by higher headquarters, and determine the need for existing authorizations.

(c) Review higher headquarters planning documents for political, military and legal considerations that affect ROE. Consider tactical or strategic limitations on the use of force imposed by

1. Higher headquarters in the initial planning documents.

2. US law and policy.

3. International law, including the UN Charter.

4. HN law, policy and agreements.

5. For multinational or coalition operations:

a. Foreign forces ROE, NATO ROE, NORAD ROE and other RUF policies.

b. UN Security Council resolutions or other mission authority.

(d) Internal review of developed ROE by command ROE review team prior to submission for execution or approval, as appropriate.

(e) Desired End State. Assess ROE requirements throughout pre-conflict, deterrence, conflict and post-conflict phases of an operation. ROE should support achieving the desired end state.

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(2) Planning Guidance

(a) Review commander's planning guidance for considerations affecting ROE development.

(b) Ensure ROE considerations derived from commander's planning guidance are consistent with those derived from initial planning documents.

(3) Warning Orders. Incorporate instructions for developing ROE in warning orders, as required. Contact counterparts at higher, lower and adjacent headquarters, and establish the basis for concurrent planning.

(4) Course of Action (COA) Development. Determine ROE requirements to support the operational concept of each proposed COA.

(5) COA Analysis

(a) Analyze ROE during the wargaming process. In particular, assess each COA to identify any ROE normally retained by a higher headquarters that must be delegated to subordinate commanders. Identify ROE required by decision and decisive points.

(b) Refine ROE to support synchronizing each phase of proposed COAs.

(6) COA Comparison and Selection. Consider ROE during the COA comparison process, including affects if ROE supplements are not authorized as requested.

(7) Commander's Estimate. Identify Presidential or SecDef-level ROE required to support recommended COA.

(8) Preparation of Operations Order (OPORD)

(a) Prepare and submit requests for all supplemental ROE measures IAW Enclosure A. Normally, the OPORD should not be used to request supplemental measures.

(b) Prepare the ROE appendix of the OPORD IAW CJCSM 3122.03 (JOPES Volume II: Planning Formats and Guidance). The ROE

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appendix may include supplemental ROE measures that are already approved.

(c) Include guidance for disseminating approved ROE that is consistent with SecDef-approved guidance. Consider:

1. Developing "plain language" ROE.
2. Creating ROE cards.
3. Issuing special instructions (SPINS).
4. Distributing ROE to multinational forces or coalitions.
5. Issuing ROE translations (for coalitions).

(9) ROE Request and Authorization Process. Commanders will request and authorize ROE, as applicable, IAW Enclosure A.

(10) ROE Control. The ROE process must anticipate changes in the operational environment and modify supplemental measures to support the assigned mission. Commanders and their staffs must continuously analyze ROE and recommend modifications to meet changing operational parameters.

(a) Ensure that only the most current ROE serial is in use throughout the force.

(b) Catalog all supplemental ROE requests and approvals for ease of reference.

(c) Monitor ROE training.

(d) Modify ROE as required. Ensure that a timely, efficient staff process exists to respond to requests for and authorizations of ROE changes.

3. Establish ROE Planning Cell. Commanders may use a ROE planning cell to assist in developing ROE. The following guidelines apply:

a. The J-3 is responsible for the ROE planning cell and, assisted by the SJA, develops supplemental ROE.

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b. ROE are developed as an integrated facet of crisis action and deliberate planning and are a product of the Operations Planning Group (OPG) or Joint Planning Group (JPG), or equivalent staff mechanism.

c. An ROE planning cell can be established at any echelon to refine ROE derived from the OPG or JPG planning and to produce the most effective ROE requests and/or authorizations possible.

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ENCLOSURE K

ROE REFERENCES

- a. CJCSI 2410.01 Series, "Guidance for the Exercise of Right-of-Assistance Entry"
- b. CJCSI 3110.07 Series, "Nuclear, Biological, and Chemical Defense; Riot Control Agents; and Herbicides"
- c. CJCSI 3123.01 Series, "US Navigation Procedures in the Event of Cuban Attack on US Aircraft or Vessels"
- d. CJCSM 3150.03 Series, "Joint Reporting Structure Event and Incident Reports"
- e. CJCSI 3210.01 Series, "Joint Information Operations Policy"
- f. CJCSI 3210.03 Series, "Joint Electronic Warfare Policy"
- g. CJCSI 3250.01 Series, "Policy Guidance for Sensitive Airborne and Maritime Surface Reconnaissance Operations"
- h. CJCSI 3710.01 Series, "Delegation of Authority for Approving Operational Support to Drug Law Enforcement Agencies and Counterdrug-Related Deployment of DOD Personnel"
- i. CJCSI 5810.01 Series, "Implementation of the DOD Law of War Program"
- j. CJCSI 6210.02 Series, "Attack Information and Operational Architecture of the Integrated Tactical Warning Assessment System"
- k. CJCSI 6510.01 Series, "Information Assurance and Computer Network Defense"
- l. Joint Publication 3-07, 16 June 1995, "Joint Doctrine for Military Operations Other Than War"
- m. Joint Publication 3-07.3, 12 February 1999, "Joint Tactics, Techniques, and Procedures for Peacekeeping Operations"

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- n. Joint Publication 3-53, 5 September 2003, "Doctrine for Joint Psychological Operations"
- o. DOD Instruction 3321.1, 26 July 1984, "Overt Psychological Operations Conducted by the Military Services in Peacetime and in Contingencies Short of Declared War"
- p. DOD Directive 5100.77, 9 December 1998, "DoD Law of War Program"
- q. DOD Directive 5210.56, 01 November 2001 (Change 01, 24 January 2002), "Use of Deadly Force and the Carrying of Firearms by DoD Personnel Engaged in Law Enforcement and Security Duties"
- r. DOD Directive 1300.7, 8 December 2000, (Certified current as of 21 November 2003) "Training and Education To Support the Code of Conduct (CoC)"
- s. DOD Directive 2000.11, 3 March 1972, (Change 01, 17 May 1973), "Procedures for Handling Requests for Political Asylum and Temporary Refuge"
- t. DOD Directive 3000.3, 9 July 1996, "Policy for Non-lethal Weapons"
- u. Deputy Secretary of Defense memorandum, 27 October 1993, "DOD Guidance for Implementation of National Drug Control Policy"
- v. Secretary of Defense memorandum, 6 October 1998, "Military Support to Counternarcotics Activities"
- w. US Coast Guard Use-of-Force Policy, COMDTINST M16247 (Series). Global Command and Control System (GCCS) address <http://204.36.191.2/cghq.html/>.
- x. ASD (C3I) Memo, 26 February 2003, "Guidance for Computer Network Defense Response Action"

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ENCLOSURE L

STANDING RULES FOR THE USE OF FORCE FOR US FORCES

1. Purpose and Scope

a. Standing Rules for the Use of Force (SRUF) provide operational guidance and establish fundamental policies and procedures governing the actions taken by DOD forces performing civil support missions (e.g., military assistance to civil authorities and military support for civilian law enforcement agencies) and routine Service functions (including AT/FP duties) within US territory (including US territorial waters). The SRUF also apply to land homeland defense missions occurring within US territory and to DOD forces, civilians and contractors performing law enforcement and security duties at all DOD installations (and off-installation, while conducting official DOD security functions), within or outside US Territory, unless otherwise directed by the SecDef. Host nation laws and international agreements may limit US forces means of accomplishing their law enforcement or security duties. Additional examples of these missions, within the US, include protection of critical US infrastructure both on and off DOD installations, military assistance and support to civil authorities, DOD support during civil disturbance and DOD cooperation with Federal, State and local law enforcement authorities, including counterdrug support.

b. SRUF cancels CJCSI 3121.02, "RUF for DOD Personnel Providing Support to Law Enforcement Agencies Conducting CD Operations in the United States," and RUF contained in DOD Civil Disturbance Plan (Garden Plot). Existing standing Military Department and combatant commander RUF directives shall be reviewed and updated to comply with these SRUF. Existing SecDef-approved mission-specific RUF remain in effect, unless otherwise noted. Use of force guidance contained in this instruction supercedes that contained in DOD Directive 5210.56, Enclosure 2.

c. Unit commanders at all levels must teach and train their personnel how and when to use both non-deadly and deadly force in self-defense.

d. DOD forces detailed to other USG lead Federal Agencies (LFA) (e.g., support to US Border Patrol) will operate under common mission-

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specific RUF approved by the SecDef and the LFA. DOD forces always retain the right of self-defense, IAW these SRUF.

e. DOD forces under USCG control, conducting operations both outside and within the territorial limits of the US, will follow the Use of Force Policy for warning shots and disabling fire as issued by the Commandant, USCG, per 14 USC 637 (reference w). DOD forces, under USCG control and inside the territorial limits of the US, retain the right of self-defense IAW these SRUF.

f. DOD forces, under DOD control (and using DOD SRUF and mission-specific RUF), but operating in coordination with other LFA security forces, will coordinate with on-scene LFA personnel to ensure common understanding of DOD RUF. Combatant commanders shall notify the SecDef, through the CJCS, of any use of force issues that cannot be resolved.

2. Policy. Unit commanders always retain the inherent right and obligation to exercise unit self-defense in response to a hostile act or demonstrated hostile intent. Unit self-defense includes the defense of other DOD forces in the vicinity.

3. Combatant Commander Mission-Specific RUF

a. Combatant commanders may augment these SRUF as necessary by submitting a request for mission-specific RUF to the CJCS for SecDef approval. The message format for requesting approval of mission-specific RUF is contained in Enclosure P.

b. Unit commanders may further restrict mission-specific RUF approved by the SecDef. US commanders shall notify the SecDef, through the CJCS, as soon as practicable, of restrictions (at all levels) placed on Secretary of Defense-approved RUF. In time critical situations, make SecDef notification concurrently to the CJCS. When concurrent notification is not possible, notify the CJCS as soon as practicable after SecDef notification.

c. Combatant commanders will distribute these SRUF to subordinate commanders and units for implementation.

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4. Definitions and Authorities

a. Inherent Right of Self-Defense. Unit commanders always retain the inherent right and obligation to exercise unit self-defense in response to a hostile act or demonstrated hostile intent. Unless otherwise directed by a unit commander as detailed below, service members may exercise individual self-defense in response to a hostile act or demonstrated hostile intent. When individuals are assigned and acting as part of a unit, individual self-defense should be considered a subset of unit self-defense. As such, unit commanders may limit individual self-defense by members of their unit.

b. Imminent Threat. The determination of whether the danger of death or serious bodily harm is imminent will be based on an assessment of all facts and circumstances known to DOD forces at the time and may be made at any level. Imminent does not necessarily mean immediate or instantaneous. Individuals with the capability to inflict death or serious bodily harm and who demonstrate intent to do so may be considered an imminent threat.

c. Hostile Act. An attack or other use of force against the United States, US forces or other designated persons or property. It also includes force used directly to preclude or impede the mission and/or duties of US forces, including the recovery of US personnel or vital USG property.

d. Hostile Intent. The imminent threat of the use of force against the United States, US forces or other designated persons or property. It also includes the threat of force to preclude or impede the mission and/or duties of US forces, including the recovery of US personnel or vital USG property.

e. Assets Vital to National Security. For the purposes of DOD operations, defined as President-designated non-DOD and/or DOD property, the actual theft or sabotage of which the President determines would seriously jeopardize the fulfillment of a national defense mission and would create an imminent threat of death or serious bodily harm. Examples may include, but are not limited to, nuclear weapons; nuclear command and control facilities; and designated restricted areas containing strategic operational assets, sensitive codes or special access programs.

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f. Inherently Dangerous Property. Property is considered inherently dangerous if, in the hands of an unauthorized individual, it would create an imminent threat of death or serious bodily harm. Examples may include, but are not limited to: portable missiles, rockets, arms, ammunition, explosives, chemical agents and special nuclear materials. On-scene DOD commanders are authorized to classify property as inherently dangerous.

g. National Critical Infrastructure. For the purposes of DOD operations, defined as President-designated public utilities, or similar critical infrastructure, vital to public health or safety, the damage to which the President determines would create an imminent threat of death or serious bodily harm.

5. Procedures

a. De-Escalation. When time and circumstances permit, the threatening force should be warned and given the opportunity to withdraw or cease threatening actions.

b. Use of Non-Deadly Force

(1) Normally, force is to be used only as a last resort, and the force used should be the minimum necessary. The use of force must be reasonable in intensity, duration and magnitude based on the totality of circumstances to counter the threat. If force is required, non-deadly force is authorized and may be used to control a situation and accomplish the mission, or to provide self-defense of DOD forces, defense of non-DoD persons in the vicinity if directly related to the assigned mission, or in defense of the protected property, when doing so is reasonable under the circumstances.

(2) The use of Service-approved, unit issued non-lethal weapons and riot control agents, including oleoresin capsicum (OC) pepper spray, and CS gas, is authorized in operations other than war. Detailed guidance for use of riot control agents by DOD personnel is governed by CJCSI 3110.07 Series, (references b and t listed in Enclosure K).

(3) When operating under SRUF, warning shots are not authorized within US territory (including US territorial waters), except when in the appropriate exercise of force protection of US Navy and Naval Service vessels within the limits set forth in Enclosure M.

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c. Use of Deadly Force. Deadly force is to be used only when all lesser means have failed or cannot reasonably be employed. Deadly force is authorized under the following circumstances:

(1) Inherent Right of Self-Defense. Deadly force is authorized when DOD unit commanders reasonably believe that a person poses an imminent threat of death or serious bodily harm to DOD forces. Unit self-defense includes the defense of other DOD forces in the vicinity.

(2) Defense of Others. Deadly force is authorized in defense of non-DOD persons in the vicinity, when directly related to the assigned mission.

(3) Assets Vital to National Security. Deadly force is authorized when deadly force reasonably appears to be necessary to prevent the actual theft or sabotage of assets vital to national security.

(4) Inherently Dangerous Property. Deadly force is authorized when deadly force reasonably appears to be necessary to prevent the actual theft or sabotage of inherently dangerous property.

(5) National Critical Infrastructure. Deadly force is authorized when deadly force reasonably appears to be necessary to prevent the sabotage of national critical infrastructure.

d. Additionally, when directly related to the assigned mission, deadly force is authorized under the following circumstances:

(1) Serious Offenses Against Persons. Deadly force is authorized when deadly force reasonably appears to be necessary to prevent the commission of a serious offense that involves imminent threat of death or serious bodily harm (for example, setting fire to an inhabited dwelling or sniping), including the defense of other persons, where deadly force is directed against the person threatening to commit the offense. Examples include murder, armed robbery and aggravated assault.

(2) Escape. Deadly force is authorized when deadly force reasonably appears to be necessary to prevent the escape of a prisoner, provided there is probable cause to believe that such person(s) have committed or attempted to commit a serious offense, that is, one that involves imminent threat of death or serious bodily harm, and would

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pose an imminent threat of death or serious bodily harm to DOD forces or others in the vicinity.

(3) Arrest or Apprehension. Deadly force is authorized when deadly force reasonably appears necessary to arrest or apprehend a person who, there is probable cause to believe, has committed a serious offense (as indicated in subparagraph c above).

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ENCLOSURE M

MARITIME OPERATIONS WITHIN US TERRITORY (U)

1. (U) Purpose and Scope

a. (U) This enclosure governs the actions to be taken by US forces conducting maritime contingency missions (e.g., military assistance to civil authorities) and routine Service functions (including AT/FP duties) under DOD control within US territorial waters, unless otherwise directed by the SecDef.

b. (U) DOD units under USCG control, conducting operations both outside and within the territorial limits of the US, will follow the Use of Force Policy for warning shots and disabling fire issued by the Commandant, USCG, per 14 USC 637 (reference w). DOD forces, under USCG control and inside the territorial limits of the US, retain the right of self-defense IAW these SRUF.

c. (U) USCG units, conducting USCG law enforcement missions, even when operating in the Department of the Navy, follow the USCG Use of Force Policy as contained in the USCG Maritime Law Enforcement annual, COMDTINST M16247.1B. USCG units operating under DOD TACON within the territorial limits of the United States, and not conducting USCG law enforcement missions, will operate under these SRUF.

2. (U) Policy. IAW Enclosure L.

3. (U) Definitions and Authorities. IAW Enclosure L.

4. (U) Procedures. IAW Enclosure L, supplemented by the following:



~~Classified by: LtGen J.T. Conway, USMC, DS-3~~

~~Reason: 1.4.(c)(1)~~

~~Declassify on: 30 June 2030~~

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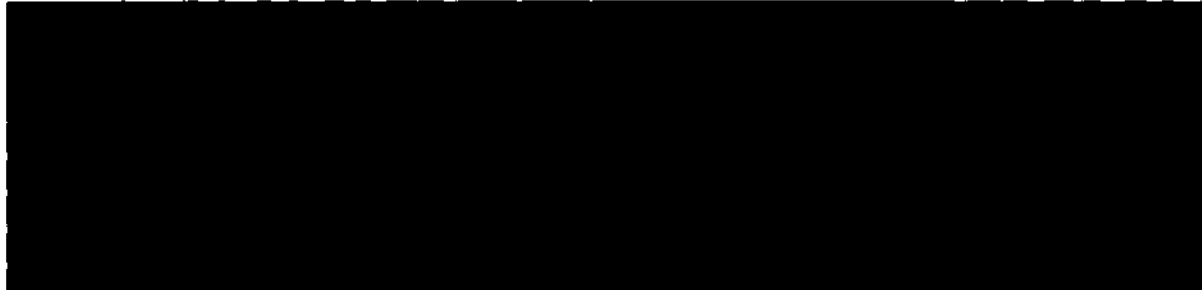
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b. (U) Threat Indicators. Unit commanders will use their best judgment based on available information including intelligence, politico-military factors and technological capabilities to determine the intent of threatening forces. Examples of actions that might lead to a reasonable belief that an imminent threat exists:



c. (U) Warning Shots from US Navy and Naval Service Vessels and Piers. Warning shots to protect US Navy and Naval Service vessels within the territorial seas and internal waters of the United States are authorized when, in the appropriate exercise of force protection of US Navy and Naval Service vessels, they are fired:

- (1) (U) Over water to warn an approaching vessel.
- (2) (U) When a clear line of fire exists.
- (3) (U) From a crew served weapon or rifle.
- (4) (U) By personnel certified under a training program approved by the Service Chief.
- (5) (U) Under tactical direction of competent authority, as determined by the Service Chief.
- (6) (U) When there are no other means reasonably available to determine the intent of the approaching craft without increasing the threat to US Navy and Naval Service vessels and personnel.



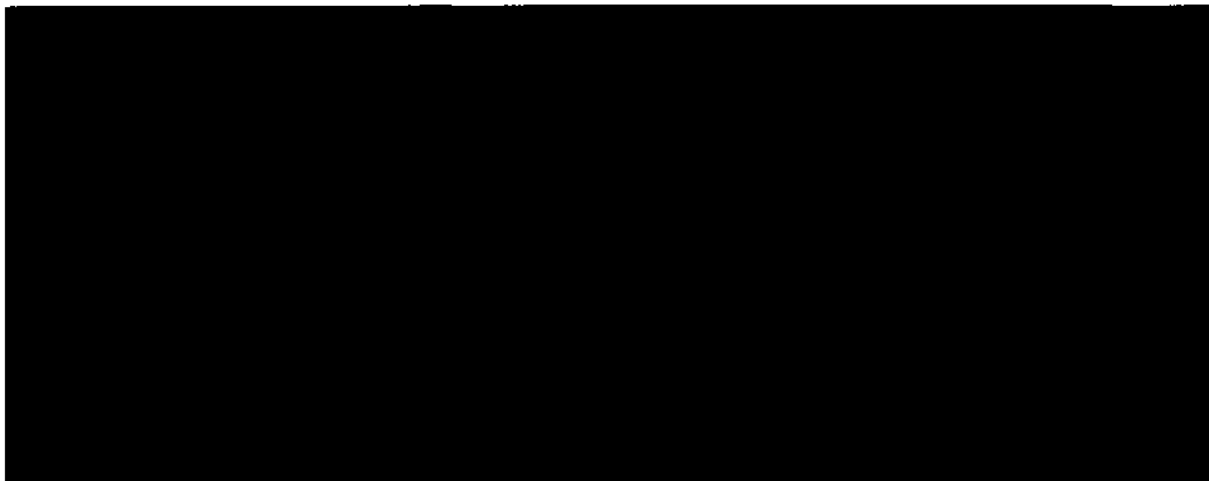
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f. (U) Maritime Law Enforcement and Port Security Operations. The USCG is the LFA for conducting maritime law enforcement operations on the high seas and waters subject to US jurisdiction. Units under USCG control will follow the Use of Force Policy issued by the Commandant, USCG.

g. (U) Maritime Intercept Operations (MIO). MIO within US territorial waters will be conducted using SROE and any additional mission-specific ROE provided in SecDef-approved orders.

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ENCLOSURE N

LAND CONTINGENCY AND SECURITY-RELATED OPERATIONS WITHIN
US TERRITORY (U)

1. (U) Purpose and Scope. This enclosure governs the actions to be taken by US forces conducting land contingency missions (e.g., military assistance to civil authorities and military support for civilian law enforcement agencies) and routine Service functions (including AT/FP duties) in US territory, except those conducting CD operations (see Enclosure O). This enclosure also applies to land homeland defense missions occurring within US territory and to DOD forces, civilians and contractors conducting law enforcement and security duties on DOD installations (and off-installation while conducting official DOD security functions), within or outside US Territory, unless otherwise directed by the SecDef.
2. (U) Policy. IAW Enclosure L.
3. (U) Definitions and Authorities. IAW Enclosure L.
4. (U) Procedures. IAW Enclosure L, supplemented by the following:

b. (U) Temporary Detention of Threatening Personnel

(1) (U) DOD forces may temporarily detain individuals who:

(a) (U) Gain unauthorized access to perimeters or other secured areas established pursuant to assigned DoD missions.

(b) (U) Refuse to depart an established perimeter or secured area after being denied access.

~~Classified by: LtGen J.T. Conway, USMC; DJ 3
Reason: 1.4 (a) (d) (g)
Declassify on: 30 June 2030~~

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(c) (U) Otherwise threaten the safety and security of DOD forces, other non-DOD persons in the vicinity whose defense is directly related to the assigned mission, or property secured by DOD forces.

(2) (U) Detained persons, and any of their property that was secured, will be released to the custody of civilian law enforcement authorities at the earliest opportunity consistent with mission accomplishment.

(3) (U) Detained individuals, their vehicles and any property within their control may be searched as a force protection measure in order to ensure the safety and security of DOD forces and other non-DOD persons in the vicinity.

c. (U) Security Inspections. Security inspections of individuals and property are authorized prior to granting entry to the DOD established perimeter or secured area or upon exiting an established perimeter or secured area.

d. (U) Vehicular Threats. Weapons may be fired at a moving vehicle or watercraft when DOD forces have a reasonable belief that the vehicle or watercraft poses an imminent threat of death or serious bodily harm to DOD forces. Weapons may also be fired at a moving vehicle or watercraft posing an imminent threat of death or serious bodily harm to non-DOD persons in the vicinity when doing so is directly related to the assigned mission.

e. (U) Pursuit of Stolen Property. If assets vital to national security or assets considered inherently dangerous to others are stolen, and civilian law enforcement personnel or security forces are not reasonably available to recover them, the combatant commander may authorize DOD forces to pursue and recover the assets provided the pursuit is immediate, continuous and uninterrupted. The combatant commander may delegate this authority, as required. DOD forces will contact civilian law enforcement authorities as soon as practicable to inform them of the theft and their pursuit.

f. (U) Support to Law Enforcement Agencies (LEA) for Military Assistance for Civil Disturbance (MACDIS) and Similar Incidents

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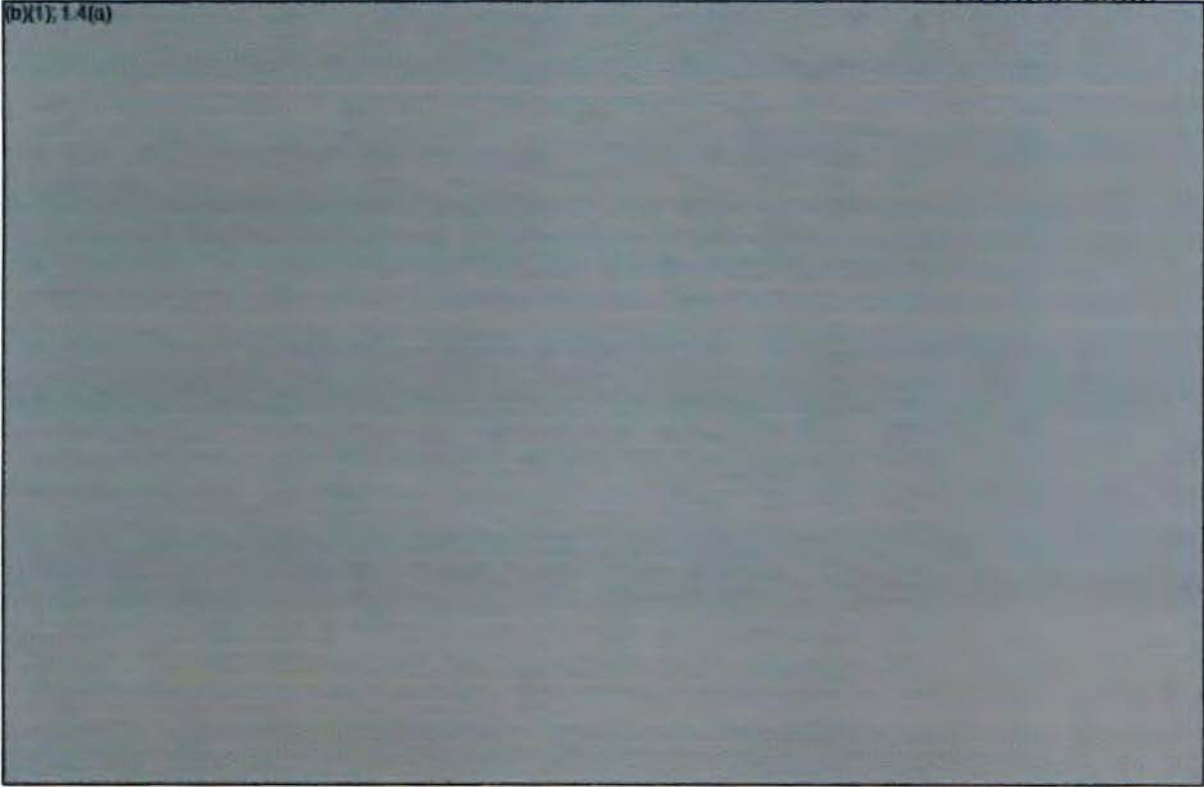
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(b)(1); 1.4(a)

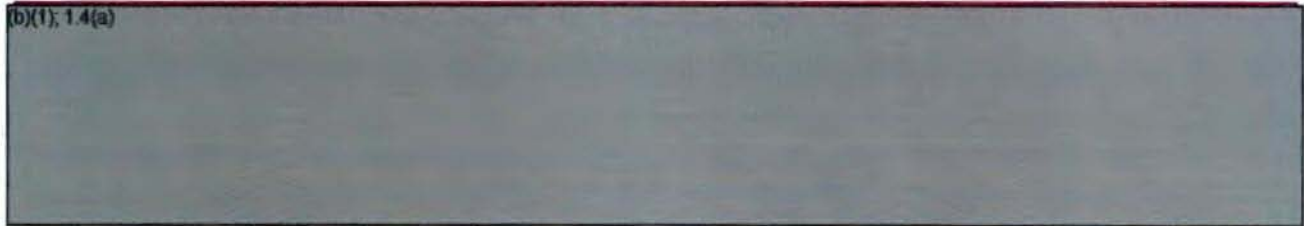


(b) (U) Show of force, including use of riot control formation.

(c) (U) Use of riot control agents. Detailed guidance on peacetime use of riot control agents is provided in CJCSI 3110.07 Series, "Nuclear, Biological, and Chemical Defense; Riot Control Agents; and Herbicides" (reference b listed in Enclosure K).

(d) (U) Use of other non-lethal weapons.

(b)(1); 1.4(a)



g. (U) Confrontation with civilians. DOD forces will attempt to avoid confrontation with individuals who pose no threat to the unit, to other non-DOD persons in the vicinity, or to property secured by DOD forces. If confrontation appears likely, DOD forces should increase their self-defense readiness posture and notify appropriate civilian law enforcement authorities or security agency personnel as soon as

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practicable. If feasible, without increasing the danger to DOD forces or other non-DOD persons in the vicinity, an oral warning to cease threatening actions should be given before using force.

h. (U) Safety of Innocent Bystanders. DOD forces will show due regard for the safety of innocent bystanders when using force.

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ENCLOSURE O

COUNTERDRUG SUPPORT OPERATIONS WITHIN US TERRITORY (U)

1. (U) Purpose and Scope

a. (U) This enclosure supplements the guidance provided in Enclosure L for US forces conducting CD operations under DOD control within US territory, unless otherwise directed by the SecDef. This document replaces CJCSI 3121.02, 31 May 2000.

b. (U) DOD units under USCG control, conducting operations both outside and within the territorial limits of the US, will follow the Use of Force Policy for warning shots and disabling fire issued by the Commandant, USCG, per 14 USC 637 (reference w). US Naval units or personnel, operating under USCG control and inside the territorial limits of the US, retain self-defense IAW these SRUF.

2. (U) Policy. IAW Enclosure L.

3. (U) Definitions and Authorities. IAW Enclosure L, supplemented by the following:

a. (U) Accompany. To physically be or go with. DOD forces "accompany" US law enforcement agencies (LEA) on CD-related deployments when they travel with such personnel on foot or in the same vehicle, aircraft, ship or boat.

b. (U) Actual CD Field Operations. Activities during which the intent, or the reasonable expectation, is that the US LEAs on CD-related deployments will conduct CD law enforcement functions.

c. (U) Law Enforcement Functions. These activities include, but are not limited to, search, seizure, arrest or other similar activities.

~~Classified by: LtGen J.T. Conway, USMC, DJ-3
Reason: 1.4 (a) (d) (g)
Declassify on: 30 June 2030~~

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4. (U) Procedures. IAW Enclosure L, supplemented by the following.



b. (U) DOD forces will not accompany US LEAs on actual CD field operations, or participate in any CD activities where related imminent threats exist, unless specifically authorized by the SecDef.

c. (U) Except as described below, DOD forces may not accompany US LEAs to or provide CD support from a location outside a designated base of operations.

(1) (U) This limitation is not intended to prevent DOD forces from accompanying US LEAs on authorized transportation, aerial reconnaissance and/or detection and monitoring support missions, or on other authorized support missions from one base of operations to another.

(2) (U) DOD forces may proceed to a forward operating or support base or area only after the commander or other official designated by the responsible combatant commander makes a determination that such a base or area is secure and adequately protected.

d. (U) The limitations described above are not meant to prevent DOD forces from conducting authorized exercises or training in designated drug interdiction areas. In this event, appropriate measures will be taken to ensure that DOD forces will not be in a location where involvement in a related imminent threat exists.

e. (U) DOD forces will make every attempt to avoid confrontation with non-mission personnel or civilians.

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g. (U) Force will only be used in self-defense unless otherwise directed by the SecDef. In addition to self-defense guidelines from Enclosure L, the following general guidelines apply:

(1) (U) Use of Force in Self-Defense. The right to use force in self-defense may not be used to justify the substitution of DOD forces for US law enforcement personnel or to augment the offensive use of force by these law enforcement personnel in CD operations intended to apprehend drug traffickers.



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ENCLOSURE P

RUF MESSAGE PROCESS

RUF Request Message Format

a. Requests for mission specific RUF will vary greatly depending on tasked mission, but should incorporate language consistent with SecDef guidance and should be a result of lessons learned from Joint Staff and combatant commander ROE/RUF that were deemed effective.

b. Each request for mission RUF will identify the operation plan or order to which it pertains and explain why the requested RUF is necessary to accomplish a particular course of action. Outline of the message is as follows:

- (1) Mission overview, including command relationships and forces supporting.
- (2) Specific measures requested or authorized (no supplemental numbering scheme is used for RUF at this time). Include use of both deadly and non-deadly force requests, where applicable.
- (3) Paragraph 4: Canceled measures.
- (4) Paragraph 5: Previous measures remaining in force.
- (5) Paragraph 6: Remarks.

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ENCLOSURE Q

RUF REFERENCES

For additional policy and guidance regarding certain types of domestic support operations conducted within US territorial jurisdiction, refer to the following directives.

a. DOD Directive 3025.12, 4 February 1994, "Military Assistance for Civil Disturbance (MACDIS)"

b. DOD Directive 3025.1, 15 January 1993, "Military Support to Civil Authorities (MSCA)"

c. DOD Directive 5525.5, 15 January 1986, 2001 (Change 1, 20 December 1989), "DoD Cooperation with Civilian Law Enforcement Officials"

d. DOD Directive 5210.56, 01 November 2001 (Change 1, 24 January 2002), "Use of Deadly Force and the Carrying of Firearms by DoD Personnel Engaged in Law Enforcement and Security Duties"

e. US Department of Justice Memorandum, 16 October 1995, "Uniform Department of Justice Deadly Force Policy"

f. Coast Guard Use-of-Force-Policy. Current edition of COMDTINST M16247 (Series). Global Command and Control System (GCCS) address <http://204.36.191.2cghq.html/>.

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