



POLICY

UNDER SECRETARY OF DEFENSE
2000 DEFENSE PENTAGON
WASHINGTON, DC 20301-2000

OCT 23 2018

MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS
COMMANDERS OF THE COMBATANT COMMANDS
GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE
ASSISTANT SECRETARY OF DEFENSE FOR SPECIAL
OPERATIONS AND LOW-INTENSITY CONFLICT
DEPUTY ASSISTANT SECRETARY OF DEFENSE FOR
STABILITY AND HUMANITARIAN AFFAIRS

SUBJECT: Designation of a Senior Civilian Official for Civilian Casualty Policy

Pursuant to Section 936 of the National Defense Authorization Act (NDAA) for Fiscal Year (FY) 2019, Public Law 115-232, the Deputy Under Secretary of Defense for Policy (DUSD(P)), subject to the authority, direction, and control of the Under Secretary of Defense for Policy (USD(P)), is hereby designated to serve as the DoD civilian official responsible for developing, coordinating, and overseeing compliance of the Department's policy relating to civilian casualties resulting from U.S. military operations.

As the DoD civilian official designated under Section 936, the DUSD(P) is to develop, coordinate, and oversee compliance with the Department's policy relating to civilian casualties resulting from U.S. military operations, which is to provide for:

- uniform processes and standards across combatant commands for accurately recording kinetic strikes by the U.S. military;
- development and dissemination of best practices for reducing the likelihood of civilian casualties from U.S. military operations;
- development of publicly available means, including an Internet-based mechanism, for the submittal to the U.S. Government of allegations of civilian casualties resulting from U.S. military operations;
- uniform processes and standards across the combatant commands for reviewing and investigating allegations of civilian casualties resulting from U.S. military operations, including the consideration of relevant information from all available sources;



- uniform processes and standards across the combatant commands for acknowledging the responsibility of the U.S. military for civilian casualties resulting from U.S. military operations;
- uniform processes and standards across the combatant commands for offering *ex gratia* payments to civilians who have been injured, or to the families of civilians killed, as a result of U.S. military operations, as determined to be necessary by the designated DoD civilian official;
- regular engagement with relevant intergovernmental and nongovernmental organizations;
- public affairs guidance with respect to matters relating to civilian casualties alleged or confirmed to have resulted from U.S. military operations; and
- such other matters with respect to civilian casualties resulting from U.S. military operations as the designated DoD civilian official considers appropriate.

This designation does not change or otherwise affect the responsibilities of other DoD officials with responsibilities related to civilian casualties or the protection of civilians. Consistent with existing DoD policies and procedures, other DoD officials will cooperate with the efforts of the designated DoD civilian official, including by sharing relevant information about their actions related to the protection of civilians.

The role of the designated DoD civilian official, as reflected above, will be identified in the next update to the chartering directive for the USD(P). Similarly, the USD(P)'s authority under Section 936 to designate a senior DoD civilian official within the Office of the Secretary of Defense at or above the level of Assistant Secretary of Defense to develop, coordinate, and oversee compliance with DoD's policy relating to civilian casualties will be reflected in the next update to the chartering directive for the USD(P).



John C. Rood