

**BY ORDER OF THE
SECRETARY OF THE AIR FORCE**

AIR FORCE INSTRUCTION 51-401

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Law

THE LAW OF WAR

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(Mr. Edward J. Monahan)

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This Instruction implements Air Force Policy Directive (AFPD) 51-4, *Operations and International Law*; Department of Defense (DoD) Directive 3000.03E, *DoD Executive Agent for Non-Lethal Weapons (NLW), and NLW Policy*; and AFPD 63-1/20-1, *Integrated Life Cycle Management*. It prescribes law of war compliance requirements, and it establishes training guidance and investigating and reporting procedures for alleged law of war violations. It also prescribes guidance and procedures for the review of Air Force weapons and cyber capabilities prior to acquisition or development to ensure legality under domestic and international law including the law of war. This instruction applies to all Regular Component, Air Force Reserve, and Air National Guard military and civilian personnel and to contractor personnel assigned to or accompanying the force. The authorities to waive wing/unit level requirements in this publication are identified with a Tier (“T-0, T1, T-2, T-3”) number following the compliance statement. See AFI 33-360, *Publications and Forms Management*, for a description of the authorities associated with the Tier numbers. Submit requests for waivers through the chain of command to the appropriate Tier waiver approval authority, or alternately, to the requestors commander for non-tiered compliance items.”

Refer recommended changes and questions about this publication to the Office of Primary Responsibility using the Air Force Form 847, *Recommendation for Change of Publication*; route Air Force Forms 847 from the field through the appropriate functional chain of command. Ensure all records created as a result of processes prescribed in this publication are maintained in accordance with Air Force Manual 33-363, *Management of Records*, and disposed of in accordance with the Air Force Records Disposition Schedule located in the Air Force Records

Information Management System Records Disposition Schedule. This publication may be supplemented at any level, but all direct Supplements must be routed to the Office of Primary Responsibility of this publication for coordination prior to certification and approval. The authorities to waive wing/unit level requirements in this publication lie with the Office of Primary Responsibility of this publication, unless otherwise identified with a Tier (“T-0, T-1, T-2, T-3”). See Air Force Instruction (AFI) 33360, *Publications and Forms Management*, Table 1.1 for a description of the waiver authorities. Submit requests for waivers through the chain of command to the appropriate Tier waiver approval authority, or alternately, to the Publication Office of Primary Responsibility for non-tiered compliance items.

SUMMARY OF CHANGES

This document has been revised to combine AFI 51-401, *Training and Reporting to Ensure Compliance with the Law of Armed Conflict*, 5 September 2014, (Part 1) and AFI 51-402, *Legal Reviews of Weapons and Cyber Capabilities*, 27 July 2011 (Part 2). In Part 2, the definitions of “Weapon” and “Cyber Capability” have been revised, as well as some of the process for their legal review, to include excluding the need for legal review of cyber capabilities which have undergone minor modification.

Part 1

Training and Reporting

1. Overview. This instruction prescribes law of war compliance requirements, and it establishes training guidance and investigating and reporting procedures for alleged law of war violations. It also prescribes guidance and procedures for the review of Air Force weapons and cyber capabilities prior to acquisition or development to ensure legality under domestic and international law, including the law of war.

1.1. All Air Force military and civilian personnel will comply with the law of war in the conduct of military operations and related activities in armed conflict, regardless of how such conflicts are characterized. (T-0) In support of this policy, the Air Force will conduct specialized training programs for military and civilian personnel designed to prevent law of war violations. Air Force contracting officers will place a requirement in all performance work statements and statements of work to ensure that contract work statements require contractors who are authorized to accompany the armed forces institute and implement effective programs to prevent violations of the law of war by their employees and subcontractors in accordance with DoD Directive 2311.01E, *DoD Law of War Program*, and DoD Instruction 3020.41, *Operational Contract Support (OCS)*. (T-0)

1.2. In appropriate publications, instructions and training programs, the Air Force will ensure that all Air Force military and civilian personnel know law of war principles and fundamental rules; the extent of knowledge required will be commensurate with each individual’s duties and responsibilities. Training programs will include training required by the 1949 Geneva Conventions for the Protection of War Victims and the Hague Convention IV of 1907.

1.3. Air Force military and civilian personnel shall promptly report possible, suspected, or alleged law of war violations committed by or against United States personnel, including

members of other U.S. government agencies, or enemy personnel, and other nations' military. (T-0) Air Force personnel will report law of war violations alleged to have been committed by or against members of other government agencies and other nations' militaries, including all persons accompanying, contracted to or serving with those forces. Consistent with DoD policy, law of war obligations are observed and enforced by contractors assigned to or accompanying deployed armed forces. (T-0)

2. Roles and Responsibilities. This instruction establishes the following responsibilities and authorities.

2.1. The Office of the Judge Advocate General (AF/JA) will serve as Headquarters Air Force office of primary responsibility for effectively implementing guidance for AFPD 514. To facilitate effective implementation, the Air Force Operations and International Law Directorate (AF/JAO) will:

2.1.1. For purposes of ensuring compliance with the law of war:

2.1.1.1. Oversee the preparation of adequate training materials to inform Air Force military and civilian personnel of their rights and obligations under the law of war. Training materials will be developed to provide knowledge of the law of war commensurate with an individual's duties and responsibilities.

2.1.1.2. Serve as the central collection point within the Air Force for all notifications of reportable incidents and ensure the notifications are forwarded to all required offices within DoD.

2.1.1.3. Oversee the training of all judge advocates, civilian attorneys, and paralegals on the law of war. Review and evaluate this training to ensure all judge advocates and paralegals are capable of assisting in the development and implementation of rules of engagement.

2.1.1.4. Coordinate and consult with staff judge advocates at all levels of command to assist them in correctly advising their commands on the legal principles of the law of war and command responsibility.

2.1.2. For purposes of legal reviews for weapons and cyber capabilities:

2.1.2.1. Ensure all weapons being developed, bought, built, modified or otherwise being acquired by the Air Force that are not within a special access program are reviewed for legality under the law of war, domestic law and international law prior to their possible acquisition for use in a conflict or other military operation. This authority is delegated to the Director, AF/JAO.

2.1.2.2. Ensure all cyber capabilities being developed, bought, built, modified (more than minor modification) or otherwise acquired by the Air Force that are not within a special access program are reviewed for legality under the law of war, domestic law and international law. Such review will occur prior to the capabilities' acquisition for use in a conflict or other military operation where the intended effects of the operation are outside the DoD Information Network. This authority is delegated to AF/JAO and may be delegated to the offices of major command staff judge advocates. Major command staff judge advocates may not further delegate this

authority without the express authorization of AF/JA. A copy of each completed cyber capability legal review will be forwarded to AF/JAO.

2.1.2.3. Cyber capabilities developed by the Air Force Office of Special Investigations to conduct missions pursuant to Air Force Mission Directive 39, *Air Force Office of Special Investigations*, are reviewed by the Air Force Office of Special Investigations staff judge advocate. These reviews are approved by the Air Force Office of Special Investigations commander according to the delegated independent authority of the Air Force Office of Special Investigations commander in AFPD 71-1, *Criminal Investigations and Counter-Intelligence*. Capabilities that are not used in military operations, but used by the Air Force Office of Special Investigations in performing law enforcement or counterintelligence activities are exempted from this instruction, and are approved according to appropriate Air Force Office of Special Investigations policy.

2.2. The Deputy Chief of Staff, Manpower, Personnel and Services (AF/A1) will in coordination with AF/JA, develop policy and procedural guidance to implement the law of war education and individual training programs for all personnel, to include Emergency Essential-coded civilians.

2.3. The Deputy Chief of Staff, Operations (AF/A3) will:

2.3.1. Ensure that plans, policies, procedures and operations activities under its purview are consistent with and adhere to the legal obligations of the United States under the law of war.

2.3.2. Ensure that law of war training satisfies operational requirements.

2.3.3. Ensure that operational unit training standards specifically explain the law of war and rules of engagement requirements.

2.3.4. Ensure that plans, policies and procedures for exercises and operations incorporate the requirement that qualified legal advisers at all levels of command provide advice about law of war compliance during planning and execution of exercises and operations.

2.4. The Air Force Inspector General (SAF/IG) will:

2.4.1. Ensure the Air Force Office of Special Investigations identifies and forwards all reportable incidents using the most expeditious means available to the installation commander and servicing staff judge advocate.

2.4.2. Distribute guidance to ensure the Air Force Office of Special Investigations conducts investigations into incidents involving law of war violations allegedly committed by Air Force personnel or persons accompanying or serving with the Air Force.

2.5. The Assistant Secretary of the Air Force for Acquisition (SAF/AQ) will:

2.5.1. For purposes of ensuring compliance with the law of war:

2.5.1.1. Provide guidance to ensure Air Force contract performance work statements and statements of work for contractors authorized to accompany the armed forces are consistent with DoD Instruction 3020.41.

2.5.2. For purposes of legal reviews for weapons and cyber capabilities:

2.5.2.1. Ensure AF/JA reviews for legality all weapons, whether new acquisitions, modifications of existing weapons, or use not reasonably contemplated or authorized by prior legal reviews, at the earliest possible stage in the acquisition process, including the research and development stage.

2.5.2.2. Assist AF/JA in obtaining information on the characteristics and accuracy of weapons under review, following the procedures outlined in paragraph 6 below.

2.6. The Deputy General Counsel for Intelligence, International and Military Affairs, Office of the Air Force General Counsel (SAF/GCI). In coordination with AF/JAO as appropriate, SAF/GCI shall accomplish a legal review of each weapon or cyber capability developed within a special access program not later than when the weapon or cyber capability's potential becomes manifest. Ensure the program manager retains a copy in the Program Record File, in accordance with DoDI 5205.11, *Management, Administration, and Oversight of DoD Special Access Programs* (SAPS), Encl. 7.

2.7. The Operations and International Law Directorate, Office of The Judge Advocate General (AF/JAO) will:

2.7.1. Upon request from a program office complying with AFPD 51-4, conduct a legal review of all weapons, whether a new weapon at an early stage of the acquisition process, or a contemplated modification of an existing weapon, to ensure legality under the law of war, domestic law and international law.

2.7.2. Upon request from a program office complying with AFPD 51-4, conduct a legal review of all cyber capabilities, whether a new cyber capability at an early stage of the acquisition process, or a modification (more than minor modification) of an existing cyber capability, to ensure legality under the law of war, domestic law and international law.

2.7.3. Maintain permanent files of all Air Force weapons and cyber capabilities legal reviews.

2.7.4. Monitor changes in international law relevant to weapons and cyber capabilities, including treaties to which the United States is a party, and notify appropriate agencies/offices of such changes and the impact on any previous legal reviews.

2.8. The Air Force Surgeon General (AF/SG) will:

2.8.1. Develop plans, policies and procedures to ensure that medical personnel receive specialized law of war training and adhere to the law of war. This includes ensuring identification of deployed medical personnel is consistent with their status under the law of war.

2.8.2. Ensure specialized training and instruction in the requirements of the law of war as it pertains to medical personnel is developed and provided to deploying medical forces.

2.9. The Air Force Chief of Chaplains (AF/HC) will:

2.9.1. Develop plans, policies, and procedures to ensure that chaplains receive specialized law of war training and adhere to the law of war. This includes ensuring identification of deployed chaplains is consistent with their status under the law of war.

2.9.2. Supervise the individual training of chaplains to ensure adequate specialized training and instruction in the requirements of the law of war as it pertains to chaplains.

2.10. The Deputy Chief of Staff, Logistics, Engineering & Force Protection (AF/A4) will :

2.10.1. Develop plans, policies, and procedures to ensure that all assigned Air Force Security Forces personnel and personnel assigned to detainee operations receive specialized law of war training. Such training will include the proper treatment of prisoners of war and detainees.

2.10.2. Assist all assigned personnel in distributing plans, policies and procedures to ensure incidents involving alleged law of war violations, committed by or against members of the Air Force or persons accompanying or serving with the Air Force, are appropriately investigated by authorized investigative personnel.

2.11. Air Education and Training Command will :

2.11.1. Develop training plans and procedures to instruct and train Air Force personnel at the start of their service on the content and requirements of the law of war. The amount and content of any specialized training and instruction shall be commensurate with each individual's projected duties and responsibilities. For example, relevant specialized training should be specifically designed for personnel directly participating in combat operations, such as aircrew members, Security Forces, personnel responsible for target selection and evaluation and personnel deemed to be noncombatants, such as medical personnel and chaplains.

2.11.2. Supervise instruction and training in the law of war for personnel assigned for Airman basic military training, officer military training and initial commissioned officer training for direct appointment officers, as well as for officers and Airmen receiving technical instruction and training.

2.11.3. Develop plans and procedures to incorporate Air Force Reserve personnel, Air National Guard personnel, and Air Force Emergency Essential-coded civilians in Air Education and Training Command law of war training programs and throughout other applicable training stages.

2.12. The United States Air Force Academy will :

2.12.1. Develop plans and procedures to provide instruction to all cadets on the content and requirements of the law of war portion of their basic educational and training requirements. Course instruction will ensure that all graduating cadets know law of war principles and fundamental rules. The extent of knowledge required will be commensurate with each cadet's upcoming duties and responsibilities. (T-0)

2.12.2. Implement the objectives of this AFI and discuss the law of war in academic courses and in military training, whenever it is relevant and appropriate. (T-0)

2.13. The Air Force Judge Advocate General's School (AFJAGS) will provide subject matter expertise for law of war instruction and related topics (e.g., the legal aspects of rules of engagement) for all Air University entities. AFJAGS will coordinate closely with the proper entities at Air University to develop instructional lesson plans and teaching materials and provide instructors for all law of war and related training requirements in military

education and training programs administered by Air University. Doing so will ensure that such training is current, fulfills DoD Law of War Program objectives, and is appropriately commensurate with students' duties and responsibilities. (T-3)

2.14. All other Major Commands, Direct Reporting Units and Field Operating Agencies will :

2.14.1. For purposes of ensuring compliance with the law of war:

2.14.1.1. Ensure that plans, procedures and operations within their areas of responsibility are consistent with domestic and international legal obligations under the law of war. (T-0)

2.14.1.2. Supervise individual training of assigned Air Force members to ensure general and specialized law of war instruction and training is commensurate with each individual's projected duties and responsibilities. (T-0)

2.14.1.3. Supervise individual training of attached Air Force Reserve and Air National Guard members to ensure adequate law of war training and instruction. (T-0)

2.14.1.4. Ensure that contract performance work statements and statements of work related to contractors assigned to or accompanying deployed armed forces are consistent with the requirements in this instruction and Defense Federal Acquisition Regulation Supplement section 225.371-4, which requires that contractors implement effective law of war training and prevention programs. (T-0)

2.14.2. For purposes of legal reviews for weapons and cyber capabilities:

2.14.2.1. Provide AF/JAO with all information required to accomplish the legal review unless authority is delegated in writing to the office of the major command staff judge advocate to conduct the legal review pursuant to paragraph 2.1.2.2 of this instruction. In such cases, the office of the major command staff judge advocate should conduct a timely, thorough and accurate legal review and provide a copy to AF/JAO.

2.15. **All other Air Force offices will** ensure that all plans, policies, procedures, and operations within their area of responsibility are consistent with the international legal obligations of the United States under the law of war. (T-0) As necessary, Air Force offices should seek legal guidance from their servicing staff judge advocate.

3. Law of War in Expeditionary Readiness Training Programs.

3.1. All commanders shall ensure that all Air Force personnel in their commands are familiar with their law of war obligations in accordance with applicable Air Force guidance and combatant command reporting instructions, as directed by AFPD 51-4. (T-0) Although the Advanced Distributed Learning System is the general method for completing training, units have the option to create virtual classrooms for this purpose, or to use other forms of instruction in combination with Advanced Distributed Learning System, and should contact the local legal office for assistance.

3.1.1. This mandatory law of war training is necessary to meet the minimum criteria for training required by the 1949 Geneva Conventions. This law of war training shall, at a minimum, reinforce the following primary rules (referred to as “The Airman’s Rules”):

- 3.1.1.1. Airmen fight only combatants or other appropriate hostile forces.
- 3.1.1.2. Airmen treat humanely all who surrender or are captured.
- 3.1.1.3. Airmen do not kill or torture personnel in their custody.
- 3.1.1.4. Airmen respect and protect the wounded—friend or foe.
- 3.1.1.5. Airmen treat civilians humanely.
- 3.1.1.6. Airmen do not attack protected persons or places.
- 3.1.1.7. Airmen destroy no more than the mission requires.
- 3.1.1.8. Airmen respect civilian property and possessions.
- 3.1.1.9. Airmen act with excellence and do their best to prevent law of war violations.
- 3.1.1.10. Airmen act with integrity and report all suspected law of war violations.

3.2. Training can also be accomplished in a mass briefing format. Mass training should be led by a functional expert, ordinarily a judge advocate, or by a commander-approved (to include civilian equivalent) instructor utilizing the Advanced Distributed Learning System approved training materials. Downloaded training or mass briefing options should only be used by units with limited computer access or availability. For training completed outside the Advanced Distributed Learning System, ancillary training monitors or unit training managers must certify completion and update the Advanced Distributed Learning System to ensure members receive full credit. (T3)

4. Investigations of Alleged Law of War Violations.

4.1. **Individual Responsibilities.** All military and civilian personnel who, in the course of their duties, discover information that might reasonably be viewed as a violation of the law of war will report that information to their immediate commander. (T-0) Such reports may be made through other channels, such as Security Forces, judge advocate, Air Force Office of Special Investigations, or inspector general. Contractors shall similarly require reporting through the chain of command by contractor personnel. (T-0) If the immediate commander appears to be involved or reporting to that commander is otherwise not feasible, personnel must report the incident to the next higher command authority. (T-0) In instances where it is unreasonable to report within the chain of command, personnel shall report to the servicing staff judge advocate, Inspector General, Air Force Office of Special Investigations or to a sister Service counterpart of one of these offices. (T0)

4.1.1. Military and civilian personnel with information or evidence concerning a reportable incident will take all prudent steps to safeguard that information and/or evidence. (T-1) Distribution of information shall be limited to those with a need to know (e.g., the responsible commander, the staff judge advocate, and the local Air Force Office of Special Investigations Field Unit). (T-1) Additionally, qualified personnel will, when applicable: (a) preserve physical evidence through limiting access to evidentiary

materials and crime scenes, (b) draw detailed sketches or take photographs documenting the circumstances of the incident, (c) collect applicable descriptive notes, and (d) identify all possible witnesses and victims for later interview by investigators and legal personnel. (T-1)

4.1.2. Military and civilian personnel must safeguard evidence and surrender it to the appropriate agency that investigates the alleged violation. (T-0)

4.1.3. In addition to reporting incidents involving United States or enemy personnel, incidents shall be reported which are alleged to have been committed by or against contractors or persons accompanying or serving with the United States armed forces, and violations alleged to have been committed by or against allies or partners of the United States, including personnel accompanying those forces. (T-0)

4.2. **Commanders and Staff Agencies.** Within Air Force channels, each commander and staff agency that receives a notification of a reportable incident will forward the facts promptly to the appropriate staff judge advocate and will make relevant information or evidence available to the appropriate investigating agency. (T-0)

4.3. **The Staff Judge Advocate will:**

4.3.1. Notify the appropriate investigating agency of the receipt of a report of a reportable incident. (T-1)

4.3.2. Assist and advise investigators.

4.3.3. Review completed investigation summaries and reports.

4.3.4. Develop and provide recommendations to the commander on the use of the evidence and on the determination of the report of investigation. (T-1)

4.3.5. For notifications of reportable incidents where notification was initiated within the Air Force, forward the initial report of investigation to AF/JA through AF/JAO. (T-1)
Subsequent updates to AF/JA will include, but are not limited to:

4.3.5.1. The incident report;

4.3.5.2. Report of investigation; and

4.3.5.3. Summary of investigation and report on disposition of the case, including any disciplinary actions taken in light of law of war violations. The report must include any recommendations for corrective action that should be undertaken at Headquarters Air Force level or above.

4.4. **Investigating Agency will:** upon notification of the alleged law of war violation, coordinate its investigative efforts with affected command and legal officials. (T-1)

Part 2

Legal Reviews of Weapons and Cyber Capabilities

5. Purpose. To provide guidance to ensure compliance with AFD 51-4 and DoD guidance. The Air Force conducts legal reviews of all weapons, weapon systems and relevant cyber capabilities, acquired or modified by the Air Force to ensure compliance with the law of war, domestic law, and international law at the earliest stage possible in development (prior to

procurement or acquisition). In the rare cases where circumstances do not permit such a review to be completed sooner, a legal review must be accomplished prior to any employment in military operations.

6. Request for Legal Review of Weapons and Cyber Capabilities.

6.1. Any request for legal review will provide the following information:

6.1.1. A general description of the weapon or cyber capability, including a description of the intended guidance process.

6.1.2. Statements of intended use (such as types of targets) or concept of operations.

6.1.3. The reasonably anticipated effects of employment, to include all tests, computer modeling, laboratory studies, and other technical analysis and results that contribute to the assessment of reasonably anticipated effects. For cyber capabilities, this information may include the technical assurance standard evaluation as required per DoD Instruction O-3600.03, *Technical Assurance Standard (TAS) for Computer Network Attack (CNA) Capabilities*.

7. Contents of the Legal Review of Weapons and Cyber Capabilities.

7.1. A legal review conducted under this instruction will include, at a minimum:

7.1.1. Whether there is a specific rule of law, whether by domestic law, a treaty obligation of the United States, or law accepted by the United States as customary international law, prohibiting or restricting the use of the weapon or cyber capability in question.

7.1.2. If there is no express prohibition, the following questions are considered:

7.1.2.1. Whether the weapon or cyber capability is calculated to cause unnecessary suffering or unnecessary injury.

7.1.2.2. Whether the weapon or cyber capability is capable of being directed against a specific military objective and, if not, is of a nature to cause damage, or a significant adverse effect, on military objectives and civilians or civilian objects without distinction.

7.2. Any legal review completed by another Service or the armed forces of another country for the purpose of approving a weapon or cyber capability as lawful under the law of war may be considered in determining the lawfulness of a weapon for the Air Force. Any such legal review and the conclusions within considered shall not be binding for purposes of the review conducted by the Air Force under this instruction. However, such opinion may be properly incorporated by reference into the Air Force weapons review provided the opinion is in accordance with legal requirements. Copies of any incorporated legal review shall be provided to and maintained by AF/JAO. Reviews conducted by the Air Force under this instruction should be coordinated, when time and circumstances permit, with appropriate Service counterparts prior to release.

7.3. Legal issues associated with employment of a weapon or cyber capability are not required to be addressed as part of a weapon or cyber capability legal review. However, a

reviewer may note them if they may affect an investment decision. As part of a targeting analysis, the unit or individual employing the weapon or the cyber capability must ensure that their actions comply with domestic and international law, including the law of war. (T-3)

JEFFREY A. ROCKWELL
Lieutenant General, USAF
The Judge Advocate General

Attachment 1**GLOSSARY OF REFERENCES AND SUPPORTING INFORMATION*****References***

- AF Policy Directive 51-4, *Operations and International Law*, 24 July 2018
- DoD Directive 3000.03E, *DoD Executive Agent for Non-Lethal Weapons, (NLW) and NLW Policy*, 25 April 2013
- AF Policy Directive 63-1/20-1, *Integrated Life Cycle Management*, 3 June 2016
- AFI 33-360, *Publications and Forms Management*, 1 December 2015
- AFMAN 33-363, *Management of Records*, 1 March 2008
- DoD Directive 2311.01E, *DoD Law of War Program*, 9 May 2006
- Geneva Conventions for the Protection of War Victims*, 12 August 1949
- Articles 1, 47, 50, *Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field*, 12 August 1949
- Articles 1, 48, 50, *Geneva Convention for the Amelioration of the Condition of the Wounded, Sick, and Shipwrecked Members of the Armed Forces at Sea*, 12 August 1949
- Hague Convention (IV) Respecting the Laws and Customs of War on Land*, 18 October 1907
- Air Force Mission Directive 39, *Air Force Office of Special Investigations*, 7 May 2015
- Air Force Policy Directive 71-1, *Criminal Investigations and CI*, 13 November 2015
- DoD Instruction 3020.41, *Operational Contract Support (OCS)*, 20 December 2011
- Defense Federal Acquisition Regulation Supplement section 225.397-4, 30 June 2016
- AFI 36-2201, *Air Force Training Program*, 15 September 2010
- DoD Instruction O-3600.03, *Technical Assurance Standard (TAS) for Computer Network Attack (CNA) Capabilities*, 22 April 2010
- Joint Publication 3-12, *Cyberspace Operations*, 5 February 2013
- Joint Publication 3-0, *Joint Operations*, 17 January 2017
- Joint Publication 1-02, *Department of Defense Dictionary of Military and Associated Terms*, 8 November 2010 (as amended through 15 February 2016)

Adopted Forms:

- AF Form 847, *Recommendation for Change of Publication*, 22 September 2009

Abbreviations and Acronyms

- AF/A1**—The Deputy Chief of Staff, Manpower, Personnel and Services
- AF/A3**—The Deputy Chief of Staff, Operations
- AF/A4**—The Deputy Chief of Staff, Logistics, Engineering & Force Protection

AF/HC—The Air Force Chief of Chaplains

AFI—Air Force Instruction

AF/JA—The Office of the Judge Advocate General

AFJAGS—The Air Force Judge Advocate General’s School

AF/JAO—The Air Force Operations and International Law Directorate

AF/SG—The Air Force Surgeon General

DoD—Department of Defense

SAF/AQ—The Assistant Secretary of the Air Force for Acquisition

SAF/IG—The Air Force Inspector General

SAF/GCI—The Deputy General Counsel for Intelligence, International and Military Affairs, Office of the Air Force General Counsel

Terms

Cyber Capability—An Air Force cyber capability requiring a legal review prior to development or acquisition is any device, computer program or computer script, including any combination of software, firmware or hardware intended to deny, disrupt, degrade, destroy or manipulate adversarial target information, information systems, or networks. Cyber Capabilities are intended for use by Air Force organizations under Air Force authorities in a conflict or other military operation. Cyber capabilities are neither weapons nor nonlethal weapons, as defined and stated in DoD Directive 3000.03E. Cyber capabilities do not include a device, computer program or computer script developed or acquired and used internal to DoD Information Networks; used for training; or that is solely intended to provide access to adversarial and targeted computers, information systems or networks.

Minor Modification—Software, firmware or hardware changes to previously reviewed cyber capabilities (to include updates and upgrades) that are necessary to deploy, employ, command and control or recover a device or software payload, but do not change the intended effects of the capability.

DoD Information Network—. A global infrastructure of Department of Defense (DOD) systems carrying DOD, national security, and related intelligence community information and intelligence. (Joint Publication 3-12).

Law of War—That part of domestic and international law that regulates the conduct of armed hostilities. It is often called the “law of armed conflict.” The law of war encompasses all international law for the conduct of hostilities binding on the United States or its individual citizens, including treaties and international agreements to which the United States is a party, domestic law implementing those treaties, and applicable customary international law.

Reportable Incident—A possible, suspected, or alleged law of war violation, for which there is credible information, or conduct during military operations other than war that would constitute a violation of the law of war if it occurred during armed conflict.

Weapon—A device designed to kill, injure, disable or temporarily incapacitate people or destroy, damage, disable or temporarily incapacitate property or materiel. The term “weapon”

does not include a device developed and used for training, or launch platforms to include aircraft and intercontinental ballistic missiles.

Weapon System—. A combination of one or more weapons with all related equipment, materials, services, personnel, and means of delivery and deployment (if applicable) required for self-sufficiency. (Joint Publication 1-02,).