

NOTIFICATION OF A CHANGE TO THE LEGAL AND POLICY FRAMEWORKS FOR  
THE UNITED STATES' USE OF MILITARY FORCE AND RELATED NATIONAL  
SECURITY OPERATIONS

Consistent with Section 1264(b) of the National Defense Authorization Act (NDAA) for Fiscal Year 2018, as amended, codified at 50 U.S.C. § 1549, this report provides notification of changes to the legal and policy frameworks for the United States' use of military force and related national security operations.

The President has approved a Presidential Policy Memorandum (PPM) that establishes rigorous standards and procedures that govern U.S. direct action, including both lethal and non-lethal operations, against terrorist targets outside areas of active hostilities. The PPM is the product of an extensive interagency review process, undertaken at President Biden's request, of the delegations, authorizations, and processes relating to direct action counterterrorism operations.

The standards and processes set forth in the PPM are intended to ensure that operations are both lawful and consistent with American values and broader national security objectives. The PPM makes clear that, as a matter of domestic law, the President's principal current authorities to use force are unchanged: the Authorization for Use of Military Force enacted on September 18, 2001 and his constitutional authority as Commander in Chief and Chief Executive. The PPM also affirms that the United States will continue to ensure that direct action against terrorist targets is conducted consistent with the law of armed conflict (LOAC), including the core principles of necessity, distinction, proportionality, and humanity.

The department and agency review process created in this policy is intended to ensure that a proposed target is lawful, and that conducting direct action against the proposed target would be consistent with United States policy and interests. Additionally, operations under this policy will be conducted only with the consent of the government of the country in which such operations occur or when there is another basis under international law for taking such action.