



**DEPARTMENT OF THE NAVY**  
**HEADQUARTERS UNITED STATES MARINE CORPS**  
**3000 MARINE CORPS PENTAGON**  
**WASHINGTON, DC 20350-3000**

MCO 5710.8  
PP&O  
17 JUL 2017

MARINE CORPS ORDER 5710.8

From: Commandant of the Marine Corps  
To: Distribution List

Subj: MARINE PERSONNEL AND MATERIEL EMBARKED ON FOREIGN VESSELS

Ref: References listed at Enclosure (6)

Encl: (1) Notification and Approval Process Chart  
(2) Planning and Execution Checklist  
(3) MOU Approval, Development, and Establishment Under  
CCMD/MARFOR Authority Process Chart  
(4) MOU Approval, Development, and Establishment Under CMC  
Authority Process Chart  
(5) Non-Binding Memorandum of Understanding Template  
(6) Reference List

1. Situation. Marines are regularly embarking aboard foreign flagged vessels, which can present unidentified risks to the force, mission, and institution.

a. Scope This Order applies to all embarkations of Marine personnel and materiel aboard foreign flagged vessels. This Order does not apply to the embarkation of U.S. cargo for the sole purpose of transportation, which is covered by references (a) and (b).

b. Definitions

(1) Embarkation is defined as "the process of putting personnel and/or vehicles and their associated stores and equipment into ships and/or aircraft" per reference (c). For the purpose of this Order, embarkations include time aboard a foreign flagged vessel, either pier-side or afloat (underway), for a length of time greater than 24 hours, regardless of the mission set.

(2) Materiel is defined per reference (d) embarked in support of Marine personnel aboard a foreign flagged vessel. It does not apply to cargo embarked for the sole purpose of transportation.

(3) Foreign flagged vessel is defined as a vessel that is owned by or under the exclusive control of the armed forces of a foreign state. For the purposes of this Order, foreign vessel will be used but represents foreign flagged vessel.

(4) Personnel are defined as Marines and Sailors serving in Marine units as well as civilians and contractors in support of U.S. Marine forces.

DISTRIBUTION STATEMENT A: Approved for public release; distribution is unlimited.

(5) Non-binding memorandum of understanding (MOU) is defined as any written, non-binding understanding between Marine forces and a foreign security force or allied/partner nation, such as a technical arrangement or terms of reference.

a. Potential Risks

(1) Risk to force includes, but is not limited to: the potential loss of life or materiel while embarked aboard foreign vessels; the exercise of foreign criminal jurisdiction over embarked personnel, to include inappropriate discipline; conflicting tactics, techniques, and procedures; materiel tampering, to include sabotage; and insufficient physical security and force protection. Risk to force also includes inadequate safety standards, foreign disclosure, medical standards, and emergency response.

(2) Risk to mission includes, but is not limited to: potential disruption of, or failure to meet, mission objectives due to legal and diplomatic restrictions; language and cultural barriers; unclear command and control relationships and authority; unclear and/or conflicting rules of engagement; inadequate or unclear authorities and costs; absence of relevant international agreements; as well as inadequate interoperability, logistics supply and sustainment, information sharing, counterintelligence, and information, physical, and personnel security.

(3) Risk to institution includes, but is not limited to: damage to strategic relations; potential negative media exposure; inability to meet emergent requirements through the global force management (GFM) process as a result of inadequate planning; inadequate or inefficient logistics supply and sustainment; force sourcing outside of normal processes; inadequate pay and disbursement to personnel; potential introduction of malware and persistent back doors into the Marine Corps Enterprise Network from allied/partner nation communications systems; and lack of adequate senior leader visibility.

b. In some situations, not all aspects of this Order will be applicable. However, the processes and considerations contained within the Order are best practices that the Marine Corps total force should endeavor to meet.

2. Mission. The Marine Corps provides policy and oversight of the embarkation of Marine personnel and materiel aboard foreign vessels in Order to support institutional and national security objectives.

3. Execution

a. Commander's Intent and Concept of Operations

(1) Commander's Intent

(a) Purpose. Identify potential risks to the force, mission, and institution of embarking personnel and materiel aboard foreign vessels and recommend ways to mitigate risk to support national security objectives, including institutional and security cooperation objectives.

(b) Method. Establish standardized decision-making processes, policies, and procedures and assign responsibility for planning and executing the embarkation of personnel and materiel aboard foreign vessels.

(c) End State. The Marine Corps effectively and efficiently plans, coordinates, and executes the embarkation of personnel and materiel aboard foreign vessels - at acceptable risk levels - to support national security objectives, including institutional and security cooperation objectives.

(2) Concept of Operations

(a) Marine commanders assume risk by embarking personnel and materiel aboard foreign vessels. This Order establishes notification and approval processes and recommends using planning and execution steps to mitigate identified risk.

(b) Prior to any embarkation aboard a foreign vessel, the requesting Marine Corps organization or unit must seek approval from the first general or flag officer in the operational chain of command to which the Marine forces are assigned, allocated, or attached.

1. If the embarkation requires personnel or materiel not already assigned, allocated, or attached to a Combatant Command (CCMD), the future requirement to embark Marine personnel or materiel aboard a foreign vessel shall be submitted in the requirement identification phase of the GFM process. Approval for these forces in support of the embarkation shall be authorized via the typical GFM process in reference (e) and per chapter 1 of this Order.

2. If the embarkation uses personnel and materiel already assigned, allocated, or attached to a CCMD, the GFM process is not required. However, visibility of anticipated, planned, or underway embarkations at the force synchronization conference is encouraged.

(c) After receiving approval, and prior to any embarkation aboard a foreign vessel, the requesting Marine Corps organization must notify the Commandant of the Marine Corps (CMC) via situational report (SITREP) through the appropriate MARFOR Commander (COMMARFOR) and the process identified in chapter 1 and enclosure (1) of this Order and reference (f).

(d) Among other mitigation measures identified within this Order, on behalf of the requesting Marine Corps organization, COMMARFORs should establish non-binding MOUs with foreign security forces to govern a specific embarkation, to include a deployment, aboard foreign vessels. By establishing a non-binding MOU, the commander can mitigate some risk associated with an embarkation by developing a common understanding of the roles, responsibilities, mission, constraints, restraints, and objectives with the allied/partner nation. If developed, all non-binding MOUs shall be formally staffed to CMC via the Deputy Commandant, Plans, Policies, and Operations (DC PP&O) to account for Service equities and mitigate identified institutional risk per chapter 1 of this Order.

(e) Each embarkation will have different planning and execution considerations based on the length of the embarkation, size of the Marine force, mission, countries involved, and operating environment. Marine commanders must use their discretion regarding what mitigation measures are appropriate to the situation and what level of risk should be assumed. Based on the embarked operational capability, such as aviation assets, additional

approval may be required via a Deputy Commandant or CMC.

(f) Embarkations aboard foreign vessels may support interoperability with the foreign security force; however, the degree of dependence upon the foreign security force should be minimized. Interdependence is established when forces from different nations are dependent upon capabilities from the other nation's force to accomplish a given mission. On behalf of the embarking Marine Corps organization, the COMMARFOR shall determine the appropriate level of dependence and the assumption of associated risk based on the situation, mission set, and involved allies or partners, among other considerations. The COMMARFOR should notify CMC of situations in which significant dependence or reliance upon a foreign security force is deemed necessary despite identified risks.

b. Tasks

(1) DC PP&O, Strategy and Plans Division (PL)

(a) Advise the CMC and Secretary of the Navy on political-military considerations associated with the embarkation of personnel and materiel aboard foreign vessels, to include prioritization of allies and partner nations based on institutional equities per reference (g).

(b) Support the foreign disclosure review of information and materiel that embark aboard foreign vessels with foreign security forces, in coordination with the appropriate disclosure authorities (Navy International Programs Office, Marine Corps Systems Command (MARCORSYSCOM), and the Joint Programs Office), per references (h) and (i), as appropriate.

(c) Serve as the coordination element for Headquarters Marine Corps for any embarkations of personnel or materiel aboard foreign vessels, to include review and coordination of MARFOR non-binding MOUs.

(d) When notified by DC PP&O, Operations Division (PO), of a planned, anticipated, or underway embarkation of personnel aboard foreign vessels, inform the dedicated and enabling security cooperation organizations per reference (g) via security cooperation coordination mechanisms such as the Marine Corps security cooperation O-6 coordination council.

(e) Provide CMC (JAO) copies of all established non-binding MOUs, once provided by the MARFOR.

(2) DC PP&O, Operations Division (PO)

(a) Assess and identify institutional and force management risk associated with Marine Corps sourcing recommendations to support embarkation of personnel aboard foreign vessels per reference (e), as the CMC-designated global force manager.

(b) Conduct prioritization and serve as the approval authority for force and individual sourcing recommendations for personnel embarked aboard foreign vessels articulated via the GFM process, per references (e) and (j), and per chapter 1 of this Order.

(c) Serve as the central point of notification for personnel and materiel embarkations aboard foreign vessels per chapter 1 of this Order and reference (f).

(d) Notify DC PP&O, PL, upon receipt of notification of all planned, anticipated, or underway embarkation of Marine personnel or materiel aboard foreign vessels.

(e) Track planned, anticipated, and underway embarkations of Marine personnel and materiel aboard foreign vessels.

(3) DC PP&O, Security Division (PS). Assess and identify institutional risk associated with Marine Corps force protection, antiterrorism, mission assurance, physical security, and information security to support embarkation of Marine personnel aboard foreign vessels per references (k), (l), (m), (n), and (o).

(4) Director, Office of Marine Corps Communications (OUSMCC). Assist the MARFOR public affairs officers in the development and execution of public affairs plans for the embarkation of personnel and materiel aboard foreign vessels, to include designation of the appropriate approval level prior to the release of information to the media, as appropriate.

(5) Staff Judge Advocate to the Commandant of the Marine Corps, International and Operational Law Branch (JAO)

(a) Provide legal advice on all international and operational law matters that affect the ability of the Marine Corps to embark personnel and materiel aboard foreign vessels, as requested.

(b) Coordinate with MARFOR staff judge advocates to support any legal issues associated with personnel and materiel aboard foreign vessels, as requested, to include development of non-binding MOUs addressing the embarkation of personnel and materiel aboard foreign vessels.

(c) Retain copies of all established non-binding MOUs addressing personnel and materiel aboard foreign vessels.

(6) Commander, U.S. Marine Corps Forces Command (COMMARFORCOM)

(a) Provide force sourcing recommendations to CMC (DC PP&O) for validated Marine Corps force requirements to support the embarkation of personnel and materiel aboard foreign vessels.

(b) Plan and execute Marine embarkations aboard foreign vessels per this Order, as applicable, for Service-retained forces for which COMMARFORCOM has operational control (e.g., BOLD ALLIGATOR).

(7) Commanders, U.S. Marine Corps Force Europe and Africa (COMMARFOREUR/AF), U.S. Marine Corps Forces South (COMMARFORSOUTH), U.S. Marine Corps Forces North (COMMARFORNORTH), U.S. Marine Corps Forces Central Command (COMMARCENT), and U.S. Marine Corps Forces Pacific (COMMARFORPAC)

(a) Plan and execute Marine embarkations aboard foreign vessels per this Order, as applicable.

(b) Ensure all Marine embarkations aboard foreign vessels support strategic objectives defined in reference (p), Combatant Commander (CCDR) campaign plans, COMMARFOR supporting plans, and references (j) and (q).

(c) Ensure all Marine embarkations aboard foreign vessels are approved per chapter 1 of this Order.

(d) Notify CMC via DC PP&O prior to the embarkation of personnel and materiel aboard foreign vessels, as outlined in chapter 1 of this Order and per reference (f).

(e) Submit requirements for forces not already assigned, allocated, or attached to the CCMD to embark personnel or materiel aboard foreign vessels via the GFM process articulated in reference (e) and as outlined in chapter 1 of this Order.

(f) Coordinate with CMC (PL) in the development of all MOUs governing the embarkation of Marine personnel or materiel aboard a foreign vessel per Chapter 2 of this Order.

(g) Provide CMC (PL) copies of all established MOUs governing the embarkation of personnel or materiel aboard a foreign vessel per chapter 2 of this Order.

(h) Coordinate requirements for foreign disclosure, information sharing, and intelligence sharing aboard foreign vessels and forward requirements to DC PP&O, MARCORSYSCOM, and the Director of Intelligence for approval, as appropriate.

(i) Coordinate with the Department of State via the appropriate U.S. diplomatic mission throughout all phases of the planning and execution process, to include the submission and approval of appropriate diplomatic clearances prior to any port visits or airfield landings during an underway period aboard a foreign vessel per reference (r).

(j) Coordinate with the appropriate CCDR(s) throughout all phases of the planning and execution process, to include the appropriate operational clearances prior to any embarkation, transit, port visit, and/or underway period aboard foreign vessels, to include foreign aircraft clearances.

(8) U.S. Marine Forces Special Operations Command (COMMARSOC).  
Notify CMC via DC PP&O prior to the embarkation of personnel and materiel aboard foreign vessels or as soon as possible given exigent circumstances that prevent advance notice, as outlined in chapter 1 of this Order and per reference (f).

(9) Commander, MARCORSYSCOM (COMMARCORSYSCOM)

(a) Collaborate with DC PP&O, MARFORs, and Navy International Programs Office to maximize support to personnel and materiel embarked aboard a foreign vessel, to include security assistance acquisition and logistics support, security assistance agreements and cooperation (such as Acquisition and Cross-Servicing Agreements (ACSA)), foreign disclosure reviews of technology transfer, classified military information and controlled unclassified information requests, and technical data packages relating to USMC ground equipment.

(b) Support the planning and execution of Marine materiel aboard foreign vessels to support embarked Marine personnel, as required. This does not apply to the embarkation of cargo for the sole purpose of transportation, per references (a) and (b).

c. Coordinating Instructions

(1) Where appropriate and as applicable, planners shall use existing processes to plan and execute the embarkation of personnel and materiel aboard foreign vessels.

(2) The embarkation of personnel and materiel aboard foreign vessels shall support U.S., CCDR, MARFOR and/or CMC political-military objectives.

(3) Marine Corps planners shall use the Global Theater Security Cooperation Management Information System (G-TSCMIS) to account for all activities with allies and partner nations per reference (g). G-TSCMIS users should follow the USMC G-TSCMIS Supplemental Business Rules, reference (s), to determine data entry timelines. Generally, entries must be completed with appropriate documentation uploaded NLT 30 days after event completion.

(4) Marine Corps planners shall input after action reports and lessons learned into the Marine Corps Lessons Learned System in order to build a repository of information that will inform future embarkations aboard foreign vessels and identify potential policy gaps.

(5) Marine Corps planners shall consider security cooperation priorities per reference (j) to support engagement prioritization with allies or partner nations and inform event design.

(a) The CMC International Engagement Criteria will be used to recommend the types of activities best suited for USMC engagement. The criteria will facilitate the prioritization of potential embarkations for planning, programming, budgeting, execution, and force sourcing.

(b) The CMC Partnership Focus List identifies priority partners for engagement based on institutional priorities, operational relevance, and global shaping considerations. These priorities should inform planning and focus efforts on allies and partner nations with significant institutional equities.

(6) Information sharing and exposure of U.S. Government materiel, tactics, or technology to foreign officials shall be governed by reference (i) in order to properly protect classified military information and controlled unclassified information.

(7) The CCDR shall be notified in advance of and during the transit of foreign vessels carrying Marine personnel or materiel to and from the CCDR area of responsibility, to include appropriate force protection and operational clearances.

4. Administration and Logistics. Recommendations for changes to this Order should be submitted to DC PP&O via the chain of command.

a. Privacy Act. Any misuse or unauthorized disclosure of Personally Identifiable Information (PII) may result in both civil and criminal penalties. The DON recognizes that the privacy of an individual is a personal and fundamental right that shall be respected and protected. The DON's need to collect, use, maintain, or disseminate PII about individuals for purposes of discharging its statutory responsibilities will be balanced against the individuals' right to be protected against unwarranted invasion of privacy. All collection, use, maintenance, or dissemination of PII will be in accordance with the Privacy Act of 1974, as amended (reference (cj)) and implemented per reference (ck).

b. Records Management. Records created as a result of this Order shall be managed according to National Archives and Records Administration approved dispositions per reference (cl) to ensure proper maintenance, use, accessibility and preservation, regardless of format or medium.

5. Command and Signal

a. Command. This Order is applicable to the Marine Corps total force.

b. Signal. This Order is effective the date signed.



R. L. BAILEY  
Deputy Commandant for  
Plans, Policies, and Operations

DISTRIBUTION: 10208795400



TABLE OF CONTENTS

<u>IDENTIFICATION</u>	<u>TITLE</u>	<u>PAGE</u>
Chapter 1	NOTIFICATION AND APPROVAL PROCESS FOR EMBARKATION OF MARINE PERSONNEL AND MATERIEL ABOARD FOREIGN VESSELS .....	1-1
Chapter 2	PROCEDURES FOR ESTABLISHING, MODIFYING, AND DISCONTINUING NON-BINDING MOUS .....	2-1
Chapter 3	GUIDANCE CONCERNING EMBARKATION OF MARINE PERSONNEL AND MATERIEL ABOARD FOREIGN VESSELS .....	3-1
Enclosure (1)	NOTIFICATION AND APPROVAL PROCESS CHART. .	4-1
Enclosure (2)	PLANNING AND EXECUTION CONSIDERATIONS. .	
5-1 Enclosure (3)	MOU APPROVAL, DEVELOPMENT, AND ESTABLISHMENT UNDER CCMD/MARFOR AUTHORITY PROCESS CHART .....	6-1
Enclosure (4)	MOU APPROVAL, DEVELOPMENT, AND ESTABLISHMENT UNDER CMC APPROVAL PROCESS CHART .....	7-1
Enclosure (5)	NON-BINDING MOU TEMPLATE .....	8-1
Enclosure (6)	REFERENCE LIST .....	9-1

Chapter 1

Notification and Approval Process for Embarkation of Marine Personnel  
and Materiel Aboard Foreign Vessels

1. Per this Order, no Marine personnel or materiel may embark aboard foreign vessels without notification to CMC via DC PP&O. All embarkations shall require prior authorization based on paragraph 2 of this chapter.

2. Approval Process

a. When a Marine Corps organization or allied/partner nation desires to embark Marine personnel or materiel aboard a foreign vessel, the Marine Corps unit must receive prior authorization from the first general or flag officer in the operational chain of command to which the Marine forces are assigned, allocated, or attached. See enclosure (1) for the approval and notification process chart.

b. If the embarkation requires personnel, materiel, or operational capabilities not already assigned, allocated, or attached to the MARFOR, the GFM process shall be used to support the embarkation, per reference (e).

(1) In these circumstances, the approval authority for the forces to support the embarkation shall be CMC via DC PP&O, the Chairman of the Joint Chiefs of Staff (CJCS), or the Secretary of Defense (SECDEF) per reference (e).

(2) In the requirement identification phase of the GFM process, the MARFOR shall submit to DC PP&O future requirements aboard foreign vessels for approval per reference (e). Requirement identification shall also include the information in paragraph 3.b of this chapter.

(3) Per reference (e), known or anticipated requirements should be submitted 18 months prior to the planned embarkations.

3. Notification Process

a. After the requesting unit has received authorization per paragraph 2 of this chapter, the Marine Corps unit (via the appropriate COMMARFOR) shall provide formal notification to CMC via DC PP&O (PO) prior to embarkation. The notification shall be transmitted as soon as possible following requirement identification and approval but not later than 90 days prior to the embarkation. Formal notification shall be transmitted via the appropriate COMMARFOR as part of their operational SITREPs per reference (f). Maximum lead time is required to facilitate sourcing, planning, and execution considerations. If exigent circumstances (such as humanitarian assistance and disaster relief) prevent such advance notice, the Marine Corps unit shall notify CMC via DC PP&O (PO) as soon as possible via operational SITREP or message traffic.

b. Notification to CMC via DC PP&O (PO) shall occur for all embarkations, including anticipated or tentative embarkations (e.g., opportune lift). As appropriate, notification will include the tentative status of the embarkation. If the tentative embarkation is confirmed or cancelled, the COMMARFOR shall provide formal notification to DC PP&O (PO).

c. The COMMARFOR shall notify CMC via DC PP&O (PO) including the following information.

- (1) Anticipated date of approved embarkation.
- (2) Anticipated or requested number and type/Military Occupational Specialty (MOS) of Marine personnel for the detachment, to include the anticipated Marine Corps Tasks.
- (3) Nature of the embarkation, including unit capability, mission set, and anticipated objectives.
- (4) Operating environment for the embarkation, to include the potential for escalation of hostilities, such as for kinetic operations.
- (5) Anticipated port visits and transit locations.
- (6) Anticipated length of embarkation and underway period.
- (7) Allied/partner nation(s) involved.
- (8) Type and name of foreign vessel, to include whether the vessel has been previously certified by any U.S. Government agency for specific aviation assets or other certifications.
- (9) Applicable international agreements or notifications addressing the status of U.S. forces and jurisdiction, such as Status of Forces Agreements (SOFA) or Diplomatic Notes.
- (10) Other considerations, as appropriate.

#### 4. Reporting Requirements

a. All embarkations require notification to CMC via DC PP&O (PO). Additional reporting requirements, and the frequency of reporting, shall be executed per reference (f). Frequency will vary based on the nature of the embarkation (i.e., operational embarkations may require more frequent SITREPs).

b. Unit commanders embarking aboard foreign vessels shall include foreign vessel-related information, as appropriate, in Embarked Personnel and Materiel Reports and per reference (f).

#### 5. Process to Change Nature of Embarkation

a. If the nature of the embarkation changes from the initial approval, the Marine Corps organization or force must notify CMC via DC PP&O (PO) by message or operational SITREP.

b. If the embarkation is already underway, the supporting commander must contact CMC via DC PP&O (PO) as soon as possible via the appropriate MARFOR.

c. Unless otherwise covered under an existing agreement or specific approval from the CCDR, embarked personnel shall not participate in or observe combat operations.

d. If the new operating environment, mission, or embarkation consideration requires prior approval from the Secretary of State, SECDEF, or Secretary of the Navy, the Marine detachment may not be granted permission to proceed with the planned embarkation and shall disembark. Examples of potential changes which may delay or prohibit embarkation are as follows:

(1) In the event operational exigencies evolve whereby the foreign vessel to which the personnel and materiel are embarked or the hosting foreign security forces are called upon to respond to crises, conflicts, or otherwise hostile situations in which the United States is not participating.

(2) In the event exigencies evolve whereby the foreign vessel to which the personnel and materiel are embarked or the hosting foreign security forces are called upon to respond to humanitarian incidents or disasters in which the United States is not participating.

(3) In the event operational exigencies evolve whereby the personnel and materiel embarked aboard the foreign vessel are called upon to respond to crises, conflicts, or otherwise hostile situations in which the hosting allied/partner nation is not participating.

(4) In the event exigencies evolve whereby the personnel and materiel embarked aboard the foreign vessel are called upon to respond to humanitarian incidents or disasters in which the hosting allied/partner nation is not participating.

Chapter 2

Procedures for Establishing, Modifying, and Discontinuing Non-Binding  
MOUs

1. Approving Authority for Establishing Non-Binding MOUs

a. Subject to clearance and approval by DoD, and as delegated, CMC is the Marine Corps approving authority for the establishment of an international agreement. Per reference (t), CCDRs are also authorized to negotiate and conclude international agreements in specific circumstances. DoD personnel may only conclude those agreements which are specifically authorized in references (t) and (u). Non-binding MOUs are not international agreements and are not legally binding.

b. COMMARFORs should establish non-binding MOUs governing the embarkation of Marine personnel and materiel aboard a foreign vessel, subject to the approval of the CCMD and the operational chain of command. See enclosures (3) and (4) for the MOU approval, development, and establishment process charts.

c. The COMMARFOR, in coordination with the CCMD, shall determine whether a MARFOR non-binding MOU is necessary to mitigate identified risk.

(1) If the CCMD already has an applicable MOU in-place that would cover the embarkation, the COMMARFOR shall determine whether the MOU adequately addresses all identified risks to Marine personnel and materiel or if an additional Marine-specific MOU is necessary to mitigate risk.

(2) If the CCMD authorizes the COMMARFOR to develop an MOU or plans to develop an MOU, COMMARFOR is encouraged to consider the planning and execution considerations within this Order and the non-binding MOU template in enclosure (5). Approval and final vetting of the MOU shall occur via the CCMD; however, coordination and formal staffing with CMC (PL) in the development of the MOU is required to account for institutional equities.

(3) If the CCMD does not authorize the COMMARFOR to develop an MOU, and the COMMARFOR chooses to establish a non-binding MOU, CMC (PL) shall support the COMMARFOR in the development and establishment of a non-binding MOU to govern the embarkation per section 3 of this chapter. In these instances, COMMARFORs are authorized to establish non-binding MOUs per the procedures contained within this chapter. The level of signature authority for the non-binding MOU will be determined by the MARFOR operational chain of command and coordinated with CMC (PL) prior to establishment.

(4) If COMMARFOR does not establish a non-binding MOU and there are not applicable MOUs in place, as possible, the COMMARFOR should adopt mitigation measures as recommended in enclosure (2) and chapter 3 of this Order and coordinate with the CCMD to identify additional ways to mitigate identified risk.

d. COMMARFOR shall coordinate with CMC (PL) in the development of all MOUs with a foreign security force or allied/partner nation governing the embarkation of Marine personnel and materiel aboard a foreign vessel. COMMARFOR shall send draft MOUs to CMC (PL) via formal tasking to include Service equities and mitigate identified institutional risk. CMC (PL) shall

advocate on behalf of institutional equities and coordinate MOU language with other elements of Headquarters Marine Corps, as appropriate, for Service-specific equities. CMC (PL) shall keep CMC informed of identified institutional risk and political-military impact, recommend MOU language to mitigate risk, and support other embarkation considerations.

e. All established MOUs shall be transmitted to CMC (PL), regardless of the approval authority or chain of command.

## 2. CMC Procedures for Establishing or Modifying Non-Binding MOUs

a. If the COMMARFOR establishes a non-binding MOU through CMC, the following is applicable. Upon approval of the planned embarkation per chapter 1 of this Order, the COMMARFOR, on behalf of the requesting Marine Corps organization, is authorized to begin the coordination and establishment of a non-binding MOU with the allied/partner nation, which will set forth the concept and terms under which the embarkation will operate. A process chart for the development and establishment of a non-binding MOU through CMC as the approving authority is contained within Enclosure (4).

(1) A template for the non-binding MOU is contained within enclosure (5). The sections within the template shall be included within the developed non-binding MOU.

(2) The appropriate COMMARFOR shall coordinate the development of non-binding MOUs on behalf of the requesting Marine Corps organization or force.

(3) Non-binding MOUs shall be developed in close coordination with CMC (PL) in order to include institutional equities and mitigate identified institutional risk. All non-binding MOUs shall be formally staffed to CMC (PL).

(4) The MARFOR should coordinate with CCMD staff (SJA, J3, J5) throughout the planning process to inform development of the non-binding MOU.

(5) The MARFOR shall provide draft non-binding MOUs to CMC (PL) for review before non-binding MOUs are provided to allied/partner nations. CMC (PL) shall coordinate with other stakeholders, to include the Office of the Secretary of Defense (OSD), CMC (JAO), and the DCs, to review draft non-binding MOUs, as required. As required, the MARFOR may informally coordinate with the allied/partner nation to identify necessary components of the non-binding MOU and articulate potential support from the hosting foreign security force.

(6) The concurrence of applicable delegated disclosure authorities (e.g., MARFOR Foreign Disclosure Officer or Foreign Disclosure Officer Point of Contact) is required prior to formalizing any non-binding MOU with an allied/partner nation.

(7) Copies of established non-binding MOUs shall be transmitted to CMC (PL)

b. Upon approval by the allied/partner nation, ministry of foreign affairs, ministry of defense, or other approving authority, the non-binding MOU will be signed by the authorized representatives of each Service. The

level of signature authority will be determined by the operational chain of command and, as appropriate, coordinated with CMC (PL) prior to discussions with the allied/partner nation to establish the non-binding MOU.

3. Procedures for Discontinuing Non-Binding MOUs

a. When a Marine Corps unit, including Headquarters Marine Corps, desires to discontinue a non-binding embarkation MOU, that organization shall notify CMC (PL) prior to discontinuation via message through the appropriate regional MARFOR. The notification shall include the following information:

(1) Identification of the affected MARFOR and MEF.

(2) Justification for the discontinuation, to include COMMARFOR endorsement of the discontinuation.

(3) Statement on whether the discontinuation is temporary or permanent.

b. If the MARFOR, in coordination with appropriate stakeholders, determined that the proposed discontinuation is in the best interest of all participants, the MARFOR will inform the affected allied/partner nation via official correspondence coordinated with CMC (JAO) and relevant HQMC stakeholders, as necessary, prior to being submitted for concurrence by the allied/partner nation. Upon concurrence by the operational chain of command and the authorized representative of the allied/partner nation, the authorized participants will sign the modified document or the discontinuance. The non-binding MOU can include language addressing the specific instances in which either participant may discontinue their participation in the non-binding MOU.

c. If the non-binding MOU includes language that limits the duration of the non-binding MOU to a defined period, such as the length of the embarkation, notification that the non-binding MOU has lapsed is not required.

### Chapter 3

#### Guidance Concerning Embarkation of Marine Personnel and Materiel Aboard Foreign Vessels

1. This guidance should be used to the greatest extent practical for the planning and execution of Marine personnel and materiel embarkations aboard foreign vessels. The guidance contained within this chapter may not be applicable to all embarkations based on the length of the deployment, operating environment, mission set, involved allied/partner nations, and other considerations. If the requirements contained within this chapter cannot be met, the operational chain of command must be notified of the policy requirement, cause for inability to meet requirements, and identified risks before the assumption of risk by the commander.

#### 2. Command and Control Relationships and Authorities

a. Command relationships and command authority are defined in reference (v). For embarkations aboard North Atlantic Treaty Organization (NATO) vessels, references (w) and (x) establish NATO doctrinal definitions of command relationships and could be applicable to Marine embarkations in specific circumstances, such as those under NATO command and control.

b. All CCDR guidance and orders pertaining to command relationships and command authorities within their area of responsibility are applicable while aboard foreign vessels.

c. Command relationships may vary based on the mission set and operating environment of the embarkation. If the embarkation operates independent of any CCDR, joint, or coalition command structure, specific command relationships and command authorities will need to be addressed and agreed-to prior to embarkation. Enclosures (2) and (5) of this Order outline additional best practices for consideration in planning command and control relationships and authorities.

d. References (y) and (z) direct the members of DoD to comply with the Law of War (LOW) during all armed conflicts and in all other military operations. In addition to the LOW, other applicable sources of law include Federal law, regulations, and all treaties. Reference (aa), §2387, governs detailing U.S. government personnel to foreign governments. Reference (ab), §162, requires the Secretaries of the Military Departments to assign all forces under their jurisdiction (with limited exceptions) to the CCMDs or North American Aerospace Defense Command to perform missions assigned to those commands. These assignments shall be made as directed by the SECDEF, including direction as to which command the forces are to be assigned.

e. Forces assigned to a CCMD (or the North American Aerospace Defense Command) may be transferred to another CCMD only by authority of the SECDEF and under procedures prescribed by the SECDEF and approved by the President of the United States (POTUS). Per reference (ab), §164, CCDRs exercise combatant command authority over all assigned forces. When forces are transferred to another CCMD, SECDEF will establish the gaining CCDR's authority over those attached forces (usually operational control). Per reference (ac), POTUS retains the authority to release designated U.S. forces to the command of a foreign commander. Reference (ac) also states that the



U.S. chain of command always retains command and control authority, and supersedes the foreign chain of command (e.g., United Nations, North Atlantic Treaty Organization, or partner nation) where their obligations conflict. Deployed units are restricted to the mission limits prescribed in the SECDEF-approved, CJCS-issued Execute Order for the mission. The United States reserves the right to terminate participation at any time and/or take whatever actions necessary to protect U.S. forces.

f. The MARFORs will retain administrative control of Marine personnel and forces unless specifically authorized otherwise.

g. The U.S. forces and foreign security forces will always operate under their respective national rules of engagement, to include national definitions of self-defense, hostile intent, and imminence, unless otherwise directed.

h. Per reference (ac), a foreign commander cannot change a mission or deploy U.S. forces outside the area designated in the CJCS Execute Order, separate units, administer discipline, or modify the internal organization of U.S. forces.

i. In situations in which contemplated deployments aboard foreign vessels are near boundaries between U.S. Geographic Combatant Commanders (GCCs), prior coordination between these commands and their respective regional MARFORs should occur. Deployment orders should be written to account for required flexibility in employment.

### 3. Diplomatic and Operational

a. Even while embarked aboard foreign vessels, Marine personnel will require diplomatic clearance(s) coordinated through the Department of State per reference (r). The Marine operational chain of command will be responsible for coordinating diplomatic clearances. The hosting foreign security force cannot coordinate these clearances.

b. Operational clearances will be coordinated with the appropriate geographic CCMD prior to embarkation, to include estimation of anticipated port visits and underway transit routes per reference (r).

c. Materiel may require clearances, to include overflight and foreign aircraft clearances, which will require separate coordination.

d. Personnel should have an official passport for the embarkation to facilitate potential diplomatic or operational requirements, such as medical evacuations, port visits, or disembarkation.

### 4. Legal

a. Legal protections and liabilities (both criminal and civil) for Service members, civilians, and contractors accompanying the force will be country and mission-specific. The sources of law that can be relied upon in these various types of military operations depend on the nature of the operation. International agreements may not specifically address protections aboard foreign vessels; however, customary international law considers foreign vessels to have sovereign immunity, which entitles the flag state, among other things, to exclusive control over persons on board such vessels

unless otherwise agreed in an international agreement.

b. In some cases, there could be an applicable SOFA that may be limited in scope only to specific missions, personnel, and circumstances. A specific understanding with the allied/partner nation will need to be in place determining whether the SOFA is applicable aboard the foreign vessel. This understanding will be the responsibility of higher authority (e.g., OSD, CCMD, Department of State).

c. Marine personnel are still subject to U.S. rules and regulations, including reference (ad) while aboard a foreign vessel. The applicability of foreign laws, to include criminal and civil jurisdiction, will be dependent upon the pertinent international agreements or Diplomatic Notes between the United States and the specific allied/partner nation(s) involved.

d. The captain or master of a foreign vessel may take necessary steps to ensure the safety and security of their vessel and crew, in accordance with international maritime law, such as issuing safety-related directives to Marine personnel. The Marine detachment officer-in-charge aboard the foreign vessel will notify the CCMD staff regarding such instances as soon as practical.

#### 5. Financial Agreements and Costs

a. Managing and executing the costs associated with embarking Marine personnel or materiel aboard foreign vessels are the responsibility of the command that will execute the embarkation. Commands should consider whether internal or external (outside of the Marine Corps) sources of funding are available and identify which are appropriate for use. Command will conduct requirements validations, budget planning, funds execution and reimbursement, and budget oversight and reconciliation activities in accordance with references (ae), (af) and (ag). Planners should begin early in the planning cycle to identify appropriate DoD authorities, appropriations, and established agreements that can be utilized to obtain logistical support, supplies, and services from the allied/partner nation. As often as possible, planners should leverage reimbursement or in-kind agreements, such as ACSAs, to address messing, berthing, administrative, and logistics support, etc. per reference (ah) and (ai). The authority to negotiate new ACSAs has been delegated to the CCMDs. If there is not an appropriate DoD authority or process to offset the cost via a mutual agreement, the planner should work directly with their organization's comptrollers to program and budget for deployment costs. See paragraph 6 of this chapter for additional information.

b. Planners considering use of any of the services provided at a U.S. Embassy while embarked near or in a foreign port should budget for and plan to pay for those services. Per references (g) and (aj), planners may be required to reimburse HQMC to offset any unexpected international cooperative administrative support services (ICASS) bills received from the Department of State. U.S. Embassies provide a variety of services under the ICASS system to include: security services; health services; information management technical support services; general services to include, vehicles, administrative supplies, reproduction, shipping, customs, motor pool, travel services, pouching, mail, and telephone; financial management, to include payrolls and contracts; human resources; and building operations, to include office space.

## 6. Logistics and Sustainment Support

a. Logistics and sustainment support is specific to the length of the deployment, anticipated mission set, and anticipated Mission Essential Tasks to be completed by the unit. Each embarkation will require separate planning based on the considerations in this Order and applicable CCDR and MARFOR guidance.

b. To the maximum extent practicable, Marine planners will endeavor to utilize current ACSAs per references (ah) and (ai). Not all ACSAs will provide the same level of support. Allied/partner nations with which the United States does not have an ACSA will require separate logistics supply and sustainment processes based on CCDR guidance. Considerations for expeditionary logistics requirements for deployed MARFORs are articulated in reference (ak). Reference (al) provides guidance for leveraging naval logistics capabilities to support Marine Air-Ground Task Force operations at sea and ashore. Also see paragraph 5 above.

c. Before the embarkation, planners must determine the costs for meals, berthing, and laundry services for the embarked Marines, to include who is responsible for paying those costs, how those costs will be paid, and what the effects of those costs will be on Marines' pay and allowances. The unit and the Marines should be made aware of their responsibilities prior to embarkation to inform planning considerations.

## 7. Foreign Disclosure and Technology Transfer

a. Prior to the disclosure or release of any information (oral, written, visual) or the transfer of technology to a foreign security force, the appropriate foreign disclosure reviews and authorizations must be in place per references (h), (i), and (am). These reviews should also identify access to areas of the ship, informational or instructional briefs, equipment, aircraft, weapons systems, operational plans, etc. Foreign disclosure considerations will vary by CCMD, operating environment, mission set, and involved allied/partner nations. Early coordination with a foreign disclosure officer or foreign disclosure point of contact is essential.

b. Because the flag state has absolute sovereignty aboard the vessel, Marine personnel embarked aboard a foreign vessel should understand that the vessel's master or captain, or his designated representative, may have the authority to access spaces aboard the vessel where U.S. Government/classified information is stored, and Marine Corps personnel may have no legal avenue to prevent access to the spaces. However, access to classified information by the vessel's commander is governed by the foreign disclosure process described above.

8. Public Affairs. Embarkations aboard foreign vessels will require early coordination within DoD and with Department of State, as applicable, to ensure the appropriate and authorized public release of information. Coordination should also occur with the allied/partner nation and hosting foreign security force to determine release authority, content, messaging strategy, and required coordination mechanisms. Additional recommended planning and execution considerations are articulated in enclosure (2) of this Order.

## 9. Force Protection and Counterintelligence

a. The Marine Corps standards for antiterrorism and force protection are promulgated via reference (m). Marine commanders shall familiarize themselves and comply with all geographic CCDR-specific antiterrorism policies and requirements. Deviations from these requirements require specific authorization or waivers according to applicable CCDR guidance through the appropriate COMMARFOR. The appropriate COMMARFOR or MEF commander shall notify and request approval via their operational chain of command to assume risk for force protection or antiterrorism standards.

b. The presence of Marine personnel and materiel aboard a foreign vessel may increase the potential threat to that vessel and those aboard. Hosting foreign security force antiterrorism and force protection standards may be less stringent than DoD and Marine standards, to include stand-off, access control, counterintelligence measures, etc. Additional risk mitigation measures may be required; a list of recommended best practices is included in enclosure (2).

c. Port visits should be coordinated with Naval Criminal Investigative Service (NCIS) prior to arrival, as appropriate. Based on the location, operating environment, and perceived threat level, an NCIS antiterrorism/threat assessment may be required or highly recommended prior to disembarkation at a port. In instances in which a SOFA does not exist, or in which the Marine detachment officer-in-charge (via the appropriate COMMARFOR, in coordination with the CCMD) determines that the force protection conditions at a particular port are inadequate, the embarked personnel and materiel may not be authorized to go ashore.

d. Prior to embarkation aboard a foreign vessel, a comprehensive counterintelligence assessment should be conducted as part of the threat vulnerability assessment per enclosure (2) and reference (an). Any classified components of aircraft, vehicles, equipment, systems and/or classified documents/media should be identified and evaluated to determine if they are suitable for embarkation.

e. All personnel should receive a counterintelligence briefing prior to embarkation, have access to counterintelligence support while embarked, and receive a counterintelligence debriefing upon disembarkation. When appropriate, a Technical Surveillance Countermeasures inspection should be performed on aircraft, vehicles, and equipment after disembarkation.

## 10. Communications Systems

a. All embarkations aboard foreign vessels should endeavor to meet the communications systems security requirements outlined in references (ao) and (ap). Not all foreign vessels and hosting foreign security forces will be able to meet U.S. standards for communications security. Planning considerations may include hosting foreign security force's communication systems capabilities and limitations; equipment installation requirements; existing communications security (COMSEC) bilateral agreements; communications interoperability and security memorandums of agreement (MOA); and information security (INFOSEC) exchange agreements. Additionally, physical constraints aboard foreign vessels may limit the available communications and information systems for Marine personnel usage.

Mitigation measures will be required and should be determined early in the planning process to adequately protect personnel, materiel, and information per references (ao) and (ap). Any identified deviations from these requirements must be submitted per references (ao) and (ap).

b. The foreign security force may be authorized to see U.S. COMSEC equipment but not authorized to utilize the COMSEC equipment. The COMSEC equipment must remain in USG custody at all times. Should there be a need for a member of the foreign security force to operate the COMSEC equipment, a waiver must be obtained per references (ao) and (ap). The CCDR has the responsibility to initiate the waiver process.

#### 11. Cybersecurity

a. All embarkations aboard foreign vessels should endeavor to meet the cybersecurity systems security requirements outlined in references (aq), (ar) (as), (at), (au), (av), and (aw). Cybersecurity requirements must be determined early in the planning process in order develop and submit an authorization package to the Marine Corps authorizing official at Headquarters Marine Corps Command, Control, Communications, and Computers (C4) Cybersecurity Division per references (ax), and (ay). The Marine Corps Authorizing Official holds authority over all Marine Corps Enterprise Network (MCEN) enclaves, Non-Classified Internet Protocol Router Network (MCEN-N), Secret Internet Protocol Router Network (MCEN-S), and must authorize each information system before it can be operated within the MCEN environment. The Marine Corps authorizing official will deny access to the MCEN of information systems that are not properly accredited. Without the authorization to operate and authorization to connect, Marine personnel aboard the foreign vessel will not be able to setup and operate information systems in support of their assigned mission. Not all foreign vessels and hosting foreign security forces will be able to meet U.S. standards for cybersecurity.

b. Cybersecurity controls must be in place to protect the confidentiality, integrity, availability, authentication, and non-repudiation of Marine Corps information systems, network devices, services, and technologies. These protections include protecting the data at rest and data in transit as well as protecting the network on which these devices operate.

12. Physical and Information Security. All embarkations aboard foreign vessels shall endeavor to meet the physical and information security requirements outlined in references (l), (o), and (n), respectively. Physical and information security requirements must be determined early in the planning process in order to adequately protect Marine personnel and materiel per references (l), (o), (n), and (az). Not all foreign vessels and hosting foreign security forces will be able to meet U.S. standards for physical and information security. Proper mitigation measures are required for identified deviations from requirements. Any identified deviations from these requirements shall be submitted in accordance with reference (az) and (o).

13. Medical. Embarked Marine personnel footprint, length of deployment, and type of operations will drive required health service support and sustainment. The governing medical documents for personnel embarked aboard foreign vessels will be dependent upon the CCDR's existing policies. Additional references include reference (ba) and references (bb) and (bc) for NATO member

countries. Additional planning and execution considerations to mitigate risk due to inadequate medical standards are identified in enclosure (2).

13. Safety. All current orders and requirements for Marine safety remain in force aboard foreign vessels, to include references (bd), (be), (bf), (bg), (bh), and (bi). All requests for waivers must be submitted via the processes articulated within the aforementioned references.

14. Non-Aviation Materiel. All current orders for embarkation and maintenance support of ground materiel and equipment remain in force while embarked aboard foreign vessels. Management of organic supplies and deployment support blocks will be in accordance with references (bj) and (bk). Materiel should be safeguarded and maintained at normal supply levels to meet mission requirements. Perishables, petroleum, oils, and lubricants, and other supply support should be utilized to the greatest extent possible and include interagency support, as available.

15. Aviation

a. Planning and execution of aviation-related operations aboard foreign vessels shall be handled in accordance with reference (bl). When feasible, operating standards should reflect those outlined in references (bm), (bn), (bo), (bp), (bq), (br), (bs), and (bt). When required, waivers shall be requested via the appropriate agency.

b. Transportation of foreign military or civilians passengers in USMC aircraft (to include rotary wing and tiltrotor) shall be handled in accordance with reference (bu).

c. Flight of foreign military or civilians (either at-the-controls or as a passenger) for the purpose of orientation and indoctrination (O&I) shall be handled in accordance with references (bu) and (bv).

d. Flight of Marine Corps personnel in foreign military aircraft shall be handled in accordance with reference (bw).

16. Security Cooperation. All embarkations aboard foreign vessels shall comply with references (g) and (bx), as applicable. Prior to USMC training of a foreign security force, security cooperation activities should be approved by the CCDR, planned per references (g) and (bx), and in accordance with references (by), (bz), and (ca). Early planning should account for potential security cooperation activities with an allied/partner nation to allow sufficient lead time for human rights vetting, as required, and ensure activities support U.S. national security objectives. U.S. laws and policies (e.g., Buy America Act, Joint Ethics Regulations) must be reconciled with the allied/partner nation prior to the conduct of combined security cooperation activities with another country. All USMC security cooperation should support the institutional priorities outlined in reference (j) and CCDR priorities.

17. Personnel Exchange Program (PEP) and Liaison Officers

a. The embarkation and potential deployment of PEPs and liaison officers is governed by bilateral PEP MOUs with the allied/partner nation, reference (cb), reference (cc), and SECDEF guidance on contingency deployments and rules of engagement.

b. The embarkation approval process for PEPs is governed by reference (cc). Per reference (cc), all USMC PEP deployments to support peacetime operations (e.g., exercises and training) shall be approved by Director PL. PEP deployments to support contingency and/or combat operations are country and mission-dependent. In most cases, approval authority is delegated to the Undersecretary of the Navy for contingency operations. In all cases, notification to CMC (PO) via the process articulated in chapter 1 is required.

c. Embarking foreign PEPs embedded within USMC units aboard foreign vessels (of a different nationality than the foreign PEP) may create additional planning considerations and potential restrictions during the embarkation, particularly diplomatic considerations.

18. Civilians. DoD civilians may require different kinds of training in advance of an embarkation aboard a foreign vessel. Like Marine forces, DoD civilians will need to account for personnel and financial matters prior to embarkation. DoD civilians should contact their human resource office or command's designated point of contact as soon as possible to address pre-deployment requirements.

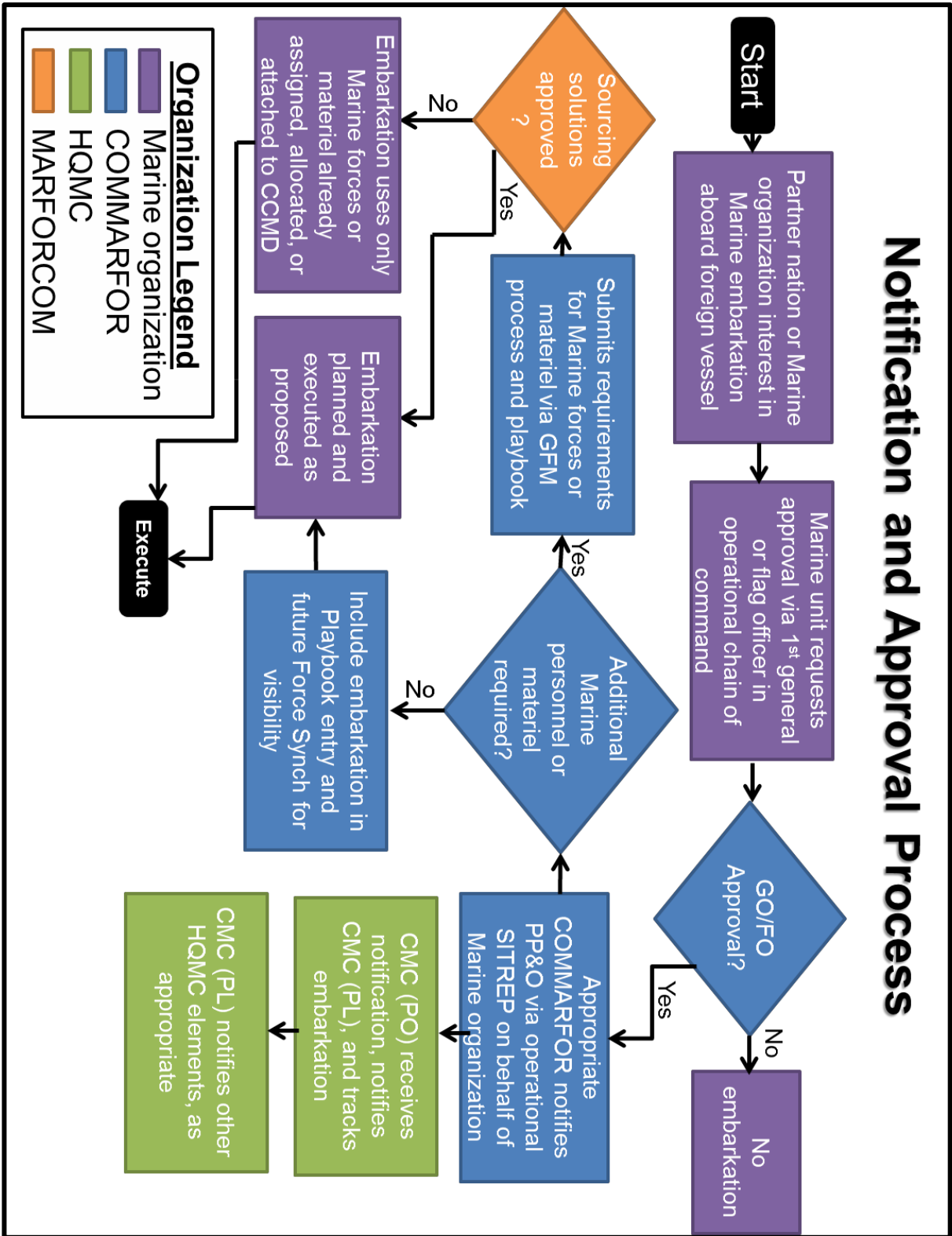
19. Contractors

a. All embarkations aboard foreign vessels intending to use U.S. contractor support shall be in accordance with references (cd), (ce), (cf), (cg) Part 153, (ab) § 802a(10)-(12), and (ch) §3261-3267, as applicable.

b. Contractor considerations will be dependent upon the exact nature and language of the contract with the contracted company. These considerations may require formal acknowledgement or language within the contract to authorize contractor deployment and/or embarkation aboard foreign vessels.

20. Berthing. Accommodations aboard the foreign vessels may not be at the same standard as accommodations aboard U.S. naval shipping. However, planners should endeavor to coordinate with the hosting foreign security force to establish suitable accommodations for Marine personnel based on requirements.

Notification and Approval Process Chart





Planning and Execution Checklist

Marine personnel embark aboard foreign vessels to fulfill a range of requirements. The checklist below provides a planning tool in order to promulgate identified best practices and recommendations for the embarkation of Marine personnel and materiel aboard foreign vessels. The following is not an exhaustive list of the associated risks and planning and execution considerations; the actual considerations associated with a specific embarkation shall be dependent upon the allied/partner nation(s) involved, length of the embarkation, size of the Marine detachment, operating environment, mission set, and underway period, among other considerations. Where possible, this checklist shall attempt to highlight unique issues to consider specifically for Marine personnel and materiel embarking on foreign vessels. However, it will also include some planning considerations typically associated with an embarkation that are also applicable aboard foreign vessels.

Detailed planning checklists for multinational operations can be found in reference (ci). Most material contained in those checklists is also applicable to embarkations aboard foreign vessels. Operations conducted in a parallel command relationship shall normally follow national planning guidance and doctrine.

**Strategic-Level Considerations**

Problem Framing

- \_\_\_\_\_ Has a political-military estimate of the potential embarkation, and any potential political-military impacts, been completed both internal to DoD and in coordination with affected allied/ partner nations?
  
- \_\_\_\_\_ Have strategic assessments been conducted and shared with the allied/partner nation(s), within the constraints of national and organizational information sharing regulations?
  
- \_\_\_\_\_ Has the commander, in coordination with the allied/partner nation(s), developed the strategic military guidance for the embarkation? Does this strategic guidance contain:
  - \_\_\_\_\_ The desired end state of the embarkation?
  
  - \_\_\_\_\_ A clear description of military and political-military objectives, to include security cooperation objectives for the embarkation?
  
  - \_\_\_\_\_ A broad outline of any military activity envisioned while aboard the foreign vessel or at pier-side (e.g., training, exercises, etc.)?
  
  - \_\_\_\_\_ Key planning assumptions?
  
  - \_\_\_\_\_ Constraints or restraints on military operations and actions?
  
  - \_\_\_\_\_ Potential for additional allied/partner nation involvement (e.g., representative from another

allied/partner nation embarked aboard the foreign vessel, such as for training, foreign personnel exchange program personnel, liaison officer, or security cooperation, etc.)?

\_\_\_\_\_ Has a concept of operations (CONOPs) for the embarkation, including time pier-side and afloat, been developed and approved?

\_\_\_\_\_ Does the CONOPs include interagency considerations, as appropriate?

#### Command Authority

\_\_\_\_\_ Has the commander's intent been developed/provided for the specific embarkation of Marine personnel or materiel aboard a foreign vessel?

\_\_\_\_\_ Have rules of engagement for the embarkation (including time pier-side and afloat) been de-conflicted by the appropriate authorities, such as the Combatant Commander?

\_\_\_\_\_ Has a command and control relationship been established if the foreign vessel crosses into another combatant commander's area of responsibility or will operate within multiple areas of responsibility?

#### Service-level Considerations (DC PP&O)

\_\_\_\_\_ Have the force management and force sourcing implications of the embarkation been considered and addressed?

\_\_\_\_\_ If the potential embarkation is known or anticipated to be greater than 18 months out, has the requirement been registered in accordance with the GFM process?

\_\_\_\_\_ Has the appropriate coordination been conducted with the Department of State?

\_\_\_\_\_ Has the appropriate coordination been conducted with the Office of the Secretary of Defense and the Office of the Secretary of the Navy, as applicable?

#### **Operational-Level Considerations**

##### Command Relationships

\_\_\_\_\_ Have command relationships been established between Marine personnel and hosting foreign security forces?

\_\_\_\_\_ Does the command relationship include to what extent Marine personnel are governed by the hosting foreign security forces laws, regulations, and rules in addition to applicable CCDR guidance?

\_\_\_\_\_ Does the command relationship include defined supported/supporting relationships during the mission

planning phase?

\_\_\_\_\_ Does the command relationship include potential shifts in authority or relationships based on changing operating environments or mission sets?

\_\_\_\_\_ Have allied/partner nation legal constraints been considered in planning for command and control?

\_\_\_\_\_ Does the CONOPS and the commander's intent fully account for the planning and execution considerations associated with Marine personnel aboard foreign vessels?

\_\_\_\_\_ Do the embarked Marine personnel have branches, sequels, or courses of action should the hosting foreign security force or the allied/partner nation prevent or attempt to prohibit the use of U.S. force from a foreign vessel? (e.g., debarkation plan)?

#### Problem Framing

\_\_\_\_\_ Are the Marine personnel equipped with the required training, language, regional expertise, culture, and functional skills for the embarkation (including associated port calls)?

\_\_\_\_\_ Is additional training, such as the Security Cooperation Planners' Course, Marine Advisors Course, or courses from the Center for Advanced Operational Culture Learning, required?

\_\_\_\_\_ Have historical national sensitivities been considered?

\_\_\_\_\_ Are there additional personnel requirements that could be filled from the Marine Corps supporting establishment or operating forces (e.g., Marine Corps Security Cooperation Group or MARCORSYSCOM)?

\_\_\_\_\_ Are sufficient linguists and/or interpreters available?

\_\_\_\_\_ Have the hosting foreign security forces been provided appropriate liaisons and interpreters (if necessary), operators, and maintainers to enable interaction with the Marine detachment officer-in-charge and other Marine personnel?

\_\_\_\_\_ Do liaison elements have appropriate language, regional expertise, culture, communications, logistical, and office support capabilities in place?

\_\_\_\_\_ Does the embarkation support the CMC International Engagement Planning Guidance?

\_\_\_\_\_ Have the rules of engagement of the hosting foreign security force been de-conflicted?

\_\_\_\_\_ Have the routing of the foreign vessel while underway and anticipated port visits been assessed to determine whether there are any potential political-military sensitivities? (e.g., contested waters)?

\_\_\_\_\_ If the mission or objectives include contingency or combat operations, have the supporting mission essential tasks or objectives been wargamed with the allied/partner nation or foreign security force?

\_\_\_\_\_ Has mission-relevant terminology been standardized before commencing the embarkation (e.g., reconciliation of terms for common tactics, techniques, and procedures)?

\_\_\_\_\_ Has the mission analysis accounted for how to monitor the deployed U.S. forces, as they will not have time-phased force deployment data associated with their deployment?

\_\_\_\_\_ Has a debarkation plan been made, to include debarkation requirements for all Marine personnel and embarked materiel?

\_\_\_\_\_ Has coordination occurred with the local U.S. embassy, civil agencies, non-governmental organizations, intergovernmental organizations, and/or other foreign security forces to support execution of the debarkation plan?

\_\_\_\_\_ Does the plan articulate the circumstances under which debarkation will be executed?

\_\_\_\_\_ Does the plan include contingency options should the hosting foreign security force deny Marine debarkation or permission to off-ramp?

#### Coordination

\_\_\_\_\_ Has the appropriate approval for the embarkation been granted by the first general or flag officer in the operational chain of command?

\_\_\_\_\_ Has the appropriate coordination been conducted with the Department of State, via the U.S. diplomatic mission, for transit, port visits, and security cooperation, to include visas and diplomatic clearances?

\_\_\_\_\_ Has the appropriate coordination been conducted with the Naval Criminal Investigative Service for port visits, to include the potential conduct of antiterrorism/threat assessments prior to disembarkation at port?

\_\_\_\_\_ Has the appropriate coordination been conducted with the GCCs in whose area of responsibility the embarkation may transit through or operate within, to include operational clearances, estimation of anticipated port visits, underway transit routes, and overflight and foreign aircraft clearances, as appropriate?

\_\_\_\_\_ Has CMC via DC PP&O (PO) been notified of the planned or underway embarkation of Marine personnel and materiel aboard a foreign vessel, per the appropriate approval chain and request process in chapter 1 of this Order?

\_\_\_\_\_ Has the event been entered into the Global Theater Security Cooperation Information Management System (G-TSCMIS)?

\_\_\_\_\_ Do all personnel have official passports in case the embarkation requires a port visit, medical evacuation, disembarkation, or other diplomatic or operational requirement that may be unforeseen in planning?

Memorandum of Understanding (MOU)

\_\_\_\_\_ Has the CCMD been coordinated with to determine whether there is an applicable MOU in place to govern the embarkation, or if there are plans to develop an MOU?

\_\_\_\_\_ Has the CCMD been coordinated with to establish an MOU, as applicable?

\_\_\_\_\_ Has CMC (PL) been included in the development of the MOU?

\_\_\_\_\_ Has the MOU gone through a foreign disclosure review prior to sharing with the allied/partner nation?

\_\_\_\_\_ Has the non-binding MOU been reviewed by judge advocates, such as a MARFOR judge advocate or CMC (JAO), to verify if the MOU contains non-binding language and does not constitute an international agreement?

\_\_\_\_\_ Have other mitigation measures been identified and put in-place to mitigate risk if an MOU will not be developed?

Costs

\_\_\_\_\_ Has the probable cost of the embarkation been determined and are there mechanisms in place to track the cost?

\_\_\_\_\_ Has funding been identified to support the embarkation and/or to provide reimbursement of expenditures from existing budgets?

\_\_\_\_\_ Will common funding be available to support common costs and expenditures, such as expenditures applicable to both the hosting foreign security forces and Marine personnel?

\_\_\_\_\_ To what extent expenses will be reimbursed from common funding or sources external to national funding by the participating nations?

\_\_\_\_\_ To what extent Marine personnel will receive pay and allowances in like manner to when they are embarked aboard U.S. naval shipping (e.g., sea pay, credit for underway time, etc.)?

\_\_\_\_\_ Has the responsible party for paying for identified costs been determined, such as for meals, laundry, and berthing?

\_\_\_\_\_ Has it been determined how those costs will be paid and to what extent those costs will effect Marine personnel's pay and allowances?

\_\_\_\_\_ To what extent will Marine personnel pay for services

(e.g., meals, berthing, laundry, etc.) and how will the payment for services be executed (Basic Allowance for Subsistence checkage, cash, credit)?

\_\_\_\_\_ Are the embarked Marine personnel aware of their individual responsibilities, if applicable, to pay for costs associated with the embarkation, such as meals?

\_\_\_\_\_ Have international cooperative administrative support services and costs been appropriately budgeted for and funded by the MARFOR if the embarkation plans to use any of the services provided at a U.S. Embassy while embarked near or in a foreign port?

#### Foreign Disclosure

\_\_\_\_\_ Has a theater foreign disclosure officer been identified? Has a policy and a plan for the control, release, and dissemination of controlled unclassified and classified information been promulgated?

\_\_\_\_\_ Are there applicable information sharing agreements in place (e.g., General Security of Military Information Agreement, Communications and Information Security Memorandum of Agreement, etc.)?

\_\_\_\_\_ Is a foreign disclosure officer (FDO) or trained foreign disclosure point of contact able to embark with Marine personnel aboard the foreign vessel?

\_\_\_\_\_ Does the FDO have the authority to approve the required categories of classified military information and controlled unclassified information for disclosure and release? If not, are they aware of the process of obtaining approval?

\_\_\_\_\_ If the embarkation involves non-Five Eyes (FVEY) allies or partners, have the mission requirements and scope accounted for longer foreign disclosure lead times, potential restrictions, and additional waivers?

\_\_\_\_\_ Has a mutual understanding with the hosting foreign security force and allied/partner nation been reached defining "U.S.-only" spaces?

\_\_\_\_\_ Does the understanding address Marine-specific requirements for access, security, and protection of "U.S.-only" spaces?

\_\_\_\_\_ Does the understanding address circumstances in which the foreign ship's captain or master, or his representative may be required to enter "U.S.-only" spaces, such as for emergency response or for the safety of the vessel?

\_\_\_\_\_ Have appropriate mitigation measures been discussed and agreed-upon with the hosting foreign security force to determine what levels of protection or steps are required to mitigate inappropriate access to U.S.-only information,

even in the instance of emergency access?

\_\_\_\_\_ Have the mission equipment and information planned to be exchanged and taken on the embarkation been reviewed for foreign disclosure and release approvals prior to embarkation?

#### Legal

\_\_\_\_\_ Has the legal status of U.S. personnel involved in an accident, incident, or mishap been determined, to include subsequent investigations, prior to the embarkation?

\_\_\_\_\_ Have the discipline and investigation procedures been discussed and agreed-upon with the hosting foreign security force, to include the potential applicability or exclusion of hosting allied/partner nation rules and procedures?

\_\_\_\_\_ Is the Marine detachment aware of existing agreements among participating nation(s) in the form of bilateral or multilateral arrangements, funding, and training?

\_\_\_\_\_ Is there an applicable Status of Forces Agreement?

\_\_\_\_\_ Is there an agreed-upon understanding with the allied/partner nation as to whether the Status of Forces Agreement(s) are applicable while aboard the foreign vessel?

\_\_\_\_\_ Is a staff judge advocate able to embark with Marine personnel aboard the foreign vessel?

#### Aviation

\_\_\_\_\_ Have the "Multi-National Through-deck and Aircraft Carrier Crossdeck Operations" and "Helicopter Operations from Ships Other than Aircraft Carriers" pre-embarkation checklists been consulted for aircraft considerations?

\_\_\_\_\_ Have facility clearances been obtained for foreign vessels to determine suitability for Marine aircraft?

\_\_\_\_\_ Have size and capacity of elevators and deck space been considered on the foreign vessel?

\_\_\_\_\_ Has there been coordination with the hosting foreign security forces to determine if additional deck crew is necessary to support Marine aircraft?

\_\_\_\_\_ Are Marine aviation assets and the foreign vessel equipped to conduct night operations together, as required by the mission?

\_\_\_\_\_ Do the embarked Marine personnel have a Navy tactical air control squadron detachment to attain diplomatic and/or operational clearances for countries which may require fly-overs?

\_\_\_\_\_ Do the embarked Marine personnel have a Navy tactical air

control squadron detachment to attain diplomatic and/or operational clearances for countries that could be candidates for emergency diversion?

\_\_\_\_\_ Do embarked Marine personnel have necessary permissions and authorization to ride in foreign aircraft?

\_\_\_\_\_ Do the foreign security forces have necessary permissions and authorization to fly in USMC aircraft, including specific permissions for aircraft such as the MV-22?

\_\_\_\_\_ Have additional considerations been given for TS/SCI maintenance space and personnel if F35-B aircraft are embarked aboard a foreign vessel, to include coordination with Higher Headquarters, as appropriate?

\_\_\_\_\_ Is the foreign vessel's flight deck properly surfaced per USMC safety standards to support USMC aviation assets?

\_\_\_\_\_ Have aviation mishap reporting requirements been identified and agreed-upon with the hosting foreign security force?

#### Force Protection

\_\_\_\_\_ Do the resources allocated to the force protection component of the mission balance with the potential political ramifications of failure to protect the force?

\_\_\_\_\_ Have the force protection and antiterrorism responsibilities of the embarked Marine personnel and hosting foreign security force been determined and agreed-to by both parties?

\_\_\_\_\_ Has a plan been developed and coordinated with the hosting foreign security force to report, assess, and disseminate force protection incidents?

\_\_\_\_\_ Has a plan been developed, coordinated with the hosting foreign security force, and promulgated for coordinated incident response and consequence management measures aboard the vessel, such as chemical, biological, radiological, and nuclear incidents?

\_\_\_\_\_ Have antiterrorism, mission assurance, or counterintelligence officers assessed the potential threats and hazards associated with the embarkation, underway, port visits, and debarkation?

\_\_\_\_\_ Has a threat assessment been conducted for all anticipated locations where the foreign vessel may be docked, to include port visits, embarkation points, and debarkation points in order to identify and assess potential threats, hazards, and vulnerabilities that may impact Marine personnel and materiel?

\_\_\_\_\_ Have the identified threats and hazards been cleared at the appropriate level for disclosure to the hosting foreign security force's captain or master, should the identified threats and hazards pose potential risks to mission?



\_\_\_\_\_ Have mitigation measures been identified and promulgated via a plan agreed-upon with the hosting foreign security force?

\_\_\_\_\_ Are non-lethal weapons available for use by embarked Marine personnel?

#### Physical Security and Information Security

\_\_\_\_\_ Has a physical security survey been conducted of the foreign vessel spaces where Marine personnel will store arms, ammunitions, and explosives, classified or controlled unclassified material, electronic key management system, etc. prior to embarkation to identify discrepancies from extant guidance?

\_\_\_\_\_ Are the foreign vessel weapons and materiel storage sufficient to meet U.S. and Marine Corps standards?

\_\_\_\_\_ Have the appropriate waivers, if any, been submitted and approved (e.g., shipboard containers for arms, ammunition, and explosives or storage of classified information)?

\_\_\_\_\_ Have the physical security and information security responsibilities of the embarked Marine personnel and hosting foreign security force been determined and agreed-to by both parties?

\_\_\_\_\_ Has a physical security plan been developed to encompass all critical assets, Arms, Ammunition, and Explosives, classified material, and access control to Marine Corps secure spaces?

\_\_\_\_\_ Have mitigation measures for physical security, to include asset security, been identified and agreed-to with the hosting foreign security force?

#### Intelligence

\_\_\_\_\_ Has a combined intelligence plan been produced and disseminated which designates all products for use by the hosting foreign security force and Marine personnel, as applicable?

\_\_\_\_\_ Have special, adequate, and supportable intelligence sharing and foreign disclosure procedures been established?

\_\_\_\_\_ Have special, adequate, and supportable geospatial sharing and foreign disclosure procedures been established?

\_\_\_\_\_ Have special, adequate, and supportable biometrics sharing and foreign disclosure procedures been established?

\_\_\_\_\_ Have efforts been made to place sufficient intelligence collection resources under the control of (or at least immediately responsive to) the Marine detachment?

Counterintelligence

- \_\_\_\_\_ Has a counterintelligence assessment been conducted on the vessel, crew, other embarked foreign persons, all ports of call, and all embarkation and disembarkation points as part of the threat vulnerability assessment?
- \_\_\_\_\_ Have all classified components of aircraft, vehicles, equipment, systems and/or classified documents/media been identified and evaluated to determine if they are suitable for embarkation?
- \_\_\_\_\_ Has a counterintelligence briefing been provided to all personnel prior to embarkation?
- \_\_\_\_\_ Is U.S. counterintelligence support available to embarked personnel?
- \_\_\_\_\_ Is there a system in place to identify, report, and mitigate counterintelligence concerns that arise during deployment?
- \_\_\_\_\_ Is there a system in place to perform a Technical Surveillance Countermeasures inspection of aircraft, vehicles, and equipment after disembarkation?
- \_\_\_\_\_ Is there a system in place to conduct post-deployment counterintelligence debriefings and assessments?

Cybersecurity

- \_\_\_\_\_ Has a cybersecurity risk assessment been conducted of the foreign vessel information system, identifying key-terrain in cyber, known threat actors, and risks prior to embarkation to identify discrepancies from extant guidance?
- \_\_\_\_\_ Are the foreign vessel information systems sufficient to meet U.S. and Marine Corps standards?
- \_\_\_\_\_ Have the appropriate waivers, if any, been submitted and approved?
- \_\_\_\_\_ Has a cybersecurity authorization to operate and authorization to connect been submitted to Headquarters Marine Corps Command, Control, Communications, and Computers (C4) Cybersecurity branch for the information systems the Marine personnel plan to operate prior to embarking aboard the foreign vessel?
- \_\_\_\_\_ Have the cybersecurity responsibilities of the embarked Marine personnel and hosting foreign security force been determined and agreed-to by both parties?
- \_\_\_\_\_ Has an incident response plan been developed to encompass all response actions to mitigate cybersecurity incidents aboard the foreign vessel in order to maintain mission assurance, command and control, and operations in support of the Marine mission aboard the foreign vessel?

Communications

\_\_\_\_\_ Have arrangements been made for appropriately secured intra- and inter-staff communication among embarked personnel?

\_\_\_\_\_ Is NIPR, SIPR, JWICS, or other email communication possible between foreign vessels with embarked Marine personnel and command elements ashore or elsewhere?

\_\_\_\_\_ Are forces, communication system capabilities, and logistic support robust enough to support the planned operating environment and mission requirements?

\_\_\_\_\_ Has coordination been accomplished with the hosting foreign security force regarding communication equipment capability?

\_\_\_\_\_ Has coordination been accomplished regarding frequency assignment?

\_\_\_\_\_ Has the terrain and environment been considered while planning for the communication system network?

\_\_\_\_\_ Have common databases been provided for?

\_\_\_\_\_ Has the nation most capable of providing an integrated, interoperable communication system network been selected to serve as network manager for the communication system infrastructure, as required?

\_\_\_\_\_ Have agreements on cryptographic and/or communications security issues and other planning factors been reached among all components? Are compatible materials available?

\_\_\_\_\_ Have the encryption keys for necessary communications equipment been exchanged with the allied/partner nation?

\_\_\_\_\_ Has a responsible party been identified to change USMC encryption keys promptly at the conclusion of the embarkation?

\_\_\_\_\_ Have measures been identified to securely transmit fire plans to and from the foreign vessel?

Logistics

\_\_\_\_\_ Has the Marine detachment's authority to redistribute logistic assets and services been defined and agreed to?

\_\_\_\_\_ What, if any, Acquisition and Cross-Servicing Agreements exist between participating nations to enable the provision of supplies, services, transportation, and logistic support?

\_\_\_\_\_ Does the principal logistics civil augmentation program structure have an overall officer-in-charge or main point of contact for C2 of contract personnel?

- \_\_\_\_\_ Do other legal authorities permit the provision of logistic support to participating nations?
- \_\_\_\_\_ Have reimbursement or replacement-in-kind procedures been developed and agreed to?
- \_\_\_\_\_ Is there a means in place which authorizes exchange of mutual logistic support of goods and services with the hosting foreign security force and accounts for the amounts received?
- \_\_\_\_\_ Has a logistics determination been made (e.g., what countries will provide what piece of the logistics system, health services to include ground and air evacuation, and health service logistics)?
- \_\_\_\_\_ Can the hosting foreign security force provide support, and if so, have negotiations to secure support been established or completed?
- \_\_\_\_\_ Are the economic and infrastructure repair plans known and being complied with by all nations, Services, and units?
- \_\_\_\_\_ Has the hosting foreign security force support been evaluated to determine the logistic requirements?
- \_\_\_\_\_ Has the hosting foreign security force's logistics supply and sustainment pipeline been assessed to interface with DoD?
- \_\_\_\_\_ Are Marine personnel prepared to resupply embarked Marines beyond the scope of the foreseen mission?
- \_\_\_\_\_ Have ordnance storage, transport, build-up, loading, and off-loading for the embarkation been determined and agreed-upon with the hosting foreign security force?
- \_\_\_\_\_ Have fuel storage and handling for the embarkation been determined and agreed-upon with the hosting foreign security force?
- \_\_\_\_\_ Have coordinating centers been established and mutually agreed- upon for personnel movement, medical support, ground and air evacuation, operational contract support, infrastructure engineering, and logistic operations?
- \_\_\_\_\_ Is a transitional plan available to facilitate deployment and operational assumption of in-place contracts, equipment, facilities, and personnel?
- \_\_\_\_\_ Has sufficient familiarization been completed between Marine personnel and the hosting foreign security forces to effectively interoperate mission-essential equipment?

\_\_\_\_\_ Have the appropriate authorities been considered for potential loaning or leasing of materiel, to include weapons?

\_\_\_\_\_ Are Marine personnel prepared to conduct maintenance on all embarked materiel, including weapons, vehicles, and aircraft?

\_\_\_\_\_ Has Marine equipment embarked aboard foreign vessels been appropriately washed down or inspected for invasive species, malignant agricultural byproducts, or other hazards upon completion of the embarkation?

\_\_\_\_\_ Have appropriate standards of measurement (e.g., metric, standard) been accounted for, to include potential differences between U.S. and the hosting foreign security forces?

\_\_\_\_\_ Have assessments been conducted to determine compatibility and necessary preparations for foreign vessels and connectors to safely accommodate USMC vehicles?

\_\_\_\_\_ Have U.S.-compatible Ship Loading Characteristic Pamphlets (SLCP), or a similar product, been developed to ensure adequate and safe embarkation of U.S. equipment aboard the foreign vessel?

\_\_\_\_\_ Are graves registration and mortuary procedures in place to service casualties, to include recognition of cultural differences in dealing with casualties?

#### DoD Civilians

\_\_\_\_\_ Have civilian procedures been established, if different from those for Marine forces, such as command relationships, responsibilities, liabilities, and tasks?

\_\_\_\_\_ Have the pre-deployment requirements for DoD civilians been identified?

\_\_\_\_\_ Has the appropriate human resources office or designated point of contact been contacted to address pre-deployment requirements?

\_\_\_\_\_ Have the civilians received adequate pre-deployment training, such as advising skills, language, regional, culture skills, theater requirements, code of conduct, etc.?

\_\_\_\_\_ Have the civilians received appropriate equipment or gear?

\_\_\_\_\_ Have the civilians received appropriate medical screening (e.g., immunizations)?

\_\_\_\_\_ Have the personnel and financial processes been accounted for DoD civilians (e.g., pay, time sheets, foreign allowances, leave, power of attorney, will)?

Contractors

\_\_\_\_\_ Have contractor procedures been established, such as command relationships, responsibilities, liabilities, and tasks?

\_\_\_\_\_ Is there a letter of authorization containing authorized government services, such as billeting, dining facilities, military-issued clothing and equipment, and authorization to carry weapons?

\_\_\_\_\_ Does the contract outline the terms and conditions which contractors must follow when providing services to U.S. personnel aboard foreign vessels, per the Defense Federal Acquisition Regulation Supplement?

\_\_\_\_\_ Is there a contractor management plan? Medical

\_\_\_\_\_ Are medical assets, to include personnel, equipment, supplies and facilities, identified to support the embarkation, transit, and underway periods? Are evacuation plans, both intra and inter-theater, in place?

\_\_\_\_\_ Has an assessment of the hosting foreign security force's medical capabilities and a determination of availability to support Marine personnel health services requirements been accomplished?

\_\_\_\_\_ Does the foreign vessel medical system reflect U.S. standards? Are there any variations of standards of medical equipment, supplies and medicinal drugs?

\_\_\_\_\_ Have mitigation measures for variations of medical standards been identified and agreed-to with the hosting foreign security force? Do these mitigation measures account for emergency situations or potential loss of life scenarios?

\_\_\_\_\_ Are force health protection requirements identified and appropriate measures in place?

\_\_\_\_\_ Are there Tricare Overseas Program or International SOS approved medical facilities in foreign countries that can be utilized for medical care and evacuation?

\_\_\_\_\_ Are chemical, biological, radiological, and nuclear (CBRN) threats known, and are personnel and medical facilities prepared to cope with their possible use?

\_\_\_\_\_ Are there international agreements providing USMC personnel medical access or treatment in foreign countries for port visits and underway periods?

Public Affairs

\_\_\_\_\_ Has a combined public affairs plan been promulgated that:

\_\_\_\_\_ Provides a contingency statement to use in response to

media queries before initial public release of information concerning the embarkation and its mission?

\_\_\_\_\_ States who (from which nation and when, or all nations simultaneously) makes the initial public release concerning the embarkation and its mission?

\_\_\_\_\_ States agreed-upon procedures for the subsequent release of information concerning the embarkation?

\_\_\_\_\_ States different notification and approval requirements should the nature of the embarkation change while underway (e.g., operating environment or mission set)?

### Safety

\_\_\_\_\_ Has safety and occupational health and industrial health support to the embarked Marine personnel been determined?

\_\_\_\_\_ Have firefighting requirements for ground vehicle and aviation fueling evolutions, as applicable, been identified and accounted for with the hosting foreign security force?

\_\_\_\_\_ Has a pre-mishap plan been developed and promulgated as part of the pre-embarkation planning that:

\_\_\_\_\_ Identifies personnel casualty procedures, reporting, evidence gathering and storage, and investigation procedures?

\_\_\_\_\_ States required shipboard safety training for embarked Marine personnel about specific hazards and safety-related matters specific to the ship and operating environment?

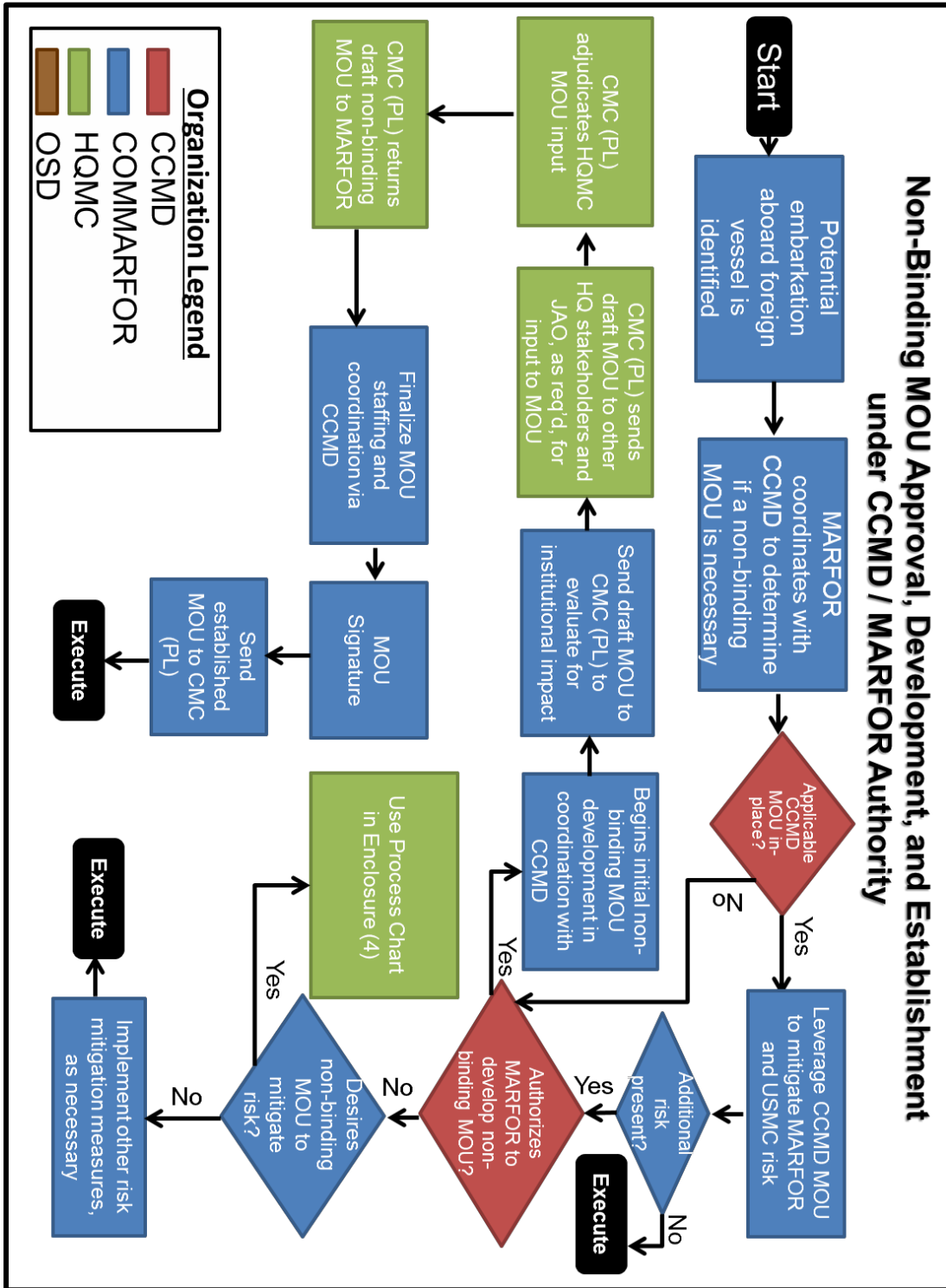
\_\_\_\_\_ Has there been coordination between the Naval Safety Center and the hosting allied/partner nation's safety center?

\_\_\_\_\_ Has a site safety inspection/survey been conducted by qualified safety and occupational health/industrial health, USMC ground safety, and USMC aviation safety (if applicable) personnel as part of the pre-embarkation planning?

\_\_\_\_\_ Within 24 hours of embarkation, has risk management planning accounted for issuance of U.S. devices to mitigate risk should the hosting foreign security force's emergency equipment (e.g., life vests, rafts, emergency escape breathing devices, etc.) be deemed insufficient?

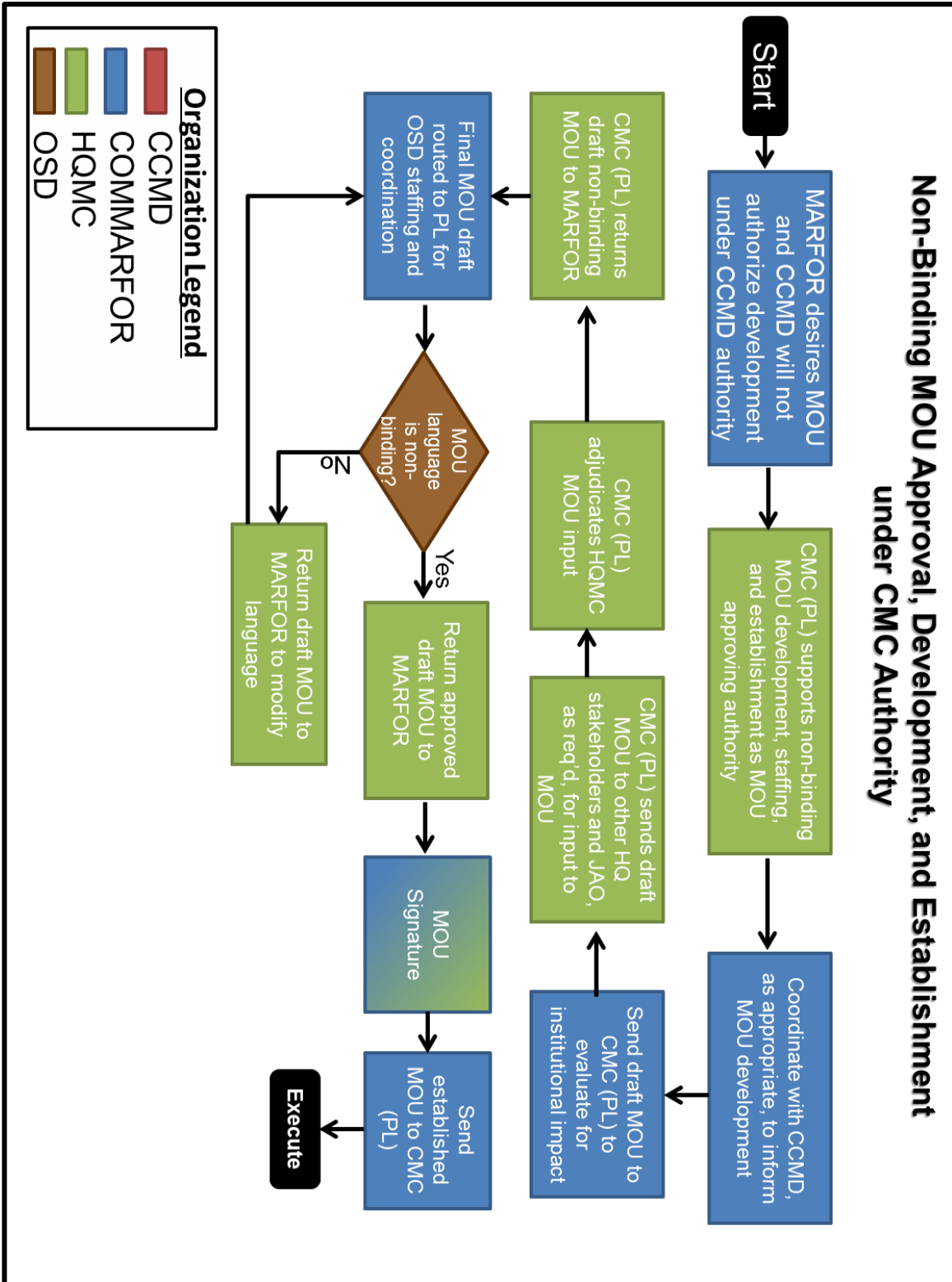
\_\_\_\_\_ Has coordination occurred with the local U.S. embassy, civil agencies, non-governmental organizations, intergovernmental organizations, or other foreign security forces of the allied/ partner nation to support risk management?

MOU Approval, Development, and Establishment Under CCMD/MARFOR Authority  
Process Chart





MOU Approval, Development, and Establishment Under CMC Authority Process Chart



Non-Binding Memorandum of Understanding Template

MEMORANDUM OF UNDERSTANDING AMONG THE BANDERIAN DEFENSE  
FORCES AND  
UNITED STATES MARINE CORPS FORCES,  
AFRICA CONCERNING  
THE EMBARKATION OF MARINE PERSONNEL ABOARD BANDERIAN VESSELS

1. PURPOSE

a. Identify the Participants, objectives of the MOU, and scope of the MOU.

b. Example: The Banderian Defense Forces (BDF) and the United States Marine Corps (USMC) Forces Africa (MARFORAF), hereinafter referred to as The Participants, desiring to increase interoperability, readiness, and effectiveness of their respective forces through increased tactical cooperation, have resolved to enter into this Memorandum of Understanding (MOU) concerning the deployment and utilization of USMC detachments on Banderian vessels under existing and future arrangements by the two Governments, and where appropriate, third countries.

c. Example: Notwithstanding any other provisions of the MOU, all United States (US) actions under this MOU are subject to the availability of appropriated funds and no provision will be interpreted to require obligation of funds in violation of the Anti-Deficiency Act, 31 U.S.C. 1341, et seq.

d. NOTE: Banderia is a fake country used for the purposes of explanation in this example non-binding MOU.

2. DEFINITIONS

For the purposes of this MOU:

a. Define relevant terms to reach common understanding with the allied/partner nation and the Marine Force.

b. Examples of relevant terms include vessel, embarkation, and command relationships.

3. REFERENCES

a. Include applicable national, Department of Defense, Combatant Command, and Service-specific references, as appropriate.

b. Examples include: General Security Agreements, Status of Forces Agreements, Reciprocal Exchange Agreements (e.g., health, medical, logistics), Acquisition and Cross-Servicing Agreements, and Mutual Logistics Support Agreements.

4. OVERVIEW

This MOU is intended to: Provide a comprehensive understanding for BDF and MARFORAF deployments on BDF vessels. Guidance on specific operations and deployments should be provided by Commander, MARFORAF.

- a. Differentiate activities and exercise of authority.
- b. Describe the duties of BDF and MARFORAF personnel when deployed on BDF vessels.
- c. Clarify embarkation policies, rules of engagement, and administrative issues.
- d. Other relevant issues as required.

5. COMMAND AND CONTROL

a. Articulate and define the relationships between the various forces and in specific instances.

b. Example: Each Participant will retain command and control of its own forces.

c. Example: All embarked USMC personnel will report to the USMC Detachment Officer-in-Charge (OIC). The USMC Detachment OIC will represent the detachment at all BDF official functions, ceremonies, and inspections. The USMC Detachment OIC will control the movements of embarked USMC personnel. The USMC Detachment OIC will have coordinating authority, as defined in NATO Publication AAP 6, to coordinate with the BDF vessel Master and/or MILDET OIC, as appropriate, to ensure situational awareness and avoid conflict with established on-board duties.

d. Example: The relationship between the BDF vessel Master and the USMC personnel relies on mutual cooperation. All embarked USMC personnel are expected to comply with the Master's written or oral orders, instructions, and regulations as they pertain to safe navigation, maintenance of safe and seaworthy conditions on board, maintenance and operation of its equipment, maintaining good order and discipline, and the health and welfare of persons on board.

e. Example: The USMC Detachment OIC will coordinate with the MILDET OIC for purposes other than safe navigation, maintenance of safe and seaworthy conditions on board, maintenance and operation of its equipment, maintaining good order and discipline, and the health and welfare of persons on board.

f. Example: Unless prior approval is granted by the appropriate authority, USMC personnel may not participate in the execution of, or planning/preparation for combat operations, to include:

- (1) Offensive operations
- (2) Humanitarian Assistance/Disaster Relief Operations
- (3) Non-Combat Contingency Operations (to include evacuation)

6. WEAPONS AND RULES OF ENGAGEMENT

a. Example: USMC personnel will deploy with their assigned weapons (including sidearms) and ammunition. USMC personnel are not authorized to use ammunition from other forces in their US weapons systems.

b. Example: The BDF will allocate adequate storage facilities to secure the USMC personnel assigned weapons and ammunition while embarked and when operating from EXAMPLE INSTALLATION and EXAMPLE INSTALLATION. When in use, these facilities will be inspected by USMC personnel twice daily.

c. Example: USMC personnel will operate under U.S. Rules of Engagement. Furthermore, U.S. personnel will apply the U.S./national definition and standard of self-defense.

d. Example: Nothing within this MOU will limit the inherent right of self-defense.

e. Example: Use of force in self-defense by BDF personnel will be limited to that permitted by BDF law and BDF interpretation of international law. Force will be limited to that which is reasonable and necessary in all circumstances.

#### 7. VISAS AND DIPLOMATIC CLEARANCES

a. Example: The procurement of Visas for all USMC personnel embarked onboard a BDF vessel via a third-party country remains a national responsibility.

b. Example: The USMC Detachment OIC will submit applications for Diplomatic Clearance in advance of entry by sea into the ports of third-party countries. USMC personnel shall coordinate required entry/exit authorizations through the US Embassy country team within the third-party country.

c. Example: For any USMC personnel disembarking to return to the US during a port visit to a third-party country, the BDF will assist in coordinating with the local government authorities to obtain required entry/exit authorizations as required.

#### 8. STATUS AND JURISDICTION

a. Include reference to existing and applicable international agreements between the two countries or forces.

b. Example: Criminal and disciplinary matters will be dealt with in accordance with Reference EXAMPLE.

#### 9. MEDICAL TREATMENT

a. Example: To the maximum extent possible, BDF will treat embarked USMC personnel through their inherent medical capability.

b. Include reference to existing international agreements and Acquisition and Cross-Servicing Agreements, as applicable. For example, if each country's forces may receive medical support from military treatment facilities of the other country at no cost.

#### 10. FORCE PROTECTION

a. Example: MARFORAF Detachment OIC reserves the right to supplement BDF Force Protection responsibilities aboard BDF vessels to meet the minimum levels of protection required to satisfy Force Protection condition levels established by the Geographic Combatant Commander.

b. MARFORAF Detachment OIC will maintain Force Protection responsibilities for USMC personnel ashore.

11. FUNDING

a. Example: The USMC will bear all costs associated with deploying its personnel on board the BDF vessels, the subsequent redeployment to the original point of embarkation, and individual sustenance/logistics costs incurred while embarked.

b. Example: The BDF will bear all costs associated with deploying BDF units and personnel.

12. ADMINISTRATION

a. Example: BDF vessel personnel will be responsible for providing a comprehensive ship's safety briefing for USMC personnel upon embarking the ship.

b. Example: Embarking USMC personnel will be assigned to lifeboats/life rafts, Man Overboard and Action Stations in accordance with the BDF Watch and Safety Bill and issued the same safety of life sea equipment issued to BDF personnel.

c. Example: BDF vessel will provide embarked USMC personnel with shipboard quarters, proper stowage of personal possessions and equipment, appropriate laundry services, and access to messing facilities equivalent to that of BDF personnel of the same rank. The BDF vessel will endeavor to berth the USMC Detachment OIC in a single cabin, where practicable; however, a single cabin may not be available. A single cabin would facilitate his or her ability to conduct planning and training, and perform other administrative tasks commensurate with his or her duties and status as USMC Detachment OIC.

13. PUBLIC AFFAIRS

a. Example: The USMC (through the MARFORAF Public Affairs Officer) and the BDF should consult with each other prior to any public release of information concerning this MOU or operations conducted hereunder.

b. Example: Prior to authorizing media personnel to embark the BDF vessel for the purpose of activities by MARFORAF, both Participants should be consulted and mutually decide upon the filming of the operations or activities.

c. Other public affairs issues, as required.

14. SETTLEMENT OF CLAIMS

Example: Claim arising or relating to the embarkations addressed by this MOU will be settled in accordance with the Status of Forces Agreement (SOFA), ref (a).

15. RELATIONSHIP TO INTERNATIONAL LAW

a. Example: Nothing in this MOU prejudices the positions of the

Participants with regard to the international law of the sea.

b. REQUIRED: This MOU is not intended to be legally binding and does not give rise to rights or obligations under international or domestic law of either Participant.

16. APPLICATION, MODIFICATION, AND DISCONTINUANCE

a. Example: The terms as described in this non-binding MOU apply upon the date of the last signature of the non-binding MOU.

b. Example: The Participants may modify the terms of the MOU at any time with the unanimous written consent of all Participants.

c. Example: Either Participant may discontinue its participation in this MOU at any time but should endeavor to provide 6 months' advance written notice thereof to the other Participant.

Signed, in duplicate

For the Banderian Defense Forces

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name

\_\_\_\_\_  
Rank/Title

\_\_\_\_\_  
Date

For U.S. Marine Forces, Africa

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name

\_\_\_\_\_  
Rank/Title

\_\_\_\_\_  
Date

Reference List

- (a) DoD Directive 4500.09E, "Transportation and Traffic Management," September 11, 2007
- (b) 10 U.S.C. 2631
- (c) JP 3-02.1, "Amphibious Embarkation and Debarcation," November 30, 2010.
- (d) JP 4-0, "Joint Logistics," October 16, 2013
- (e) MCO 3120.12
- (f) MCO 3000.2J
- (g) MCO 5710.6C
- (h) SECNAVINST 5510.34A
- (i) MCO 5510.20B
- (j) Commandant of the Marine Corps International Engagement Planning Guidance, DTG 241937Z February 16 (S)
- (k) MCO 3058.1
- (l) MCO 5530.14A
- (m) MCO 3302.1E
- (n) SECNAVINST 5510.36A
- (o) MCO 5510.18B
- (p) National Security Strategy, February 2015
- (q) A Cooperative Strategy for 21st Century Seapower, March 2015
- (r) DoD Directive 4500.54E, "DoD Foreign Clearance Program," December 28, 2009
- (s) Marine Corps Global Theater Security Cooperation Management Information System (G-TSCMIS) Business Rules, Release 2.1, December 2015
- (t) DoD Directive 5530.3, "International Agreements," November 21, 2003
- (u) SECNAVINST 5710.25B
- (v) JP 3-0, "Joint Operations," January 17, 2017
- (w) AJP 3.1, "Allied Joint Maritime Operations," February 14, 2008
- (x) ATP 3.2.2, "Command and Control of Allied Land Forces," December 15, 2016
- (y) DoD Directive 2311.01E, "DoD Law of War Program," November 15, 2010
- (z) MCO 3300.4A
- (aa) Title 22, U.S. Code, Foreign Relations and Intercourse
- (ab) Title 10, U.S. Code, Armed Forces
- (ac) Presidential Decision Directive 25, "Reforming Multilateral Peace Operations," 3 May 1994
- (ad) Uniform Code of Military Justice
- (ae) DoD 7000.14-R, Volume 15, "Security Cooperation Policy" August 2015
- (af) DoD 7000.14-R, Volume 7A, "Financial Management Regulation Military Pay Policy - Active Duty and Reserve Pay," April 2016
- (ag) DoD 7000.14-R, Volume 11A, "Financial Management Regulation Reimbursable Operations Policy," November 2014
- (ah) DoD Directive 2010.9, "Acquisition and Cross-Servicing Agreements," September 30, 2016
- (ai) CJCSI 2120.01D, "Acquisition and Cross-Servicing Agreements," May 21, 2015
- (aj) DoD Directive 5205.75, "Department of Defense Operations at U.S. Embassies," December 4, 2013
- (ak) U.S. Marine Corps Forces Logistics for Deployed Forces Handbook, 4 Apr 2016
- (al) NAVMC 4000.4
- (am) DoD Directive 5230.11, "Disclosure of Classified Military Information to Foreign Governments and International Organizations," June 16, 1992
- (an) SECNAVINST 3850.2E

- (ao) CJCSI 6510.06C, "Communication Security Releases to Foreign Nations," November 8, 2013
- (ap) EKSM-1B, "Electronic Key Management System Policy and Procedures for Navy EKSM Tiers 2 and 3," April 5, 2010
- (aq) NIST 800-47, "Security Guide for Interconnecting Information Technology Systems, Recommendations of the National Institute of Standards and Technology," August 2002
- (ar) DoD 5200.2-R, "Personnel Security Program," January 1987
- (as) DoD 5200.08-R, "Physical Security Program," 27 May 2009
- (at) DoD Instruction 8500.01, "Cybersecurity," March 14, 2014
- (au) DoD Instruction 8510.01, Risk Management Framework (RMF) for DoD Information Technology, 12 Mar 14
- (av) DoD Instruction 8551.01, Ports, Protocols, and Services Management (PPSM), 8 May 2014
- (aw) JP 3-12 (R), "Cyberspace Operations," February 5, 2013
- (ax) MC ECSD 018, Marine Corps Certification and Accreditation Process (MCCAP) Version 4, December 7, 2012
- (ay) MC ECSD 021, Ports Protocols and Services Management Version 1, May 15, 2012
- (az) MARADMIN 039/16
- (ba) JP 4-02, "Health Service Support," July 26, 2012
- (bb) STANAG 1185, "Minimum Essential Medical and Survival Equipment for Life Rafts Including Guidelines For Survival At Sea," July 5, 2013
- (bc) STANAG 1208, "Minimum Requirements for Emergency Medical supplies on Board Ships," July 14, 2015
- (bd) DoD Instruction 6055.07, "Mishap Notification, Investigation, Reporting, and Record Keeping," June 6, 2011
- (be) OPNAVINST 3750.6S, Naval Aviation Safety Management System, 13 May 2014
- (bf) STANAG 3531, "Safety Investigation And Reporting Of Accidents/Incidents Involving Military Aircraft, Missiles, And/or UASS," April 8, 2013
- (bg) AIR STD 85/02A, "Investigation of Aircraft/Missile Accidents/Incidents," February 20, 2007
- (bh) MCO P5102.1B Ch. 2
- (bi) OPNAVINST 5100.19E
- (bj) MCO 4400.201, Vol 3
- (bk) MCO 4400.201
- (bl) MPP-02, "Helicopter Operations from Ships Other Than Aircraft Carriers (HOSTAC)," January 4, 2016
- (bm) OPNAVINST 3710.7V
- (bn) NAVAIR 00-80T-105, "CV NATOPS Manual," July 31, 2009
- (bo) NAVAIR 00-80T-106, "LHA/LHD NATOPS Manual," November 1, 2002
- (bp) NAVAIR 00-80T-122, "Helicopter Operating Procedures for Air Capable Ships NATOPS Manual," November 1, 2003
- (bq) COMNAVAIRFORINST 4790.2B Ch. 1
- (br) OPNAVINST 8000.16D
- (bs) MCO 4400.177G
- (bt) OPNAVINST 3120.35K
- (bu) DoD Instruction 4515.13 Ch. 1, "Air Transportation Eligibility," March 31, 2016
- (bv) MCO 3710.8
- (bw) DC Aviation Memorandum, Marines Flying In or Aboard Foreign Military Aircraft (FMA) For Training/Orientation Flights, March 13, 2007
- (bx) DoD Directive 5132.03, "DoD Policy and Responsibilities Relating to Security Cooperation," December 29, 2016
- (by) National Defense Authorization Act for Fiscal Year 2017



- (bz) 22 U.S.C 2751
- (ca) International Traffic in Arms Regulations, 1976
- (cb) SECNAVINST 5710.29
- (cc) MCO 1520.11F
- (cd) DoD Instruction 3020.41, "Operational Contract Support," December 20, 2011
- (ce) JP 4-10, "Operational Contract Support," July 16, 2014
- (cf) DoD Instruction 3020.50, "Private Security Contractors Operating in Contingency Operations, Humanitarian or Peace Operations, or Other Military Operations or Exercises," August 1, 2011
- (cg) 32 Code of Federal Regulations Part 153, "Criminal Jurisdiction Over Civilians Employed by or Accompanying the Armed Forces Outside the United States, Certain Service Members, and Former Service Members"
- (ch) 18 U.S.C
- (ci) JP 3-16, "Multinational Operations," July 16, 2013
- (cj) 5 U.S.C. 552a
- (ck) SECNAVINST 5211.5E
- (cl) SECNAV M-5210.1