
FMI 3-63.6

**COMMAND AND CONTROL
OF
DETAINEE OPERATIONS**

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HEADQUARTERS, DEPARTMENT OF THE ARMY**

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Command and Control of Detainee Operations

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Preface

Doctrine provides a military organization with a common philosophy, a language, a purpose, and unity of effort. FMI 3-63.6 discusses command and control of detainee operations and provides a common ground for all units (brigade and above) executing this mission. As a result of recent events and investigations into detainee operations in Iraq, it was determined there was a need to clarify command and control. In April 2005, a working group hosted by the Combined Arms Doctrine Directorate (CADD) developed a concept to address command relationships between organizations and responsibilities of leaders conducting detainee operations. In addition to CADD, representatives from the following participated: Army Medical Department; G3, Combined Arms Center (CAC); Intelligence and Security Command; Office of the Judge Advocate General; Intelligence Center; and Military Police (MP) School. The team developed a draft concept for detainee operations command and control at each echelon from the brigade combat team to the theater level. This concept was approved by the CAC commander and is now published as doctrine.

PURPOSE

This manual clarifies command and control and key leader roles and responsibilities when conducting detainee operations. The doctrine requires immediate implementation into current and planned operations for those units assigned the detainee operations mission.

SCOPE

Paragraphs 1-4 discuss the reasons for producing this FMI. Paragraphs 5-7 discuss responsibilities at each echelon. It is important to note that there is a single officer at every echelon overall responsible for detainee operations. Paragraphs 8-15 provide more details on the command structure and relationships of the units involved in conducting detainee operations. It also discusses the flow of detainees and the various facilities at each echelon of command. Paragraphs 16-17 briefly discuss evacuation and release of detainees. The final two paragraphs elaborate on how technical control applies to military intelligence and medical personnel working within the detainee operations facilities.

APPLICABILITY

This publication applies to the Active Army, the Army National Guard/the Army National Guard of the United States, and the United States Army Reserve. This manual is intended for Army commanders and their staffs at the brigade level and above who are assigned the mission to conduct detainee operations. It addresses each echelon from the brigade combat team to theater level.

ADMINISTRATIVE INSTRUCTIONS

The terms technical control and detainee operations are interim definitions. They will become Army definitions upon publication of FM 3-0 and FM 3-19.40.

The proponent for this publication is US Army Training and Doctrine Command. Send written comments and recommended changes on DA Form 2028 (Recommended Changes to Publications and Blank Forms) directly to Commander, US Army Combined Arms Center and Fort Leavenworth, Combined Arms Doctrine Directorate, ATTN: ATZL-CD, 201 Reynolds Avenue, Fort Leavenworth, KS 66027-2337. Send comments and recommendations by e-mail to web-cadd@leavenworth.army.mil. Follow the DA form 2028 format or submit an electronic DA form 2028.

Command and Control of Detainee Operations

This doctrine addresses the command and control problems identified by several inspections and investigations of allegations of wrongdoing during detainee operations in Operation Iraqi Freedom and Operation Enduring Freedom. It also clarifies command and control and key leader roles and responsibilities from the brigade combat team (BCT) level to the Army service component command (ASCC) level. Although updated policy and joint doctrine updates are pending, this doctrine is congruent with draft policy and joint doctrine.

CURRENT DOCTRINE TASKS AND SPECIFICATIONS

1. The doctrine focuses on two specific tasks established in the Army Detainee Operations Plan:
 - Doctrine task 2.2 states, “Ensure doctrine recommends that a single commander, or single coordinating authority be responsible for overall detainee operations throughout a theater of operations, and at all subordinate levels of command.”
 - Doctrine task 3.1 states: “Clarify doctrine to define the organizational structures, command relationships, and roles and responsibilities of personnel operating internment and interrogation facilities IAW AR 190-8.”
2. Several of the investigations into detainee operations in Iraq identified a lack of clear command and control of detainee operations. Overall responsibility for detainee operations (both detention and interrogation of detainees) never came together under one person, short of the joint force commander himself, until assignment of MG Miller in April 2004. Additionally, roles and responsibilities of those involved in detainee operations were not clearly defined, and the command and control of, and relationship between, elements conducting detainee operations at a given echelon or location were not unmistakably established.
3. DODD 2310.1 specifies that persons detained by US Military Services shall be handed over for safeguarding to US Army military police (MP) or to facilities operated by MPs. This DODD also indicates detainees may be interviewed for intelligence purposes at facilities operated by US Army MPs.
4. The doctrine presented does not substantively alter the basic procedures for humane treatment, protection, custody, evacuation, administration and interrogation of detainees.¹ It clarifies command and control of detainee operations to enhance compliance with requirements.

RESPONSIBILITIES AT ECHELONS OF COMMAND

5. At each echelon of command and at every location where detainee operations are conducted, a commander must be responsible for those operations and exercise commensurate command authority in order to meet legal and operational requirements. This officer in charge (OIC) normally exercises operational control (OPCON)² over all units conducting detainee operations to ensure adequate force protection and compliance with requirements for detainee operations. At BCT level (for the initial detainee collection point, or IDCP), the OIC normally exercises tactical control (TACON). TACON provides authority for controlling and directing the application of force or capability, for an assigned mission or task. It is intended for temporary situations and for specific tasks and missions that are normally explicitly stated. It is inappropriate for a situation in which the command relationship is long-term or in which the ability to task-organize the forces made available is required. It has the disadvantage of potentially violating unity of command by making the commander TACON to one commander for taskings, yet still responsible to his parent commander for everything else.

¹ Within this document, the terms “humanely treating” and “humane treatment” include compliance with all applicable aspects of the Geneva Conventions.

² This OPCON relationship must be established and clearly defined by the common superior headquarters of all units involved. This relationship should be specified in writing in an order. Only this common superior commander or his superiors can establish, modify, and terminate this command relationship.

6. The OIC must also make detainees available to authorized intelligence personnel for interrogation to the maximum extent required commensurate with requirements for humane treatment, custody, evacuation, and administration of detainees and force protection. This OIC is responsible to ensure the policy and technical procedures for intelligence and medical operations set through technical control (TECHCON)³ and command channels are enforced. The OIC is also accountable for joint, interagency, and multinational personnel conducting detainee operations within assigned area of operations (AO). The OIC of detainee operations possesses the authority over these personnel (and the obligation) to terminate or deny access to the facility and/or the detainees if necessary to stop or prevent inhumane treatment or a loss of custody and control. For personnel not subject to the detainee operations chain of command and for those denied access to the facility or detainees, the OIC will report such denial of access up the chain of command for resolution.

7. Where an MP commander is present, the senior MP commander serves as the OIC of detainee operations. The OIC exercises direct control over the operations at a given echelon or location through OPCON of the forces conducting detainee operations within the various echelons of detainment IDCP, detainee holding area (DHA), or theater internment facility (TIF). The OIC also assists in the oversight of all detainee operations, including the subordinate echelons, by serving as a special staff officer to the senior tactical commander. At the ARFOR level, the commander responsible for detainee operations is designated as the chief (commander), detainee operations (CDO)⁴. The CDO develops local policy and procedures for the ARFOR commander's approval and promulgation. The CDO will provide input to OPORDs to ensure uniform application of detainee operations policy and procedures at subordinate echelons. Military intelligence (MI) and medical units performing their assigned functions within a detainee facility will have a TECHCON relationship with the MI and medical communities. (See paragraphs 19 and 20 for further explanation.)

BCT LEVEL

8. Detainee operations begin at the BCT level. The BCT commander or a designated subordinate commander such as the BCT deputy commander or brigade special troops battalion (BSTB) commander serves as the OIC for detainee operations. At the point of capture, the person responsible for detainee operations might be as junior as a team or squad leader. The senior member of the capturing unit present with the detainees is responsible and possesses the authority to ensure the humane treatment and proper handling of detainees. The capturing unit evacuates detainees to the IDCP, given availability of transportation and completion of military intelligence exploitation. This evacuation is conducted to remove the detainees from the threats associated with any on-going conflict and to begin moving the detainee to a location where US forces can fulfill legal and policy requirements for the treatment and administration of detainees. The capturing unit releases the detainees to the custody of combat support MP soldiers, usually at the IDCP.

9. The IDCP is rudimentary; may be relocated often based on the operation; and normally consists of detention, interrogation, and medical operations⁵ (See figure 1). The IDCP is normally operated by the MP platoon organic to the BSTB, or any other MP platoon assigned or attached to the unit. While the MP soldiers are always present when detainees are held at the IDCP, the soldiers providing medical support and conducting interrogation operations may not be present all of the time. The medical elements from the medical company of the support battalion and interrogation elements from the MI company of the BSTB come and go as the mission dictates. The MP platoon leader exercises TACON over all personnel and units while they are within the IDCP. This platoon leader is responsible to ensure the policy and technical procedures for intelligence and medical operations set through TECHCON and command channels are enforced as they relate to the humane treatment and maintenance of custody and control of detainees. This responsibility includes overseeing joint, interagency and multinational personnel conducting intelligence and medical operations within the IDCP. The BCT PM serves as the BCT or subordinate commander's advisor on detainee operations. The BCT will coordinate for the

3 The Combined Arms Doctrine Directorate developed and is staffing a draft definition of technical control. Although not yet approved, this draft definition will be used in this paper.

4 The final coordination draft (23 MAR 2005), JP 3-63, *Joint Doctrine for Detainee Operations* uses the term chief, detainee operations; however, based on several recommendations (including one from TRADOC) the term may be changed to commander, detainee operations.

5 Medical operations at the IDCP consist of limited medical screening, preventive medicine measures, and emergency medical treatment, when required.

transportation of detainees to the DHA. Policy and MP doctrine no longer stipulate timelines. Evacuation will depend on availability of transportation and military intelligence exploitation. The BCT PM and S4 coordinate transportation with the division sustainment brigade and MP escort with the maneuver enhancement brigade (MEB) or higher MP headquarters for detainee evacuation to the division DHA.

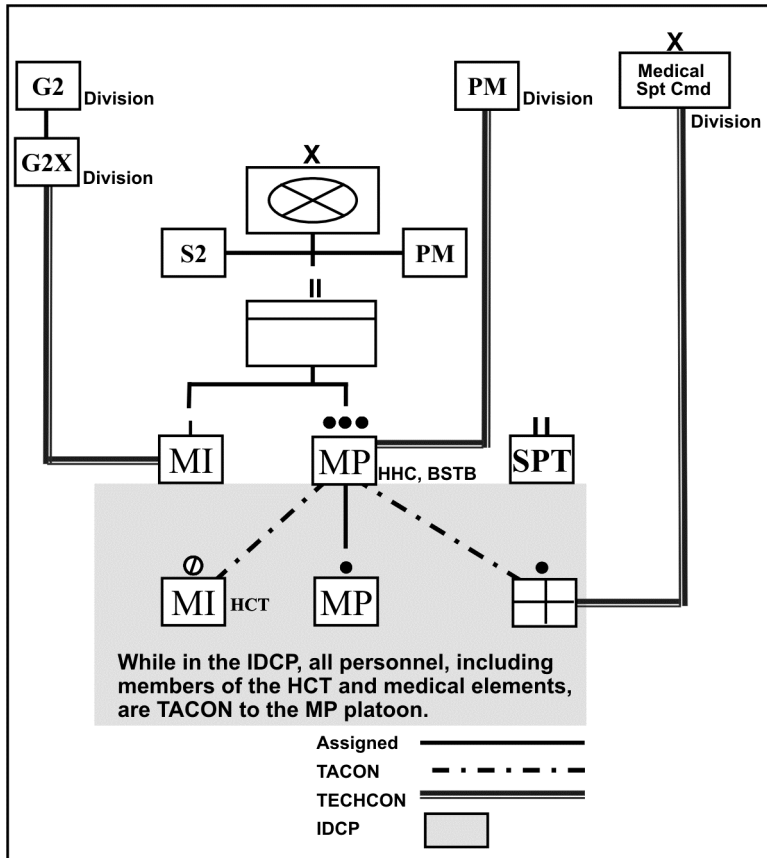


Figure 1. C2 within BCT and Initial Detainee Collection Point (IDCP)

DIVISION LEVEL

10. At the division level, the combat support MP battalion commander assigned the detainee operations mission serves as the OIC for detainee operations within the DHAs and non-BCT assigned areas within the division AO. When an MP combat support brigade is supporting a division, the MP brigade commander serves as the OIC. The MP battalion or brigade commander in coordination with the division PM and G2 advises the division commander on detainee operations and recommends local policy and procedures for the division commander's approval and promulgation. The PM, MP brigade commander, or MP battalion commander exercises TECHCON of MP units conducting detainee operations at lower echelons.

11. While larger than the IDCPs, the DHA is also a temporary tactical holding area (See figure 2). The DHA may move based on the operation. Except for the MPs, the elements operating in the DHA are not constant. The DHA is normally operated by an MP combat support company from the combat support MP battalion assigned or attached to the division MEB, or if there is no MEB, an MP combat support brigade. That MP company commander assigned the DHA mission serves as the DHA commander and exercises OPCON of all personnel and units while they are operating within the DHA. Units typically operating within the DHA include medical elements from the medical support command (MSC) and MI elements from a collection and exploitation (C&E) company assigned to the battlefield surveillance brigade's (BFSB) MI battalion.

12. Once transportation is available and military intelligence personnel have completed interrogation of detainees at the division level, the detainees are evacuated to the TIF.

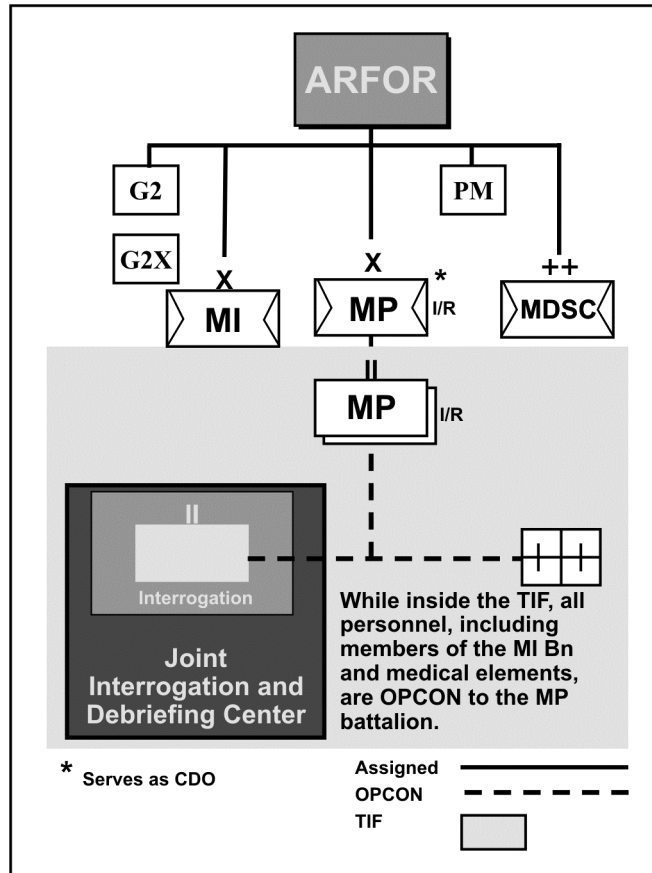


Figure 3. C2 within ASCC and Theater Internment Facility (TIF) (Single or Multiple Small TIFs)

- In an AO with one or several small TIFs, the TIF's commander is an MP battalion commander and the MP brigade commander serves as the CDO (See figure 3). This brigade commander may require augmentation to perform all CDO functions.
- The second scenario addresses the most complex operation (See Figure 4). In an AO with multiple TIFs, including a large TIF, each of the small TIFs is commanded by an MP battalion commander. The large TIF is normally commanded by an MP brigade commander, but may be commanded by another senior MP commander. The CDO is the military police command (MPC)⁶ commander, but may be an MP brigade commander. Use of the MP brigade commander would be most appropriate if MPC were not in the AO or if the CDO were required to report directly to the joint force commander (JFC), as opposed to the ARFOR commander.⁷ Designating the MPC commander as the CDO in this latter case would result in a bifurcated chain of command. The MPC commander would report to the JFC for detainee operations and to the ARFOR commander for MP combat support operations, possibly degrading unity of command.

6 The US Army MP School is preparing a force design update (FDU) for the Military Police Command (MPC) to include the capability to fulfill the CDO role and associated responsibilities. If the FDU is approved, the MPC would be capable of commanding and controlling multiple MP brigades and the MPC commander would have the appropriate staff to serve as the CDO for a complex operation.

7 The final coordination draft of JP 3-63 dated March 23, 2005 specifies that the CDO reports directly to the JFC. Since detainee operations are primarily an Army function, TRADOC has recommended the JP be modified to indicate that the CDO should normally report to the ARFOR commander.

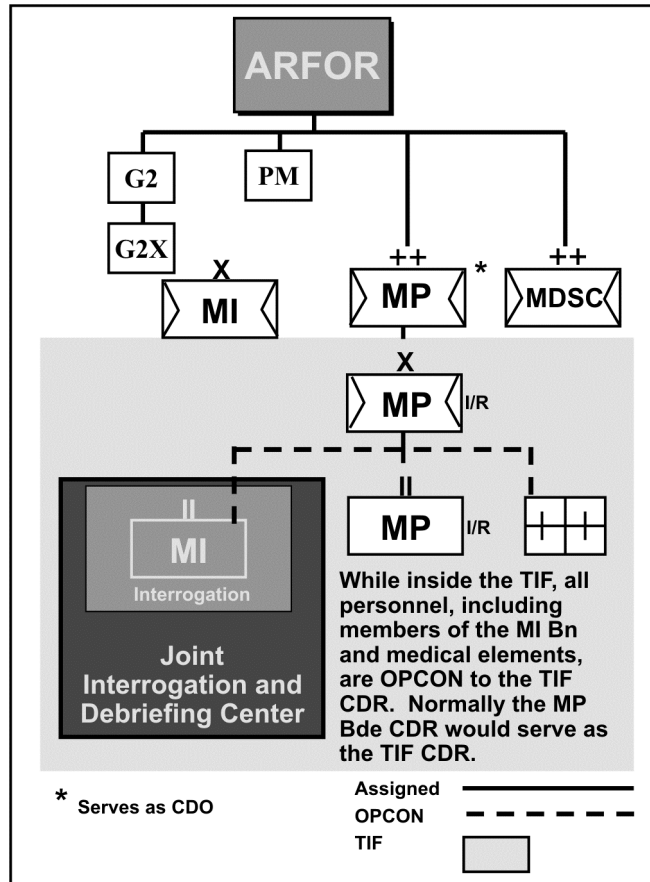


Figure 4. C2 within ASCC and Theater Internment Facility (TIF) (Multiple TIFs with MPC)

16. In both cases the primary units operating in the TIF are an MP battalion organic to an internment/resettlement (I/R) brigade or assigned to a combat support MP brigade; all or a portion of an MI battalion organic to a theater intelligence brigade (TIB); and a medical element, perhaps a combat support hospital, from the medical deployment support command (MDSC). All units and personnel are under the OPCON of the TIF commander while operating in the TIF. The TIF is operated by an I/R MP battalion. It is a semipermanent facility in the ASCC or division area of operations. The units operating within and in support of it are generally constant. Generally, an MP I/R battalion commander will serve as the TIF commander; however, another MP officer such as a brigade commander or deputy brigade commander may serve as the TIF commander.⁸ The TIF commander exercises OPCON of all units/elements operating within the TIF.

EVACUATION

17. Detainees are generally evacuated from the point of capture to the IDCP to the DHA, and then to the TIF; however, this normal flow may be modified to meet medical treatment requirements and intelligence collection requirements. For example, an injured detainee may be evacuated to any medical treatment facility, including one at a higher echelon detention facility if required to provide proper medical treatment. Likewise, a detainee may bypass one or more of the normal detainee flow steps if necessary to support intelligence collection. There may be situations where interests are legitimately in conflict. For example, a detainee may need to be expedited to the JIDC for proper interrogation, but the operational situation may preclude such evacuation. Conflicts between competing interests that cannot be resolved at subordinate levels will be raised to the common higher headquarters for resolution in an expeditious manner.

⁸ Current draft revision of AR 190-8 requires that internment facilities be commanded by US Army MP officers.

RELEASE

18. Once MP soldiers have taken custody of a detainee, the detainee will not be released without an explicit directive from a designated commander. Regardless of echelon, this commander should be a common superior commander of the MP unit directly charged with maintaining custody of the detainee and the MI unit directly responsible for intelligence collection. The decision to release must include consideration of operational, intelligence collection, and legal requirements. For example, authorization to release a detainee from the TIF should be withheld by the ASCC commanding general or delegated to a deputy commanding general. This general officer might appoint a board consisting of the CDO, G2/J2, and Staff Judge Advocate (SJA) to make release recommendations for his consideration.

TECHCON OF MI AND MS UNITS CONDUCTING DETAINEE OPERATIONS

19. TECHCON of MI units conducting detainee operations includes the authority to do the following:

- Provide technical guidance for MI activities.
- Translate ISR tasks into the specific parameters used to focus highly technical or legally sensitive aspects of the ISR.
- Identify critical collection criteria such as indicators associated with targeting.
- Advise teams on collection techniques and procedures.
- Register and deconflict sources.
- Conduct reviews, in coordination with the internment facility commander, to ensure quality control of debriefing and interrogation activities, including compliance with applicable humanitarian law.
- Operational coordination with other elements involved in interrogation and debriefing of detainees, enemy prisoners of war and those friendly force personnel recovered from enemy territory.
- Conduct operational coordination with other intelligence agencies.
- Approve expenditure of intelligence contingency fund (ICF) and incentive fund usage.
- Direct training requirements for HUMINT and CI assets and provide oversight of training through inspections.

20. TECHCON of medical units conducting detainee operations includes the authority to do the following:

- Provide technical guidance across units of assignment and levels of command that affect all medical personnel and units engaged in the delivery of health care to the detainee populations.
- Provide technical guidance to all medical services in the TIF.
- Provide technical guidance to all medical services in US military medical treatment facilities (MTFs) that are not part of established detention facilities.
- Provide technical guidance to all medical administrative matters required for legal purposes.
- Provide procedures for reporting suspected detainee abuse and ensure medical personnel are trained on procedures and ethical considerations.
- Provide standard operating procedures that standardize credentialing for health care providers.
- Ensure the same standard of medical care throughout internment facilities are equal to medical care provided to US forces.
- Establish medical proficiencies and training

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Glossary

The glossary lists acronyms and terms with Army or joint definitions. Where Army and joint definitions are different, (*Army*) follows the term. The proponent or amplifying manual for other terms is listed in parentheses after the definition.

AO	area of operations
area of operations	an operational area defined by the joint force commander for land and naval forces. Areas of operations do not typically encompass the entire operational area of the joint force commander, but should be large enough for component commanders to accomplish their missions and protect their forces. (JP 1-02)
ARFOR	the senior Army headquarters and all Army forces assigned or attached to a combatant command, subordinate joint force command, joint functional command, or multinational command (FM 3-0)
ASCC	Army service component command
BCT	brigade combat team
BSTB	brigade special troops battalion
BTFSB	battlefield surveillance brigade
C&E	collection and exploitation
C2	command and control
CDO	chief detainee operations
DHA	detainee holding area
detainee operations	operations that keep selected individuals in custody to control their activity and possibly to gain intelligence. Detainee operations extend from the point of capture to the time of release from military control. These operations ensure humane treatment, protection, custody, evacuation, administration, and interrogation of detainees is in accordance with international law and US policy. (This is an interim definition. When revised, FM 3-19.40 will establish the Army definition.)
doctrine	fundamental principles by which the military forces or elements thereof guide their actions in support of national objectives. It is authoritative but requires judgment in application. (JP 1-02)
DODD	Department of Defense Directive
FDU	force design update
FMI	field manual–interim
HUMINT	human intelligence
I/R	internment/resettlement

IDCP	initial detainee collection point
intelligence	(joint) The product resulting from the collection, processing, integration, analysis, evaluation, and interpretation of available information concerning foreign countries or areas (JP 1-02)
JIDC	joint interrogation debriefing center
JFC	joint force commander
joint force commander	(joint) a general term applied to a combatant commander, subunified commander, or joint task force commander authorized to exercise combatant command (command authority) or operational control over a joint force (JP 1-02)
MEB	maneuver enhancement brigade
MG	major general
MI	military intelligence
MP	military police
MPC	military police command
MSC	medical support command
OPCON	operational control
operational control	(joint) Command authority that may be exercised by commanders at any echelon at or below the level of combatant command. Operational control is inherent in combatant command (command authority) and may be delegated within the command. When forces are transferred between combatant commands, the command relationship the gaining commander will exercise (and the losing commander will relinquish) over these forces must be specified by the Secretary of Defense. Operational control is the authority to perform those functions of command over subordinate forces involving organizing and employing commands and forces, assigning tasks, designating objectives, and giving authoritative direction necessary to accomplish the mission. Operational control includes authoritative direction over all aspects of military operations and joint training necessary to accomplish the missions assigned to the command. Operational control should be exercised through the commanders of subordinate organizations. Normally this authority is exercised through subordinate joint force commanders and Service and/or functional component commanders. Operational control normally provides full authority to organize commands and forces and to employ those forces as the commander in operational control considers necessary to accomplish assigned missions; it does not, in and of itself, include authoritative direction for logistics or matters of administration, discipline, internal organization, or unit training (JP 1-02)
operations security	(joint) a process of identifying critical information and subsequently analyzing friendly actions attendant to military operations and other activities to: a. identify those actions that can be observed by adversary intelligence systems; b. determine indicators hostile intelligence systems might obtain that could be interpreted or pieced together to derive critical information in time to be useful to adversaries; and c. select and execute measures that eliminate or

reduce to an acceptable level the vulnerabilities of friendly actions to adversary exploitation. (JP 1-02)

OPORD operation order

OPSEC operations security

PM provost marshal

SJA Staff Judge Advocate

TACON tactical control

tactical control (joint) command authority over assigned or attached forces or commands, or military capability or forces made available for tasking, that is limited to the detailed and, usually, local direction and control of movements or maneuvers necessary to accomplish missions or tasks assigned. Tactical control is inherent in operational control. Tactical control may be delegated to, and exercised at any level at or below the level of combatant command. When forces are transferred between combatant commands, the command relationship the gaining commander will exercise (and the losing commander will relinquish) over these forces must be specified by the Secretary of Defense. Tactical control provides sufficient authority for controlling and directing the application of force or tactical use of combat support assets within the assigned mission or task. (JP 1-02)

TECHCON technical control

technical control the performance of specialized or professional service, or the exercise of professional guidance or direction through the establishment of policies and procedures. Technical control is authority, less than command, over certain clearly delineated technical and/or professional functions exercised by units or personnel not in the chain of command. TECHCON is limited to providing detailed and specified technical and professional guidance or instructions—but not tasks, functions, or responsibilities—to control the performance of technical and professional functions requiring expertise that is not normally expected of commanders outside that particular specialty. It is governed by policies and procedures that are established by law, doctrine, and/or policy. It does not include authority to order or direct matters normally considered part of command. TECHCON is normally exercised by authorities outside the established chain of command, and is exercised through a network rather than a hierarchy. A commander may overrule specific TECHCON policy or instructions by exception when necessary for the mission or the force. (This is an interim definition. When revised, FM 3-0 will establish the Army definition.)

THF theater internment facility

TIB theater intelligence brigade

TIF theater internment facility

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References

REQUIRED PUBLICATIONS

None

RELATED PUBLICATIONS

AR 190-8, *Enemy Prisoners of War, Retained Personnel, Civilian Internees and Other Detainees*,
1 OCT 1997

FM 3-19.40, *Internment/Resettlement Operations*, 01 August 2001

DoDD 2310.1, *DOD Program for Enemy Prisoners of War (EPW) and Other Detainees*,
18 August 1994

The Geneva Conventions of August 12, 1949

Army Detainee Operations Plan, HQ Department of the Army, 13 SEP 2004

PRESCRIBED FORMS

None

REFERENCED FORMS

None

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