

MILPERSMAN 1770-020

DUTY STATUS-WHEREABOUTS UNKNOWN (DUSTWUN) AND "MISSING" STATUS RECOMMENDATIONS

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References	(a) DoD Instruction 1300.18, Personnel Casualty Matters, Policies, and Procedures, of 8 Jan 08 (b) 10 U.S.C., Chapter 76, 1501-1513, System for Accounting for Missing Persons (c) 37 U.S.C., Chapter 10, 551-559, Pay to Missing Persons
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1. **Policy**. Ref (a) establishes casualty reporting procedures for Service members categorized as "DUSTWUN" and "Missing" and are two separate and distinct casualty categories. Commanders shall review this article in its entirety to ensure compliance with set policy prior to submitting a Personnel Casualty Report (PCR) for DUSTWUN or **recommending** a Sailor be placed in a "Missing" status.

2. **Definitions**. (For a more in-depth explanation of terms, also refer to MILPERMAN 1770-010.

a. **DUSTWUN** - A transitory casualty status that is used when the responsible commander suspects the Sailor may be a casualty and whose absence is involuntary, but sufficient evidence does not exist to make a definite determination of missing or deceased.

b. **Missing** - A status used when a Sailor is not present at his or her duty location due to apparent involuntary reasons and whose location is unknown. **Only the Secretary of the Navy (SECNAV) has the authority to place a Sailor in a "Missing" status.**

(1) A person declared "Missing" is further categorized as follows (see MILPERSMAN 1770-010):

- (a) Beleaguered;

- (b) Besieged;
- (c) Captured;
- (d) Detained;
- (e) Interned;
- (f) Missing; or
- (g) Missing in action.

(Note: The term "Missing" does not include Sailors who are Absent Without Leave (AWOL), deserters, or Sailors who have been dropped-from-rolls.)

3. DUSTWUN Reporting.

a. **No later than 4 hours** following receipt of information that a Sailor is absent from their place of duty and the status of that Sailor meets the definition of DUSTWUN, the responsible commander shall submit a PCR per MILPERSMAN 1770-030. List the Sailor's casualty type as DUSTWUN in block CHARLIE of the PCR.

b. Per reference (b), DUSTWUN affords the commander up to 10 days to conduct search and rescue efforts, investigate the circumstances of the loss incident, and make preliminary assessments and recommendations regarding the Sailor's disappearance. **As a result of that assessment, if the commander concludes that the Sailor is missing, then and only then, shall the commander recommend that the person be placed in a "Missing" status.**

c. A **daily** supplemental PCR of search results is required, unless not feasible for security reasons. The supplemental PCR shall furnish the extent, progress, and other pertinent information needed to keep the Next-of-Kin (NOK) informed.

d. **Termination of DUSTWUN Status.** Submission of supplemental PCR's shall continue until a report is sent stating that the search has been discontinued and the Sailor involved has been

(1) recovered alive and returned to military control.

(2) **recommended to be placed in a "Missing" status** because evidence of death or Unauthorized Absence (UA) is not considered conclusive. The "Missing" casualty status will be retroactive to

the date of the initial disappearance unless other information is available which indicates a more current date is applicable. (See para 5. below)

(3) placed in a UA status. If after an immediate and extensive search, conclusive evidence of death **does not** exist, the available evidence should be carefully reviewed to determine if it warrants a change in the Sailor's status to UA. The date of UA **must** be the initial date of disappearance.

(4) Reported deceased. A report of death is justified if

(a) identifiable remains have been recovered.

(b) after an immediate and extensive search, no remains are recovered and conclusive evidence of death **does** exist. Conclusive evidence of death may be considered to exist when information overcomes any reasonable doubt or logical possibility that a Sailor listed as DUSTWUN may have survived. Circumstances of disappearance, such as an over water loss incident, eyewitness statements, results of immediate search, and/or local conditions can be used to conclude a finding of death. The date of death will be the date the member was placed in a DUSTWUN status.

Note: Commanders may not retain a Sailor in a "DUSTWUN" status for more than 10 days.

4. **Pay and Allowances While in a DUSTWUN Status.** DUSTWUN differs by definition and legal entitlement from the "Missing" casualty status. Therefore, DUSTWUN has no effect on the pay or allowances that are in place prior to the Sailor being placed in a DUSTWUN status.

5. **Recommending "Missing" Status.**

a. Commanders shall submit a recommendation for a casualty status of "Missing" via PCR. An advisory copy of the report shall also be sent to the Commander of the theater component with jurisdiction over the missing Sailor. The recommendation will be forwarded via the Director, Office of Chief of Naval Operations (OPNAV), Personal Readiness and Community Support (N135) to the Chief of Naval Personnel (CHNAVPERS) for consideration.

b. Additionally, within 5 days of submitting the PCR, Commanders shall submit a **written report**, furnishing all available details to N135. The report shall include the following:

- (1) Latitude and Longitude (as applicable),
- (2) Distance from nearest land (when applicable),
- (3) Local conditions,
- (4) Extent of searches made,
- (5) Statements of survivors or other members who may have pertinent information concerning the Sailor's circumstances, and
- (6) Opinion and recommendation of the commanding officer as to the proper casualty status.

c. Submit the report utilizing the most expeditious mode of transmission to either of the following:

- (1) Email: MILL_NavyCasualty@navy.mil;

NOTE: Use an underscore between "MILL" and "NavyCasualty" in the E-mail address.

- (2) Fax: 901-874-6654/2265; or,
- (3) Mail: Director, Personal Readiness and Community Support
(OPNAV N135)
5720 Integrity Drive
Millington, TN 38055.

d. **Initial Board of Inquiry.** Within 10 days of receiving the report, CHNAVPERS will appoint an Initial Board of Inquiry to conduct an inquiry into the whereabouts and status of the Sailor. Reference (b), section 1503-1504, governs the duties and responsibilities of the board. The board's recommendation is forwarded to SECNAV for final approval.

(1) Access to the Initial Board of Inquiry is closed to the public, including Primary Next of Kin (PNOK) and other members of the family. No later than 30 days after SECNAV makes determination of the status, SECNAV will provide PNOK and other members of the immediate family an unclassified summary of the Unit Commanders' and the Initial Board of Inquiry reports.

6. **Family Assistance.** If a Sailor's status is changed from DUSTWUN to "Missing", a Casualty Assistance Calls Officer (CACO) shall visit the PNOK and Secondary Next-of-Kin (SNOK) to inform them of the

casualty status change. N135C will provide guidance and assistance for pay and allowance, benefits, and entitlements in all "Missing" cases.

a. **Relocation.** Travel and transportation may be provided for the dependents, household goods (HHG), and personal effects of Sailors on active duty that are officially reported in a "Missing" status for a period of 29 or more days per reference(c), section 554.

7. **Pay and Allowances While in a Missing Status.** Reference (c) outlines pay and allowances and specific limitations for Sailors listed in a "Missing" status. **"DUSTWUN" has no effect on pay or allowances.** The Assistant Secretary of the Navy (Manpower and Reserve Affairs) has delegated the authority to administer provisions of reference (c) to CHNAVPERS.

a. **Continuance of pay and allowances.** Per reference (c), section 552, a Sailor is entitled to receive the same pay and allowances they were receiving prior to being placed in a "Missing" status:

(1) while listed in a "Missing" status; and,

(2) for a period, not to exceed one year, required for hospitalization and rehabilitation, following termination of that status.

b. **Allotments.** An allotment made by a Sailor prior to being placed in a "Missing" status may be continued. When an allotment is insufficient for an authorized purpose, new allotments or increases may be authorized by CHNAVPERS. CHNAVPERS may also direct the suspension, resumption, discontinuance, or decrease of an allotment when the circumstances warrant per reference (c), section 553).

8. **Service Record, Medical Record, Dental Record, and Flight Logbook Disposition for "Missing" personnel.** Records, along with flight logbooks (if applicable will be forwarded to, OPNAV, Navy Casualty Assistance Division (N135C) at:

Navy Casualty Assistance (OPNAV N135C)
Attn: POW/MIA Branch
5720 Integrity Dr
Millington, TN 38055