

## MILPERSMAN 1770-020

### DUTY STATUS-WHEREABOUTS UNKNOWN AND "MISSING" STATUS RECOMMENDATIONS

<b>Responsible Office</b>	NAVPERSCOM (PERS-00C)	Phone:	COM:	(901)874-2501
			DSN:	882-2501
		TOLL FREE WITHIN U.S.:		(800)368-3202
			FAX:	(901)874-6654

MyNavy Career Center	Phone: Toll Free	1-833-330-MNCC(6622)
	E-mail:	askmncc.fct@navy.mil
	MyNavy Portal:	https://my.navy.mil/

---

<b>References</b>	(a) DoD Instruction 1300.18 of 8 January 2008 (b) 10 U.S.C. (c) Joint Travel Regulations (d) DoD Instruction 2310.05 of 31 January 2000 (e) DoD 7000.14-R, Department of Defense Financial Management Regulation (FMR)
-------------------	--

1. **Policy**. Reference (a) establishes casualty reporting requirements for Service members categorized as duty status unknown (DUSTWUN) and subsequent determinations as "missing." Commanders will review this article in its entirety to ensure compliance with set policy prior to submitting a personnel casualty report (PCR) for DUSTWUN, per [MILPERSMAN 1770-030](#), or **recommending** a member be placed in a "missing" status. This article provides a succinct roadmap for commanders when members fail to muster for reasons that may not be clear.

#### 2. **Definitions**

a. **DUSTWUN**. A transitory casualty status used when the responsible commander suspects a member may be a casualty and whose absence is **involuntary**, but sufficient evidence does not exist to make a definite determination of current status, be it unauthorized absence (UA), missing, or deceased. This applies to members presumed to be lost at sea, or absent ashore due to unknown circumstances.

b. **Missing**. A status used when a member becomes involuntarily absent from his or her duty location as a result

of hostile action, or under circumstances suggesting that the involuntary absence is a result of hostile action. **Only the Secretary of the Navy (SECNAV) has the authority to place a member in a "missing" status.** Further sub-classifications are listed in reference (a).

### 3. Command Actions

a. Commands must initiate search and rescue efforts or the actions in MILPERSMAN 1600-040 for members presumed lost at sea as soon as a member is discovered absent from duty ashore. At any time during those actions, should a command determine that the member's absence meets the definition of DUSTWUN, the command must submit a PCR per [MILPERSMAN 1770-030](#), listing the member's casualty type as "DUSTWUN," **within 4 hours** of making that determination.

**Note: Commanders may also classify the member as "DUSTWUN," if initial inquiries indicate the member may be deceased, to allow further investigation.**

b. Members may only remain in a DUSTWUN status for 10 days. Commands will exhaust search and rescue efforts (if at sea), or initiate a preliminary inquiry or command investigation ashore, and formally continue the investigative steps per [MILPERSMAN 1600-040](#). Commanders are encouraged to use all assets available to investigate the circumstances of the incident, to include Navy Criminal Investigative Service (NCIS) or local law enforcement. NCIS will be notified immediately if there is an indication the member's absence may be involuntary.

c. Commands will submit a **daily** supplemental PCR, unless not feasible for security reasons. The supplemental PCR will report pertinent facts, search progress, and other pertinent information needed to keep the next-of-kin (NOK) informed.

d. Submission of supplemental PCRs will continue until a report is sent stating that the search has been discontinued or investigation is complete, and the member involved has been:

(1) Recovered alive and returned to military control;

(2) Determined to be absent due to hostile involuntary reasons and is recommended to be placed in a "missing" status. 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;

(3) Placed in a (UA) status. If after an immediate and extensive search, conclusive evidence of death **does not** exist, and a full review of the available evidence does not indicate that the member is absent involuntarily, place the member in UA status. The date of UA **must** be the initial date of disappearance;

(4) Reported deceased. A commander may submit a report of death if;

(a) Identifiable remains have been recovered.

(b) The member's absence occurred at sea, and, at the completion of an extensive search, no remains are recovered, and it is determined that the conditions would be considered "not survivable"; or

(5) Recommended for a determination of deceased. If the investigation reveals a preponderance of the evidence that the member is deceased, forward the results of the investigation, with all pertinent evidence, to Navy Personnel Command (NAVPERSCOM) Navy Casualty Department (PERS-00C) with an endorsement from the commander recommending the member be declared deceased. The endorsement will include a summary of the evidence leading to the recommendation, along with a recommended date of death.

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 member being placed in a DUSTWUN status.

5. **Declaration of Deceased Recommendation**

a. Upon receipt of the endorsed investigation recommending a declaration of deceased, PERS-00C, in conjunction with Bureau of Naval Personnel (BUPERS) Office of Legal Counsel (BUPERS-00J), will convene a Casualty Status Determination Council (CSDC). The council must consist of:

(1) Director, PERS-00C;

(2) Member, BUPERS-00J (associate or assistant legal counsel); and

(3) Minimum of one subject matter expert pertinent to the details surrounding the case.

b. Upon convening, the CSDC:

(1) Will review the investigation in its entirety. During the course of review, the council may consult with additional subject matter experts to interpret evidence.

(2) May request additional information from the command or any person(s) providing statements, evidence, or expert opinion.

(3) Will determine if the declaration of deceased is the proper course of action, based on the preponderance of the evidence, or if the status should remain "undetermined."

(4) Will generate a Department of the Navy CSDC findings worksheet (exhibit 1) containing the council's recommendation and forward to Commander, Navy Personnel Command (COMNAVPERSCOM) for final decision. The worksheet will contain a brief summary of how the determination was reached. If the decision is not unanimous, the dissenting opinion will be outlined in the findings worksheet.

c. COMNAVPERSCOM

(1) Will review the investigation in its entirety and may consult with his or her staff judge advocate.

**NOTE: The staff judge advocate will not be a member of the CSDC.**

(2) May request additional information from the command or any person(s) providing statements, evidence, or expert opinion.

(3) Will approve or disapprove the board's recommendation, to include the member's status (deceased or undetermined) and date of death (if determined to be deceased).

6. **"Missing" status recommendation**

a. At the conclusion of the investigation, if the commander believes the absence to be **involuntary** and circumstances are not conclusive, forward the recommendation of "missing" to PERS-00C. A DD 2812 Commander's Preliminary Assessment and Recommendation Regarding Missing Person may accompany the report, however, is not required in all circumstances, per reference (d). The complete report may be sent electronically to [MILL\\_NavyCasualty@navy.mil](mailto:MILL_NavyCasualty@navy.mil). Commands will also submit a supplemental PCR.

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

b. An investigation leading to a "missing" recommendation will include all pertinent information, including:

- (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 member's circumstances, and
- (6) Commanding officer's opinion and recommendation as to the proper casualty status.

c. A copy of the investigation and recommendation will be forwarded to the immediate superior in command (ISIC) for endorsement and the theater commander, if applicable.

d. PERS-00C will ensure the investigation and "missing" recommendation are promptly submitted through the chain of command to SECNAV.

7. **Initial Board of Inquiry**

a. If SECNAV deems an initial board of inquiry is required, he or she will appoint such a board within 10 days.

Reference (d) governs the duties and responsibilities of the board. The board's recommendation is forwarded to SECNAV for final approval.

b. 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 commander's and initial board of inquiry's reports.

## 8. Family Assistance

a. If a member's status is changed from DUSTWUN to "missing," a casualty assistance calls officer will visit the PNOK and secondary NOK to inform them of the casualty status change. PERS-00C will provide guidance and assistance for pay and allowances, benefits, and entitlements in all "missing" cases.

b. Travel and transportation may be provided for the dependents, household goods, and personal effects of members on active duty who are officially reported in a "missing" status for a period of 29 or more days per reference(c), sections 051104 and 052010.

9. Pay and Allowances While in a Missing Status. Reference (e), volume 7a, chapter 34, outlines pay and allowances and specific limitations for members listed in a "missing" status. **"DUSTWUN" has no effect on pay or allowances.** Per reference (e), volume 7a, chapter 34, PERS-00C has been delegated the authority to make official determinations under the Missing Persons Act.

a. Continuance of Pay and Allowances. Per reference (e), volume 7a, chapter 34, a member is entitled to receive the same pay and allowances he or she was receiving prior to being placed in a "missing" status:

(1) While listed in a "missing" status; and,

(2) For a period, not to exceed 1 year, required for hospitalization and rehabilitation following termination of that status.

b. Allotments. An allotment made by a member 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 PERS-00C. PERS-00C may also direct the suspension, resumption, discontinuance, or decrease of an allotment when the circumstances warrant, per reference (e), volume 7a, chapter 34.

10. **Service Record, Medical Record, Dental Record, and Flight Logbook Disposition for "Missing" Personnel.** Records, along with flight logbooks (if applicable), will be forwarded to PERS-00C at:

Navy Personnel Command (PERS-00C)  
Navy Casualty Assistance  
5720 Integrity Drive  
Millington, TN 38055

**EXHIBIT 1**  
**DEPARTMENT OF THE NAVY**  
**CASUALTY STATUS DETERMINATION COUNCIL WORKSHEET**  
 (Page 1 of 3)

**DEPARTMENT OF THE NAVY**  
**CASUALTY STATUS DETERMINATION COUNCIL**

**DATE:**

**COUNCIL MEMBERS:** (Note if any appear telephonically or by Microsoft Teams)

- 1) Name, rank/designator, and or job title
- 2) Name, rank/designator, and or job title
- 3) Name, rank/designator, and or job title

**SUBJECT:** (Name/Rate/Rank of Absent Individual)

**I. FINDINGS**

<b>I. a. Does credible evidence exist to suggest the person is deceased?</b>	<b>YES</b>	<b>NO</b>
Member #1		
Member #2		
Member #3		

<b>I. b. Does the United States possess any credible evidence to suggest the person is alive?</b>	<b>YES</b>	<b>NO</b>
Member #1		
Member #2		
Member #3		

<b>I. c. Has the United States, or the cognizant local authorities, exhausted all reasonable means and efforts to locate the individual?</b>	<b>YES</b>	<b>NO</b>
Member #1		
Member #2		
Member #3		

**II. CASUALTY STATUS RECOMMENDATION**

By a vote of \_\_\_\_\_ to \_\_\_\_\_, the Casualty Status Determination Council recommends (MEMBER's NAME) be declared \_\_\_\_\_ DECEASED or \_\_\_\_\_ UNDETERMINED.



**EXHIBIT 1**  
**DEPARTMENT OF THE NAVY**  
**CASUALTY STATUS DETERMINATION COUNCIL WORKSHEET**  
 (Page 2 of 3)

**III. DATE OF DEATH RECOMMENDATION**

<b>III. a. If a majority of the members recommend finding the member deceased, what date of death is recommended?</b>	<b>DATE</b>
Member #1	
Member #2	
Member #3	

By a vote of \_\_\_\_\_ to \_\_\_\_\_, the Casualty Status Determination Council recommends (MEMBER's NAME) be declared: \_\_\_\_\_ DECEASED as of \_\_\_\_\_ DATE.

**IV. EVIDENCE CONSIDERED**

<b>IV. a. Specific evidence considered:</b>
1) (Request from member's command)
2) (ISIC endorsement)
3) (Law enforcement investigation)
4)
5)
6)
7)

**V. SIGNATURES**

\_\_\_\_\_

COUNCIL MEMBER #1

\_\_\_\_\_

COUNCIL MEMBER #2

\_\_\_\_\_

COUNCIL MEMBER #3

**EXHIBIT 1**  
**DEPARTMENT OF THE NAVY**  
**CASUALTY STATUS DETERMINATION COUNCIL WORKSHEET**  
(Page 3 of 3)

**VI. DISSENTING OPINIONS**

I, (NAME, COUNCIL MEMBER #X), dissent with the majority and recommend:

---

REASON FOR DISSENTING OPINION:

---

---

---

---

COUNCIL MEMBER # \_\_\_\_\_ SIGNATURE