



Department of Defense

DIRECTIVE

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USD(P)

SUBJECT: Personnel Accounting -- Losses Due to Hostile Acts

References: (a) Section 1501-1513 of title 10, U. S. Code
(b) Section 1501 Note of title 10, U. S. Code
(c) Sections 1481-4, 1486, and 4712 of title 10, U. S. Code
(d) Sections 551-559 of title 37, U. S. Code
(e) through (n), see Enclosure 1

1. PURPOSE

This Directive:

1.1. Establishes policy and assigns responsibilities under references (a) through (d) for personnel accounting for losses resulting from hostile acts to include those in combat theaters of operations. See reference (e) for all non-hostile losses and hostile losses during current operations.

1.2. Applies to personnel unaccounted for as a result of hostile acts in Operations DESERT SHIELD and DESERT STORM, the Indochina war era, Korean Conflict, Cold War, and World War II. It also applies to personnel who become unaccounted for as a result of hostile acts in later conflicts and who the Combatant Commander has not recovered following the cessation of operations, and others as directed by the Secretary of Defense.

1.3. Distinguishes between the manner in which the United States Government (USG) shall account for personnel lost after February 10, 1996, defined in reference (a), and those who became unaccounted for prior to that date and who are not covered by reference (a).

1.4. Designates the Secretary of the Army as the Executive Agent for mortuary affairs for the Department of Defense.

2. APPLICABILITY

This Directive applies to the Office of the Secretary of Defense, the Military Services (~~including the Coast Guard when it is operating as a Military Service in the Navy~~), the Chairman of the Joint Chiefs of Staff, the Combatant Commands, the Office of the Inspector General of the Department of Defense, the Defense Agencies, the DoD Field Activities, and all other organizational entities in the Department of Defense (hereafter referred to collectively as "the DoD Components"). The term "Military Services," as used herein, refers to the Army, the Navy, the Air Force, the Marine Corps, and the Coast Guard when it is operating as a Military Service in the Navy.

3. DEFINITIONS

Terms used in this Directive are defined in enclosure 2.

4. POLICY

It is DoD policy that:

4.1. Accounting for personnel lost as a result of hostile acts is of the highest national priority.

4.2. The Department of Defense shall implement timely and effective policy and procedures to enhance personnel accounting operations, determine and report accurately the status of those who are unaccounted for, and provide current information to appropriate family members.

4.3. The Department of Defense has primary responsibility for accounting for U.S. military personnel, and DoD civilian and DoD contract employees who become unaccounted for as a result of hostile acts.

4.4. The Department of Defense shall ensure the safety and security of personnel conducting personnel accounting operations.

4.5. The personnel accounting mission is a humanitarian activity and shall not be considered as a military-to-military activity.

5. RESPONSIBILITIES

5.1. The Under Secretary of Defense for Policy shall develop, coordinate, and oversee the implementation of DoD policy to account for personnel unaccounted for as a result of hostile acts.

5.2. The Assistant Secretary of Defense for ~~International Security Affairs (ASD (ISA))~~ Global Security Affairs (ASD(GSA)), under the Under Secretary of Defense for Policy (USD(P)), is the principal staff assistant and civilian advisor to the Secretary of Defense, the Deputy Secretary of Defense, and to the USD(P) on personnel accounting for hostile losses. The ~~ASD (ISA) (GSA)~~ has designated the Deputy Assistant Secretary of Defense (DASD) for Prisoner of War (POW) and Missing Personnel Affairs (MPA), and the Director, Defense POW/Missing Personnel Office (DPMO) as the Offices of Primary Responsibility (OPR) for personnel accounting.

5.2.1. The DASD(POW/MPA) shall:

5.2.1.1. Exercise policy, control, and oversight within the Department of Defense for the entire process of accounting for missing persons. He or she shall coordinate for such purposes:

5.2.1.1.1. With other Departments and Agencies of the United States; and

5.2.1.1.2. Within the Department of Defense among the Military Services, the Joint Staff, and the Commanders of the Combatant Commands.

5.2.1.2. Establish and promulgate personnel accounting policy and determine personnel accounting requirements for DoD policies and strategic guidance.

5.2.1.3. Coordinate and exchange information with the DoD Components and members of the Intelligence Community (IC).

5.2.1.4. In the event it is determined that an unaccounted for individual(s) is alive and held against his or her will:

5.2.1.4.1. Organize and lead the Personnel Recovery Response Cell in accordance with reference (f), to formulate policy options, and coordinate actions resulting in the return to U.S. control of unaccounted for individuals held against their will.

5.2.1.4.2. Coordinate with the Joint Staff, the Assistant Secretary of Defense for Special Operations/Low Intensity Conflict, and the Assistant Secretary of Defense for Public Affairs.

5.2.1.5. Oversee the policies, processes, and programs that affect the DoD ability to execute personnel accounting operations; recommend actions, as necessary, to enhance personnel accounting capabilities; and work closely with the Combatant Commands, through the Joint Staff, to provide the necessary national support for the personnel accounting mission.

5.2.1.6. Monitor and advocate for program funding requirements and resources for execution of the personnel accounting mission.

5.2.1.7. In coordination with the Chairman of the Joint Chiefs of Staff, and the Under Secretary of Defense for Personnel and Readiness (USD(P&R)), recommend to the Secretary of Defense a date following the cessation of hostilities when responsibility for personnel accounting in the theater of war transfers from the Combatant Commander to the Office of the Secretary of Defense.

5.2.1.8. Serve as primary liaison with the Congress and the appropriate oversight subcommittees on all matters pertaining to personnel unaccounted for as a result of hostile acts.

5.2.1.9. Lead and coordinate communications processes related to personnel accounting. Plan, coordinate with the Office of the Assistant Secretary of Defense for Public Affairs, and execute the USG public outreach program to maintain communication between the Department of Defense and the Congress, Prisoner of War/Missing Personnel (POW/MP) families, veterans, concerned citizens, non-government organizations and the public through periodic consultations, releases, publications, speeches, annual government briefings, seminars, updates, and other appropriate initiatives. Direct liaison among public affairs offices is authorized.

5.2.1.10. Organize and lead an interagency coordination committee on POW/MP matters that shall:

5.2.1.10.1. Provide an interagency mechanism to ensure that the USG brings to bear all available resources to achieve the fullest possible accounting for personnel unaccounted for as a result of hostile acts.

5.2.1.10.2. Identify and assign interagency roles in support of overall POW/MP strategy and specific requirements.

5.2.1.10.3. Facilitate interagency coordination and support for the expeditious search and recovery of U.S. military and DoD civilian personnel who become unaccounted for as a result of hostile acts.

5.2.1.10.4. Inform the Secretary of Defense regarding POW/MP matters, and provide recommendations, as appropriate.

5.2.1.11. Represent the Department of Defense at interagency and international forums on personnel accounting matters.

5.2.1.12. Serve as primary DoD representative in negotiations with officials of foreign governments to account for personnel unaccounted for and others as designated by the Secretary of Defense.

5.2.1.12.1. Ensure that all appropriate technical personnel responsible for conducting actual operations are represented in these negotiations.

5.2.1.12.2. Coordinate talking points with the appropriate Combatant Commander(s), and others as necessary.

5.2.1.13. Establish and maintain an independent scientific advisory process that ensures the scientific integrity of the remains identification process.

5.2.1.14. Coordinate with the ~~Office of the Assistant Secretary of Defense for International Security Policy~~ *appropriate organizations* to incorporate POW/MP matters into key national and DoD strategy documents, and into the comprehensive strategy toward nations of the former Soviet Union (FSU) and Eastern Europe, as appropriate.

5.2.1.15. Coordinate, oversee, and provide guidance for research and analysis conducted in support of personnel accounting.

5.2.1.16. Maintain an analytical capability dedicated to evaluating all-source evidence, providing senior policy makers objective analysis that addresses policy issues, and supporting communications and outreach efforts.

5.2.2. The Director of the Defense POW/Missing Personnel Office shall:

5.2.2.1. Serve as the lead DoD Agency responsible for analyzing, tasking, and evaluating all reporting, investigations and procedures resulting in an analytic conclusion that an unaccounted for person is or may be alive, and forward such conclusion to the appropriate Service secretary, as necessary.

5.2.2.2. As required, task elements of the DoD Components and National Intelligence Community to collect and provide all necessary intelligence to support DoD accounting responsibilities.

5.2.2.3. Establish standardized procedures for analysis concerning unaccounted for personnel, and serve as the primary focal point for coordination of all case-related analysis.

5.2.2.4. Develop, prioritize, and monitor intelligence collection requirements and reporting.

5.2.2.5. Provide analysis and data to field operators to assist their recovery efforts. Ensure field or technical analysis is included in overall analytic efforts at the National level.

5.2.2.6. Oversee archival research, and standardize procedures for methodology and prioritization. Conduct National and International archival research, coordinating with the Joint POW/MIA Accounting Command (JPAC), which also conducts archival research, to improve efficiency and prevent duplication of effort.

5.2.2.7. Coordinate, oversee, and lead a DoD case review process that shall serve as the principal means of recommending the best courses of action in moving unresolved cases toward the fullest possible accounting.

5.2.2.8. Render final analytic judgments as to what constitutes fullest possible accounting on each case by identifying possibilities for future action and determining when further investigation must be deferred pending new information or no further pursuit is possible that may recover remains.

5.2.2.9. Ensure all DoD analytic files pertaining to personnel accounting are adequately maintained and promote connectivity among databases to allow all DoD analytic organizations supporting personnel accounting access to all analytic resources.

5.2.2.10. Define, maintain, and enumerate USG accounting lists.

5.3. The Assistant Secretary of Defense for Special Operations/Low Intensity Conflict, under the Under Secretary of Defense for Policy, shall coordinate with the ASD(~~ISA~~)(GSA) for the expeditious recovery of unaccounted for personnel determined alive and held against their will.

~~5.4. The Assistant Secretary of Defense for International Security Policy, under the Under Secretary of Defense for Policy shall:~~

~~5.4.1 Coordinate with the DASD(POW/MPA) on personnel recovery and accounting requirements in the National Security Strategy, National Military Strategy, Defense Planning Guidance, Theater Security Cooperation Plans, and other key DoD strategy documents.~~

~~5.4.2 In coordination with the DASD(POW/MPA), incorporate POW/MP matters into the comprehensive strategy toward nations of the FSU and Eastern Europe, as appropriate.~~

~~5.4. 5.4.5~~ The Under Secretary for Personnel and Readiness shall:

5.4.1. ~~5.5.1~~ Provide guidance on unaccounted for personnel casualty determination and resolution procedures, compensation matters, and other advice on personnel policy issues, as applicable for military and civilian personnel.

5.4.2. ~~5.5.2~~ In coordination with the DASD(POW/MPA), and the Chairman of the Joint Chiefs of Staff, recommend to the Secretary of Defense a date following the cessation of hostilities when responsibility for personnel accounting in the theater of war transfers from the Combatant Commander to the Office of the Secretary of Defense.

5.5. ~~5.6~~ The Under Secretary of Defense for Intelligence shall:

5.5.1. ~~5.6.1~~ Provide oversight, guidance, and direction to ensure that the DoD IC is coordinating and planning operations necessary to support personnel accounting.

5.5.2. ~~5.6.2.~~ Coordinate and conduct liaison with other non-DoD Intelligence organizations and agencies, as necessary, to support personnel accounting operations.

5.5.3. ~~5.6.3.~~ Coordinate with appropriate DoD Agencies to ensure intelligence information relating to missing persons originating from all members of the U.S. IC is forwarded to the appropriate Military Service, the Combatant Commanders, and to DPMO in accordance with reference (g).

5.5.4. ~~5.6.4.~~ Provide necessary all-source intelligence support for all aspects of personnel accounting and review intelligence priorities on a periodic basis, in conjunction with the DASD(POW/MPA).

5.5.5. ~~5.6.5.~~ Provide representation to the interagency coordination committee on POW/MP matters in accordance with subparagraph 5.2.1.10., as requested.

5.6. ~~5.7.~~ The ~~Comptroller of the Department of Defense Under Secretary of Defense (Comptroller)/Chief Financial Officer~~ shall review budget estimates for personnel accounting and provide budget policy guidance.

5.7. ~~5.8.~~ The General Counsel of the Department of Defense shall provide representation to interagency committees (including the interagency coordination committee referenced in subparagraph 5.2.1.10. and the Personnel Recovery Response Cell detailed in subparagraph 5.2.1.4.1.), and other organizations involved in the accounting process, as required.

5.8. ~~5.9.~~ The Secretaries of the Military Services shall:

5.8.1. ~~5.9.1.~~ Designate Department OPRs for coordinating all personnel accounting matters and notify the DASD(POW/MPA) of the office designated.

5.8.2. ~~5.9.2.~~ Administer Department programs regarding missing persons covered by references (g), (h), and (i).

5.8.3. ~~5.9.3.~~ Program for manning requirements for the JPAC, as coordinated with the Commander, U.S. Pacific Command (USPACOM).

5.8.3.1. ~~5.9.3.1.~~ This includes joint manning requirements in accordance with reference (j).

5.8.3.2. ~~5.9.3.2.~~ Personnel shall be drawn from members of the DoD Components, as appropriate, considering the proportion of unaccounted for personnel from each Service (reference (k)).

5.9. ~~5.10.~~ The Secretary of the Army shall:

5.9.1. ~~5.10.1.~~ Serve as the Executive Agent for mortuary affairs for the Department of Defense in accordance with references (e) and (l).

5.9.2. ~~5.10.2.~~ Provide DoD guidance and procedures for the care and disposition of remains and personal effects, including non-Service specific remains and effects. As the DoD Executive Agent for mortuary affairs, takes custody of and makes disposition of those remains without a Service affiliation and which may not be returned to the decedents family, Government, or nation.

5.9.3. ~~5.10.3.~~ Retain responsibility for the Armed Forces Identification Review Board in accordance with references (e) and (g).

5.9.4. ~~5.10.4.~~ Identify requirements and provide resources necessary to support the personnel accounting mission, including support from the Armed Forces DNA Identification Laboratory.

5.9.5. ~~5.10.5.~~ Establish and maintain a separate program element to support the personnel accounting mission.

5.10. ~~5.11.~~ The Secretary of the Navy shall:

5.10.1. ~~5.11.1.~~ Identify requirements and provide resources necessary to support the personnel accounting mission.

5.10.2. ~~5.11.2.~~ Establish and maintain a separate program element to support the personnel accounting mission.

5.10.3. ~~5.11.3.~~ Review, evaluate, and submit USPACOM requirements to support the personnel accounting mission through the Future Years Defense Program via the DoD Planning, Programming, and Budgeting Process.

5.10.4. ~~5.11.4.~~ Provide or arrange for, without reimbursement, the administrative and logistic support for the JPAC in accordance with reference (m).

5.11. ~~5.12.~~ The Secretary of the Air Force shall identify requirements and provide resources necessary to support the personnel accounting mission, including support from the artifacts section of the Life Sciences Equipment Laboratory.

5.12. ~~5.13.~~ The Chairman of the Joint Chiefs of Staff shall:

5.12.1. ~~5.13.1.~~ Coordinate operational implementation of this Directive.

5.12.2. ~~5.12.2~~ In coordination with the Combatant Commands, prepare contingency plans to recover unaccounted for personnel determined alive and held against their will.

5.12.3. ~~5.13.3~~ In coordination with the DASD(POW/MPA) and the USD(P&R), recommend to the Secretary of Defense a date following the cessation of hostilities when responsibility for personnel accounting in the theater of war transfers from the Combatant Commander to the Office of the Secretary of Defense.

5.12.4. ~~5.13.4~~ Designate a single point of entry to the Joint Staff for coordinating all personnel accounting matters on the Joint Staff. Notify the DASD(POW/MPA) of the designation.

5.12.5. ~~5.13.5~~ Monitor program funding requirements and resources for execution of the personnel accounting mission.

5.12.6. ~~5.13.6~~ Support joint manning requirements for joint accounting organizations in coordination with the Commander, USPACOM. This includes joint manning requirements in accordance with reference (j).

5.12.7. ~~5.13.7~~ Provide appropriate policy representation to the interagency coordination committee on POW/MP matters in accordance with subparagraph 5.2.1.10.

5.13. ~~5.14~~ The Commanders of the Combatant Commands are responsible for supporting personnel accounting operations within their area of responsibility and shall:

5.13.1. ~~5.14.1~~ Comply with provisions of reference (g).

5.13.2. ~~5.14.2~~ In coordination with the Office of the Joint Chief of Staff, prepare contingency plans to recover unaccounted for personnel determined alive and held against their will.

5.13.3. ~~5.14.3~~ When requested, provide appropriate representation to the interagency coordination committee on POW/MP matters in accordance with subparagraph 5.2.1.10.

5.14. ~~5.15~~ The Commander, United States Pacific Command, has designated JPAC as the command OPR for personnel accounting matters pertaining to losses due to hostile acts, and shall exercise Combatant Command authority over it. The Commander, USPACOM, shall:

5.14.1. ~~5.15.1~~ Establish clear, direct, and expeditious lines of communication on personnel accounting matters between JPAC and the DASD(POW/MPA), and between JPAC and the Military Service Casualty Offices.

5.14.2. ~~5.15.2~~ Assist, facilitate, and coordinate efforts to search for, recover, and identify remains of unaccounted for personnel with the DoD Components and others, as designated by the Secretary of Defense.

5.14.3. ~~5.15.3.~~ Identify, monitor, and provide, as appropriate, program resource requirements to support the personnel accounting mission.

5.14.4. ~~5.15.4.~~ Work in consonance with the DASD(POW/MPA), DPMO, the Military Services, the Defense Intelligence Agency, the Armed Forces DNA Identification Laboratory, the Life Sciences Equipment Laboratory, and the Central Joint Mortuary Affairs Office, as appropriate, to search for, recover, and identify remains of personnel unaccounted for as a result of hostile acts.

5.14.5. ~~5.15.5.~~ Develop plans for Service component augmentation of theater mortuary affairs teams, as required.

5.14.6. ~~5.15.6.~~ Ensure the integrity of the remains identification process by establishing mechanisms that sustain the scientific processes of JPAC.

5.14.7. ~~5.15.7.~~ Participate in the DoD case review process as set forth in subparagraph 5.2.2.7.

5.14.8. ~~5.15.8.~~ Maintain operational control of joint field operations.

5.14.9. ~~5.15.9.~~ Support OSD negotiations, as requested by the DASD(POW/MPA), with designated host governments.

5.14.10. ~~5.15.10.~~ In coordination with the DASD(POW/MPA), serve as the primary DoD representative in technical and operational discussions with officials of foreign governments in efforts to account for unaccounted for personnel and others, as designated by the Secretary of Defense.

5.14.10.1. ~~5.15.10.1.~~ Such technical and operational discussions may include, but are not limited, to determining land and labor compensation rates, identifying applicable laws and regulations, ensuring the safety and security of personnel conducting remains recovery operations, and exploiting unilateral efforts by such foreign governments to achieve mission objectives.

5.14.10.2. ~~5.15.11.2.~~ Coordinate in advance all talking points for technical and operational discussions with DASD(POW/MPA).

5.14.11. ~~5.15.11.~~ Recommend personnel accounting policy initiatives to the DASD(POW/MPA) and operational requirements to the Chairman of the Joint Chiefs of Staff.


5.14.12. ~~5.15.12.~~ Conduct specialized personnel accounting Research, Development, Test, and Evaluation to advance scientific methodologies and techniques in recovery operations and forensic identification.

5.14.13. ~~5-15-13~~. Provide appropriate representation to the interagency coordination committee on POW/MP matters in accordance with subparagraph 5.2.1.10., as requested by the chair.

5.15. ~~5-16~~. The Commander, United States Transportation Command, shall provide airlift in support of personnel accounting activities worldwide, as tasked by joint commander operational requirements.

6. EFFECTIVE DATE

This Directive is effective immediately.



Paul Wolfowitz
Deputy Secretary of Defense

Enclosures - 2

- E1. References, continued
- E2. Definitions

E1. ENCLOSURE 1

REFERENCES, continued

- (e) DoD Directive 1300.22, "Mortuary Affairs Policy," February 3, 2000
- (f) DoD Directive 2310.2, "Personnel Recovery," December 22, 2000
- (g) DoD Instruction 2310.5, "Accounting for Missing Persons," January 31, 2000
- (h) DoD Instruction 1300.18, "Military Personnel Casualty Matters, Policies, and Procedures," December 18, 2000
- (i) DoD Instruction 2310.4, "Repatriation of Prisoners of War (POW), Hostages, Peacetime Government Detainees, and Other Missing or Isolated Personnel," November 21, 2000
- (j) Chairman of the Joint Chiefs of Staff Memorandum (CJCSM) 1600.01, "Joint Manpower Program Procedures," April 30, 1998
- (k) Section 566 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999, Public Law 105-261
- (l) DoD Directive 5101.1, "DoD Executive Agent," September 3, 2002
- (m) DoD Directive 5100.3, "Support of the Headquarters of Combatant and Subordinate Joint Commands, and Joint Task Forces," November 15, 1999
- (n) Joint Publication 1-02, "Department of Defense Dictionary of Military and Associated Terms," current edition

E2. ENCLOSURE 2

DEFINITIONS

E2.1.1. Fullest Possible Accounting. Completing the personnel accounting process, with respect to a person in a missing status, means the person is returned to United States control alive; the remains of the person are recovered, and, if not identifiable through visual means as those of the missing person, are identified as those of the missing person by a practitioner of an appropriate forensic science; or credible evidence exists to support another determination of the persons status.

E2.1.1.1. When new credible evidence is received indicating that an unaccounted for individual is still alive and held against their will the U.S. Government shall take all steps necessary to ensure their expeditious return to U.S. control.

E2.1.1.2. Accounting for personnel from Operations DESERT SHIELD and DESERT STORM and, absent new information that may result in a change in status, the Indochina war era, the Korean Conflict, and the Cold War, and World War II is based on practice prior to the enactment of reference (a). The USG accounts for personnel unaccounted for from these conflicts in two ways: returning live individuals to U.S. control or recovering and identifying the remains of deceased personnel. For those unaccounted for personnel who may not be accounted for by either means, but there is a preponderance of evidence that the individual is deceased and that recovery and identification of the unaccounted for person's remains are not possible, further active accounting efforts shall cease. In these instances, however, the individual's name shall remain on the DoD roster of unaccounted for, and declared deceased, body not recovered.

E2.1.1.3. Accounting for persons who are missing or deceased after February 10, 1996 is defined under reference (g). The USG accounts for these individuals in three ways:

E2.1.1.3.1. Returning live individuals to U.S. control;

E2.1.1.3.2. Recovering and identifying the remains of deceased personnel; or,

E2.1.1.3.3. Establishing credible evidence to support another determination of the person's status.

E2.1.2. Missing Personnel (MP). The term "missing personnel" as used in this Directive means:

E2.1.2.1. A member of the Armed Forces on active duty who is in a missing status; or

E2.1.2.2. A civilian employee of the Department of Defense or an employee of a contractor of the Department of Defense *who is* serving in direct support of, or *accompanying* ~~*accompanies*~~, the Armed Forces in the field under orders and is in a missing status.

E2.1.3. Personnel Accounting -- Hostile. The sum of military, civil, and diplomatic efforts to locate, recover, and identify personnel unaccounted for as a result of hostile acts. Personnel accounting is a process that is first pursued by the Combatant Commander; however, this Directive, applies to DoD efforts to account for individuals who have not been recovered by the time the Combatant Commander ceases active operations.

E2.1.4. Remains Recovery. The entire process of mission planning and coordination, field investigation, research, analysis, site recovery operations, reporting, and repatriation of the remains of unaccounted for personnel to U.S. control.

E2.1.5. The following terms used in this Directive are defined in reference (n):

E2.1.5.1. Hostile Act.

E2.1.5.2. Hostile Casualty.

E2.1.5.3. Unaccounted For.