



DoD INSTRUCTION 5410.01

RELEASE OF INFORMATION CONCERNING INCIDENTS INVOLVING DoD PERSONNEL OR SENIOR PERSONNEL

Originating Component: Office of the Assistant to the Secretary of Defense for Public Affairs

Effective: September 5, 2024

Releasability: Cleared for public release. Available on the Directives Division Website at <https://www.esd.whs.mil/DD/>.

Reissues and Cancels: DoD Instruction 5410.01, "Release of Information Concerning Accidents Involving Military Personnel or Equipment or Concerning Senior Personnel," June 2, 2009

Approved by: Chris Meagher, Assistant to the Secretary of Defense for Public Affairs

Purpose: In accordance with the authority in DoD Directive (DoDD) 5122.05, this issuance establishes policy, assigns responsibilities, and prescribes procedures for the release of information concerning deceased, injured, or missing DoD military and civilian personnel and senior U.S. and foreign government personnel involved in incidents while on a DoD installation or being transported by military vehicle.

TABLE OF CONTENTS

SECTION 1: GENERAL ISSUANCE INFORMATION	3
1.1. Applicability.	3
1.2. Policy.	3
SECTION 2: RESPONSIBILITIES	5
2.1. Assistant to the Secretary of Defense for Public Affairs (ATSD(PA)).	5
2.2. Under Secretary of Defense for Personnel and Readiness.....	6
2.3. Assistant to the Secretary of Defense for Privacy, Civil Liberties, and Transparency.....	6
2.4. Secretaries of the Military Departments.	6
SECTION 3: PROCEDURES	7
3.1. Information Released by the White House.	7
3.2. Incidents Occurring Outside of DoD Installations.....	7
GLOSSARY	9
G.1. Acronyms.	9
G.2. Definitions.....	9
REFERENCES	11

SECTION 1: GENERAL ISSUANCE INFORMATION

1.1. APPLICABILITY.

a. This issuance applies to:

(1) OSD, the Military Departments, the Office of the Chairman of the Joint Chiefs of Staff and the Joint Staff, the Combatant Commands, the Office of Inspector General of the Department of Defense, the Defense Agencies, the DoD Field Activities, and all other organizational entities within the DoD (referred to collectively in this issuance as the “DoD Components”).

(2) The release of information concerning incidents involving deceased, injured, or missing DoD military and civilian personnel and senior U.S. and foreign government personnel occurring while they are on a DoD installation or being transported by military vehicle, whether inside or outside of the United States, its territories, or its possessions.

b. This issuance does not apply to military incidents involving nuclear weapons; that guidance is found in DoD Instruction (DoDI) 5230.16.

1.2. POLICY.

a. Release of information concerning deceased, injured, or missing senior U.S. and foreign government personnel must be carefully coordinated due to national and international interest and security implications.

b. DoD public affairs (PA) personnel will provide maximum cooperation as well as timely and accurate information to news media representatives and the public, consistent with national security responsibilities and while protecting the privacy of the personnel and their families in accordance with DoDD 5122.05.

c. Release of information concerning senior U.S. and foreign government personnel when they become deceased, injured, or missing while on a DoD installation or being transported by military vehicle will be directed to the offices designated in this issuance for public announcement.

d. For incidents involving DoD personnel occurring outside the United States, including its territories and possessions, additional considerations may be found in applicable treaties, intergovernmental agreements, and laws of other nations. Additional coordination with the U.S. Embassy or Consulate concerned may be required, including to provide notification to the host government.

e. Information concerning deceased, injured, or missing DoD military or civilian personnel will be released to the media or public in accordance with DoDI 1300.18.

f. Information related to the execution of this issuance will be managed in accordance with applicable records management, operations security, and information security policies, including but not limited to DoDD 5205.02E, DoDI 5015.02, and DoD Manual 5200.01. The creation, collection, use, processing, storage, maintenance, dissemination, and disclosure of personally identifiable information will comply with the requirements of applicable privacy policies, including but not limited to DoDI 5400.11 and DoD 5400.11-R.

g. Nothing in this issuance is intended to contradict guidance provided in DoDI 6055.07 to protect privileged safety information from unauthorized release. DoDI 6055.07 has precedence if a contradiction is discovered.

SECTION 2: RESPONSIBILITIES

2.1. ASSISTANT TO THE SECRETARY OF DEFENSE FOR PUBLIC AFFAIRS (ATSD(PA)).

The ATSD(PA):

a. Approves and synchronizes the release of information to news media acknowledging senior DoD and other U.S. Government personnel who become deceased, injured, or missing because of an incident while on a DoD installation or being transported by military vehicle. Except as otherwise provided in Paragraph 3.1., such personnel include:

- (1) U.S. Senators other than the Speaker Pro Tempore of the Senate.
- (2) Members of the U.S. House of Representatives other than the Speaker of the House of Representatives.
- (3) Secretaries of the Military Departments.
- (4) The Deputy Secretary of Defense; Principal Staff Assistants; and Presidentially Appointed, Senate-confirmed officials assigned to OSD.
- (5) The Chairman of the Joint Chiefs of Staff, the Vice Chairman of the Joint Chiefs of Staff, and general officers or flag officers in the grade of O-9 or above assigned to the Joint Staff.
- (6) The Chief of Staff, U.S. Army.
- (7) The Chief of Naval Operations.
- (8) The Chief of Staff, U.S. Air Force.
- (9) The Commandant of the U.S. Marine Corps.
- (10) The Chief of Space Operations.
- (11) The Chief of the National Guard Bureau.
- (12) Combatant Commanders.
- (13) Directors of the Defense Agencies and DoD Field Activities.

b. Releases information acknowledging all deceased, injured, or missing DoD military and civilian personnel of any rank resulting from incidents involving combat, hostile act(s), or a named military operation (i.e., not only those incurred from a hostile act), unless delegated through approved PA guidance in accordance with DoDI 5405.03.

2.2. UNDER SECRETARY OF DEFENSE FOR PERSONNEL AND READINESS.

In accordance with their authority in DoDD 5124.02, the Under Secretary of Defense for Personnel and Readiness:

- a. Ensures the policy and procedures in DoDI 6055.07 regarding release of information concerning mishap notification, investigation, reporting, and record keeping are consistent with this issuance.
- b. Ensures the policy and procedures in DoDI 1300.18 on the release of information to news media or the public regarding deceased, injured or missing DoD personnel are consistent with this issuance.

2.3. ASSISTANT TO THE SECRETARY OF DEFENSE FOR PRIVACY, CIVIL LIBERTIES, AND TRANSPARENCY.

The Assistant to the Secretary of Defense for Privacy, Civil Liberties, and Transparency provides advice and guidance for the implementation of this issuance and adequate application of protections for privacy and civil liberties in accordance with DoDI 5400.11 and DoD 5400.11-R.

2.4. SECRETARIES OF THE MILITARY DEPARTMENTS.

The Secretaries of the Military Departments:

- a. Approve the release of information acknowledging deceased, injured, or missing DoD military and civilian personnel under the provisions of their respective Department regulations only when:
 - (1) The personnel are **not** identified in Paragraphs 2.1.a.(1) through 2.1.a.(13).
 - (2) The death, injury, or missing status of the personnel is not a result of combat, hostile act(s), or a named operation, or the ATSD(PA) has delegated release authority in accordance with Paragraph 2.1.b.
- b. Must inform the Defense Press Operations Directorate in the Office of the ATSD(PA) before the release of information acknowledging deceased, injured, or missing U.S. military officers in the grade of O-9 and above and DoD civilian personnel of equivalent rank meeting the criteria of Paragraphs 2.4.a.(1) and 2.4.a.(2)

SECTION 3: PROCEDURES

3.1. INFORMATION RELEASED BY THE WHITE HOUSE.

The White House has the sole approval authority for release of information regarding the following personnel if they die or are injured or missing because of an incident while on a DoD installation or being transported by military vehicle:

- a. The President of the United States.
- b. The Vice President of the United States.
- c. The President Pro Tempore of the Senate.
- d. The Speaker of the House of Representatives.
- e. Members of the Cabinet of the United States.
- f. Foreign visitors of political or royal rank equivalent to the U.S. Government officials listed in Paragraphs 3.1.a. through 3.1.e.
- g. Members of foreign governments below the rank of the preceding category who are guests of the U.S. Government.

3.2. INCIDENTS OCCURRING OUTSIDE OF DOD INSTALLATIONS.

DoD PA personnel at the scene of incidents covered by this issuance, in coordination with the on-scene commander, will:

- a. Inform media representatives of the potential presence of information that, if published, could cause damage to national security or harm U.S. Government personnel or ongoing operations and ask them to cooperate in its protection.
- b. Inform media representatives and DoD personnel of the sensitivity of using visual information (VI) that identifies deceased or injured personnel. Inform photographers that Federal criminal statutes prohibit photographing classified national security information.
- c. Stress the importance of protecting such information if media representatives refuse to cooperate in the protection of classified national security information. Request the cooperation of the superiors of the media representatives, informing them that publication of such classified national security information or refusal to return it to military authority may constitute a violation of Federal law, including but not limited to Sections 793(e) and 795 through 797 of Title 18, United States Code.
- d. Submit a report concerning suspected refusals of media representatives or their superiors to cooperate, as described in Paragraph 3.2.c., to the ATSD(PA) through command PA channels.

e. Provide official DoD photographers and videographers with access to the scene to record VI to use during safety or legal investigations of the incident. VI must be initially identified as “not cleared for public release” and will be reviewed by the appropriate PA officer before public release, in accordance with DoDD 5122.05 and DoDI 1300.18 and as outlined in Section 2 and Paragraph 3.1. of this issuance. The following outlines the release of VI of deceased or injured personnel:

- (1) When it is possible for the personnel to be clearly identified, VI will not be released.
- (2) When it is not possible for the personnel to be identified, VI may be released; however, information concerning the time or circumstances of the incident will only be released in general terms (e.g., a traffic accident that happened in the morning).

GLOSSARY

G.1. ACRONYMS.

ACRONYM	MEANING
ATSD(PA)	Assistant to the Secretary of Defense for Public Affairs
DoDD	DoD directive
DoDI	DoD instruction
PA	public affairs
VI	visual information

G.2. DEFINITIONS.

Unless otherwise noted, these terms and their definitions are for the purpose of this issuance.

TERM	DEFINITION
Cabinet of the United States	Principal advisory body to the President. Members are appointed by the President and usually include the Vice President and the heads of Executive Branch Departments. The President also may designate heads of other agencies and members of the Executive Office of the President as members.
DoD installation	Defined in DoDI 1000.15.
incident	An occurrence, caused by either human action or natural phenomena, that has resulted or may result in deceased, injured, or missing personnel or loss of or other risks to property, such as DoD equipment, information, or natural resources.
military vehicle	Any mode of transportation that is owned, rented, or leased by a DoD Component and operated by DoD personnel including, but not limited to, passenger cars, trucks, buses, trains, watercraft, aircraft, and combat and tactical vehicles.
on-scene commander	The U.S. military authority in the immediate vicinity of an isolating event who temporarily assumes command of the incident.

TERM	DEFINITION
senior U.S. and foreign government personnel	U.S. military officers in the grade of O-9 or above; U.S. Government civilians of equivalent rank; foreign visitors of political or royal equivalent rank; and any members of foreign governments of any rank who are guests of the U.S. Government. Foreign government guests of the U.S. Government serve as representatives of their government to conduct official business with the U.S. Government. Senior foreign visitors are not present in the United States, its territories, or possessions for the purposes of representing their government to conduct official business with the U.S. Government.
VI	Information in the form of visual or pictorial representation, with or without sound, of person(s), place(s), or thing(s). Generally, VI includes still and motion photography, audio visual recordings, graphic arts, and visual presentations.

REFERENCES

- DoD 5400.11-R, “Department of Defense Privacy Program,” May 14, 2007
- DoD Directive 5122.05, “Assistant to the Secretary of Defense for Public Affairs (ATSD(PA)),” August 7, 2017
- DoD Directive 5124.02, “Under Secretary of Defense for Personnel and Readiness (USD(P&R)),” June 23, 2008
- DoD Directive 5205.02E, “DoD Operations Security (OPSEC) Program,” June 20, 2012, as amended
- DoD Instruction 1000.15, “Procedures and Support for Non-Federal Entities Authorized to Operate on DoD Installations,” October 24, 2008
- DoD Instruction 1300.18, “DoD Personnel Casualty Matters, Policies, and Procedures,” January 8, 2008, as amended
- DoD Instruction 5015.02, “DoD Records Management Program,” February 24, 2015, as amended
- DoD Instruction 5230.16, “Public Affairs Guidance for Nuclear Weapon and Radiological Material Incidents,” October 24, 2023
- DoD Instruction 5400.11, “DoD Privacy and Civil Liberties Programs,” January 29, 2019, as amended
- DoD Instruction 5405.03, “Development, Submission, and Approval of Proposed Public Affairs Guidance (PPAG),” February 18, 2016
- DoD Instruction 6055.07, “Mishap Notification, Investigation, Reporting, and Record Keeping,” June 6, 2011, as amended
- DoD Manual 5200.01, “DoD Information Security Program,” date varies by volume
- United States Code, Title 18