DEPARTMENT OF THE ARMY
OFFICE OF THE ASSISTANT SECRETARY
MANPOWER AND RESERVE AFFAIRS
111 ARMY PENTAGON
WASHINGTON, DC 20310-0111

January 16, 2004

REPLY TO
ATTENTION OF

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Change to Imminent Death Processing Policy in Department of Defense Instruction 1332.38

Reference enclosed memorandum, Principal Deputy Under Secretary of Defense (Personnel and Readiness), PDUSD (P&R), 23 December 2003, subject as above.

The PDUSD (P&R) has issued a change to subject instruction terminating Imminent Death Processing. This change applies to all Army activities and is effective immediately.

Reginald J. Brown
Assistant Secretary of the Army
(Manpower and Reserve Affairs)

Enclosure

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PERSONNEL AND
READINESS

23 DEC 2003

MEMORANDUM FOR ASSISTANT SECRETARY OF DEFENSE
(RESERVE AFFAIRS)
ASSISTANT SECRETARY OF THE ARMY
(MANPOWER AND RESERVE AFFAIRS)
ASSISTANT SECRETARY OF THE NAVY
(MANPOWER AND RESERVE AFFAIRS)
ASSISTANT SECRETARY OF THE AIR FORCE
(MANPOWER AND RESERVE AFFAIRS)

SUBJECT: Change to Imminent Death Processing Policy in DoD Instruction 1332.38

Section 645 National Defense Authorization Act for FY 2004 expanded Section 1448(d), 10 USC, to provide a Survivor Benefit Plan (SBP) annuity for the surviving dependent children of a member who dies while on active duty but is not yet eligible for retirement, instead of the surviving spouse provided the Secretary concerned, in consultation with the surviving spouse, determines such an annuity is appropriate. Prior to this change, a dependent child could only receive the SBP annuity when there was no surviving spouse or when a surviving spouse subsequently died.

Sub-paragraph E3.P1.6.4 of DoD Instruction 1332.38, Physical Disability Evaluation, has allowed the Services to expeditiously refer members to the Disability Evaluation System when "competent medical authority determines that a Service member's death is expected within 72 hours." However, as a result of the recent expansion of SBP eligibility, this process is no longer appropriate. Sub-paragraph E3.P1.6.4 of DoDI 1332.38 is hereby rescinded, and Imminent Death Processing shall no longer be undertaken. Revisions to the new DODI will reflect this change. Please provide a copy of your implementation message to this office not later than 30 days from the date of this letter.

Charles S. Abell
Principal Deputy

SUBJECT: Change to Imminent Death Processing (IDP) Policy in DoD Instruction 1332.38

cc:
ASD (HA)
Surgeon General, Army
Surgeon General, Navy
Surgeon General Air Force