



Department of Defense

INSTRUCTION

NUMBER 6055.07

June 6, 2011

USD(AT&L)

SUBJECT: Mishap Notification, Investigation, Reporting, and Record Keeping

References: See Enclosure 1

1. **PURPOSE.** This Instruction reissues DoD Instruction (DoDI) 6055.07 (Reference (a)) in accordance with the authority in DoD Directive (DoDD) 5134.01 (Reference (b)), cancels Directive-Type Memorandum (DTM) DTM-07-020 and DTM-04-008 (References (c) and (d)), and describes procedures in support of DoDD 4715.1E (Reference (e)) and DoDI 6055.1 (Reference (f)) to:

- a. Update procedures for mishap notification, investigation, reporting, and record keeping.
- b. Implement the Occupational Safety and Health Administration (OSHA) reporting requirements in accordance with Executive Order 12196 and part 1960 of title 29, Code of Federal Regulations (CFR) (References (g) and (h)).
- c. Establish the DoD Mishap Data Requirements Working Group in accordance with DoDI 5105.18 (Reference (i)).
- d. Establish requirements for interactions with the National Transportation Safety Board (NTSB) and the Secretary of Transportation in accordance with sections 1131 and 1132 of title 49, United States Code (U.S.C.) (Reference (j)).
- e. Establish requirements to report explosives and chemical agent mishap information to the DoD Explosives Safety Board in accordance with DoD Manual (DoDM) 6055.09-M (Reference (k)).

2. **APPLICABILITY.** This Instruction applies to 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 the Inspector General of the Department of Defense, the Defense Agencies, the DoD Field Activities, and all other organizational entities within the DoD (hereinafter referred to collectively as the "DoD Components").

3. DEFINITIONS. See Glossary.
4. POLICY. It is DoD policy to:
 - a. Protect DoD property from damage and DoD personnel from accidental death, injury, or occupational illness.
 - b. Protect the public from risk of death, injury, illness, or property damage because of DoD activities.
5. RESPONSIBILITIES. See Enclosure 2.
6. PROCEDURES. See Enclosures 3 through 11.
7. INFORMATION REQUIREMENTS. Reporting and record-keeping requirements are consistent with DoDD 5015.02 (Reference (l)) and DoDM 8910.1-M (Reference (m)). The reporting requirements for “Explosives or Chemical Agent” and “Serious Explosives or Chemical Agent” mishaps at Enclosure 8, Table 10, have been assigned Report Control Symbol DD-AT&L(AR)1020.
8. RELEASABILITY. UNLIMITED. This Instruction is approved for public release and is available on the Internet from the DoD Issuances Website at <http://www.dtic.mil/whs/directives>.
9. EFFECTIVE DATE. This Instruction is effective upon its publication to the DoD Issuances Website.



Ashton B. Carter
Under Secretary of Defense
for Acquisition, Technology, and Logistics

Enclosures

1. References
2. Responsibilities
3. Investigating Friendly Fire Incidents
4. Investigations
5. Privileged Safety Information
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ENCLOSURE 1

REFERENCES

- (a) DoD Instruction 6055.07, "Accident Investigation, Reporting, and Record Keeping," October 3, 2000 (hereby cancelled)
- (b) DoD Directive 5134.01, "Under Secretary of Defense for Acquisition, Technology and Logistics (USD(AT&L)), " December 9, 2005
- (c) Directive-Type Memorandum 07-020, "Injury Reporting Requirements," February 20, 2007 (hereby cancelled)
- (d) Directive-Type Memorandum 04-008, "Legal Investigations of Accidents," May 25, 2004 (hereby cancelled)
- (e) DoD Directive 4715.1E, "Environment, Safety, and Occupational Health (ESOH)," March 19, 2005
- (f) DoD Instruction 6055.1, "DoD Safety and Occupational Health (SOH) Program," August 19, 1998
- (g) Executive Order 12196, "Occupational Safety and Health Programs for Federal Employees," February 26, 1980
- (h) Part 1904, subparts C, D, E, and G; and sections 1904.7(b)(3), 1904.7(b)(5)(ii), 1904.32, and 1904.39; part 1960; and sections 1960.2(g), 1960.67, and 1960.70 of title 29, Code of Federal Regulations
- (i) DoD Instruction 5105.18, "DoD Intergovernmental and Intragovernmental Committee Management Program," July 10, 2009
- (j) Sections 1131 and 1132 of title 49, United States Code
- (k) DoD Manual 6055.09-M, "DoD Ammunition and Explosives Safety Standards," February 29, 2008
- (l) DoD Directive 5015.2, "DoD Records Management Program," March 6, 2000
- (m) DoD Manual 8910.1-M, "Department of Defense Procedures for Management of Information Requirements," June 30, 1998
- (n) DoD Instruction 5410.01, "Release of Information Concerning Accidents Involving Military Personnel or Equipment or Concerning Senior Personnel," June 2, 2009
- (o) Directive-Type Memorandum 07-015, "DoD Social Security Number (SSN) Reduction Plan," March 28, 2008
- (p) DoD 5200.1-R, "Information Security Program," January 14, 1997
- (q) DoD Instruction 5000.02, "Operation of the Defense Acquisition System," December 8, 2008
- (r) DoD Directive 5400.11, "DoD Privacy Program," May 8, 2007
- (s) DoD 5400.11-R, "Department of Defense Privacy Program," May 14, 2007
- (t) DoD 6025.18-R, "DoD Health Information Privacy Regulation," January 24, 2003
- (u) DoD Instruction 1300.18, "Department of Defense (DoD) Personnel Casualty Matters, Policies, and Procedures," January 8, 2008
- (v) DoD Instruction 5505.03, "Initiation of Investigations by Defense Criminal Investigative Organizations," March 24, 2011
- (w) DoD 5400.7-R, "DoD Freedom of Information Act Program," September 4, 1998

- (x) DoD Instruction 6055.06, “DoD Fire and Emergency Services (F&ES) Program,” December 21, 2006
- (y) North Atlantic Treaty Organization Standardization Agreement 3531, “Safety Investigation and Reporting of Accidents/Incidents Involving Military Aircraft and/or UAVs,” current edition
- (z) Air Standard 85/2A(1), “Investigation of Aircraft/Missile Accidents/Incidents,” April 3, 1996
- (aa) North Atlantic Treaty Organization Standardization Agreement 1179, “Combined Investigation of Maritime Incidents,” current edition
- (ab) Sections 552, 552a, and 8101(1)(B) of title 5, United States Code
- (ac) Aspin-Rice Agreement—Letter of the Chairman, House Armed Services Committee, to the Secretary of the Air Force, September 12, 1989
- (ad) DoD Directive 5530.3, “International Agreements,” June 11, 1987
- (ae) Section 3500 of title 18, United States Code (also known as the “Jencks Act”)
- (af) DoD Directive 5000.01, “The Defense Acquisition System,” May 12, 2003
- (ag) Subpart E of part 293 of title 5, Code of Federal Regulations
- (ah) U.S. Office of Personnel Management Operating Manual, “The Guide to Personnel Recordkeeping,” September 2008²
- (ai) Government-Industry Data Exchange Program, “GIDEP Database On-line Access User Guide,” August 1, 1993³
- (aj) Joint Publication 1-02, “Department of Defense Dictionary of Military and Associated Terms,” current edition
- (ak) DoD Instruction 7230.08, “Leases and Demonstrations of DoD Equipment,” January 2, 2009
- (al) DoD Instruction 6055.04, “DoD Traffic Safety Program,” April 20, 2009
- (am) Title 10, United States Code
- (an) Title 32, United States Code
- (ao) Subpart 831.11 of title 49, Code of Federal Regulations

¹ Available from https://www.denix.osd.mil/denix_secure/shf/Programs/OccupationalSafety-Health.cfm (password required)

² Available from <http://www.opm.gov/feddata/recguide2008.pdf>

³ Available to registered users from <http://www.gidep.org>

ENCLOSURE 2

RESPONSIBILITIES

1. UNDER SECRETARY OF DEFENSE FOR ACQUISITION, TECHNOLOGY, AND LOGISTICS (USD(AT&L)). The USD(AT&L) shall:

a. Oversee the implementation of this Instruction.

b. Review DoD Component summaries of injury and illness logs by March 1 of each calendar year and inform the Secretary of Defense of the results of this review as part of the annual report of environment, safety, and occupational health performance in accordance with Reference (e).

2. DEPUTY UNDER SECRETARY OF DEFENSE FOR INSTALLATIONS AND ENVIRONMENT (DUSD(I&E)). The DUSD(I&E), under the authority, direction, and control of the USD(AT&L), shall:

a. Collect, aggregate, and analyze mishap data from the DoD Components to provide the Secretary of Defense and other DoD leaders with information to make informed risk decisions.

b. Notify the OSHA Office of Federal Agency Programs of on-duty mishaps resulting in a DoD Civil Service fatality or involving the inpatient hospitalization of three or more people (at least one of which is a DoD civilian employee).

c. Reply to requests for information on mishaps from the Secretary of Labor; the Administrator, Environmental Protection Agency; the Secretary of Transportation; the Chairman, Nuclear Regulatory Commission; and other authorized agents in the Executive Branch.

d. Forward to the Secretary of Labor mishap reports that are responsive to the requirements of section 1960.70 of Reference (h) and include the information outlined in section 6 of Enclosure 4 of this Instruction.

e. Make determinations on the release of privileged safety information according to the provisions in Enclosure 5 of this Instruction.

f. In consultation with the DoD Components, establish, maintain, and distribute minimum data requirements for safety investigations according to the provisions of Enclosure 6 of this Instruction.

g. Establish, as an integral element of the DoD Safety and Occupational Health Committee (see Reference (f)), the DoD Mishap Data Requirements Working Group to perform the functions described in Enclosure 7 of this Instruction.

h. Appoint an OSD representative to the DoD Mishap Data Requirements Working Group to perform the functions described in Enclosure 7 of this Instruction.

3. UNDER SECRETARY OF DEFENSE FOR PERSONNEL AND READINESS (USD(P&R)). The USD(P&R) shall:

a. Issue policy allowing for the proper and minimally necessary release and use of protected health information in the support of injury identification, investigation, reporting, and record keeping consistent with DoDI 5410.01 and DTM 07-015 (References (n) and (o)).

b. Protect privileged safety information provided to the USD(P&R) and the Defense Safety Oversight Council (DSOC) in accordance with this Instruction, but shall not disseminate the information further.

4. HEADS OF THE DoD COMPONENTS. The Heads of the DoD Components shall:

a. Protect privileged safety information in accordance with the provisions of Enclosure 5 of this Instruction and DoD 5200.1-R (Reference (p)).

b. Follow the nine steps described in Table 7 of Enclosure 8 for the notification, investigation, and report of mishaps.

c. Implement the procedures in Enclosures 3 through 11 unless otherwise specified.

d. Implement procedures for releasing names of injured persons consistent with Reference (n).

e. Implement procedures to integrate historical safety data (lessons learned) into the development and acquisition of new systems consistent with risk reduction requirements of DoDI 5000.02 (Reference (q)).

f. Establish procedures that allow for the proper and minimally necessary release and use of protected health information in the support of military and civilian injury identification, investigation, reporting, and record keeping consistent with Reference (o) and DoDD 5400.11, DoD 5400.11-R, and DoD 6025.18-R (References (r), (s), and (t)).

g. Establish procedures for collecting data on fire losses, and use the information to identify mishaps for losses exceeding the Class D cost threshold.

h. Establish procedures to screen every fatality and to determine whether the fatality was mishap related.

i. Establish policies for notifying family members of deceased DoD personnel when safety and legal investigations are convened and of the existence of any investigation reports that have been or will be issued in accordance with DoDI 1300.18 (Reference (u)).

j. Furnish the Commander, U.S. Joint Forces Command (USJFCOM), with completed privileged friendly fire safety investigations. Privacy Act information may be excluded in accordance with Reference (s).

k. Transmit timely mishap data to the USD(P&R) designated integrated safety data collection and analysis system as available or within 5 working days of new or updated data in the DoD Component's information management system (IMS).

l. Establish procedures for senior management official certification and posting of civilian injuries on the OSHA Form 300A, "Summary of Work-Related Injuries and Illnesses," in accordance with sections 1904.32 and 1960.67 of Reference (h). The OSHA Form 300A is available from <http://www.osha.gov/recordkeeping/RKforms.html>. Establish equivalent procedures for certification and posting of military injuries. Include injuries suffered by volunteers and contractors where the DoD supervised the volunteers' or contractor employees' work on a day-to-day basis.

m. Appoint subject matter experts on data requirements issues to the DoD Mishap Data Requirements Working Group as prescribed in Enclosure 7.

n. Collect, maintain, analyze, and report human error, human factors, and human performance data identified in safety investigations.

o. Ensure personally identifiable information is managed in compliance with References (r), (s), and (t).

p. Furnish, upon request, to the DUSD(I&E) such safety investigation, reporting, records, and related information as may be required to evaluate DoD Component programs and develop DoD special emphasis programs.

q. Provide to the DUSD(I&E), to support the USD(P&R) and the DSOC, copies or electronic access to all safety investigations.

5. COMMANDERS OF THE COMBATANT COMMANDS. The Commanders of the Combatant Commands, in addition to the responsibilities in section 4 of this enclosure, shall, for forces placed under their operational control:

a. Endorse all Class A and Class B safety investigations conducted by the other DoD Components for mishaps occurring in their Commands.

b. Implement procedures to determine and allocate costs and losses from mishaps to the involved DoD Components in accordance with paragraph 6.k. of Enclosure 4.

c. Appoint a representative to the DoD Mishap Data Requirements Working Group.

d. Furnish the Commander, USJFCOM, with completed and approved friendly fire legal investigations. Privacy Act information may be excluded in accordance with Reference (s).

6. COMMANDER, USJFCOM. The Commander, USJFCOM, in addition to the responsibilities in sections 4 and 5 of this enclosure, shall:

a. Serve as the lead agent for friendly fire mishap analysis and gap resolution.

b. Maintain a joint database of pertinent causal factors and coordinate Joint Capabilities Integration and Development System analysis and joint capability development to prevent or mitigate future friendly fire mishaps.

c. Ensure USJFCOM handling of privileged safety information meets the requirements in Enclosure 5.

ENCLOSURE 3

INVESTIGATING FRIENDLY FIRE INCIDENTS

1. SAFETY INVESTIGATION. Unless otherwise agreed or as the combatant commander (CCDR) may direct, the DoD Component whose forces suffer the preponderance of loss or injury shall conduct the safety investigation. The safety investigation shall be conducted in accordance with DoD Component rules and any applicable inter-DoD Component arrangements or agreements. For mishaps involving armed forces of friendly nations, the involved DoD Component safety chief shall consult with the DUSD(I&E) and the CCDR to determine what role the other involved nations will play in the investigation. In those circumstances where the only forces lost or injured are those of friendly nations, the CCDR shall determine which DoD Component conducts the safety investigation.

a. The completed safety investigation shall be submitted to the CCDR for endorsement prior to being forwarded to the DoD Component safety center.

b. If it is determined that an urgent feedback message to the Warfighter, other DoD Components, or the CCDRs is required, the organization conducting the friendly fire investigation shall submit the message for endorsement by the CCDR.

2. LEGAL INVESTIGATION. For all incidents falling within the definition of friendly fire, the CCDR shall convene a legal investigation to determine the facts of the incident and to guide further actions. The CCDR, in consultation with the involved DoD Component Commander(s), shall determine which DoD Component regulation governing legal investigations will be followed.

3. CRIMINAL ACTIVITY. Suspend the investigation, preserve the evidence, and immediately notify the safety investigation convening authority whenever evidence of criminal activity that is causal to the mishap is discovered. The safety investigation convening authority shall notify the responsible Military Criminal Investigative Organization (MCIO) in accordance with DoDI 5505.03 (Reference (v)) when he or she determines there is evidence of criminal activity. The safety investigation convening authority shall determine, under the circumstances, whether the safety investigation will proceed.

ENCLOSURE 4
INVESTIGATIONS

1. LEGAL INVESTIGATIONS

a. Purpose. Inquire into all the facts and circumstances surrounding mishaps as well as to obtain and preserve all available evidence for use in litigation, claims, disciplinary action, adverse administrative action, and for public disclosure in accordance with DoD 5400.7-R (Reference (w)).

b. Special Requirements

(1) Establish procedures for determining the need for a legal investigation, conducting investigations, and reporting.

(2) Conduct the legal investigation independently from the safety investigation.

2. FIRE LOSS INVESTIGATIONS

a. Purpose. Provide for the safe and systematic investigation and analysis of fire and explosion incidents meeting established mishap criteria. (See DoDI 6055.06 (Reference (x)).)

b. Special Requirements

(1) For fire losses meeting the Class A or B mishap threshold involving real property, wildlands from wildland fires, or personal property (excluding military aircraft flight-related operations and Navy ships underway), provide an independent fire investigation and report.

(2) The fire investigation and report shall identify point of origin and cause of fire (the circumstances, conditions, or agencies that bring together a fuel, ignition source, and oxidizer, such as air or oxygen) for inclusion in subsequent legal or safety investigations.

3. SAFETY INVESTIGATIONS

a. Purpose. Prevent mishaps.

b. Special Requirements

(1) If criminal conduct that is causal to the mishap is discovered in the course of conducting a safety investigation, suspend the investigation, preserve the evidence, and immediately notify the safety investigation convening authority, legal investigative authority, and the responsible MCIO in accordance with Reference (v) (for locations that fall under MCIO

jurisdiction), or Federal or local law enforcement, depending on jurisdiction at the location of the mishap. The safety investigation convening authority shall determine, under the circumstances, whether the safety investigation will proceed.

(2) As soon as the safety investigators release them, make available to other investigators that factual information and documents that do not contain privileged safety information.

(3) Personnel assigned to conduct safety investigations shall not conduct legal investigations of the same mishap. Personnel currently assigned to full-time safety positions shall not be appointed as members of a legal investigation board.

(4) The Department of Defense Explosives Safety Board (DDESB) shall support the safety investigation for all serious explosives and chemical agent mishaps as defined in Table 9 of Enclosure 8.

(5) Use a disinterested party to investigate mishaps whenever possible.

(6) See section 6 of this enclosure for special considerations for multiple DoD Component mishaps.

(7) See section 7 of this enclosure for special considerations for contractor mishaps involving DoD personnel or property.

(8) Investigate, record, and report all Class A, B, and C mishaps and work-related Class D mishaps. DoD Component safety investigation directives shall specify procedures for the collection and analysis of all other events not meeting the DoD thresholds. Collect, as a minimum, the mishap data requirements specified at <https://www.denix.osd.mil/portal/page/portal/SHF/References>.

(9) Include in all system-related Class A and B safety investigation reports, the system program office analysis of hazards that contributed to the mishap and recommendations for materiel risk mitigation measures, especially those that minimize potential human errors.

(10) The Safety Investigation Board president or senior member shall allow concurrent investigators (e.g., from the legal investigation) access to the mishap site and non-privileged physical evidence.

4. AVIATION SAFETY INVESTIGATIONS INVOLVING CIVIL AND MILITARY AIRCRAFT

a. Mishaps Involving Civil Aircraft. Where a mishap involves military and civil aircraft, an NTSB investigation shall take priority over a military aircraft safety investigation (see section 1132 of Reference (j)). The NTSB may invite military participation; however, military members may not participate in the NTSB decision about the probable cause of the mishap. Military investigations for safety or legal purposes may proceed concurrently. The NTSB has first claim

on evidence. Release of non-privileged information to the NTSB shall be consistent with the requirements of Enclosure 5.

b. Mishaps Involving Only DoD Aircraft

(1) The DoD Component shall allow participation of a representative of the Secretary of Transportation in a safety investigation if one of the following is or may be involved:

(a) Actions or lack of relevant actions by Federal Aviation Administration (FAA) personnel.

(b) FAA certification of a civilian crewmember, air agency, or operator.

(c) FAA design or airworthiness certification.

(d) Navigation or airport facility established, operated, or maintained for use by aircraft in the National Airspace System, but excluding DoD airfields.

(e) FAA rule, regulation, or order applicable to airspace use.

(f) FAA air traffic service (i.e., clearance, instruction, or advisory), air-ground or point-to-point message transmission, weather observations and reports, notices to airmen, or airport advisories and flight services.

(g) FAA approach control function delegated to a military facility.

(h) An operation under an FAA waiver or exemption, including certificates of waiver or authorization (COAs) granted for the operation of unmanned aircraft systems (UASs).

(i) FAA standards for required navigational performance, obstruction clearance, flight inspection, and lighting or markings at airports and along airways.

(j) FAA air carrier or airport security.

(k) Medical competency of certificated airmen.

(2) In all other mishaps involving only military aircraft, the DoD Components shall provide the Department of Transportation or the NTSB information determined by the DoD Components as contributing to the promotion of air safety. Privileged safety information shall be protected as required by Enclosure 5.

5. SUMMARY OF CIVILIAN CATASTROPHIC OR FATAL MISHAP. Provide the Secretary of Labor with information regarding a civilian catastrophic or fatal mishap in accordance with section 1904.39 of Reference (h).

6. MULTIPLE DoD COMPONENT MISHAPS. When more than one DoD Component is involved in a mishap, the DoD Components involved shall establish one Safety Investigation Board, select investigators from all involved DoD Components, and follow these procedures:

a. The DoD Component that first becomes aware of a multiple DoD Component mishap shall:

(1) Provide immediate telephone notification to the other involved DoD Components' safety centers.

(2) Make available operational and technical experts for the Safety Investigation Board as required.

b. The DoD Components:

(1) Shall determine which DoD Component has primary responsibility for investigating and reporting each multiple DoD Component mishap. Normally, the convening authority for the investigation will be the DoD Component experiencing the greater loss, although other factors such as operational roles and degree of involvement will also be considered. The convening DoD Component's safety investigation directives shall be used in investigating and reporting the mishap.

(2) Are authorized to agree on a case-by-case basis to an alternate approach to a safety investigation, to include not participating in the lead DoD Component's investigation.

c. The DoD Component owning or controlling the facility where a mishap occurs or the DoD Component that is geographically closest shall secure, protect, document, and preserve the mishap site to prevent contamination or removal of evidence until the arrival of a representative of either the Joint Safety Investigation Board or MCIO. This includes ensuring that search and recovery personnel and other investigators do not disturb the mishap scene, except for rescue efforts, until the physical evidence is released by the Safety Investigation Board.

d. Each DoD Component shall provide funding for travel, per diem, rental car, and other expenses incurred by its representatives. The nearest military installation to the mishap site shall provide administrative and host base support while the Joint Safety Investigation Board president or senior member is present. Other expenses (site security, special equipment, consultants, etc.) shall be borne by the convening DoD Component. Each DoD Component shall provide funding for salvage or wreckage recovery of its own assets.

e. The Joint Safety Investigation Board president or senior member shall allow concurrent investigators (e.g., from the legal investigation) access to the mishap site, factual (non-privileged) information, and physical evidence.

f. The convening DoD Component shall promptly provide all involved DoD Components a complete, un-redacted copy of the Safety Investigation Board report and subsequent

endorsements. Supporting documents shall be provided upon request. The DoD Components may further distribute any reports within the DoD for safety purposes only. The DoD Component producing the safety investigation report shall respond to requests for copies of the report.

g. The involved DoD Components shall recommend to the convening authority the Safety Investigation Board's report endorsing chain.

h. The DoD Component preparing the report shall clearly identify recommendations directed toward other DoD Components and forward the recommendations to the other DoD Components. Each DoD Component shall, in turn, forward applicable recommendations to the appropriate organizations in their Component. Each DoD Component shall track to completion the status of those recommendations and inform any other involved DoD Components of actions taken.

i. When there is a suspected material failure, the Safety Investigation Board president or senior member shall submit the items in question to the DoD Component-appropriate facility for analysis. The DoD Component whose facility conducts the analysis shall fund the analysis.

j. When briefings are requested, the DoD Components shall coordinate requirements.

k. The DoD Component that is determined to have ownership of the mishap will account for all fatalities, injuries, and property damage in that DoD Component's statistics.

7. INVESTIGATING CONTRACTOR MISHAPS INVOLVING DoD PERSONNEL OR PROPERTY. Investigate and report mishaps that occur as a result of a Government contractor's operation in which there is reported damage to DoD property or injury or occupational illness to DoD personnel. All procedures of this Instruction apply to these investigations. The contracting DoD Component conducts the investigation and prepares a report for mishaps, unless otherwise directed by the DUSD(I&E).

8. INVESTIGATING MISHAPS INVOLVING FOREIGN NATIONS AND DoD PERSONNEL OR PROPERTY. When a DoD Component is involved in a mishap involving a foreign nation, establish a single combined safety investigation board and select investigators from the appropriate DoD Component and foreign nation as may be agreed upon by the involved parties.

a. Whenever an aviation mishap involves another North Atlantic Treaty Organization (NATO) member nation, conduct a combined safety investigation pursuant to NATO Standardization Agreement (STANAG) 3531 (Reference (y)). Investigations involving two or more of Australia, Canada, New Zealand, the United Kingdom, and the United States may be investigated under Air Standard 85/2A(1) (Reference (z)). Whenever an afloat mishap involves another NATO member nation, conduct an investigation pursuant to NATO STANAG 1179 (Reference (aa)). When mishaps occur involving nations that are not signatories to References

(y), (z), or (aa), consider investigating and reporting using the procedures outlined in those documents. When the DoD portions of the combined safety investigation report and any subsequent endorsements would not receive, from all of the other nations participating in the combined board, a privileged status similar to that accorded a DoD investigation, no promises of confidentiality shall be offered by U.S. safety investigators. However, a DoD Component safety center shall, to the extent it can be maintained under U.S. law, respect any privilege claimed by any other nation participating in the combined board in its portions of the report and subsequent endorsements.

b. The U.S. members of the combined Safety Investigation Board shall also submit a report to their DoD Component safety center, in accordance with the requirements of their DoD Component mishap reporting instructions, after the combined investigation is complete.

9. MISHAP COSTING

a. Calculate the direct cost of a mishap by adding all costs of damaged or destroyed assets, including resultant costs such as decontamination, environmental restoration, and restitution. The direct cost of damage to DoD or non-DoD property shall be computed using the actual cost of repair or replacement (including work hours for repair) or the best official estimate available.

b. The cost of a destroyed aircraft shall include the original fly-away cost plus the cost of all modifications in then-year dollars. An aircraft that is damaged but shall not be repaired is not automatically a destroyed aircraft. The decision whether or not to return an aircraft to service is independent of any effect on mishap classification. If a damaged aircraft is repaired, the direct cost is the actual cost of repairs. If it is not repaired, use the best available estimate for repair cost or destroyed cost, whichever is lower.

c. Do not include the costs of any further DoD property damage resulting from rescue or salvage. The cost of intentionally jettisoned items shall not be included in the cost of the mishap.

d. When components are damaged to the extent they must be returned to a repair facility, the cost of damage shall be reported as the actual cost for repairs, if such figures are available within DoD Component reporting guidelines. If actual repair costs cannot be determined, use the repair facility established standard repair costs or standard repair costs provided by the DoD Component safety center. If these figures are not available, the reported cost for repair shall be computed at 15 percent of the initial unit cost. For components, including engines or engine modules, damaged beyond economical repair, use replacement cost.

ENCLOSURE 5

PRIVILEGED SAFETY INFORMATION

1. INTRODUCTION. Safety privilege is based on a national defense need for rapid and accurate assessment of the causes of mishaps to prevent a recurrence and maintain mission readiness. This privilege creates restrictions on handling and releasing information in safety investigation reports.

2. IDENTIFYING PRIVILEGED SAFETY INFORMATION. DoD Components protect privileged safety information to ensure commanders quickly obtain accurate mishap information. For a safety investigation, privileged safety information includes:

a. Information given to a safety investigator pursuant to a promise of confidentiality and any information derived from that information or direct or indirect references to that information.

b. Products of deliberative processes of safety investigators, including:

(1) Draft and final findings, evaluations, opinions, preliminary discussions, conclusions, mishap causes, recommendations, analyses, and other material that would reveal the deliberations of safety investigators.

(2) Draft and final diagrams and exhibits if they contain information that depicts the analysis of safety investigators.

(3) Animations that incorporate privileged safety information. Uninterpreted animations made exclusively from flight recorder raw data, including military flight operations quality assurance data, are not protected by the safety privilege and are generally releasable. However, prior to release, especially in cases where the product is derived from aggregate data, such animations must be reviewed for sensitive national security content. Animations found to include information that could compromise national security to any degree must be handled appropriately.

(4) Photographs, films, and videotapes that are staged, reconstructed, or simulated reenactments of possible or probable scenarios developed by or for the analysis of the safety investigator. However, photographs depicting a measuring device or object contrasted against mishap evidence for the sole purpose of demonstrating the size or scale of the evidence are not considered privileged safety information and may be released.

(5) Life sciences material that contains analysis by a safety investigator.

(6) Notes taken by safety investigators in the course of their investigation, whether or not they are incorporated, either directly or by reference, in the final safety investigation report.

(7) Reviews and endorsements of safety investigation reports.

3. PROMISE OF CONFIDENTIALITY. In certain safety investigations, safety investigators can give a promise of confidentiality to any individual who provides evidence for the investigation to encourage frank or open communications. Promises of confidentiality:

- a. Must be explicit and cannot be implied from the investigator's status or function.
- b. Must be documented in all instances in which a witness provides information pursuant to a promise of confidentiality.
- c. May be given only as needed to ensure forthright cooperation of the witness concerned and may not be given on a blanket basis to all witnesses.
- d. Shall be limited to the information given to a safety investigator pursuant to a promise of confidentiality.
- e. Must inform the witness that the promise of confidentiality applies only to information given to the safety investigator and not to the same information if given to others. If the witness provides similar or identical information to another investigative body, that information, as a part of a non-safety investigation, is not protected from release by the safety privilege.
- f. May be given by safety investigators in all investigations of aviation mishaps, friendly fire mishaps, and mishaps involving complex systems and military-unique items, operations, or exercises.
- g. May be authorized for other mishap categories or in individual cases by the Secretary of a Military Department when the Secretary concerned determines the authorization is in the interest of national security.

4. USE, SHARING, AND RELEASE OF SAFETY INFORMATION

- a. Privileged safety information shall be used for safety purposes only; specifically, preventing mishaps and reducing injury and property damage resulting from mishaps.
- b. Privileged safety information shall not be:
 - (1) Used, shared, or released except as provided in this Instruction.
 - (2) Used to support disciplinary or adverse administrative action, to determine the misconduct or line-of-duty status of any personnel, or as evidence before any evaluation board.
 - (3) Used to determine liability in administrative claims or litigation, whether for or against the Government.

(4) Released in response to requests for information pursuant to section 552 of title 5, U.S.C. (also known and hereinafter referred to as "FOIA") (Reference (ab)). Requests are submitted in accordance with Reference (w) or in response to discovery requests, subpoenas, court orders, or other legal process except as provided in section 10 of this enclosure.

c. Privileged safety information may only be released as provided elsewhere in this Instruction or upon specific authorization by the Secretary of Defense.

d. Safety investigation reports are treated as "For Official Use Only" with unique handling restrictions to ensure that commanders and safety officials can obtain accurate mishap information, while zealously protecting the DoD safety privilege.

e. Privileged safety information that has been sanitized shall no longer be treated as privileged. Only a DoD Component safety center is authorized to sanitize and release a privileged safety report.

(1) To sanitize a document, remove identifying information including:

(a) The date and location of the mishap.

(b) Materiel identification number.

(c) Names, social security numbers, and other personal identifying information of participants, witnesses, and investigators.

(d) Information given to a safety investigator pursuant to a promise of confidentiality and any information derived from that information or direct or indirect references to that information.

(e) Any other detail that directly, indirectly, or in aggregate identifies the mishap or any individual who has given information pursuant to a promise of confidentiality.

(2) Some mishaps, due to widespread publicity or other unique circumstances, cannot be adequately sanitized. Under such circumstances, removal of this information may be inadequate since the identity of the mishap is disclosed by the unique mishap sequence. This information is not sanitized and shall not be released.

(3) When privileged safety information is sanitized, the findings, conclusions, causes, recommendations, opinions, analyses, and other indications of the deliberative processes of safety investigators, safety investigation boards, endorsers, and reviewers are no longer considered privileged.

5. REQUESTS FOR PRIVILEGED SAFETY INFORMATION BY CONGRESS. Pursuant to a 1989 agreement between the DoD and the House Armed Services Committee (Reference (ac)),

upon personal request from the Chairman or Ranking Minority Member of the Senate or House Armed Services Committees, the Head of the DoD Component arranges a briefing of the requested safety information to the Chairman and Ranking Minority Member. The Chairman and Ranking Minority Member may review the requested portions of the privileged safety report during the briefing, but they may not be provided with advance copies, nor will the Chairman and Ranking Minority Member release any privileged safety information to the public, other Government agencies, or other members of the Congress or staff.

6. ACCESS TO PRIVILEGED SAFETY INFORMATION BY DoD CONTRACTORS. The DoD Components may allow DoD contractors access to particular privileged safety information in furtherance of an articulated safety purpose related to specific projects or contracts. Under no circumstances shall a DoD contractor not working in direct support of a DoD Component safety investigation have access to information (the witness statement) given to a safety investigator pursuant to a promise of confidentiality or to any direct references to that information or to any information that could be used to identify the source who provided the information. Prior to granting a DoD contractor access to any privileged safety information, the contractor, in its corporate capacity, shall execute a nondisclosure agreement (NDA):

- a. That identifies the privileged safety information at issue.
- b. That articulates the reasons why the contractor needs access to the privileged safety information and describes permitted uses.
- c. That articulates the specific rules with regard to making copies of or otherwise reproducing the privileged safety information.
- d. In which the contractor agrees:
 - (1) That it is familiar with the DoD approved methods for the handling and storage of and the use requirements for privileged safety information.
 - (2) To protect the privileged safety information from unauthorized users or release, including in litigation.
 - (3) That access to the privileged safety information will only be granted to those employees of the contractor with a need to know and to no others.
 - (4) That it is fully responsible for its employees' actions with regard to the privileged safety information.
 - (5) To return or destroy, and include evidence of destruction, all privileged safety information when no longer required or when requested by the DoD Component.

(6) That it understands violating the terms of the NDA may result in suspension of access to privileged safety information and any other sanctions allowed under law or the contract.

(7) To the rules with regard to making copies of or otherwise reproducing the privileged safety information.

(8) To store privileged safety information in a manner to prevent unauthorized access.

(9) That privileged safety information will be used solely for meeting the requirements of its contract.

(10) That it will forward to the DoD Component any requests, including Freedom of Information Act (FOIA) and media requests, for information made available under this NDA.

(11) That prior to receiving the privileged safety information, it shall require all its employees who will have access to privileged safety information to sign a personal NDA that mirrors for the employee the provisions of the contractor NDA.

7. SHARING PRIVILEGED SAFETY INFORMATION WITH FOREIGN MILITARY SAFETY AGENCIES

a. Consistent with DoDD 5530.3 (Reference (ad)), the Secretaries of the Military Departments may establish reciprocal international agreements for sharing relevant privileged safety information regarding similar airframes or systems with the military safety agencies of allied or partner nations for mishap prevention purposes, but only where adequate protection of privileged safety information exists, and where the recipient agency agrees to provide similar safety information to the DoD.

b. Whenever appropriate, military safety agencies should share non-privileged safety information such as aggregate data or sanitized reports in lieu of privileged reports.

c. Information (the witness statement) given to a safety investigator pursuant to a promise of confidentiality, any direct references to that information, and any information that could be used to identify the source who provided the information, shall not be shared.

d. The DoD Components sharing safety information shall establish procedures, approved by an official no lower than the head of the safety agency of the DoD Component, to comply with the requirements of this paragraph and paragraph 7.e.

e. An international agreement (pursuant to Reference (ad)) with the Foreign Defense Organization (FDO) must be established by the Military Department prior to sharing either privileged safety information or sanitized information.

(1) The international agreement shall, at a minimum:

(a) Specify the nature and detail of the safety information to be shared.

(b) Include agreement by the receiving FDO that its personnel shall use the shared safety information for the sole and exclusive purpose of mishap prevention, and that the information shall not be further used or disseminated.

(c) Inform the FDO of the handling and storage procedures required prior to sharing privileged safety information. Any inability or reluctance to comply with the procedures should be considered a breach of any agreement regarding the mutual sharing of privileged safety information and may be the basis for refusing to provide the FDO with the requested privileged safety information.

(d) Specify that, in the event that the FDO has failed to safeguard any shared safety information, such information shall be returned and future sharing of such safety information will be suspended until the causes of the breach have been remedied and acceptable measures to safeguard safety information have been re-established.

(e) Specify that, if the FDO fails to provide requested safety information under terms of the agreement, the agreement may be canceled.

(2) If an FDO believes it essential, in the interests of safety, to provide privileged safety information to a foreign military contractor, the contractor must sign an NDA with the DoD Component applying the same requirements used for DoD contractors. (See section 6 of this enclosure.)

8. SHARING PRIVILEGED SAFETY INFORMATION WITH NON-DoD U.S. GOVERNMENT AGENCIES

a. A DoD Component may establish reciprocal formal agreements for sharing relevant safety information with other Federal agencies regarding similar airframes or systems for mishap prevention purposes, but only where adequate protection of privileged safety information exists to maintain the safety privilege, and where the recipient agency agrees to provide similar safety information to the DoD Component.

b. Whenever appropriate, the DoD Component safety agencies should share non-privileged safety information such as aggregate data or sanitized reports in lieu of privileged reports.

c. Information (the witness statement) given to a safety investigator pursuant to a promise of confidentiality, any direct references to that information, and any information that could be used to identify the source who provided the information, shall not be shared.

d. The DoD Components sharing safety information shall establish procedures, approved by an official no lower than the head of the safety agency of the DoD Component, to comply with the requirements of this paragraph and paragraph 8.e.

e. A formal agreement with the Federal agency must be established by the DoD Component prior to sharing either privileged safety information or sanitized information. The agreement shall, at a minimum:

(1) Specify the nature and detail of the safety information to be shared.

(2) Include agreement by the Federal agency that, prior to receiving the privileged safety information, it shall require all its employees who will have access to the privileged safety information to sign a personal NDA that mirrors for the employee the provisions of the contractor NDA (see section 6 of this enclosure).

(3) Specify that, in the event the Federal agency fails to safeguard any shared safety information, such information shall be returned and future sharing of such safety information will be suspended until the causes of the breach have been remedied and acceptable measures to safeguard safety information have been re-established.

(4) Specify that, when the Federal agency fails to provide relevant safety information under terms of the agreement, the agreement may be canceled.

9. RELEASE OF HISTORICAL SAFETY INFORMATION

a. The DoD Components may release safety investigation report findings contained in historical safety investigation reports that were prepared according to this Instruction (or its predecessors) and the implementing instructions of the DoD Components so long as:

(1) The DoD Component determines that release will have no damaging effect on the national defense or the viability of the military safety privilege.

(2) The release complies with References (s), (t), and (w).

(3) Information given to a safety investigator pursuant to a promise of confidentiality and any information derived from that information or direct or indirect references to that information, is not released.

b. For the purpose of this provision, a historical safety investigation report concerns a mishap that occurred more than 30 years ago.

10. PROTECTION OF PRIVILEGED SAFETY INFORMATION FROM USE IN COURT PROCEEDINGS. The procedures in this section are used to protect privileged safety information when parties to civil litigation or criminal trials attempt to compel its release.

a. A copy of the releasable portions of the safety investigation report shall be provided to a party of a court proceeding upon request. Information that is protected from release to the public

only by the Privacy Act is releasable for this purpose. The Secretary of the Military Department concerned shall withhold and assert the safety privilege for those portions of the report that contain privileged safety information.

b. If the Secretary of the Military Department concerned determines that exceptional circumstances warrant release of privileged safety information, the Secretary may request that DUSD(I&E) permit the selective release of such information.

(1) The request must include certification by the Secretary of the Military Department that the purposes to be served are compelling and solely related to safety, and that the interests of safety are better served by release.

(2) If the DUSD(I&E), after consultation with the Secretaries of the Military Departments, determines that the interests of safety are better served, the DUSD(I&E) may permit the selective release of privileged safety information in such circumstances.

c. Due to section 3500 of title 18, U.S.C. (also known as the “Jencks Act”) (Reference (ae)), a criminal trial may present a conflict between denial of access to privileged safety information, such as the prior statements of a witness given to a safety investigator under a promise of confidentiality, and the right of the accused to a fair trial and due process. If the presiding judge, after IN CAMERA review following assertion of the safety privilege, orders that disclosure of limited portions of privileged safety information is required as a matter of due process, the information subject to the judge’s order may be considered by the Secretary of the Military Department for limited use in the trial subject to appropriate protective measures and after first consulting with the DoD General Counsel and DUSD(I&E).

d. Privileged safety information may be provided to the DoD Component litigation attorneys and Department of Justice attorneys under a protective order issued by the judge solely for the purpose of defending the safety privilege.

ENCLOSURE 6

REQUIREMENTS FOR MINIMUM STANDARD DATA

Standardizing data across all of the DoD Components provides a common language for all mishaps in the DoD. The use of standard data allows for accurate mishap trending, efficient hazards analysis, and more effective sharing of lessons learned.

1. Each mishap shall have at least one mishap category assigned. When more than one category has been assigned to a mishap, one shall clearly be identified as the principal category.
2. Mishap categories may be further divided into subcategories.
3. Minimum data shall include the categories and subcategories specified in Tables 1 through 6. These are minimum required categories and subcategories. Additional categories and subcategories may be added through DUSD(I&E) updates of minimum data requirements.
 - a. Aviation mishap category and subcategories are presented in Table 1.
 - b. Weapons mishap category and subcategories are presented in Table 2.
 - c. Space mishap category and subcategories are presented in Table 3.
 - d. Motor vehicle mishap category and subcategories are presented in Table 4.
 - e. Ground mishap category and subcategories are presented in Table 5.
 - f. Afloat mishap category and subcategories are presented in Table 6.
4. Minimum data shall include human error data using a common human error categorization system that involves a human factors taxonomy accepted among the DoD Components.

Table 1. Aviation Mishap Category and Subcategories

AVIATION MISHAPS INVOLVE AIRCRAFT OR FLYING OPERATIONS.	
Subcategory	Subcategory Characteristics
Flight	A mishap where there is intent for flight and damage to DoD aircraft. Explosives, chemical agent, or missile events that cause damage to an aircraft with intent for flight are categorized as flight mishaps to avoid dual reporting. (Mishaps involving factory-new production aircraft until successful completion of the post-production flight are reported as contractor mishaps.)
Flight Related	A mishap where there is intent for flight and no reportable damage to the aircraft itself, but the mishap involves fatality, reportable injury, or reportable property damage. A missile that is launched from an aircraft, departs without damaging the aircraft, and is subsequently involved in a mishap is reportable as a guided missile mishap.
Ground Operations	A mishap where there is no intent for flight that results in damage to an aircraft or death or injury involving an aircraft. This applies to aircraft both on land and on board ship. Damage to an aircraft when it is being handled as a commodity or cargo is not reportable as an aircraft mishap.

Table 2. Weapons Mishap Category and Subcategories

WEAPONS MISHAPS INVOLVE EXPLOSIVES, SMALL ARMS, GUIDED MISSILES, CHEMICAL AGENTS, OR DIRECTED ENERGY.	
Subcategory	Subcategory Characteristics
Explosives	A mishap resulting in damage or injury from an explosion or functioning of explosive materials or devices (except as a result of enemy action); inadvertent actuation, jettisoning, and releasing or launching of explosive devices; and impacts of ordnance off-range.
	A mishap in which explosives are present, even if there is no explosion.
Small Arms	A mishap resulting from the use of small arms.
Guided Missiles	A mishap that: <ul style="list-style-type: none"> • Involves guided missiles or missile support equipment, or • Includes missiles that are damaged or destroyed after launch from an aircraft where there is no aircraft damage.
Chemical Agents	A mishap involving any unintentional or uncontrolled release of a chemical agent where: <ul style="list-style-type: none"> • Reportable damage occurs to property from contamination, or costs are incurred for decontamination. • Individuals exhibit physiological symptoms of agent exposure. • The agent quantity released to the atmosphere is such that a serious potential for exposure is created by exceeding the applicable maximum allowable concentration-time levels for exposure of unprotected workers or the general population or property.
Directed Energy	A mishap involving directed energy: <ul style="list-style-type: none"> • Applying directed energy primarily as a weapon to damage, disrupt, disable, or destroy enemy resources. Directed energy weapons include, but are not limited to: high-power lasers and microwave systems, and sonic and ultrasonic beam weapon systems. • Applying electromagnetic radiation primarily for purposes other than as a weapon.

Table 3. Space Mishap Category and Subcategories

SPACE MISHAPS INVOLVE SPACE SYSTEMS OR UNIQUE SPACE SUPPORT EQUIPMENT.	
Subcategory	Subcategory Characteristics
Pre Launch	Space mishaps occurring during: <ul style="list-style-type: none"> • Ground handling. • Processing and transportation operations. Mishaps limited to components or equipment commonly used in non-space applications, and not specifically configured for space-related use, are not space mishaps.
Launch	Space mishaps occurring during space vehicle operations, including upper stages. This includes payloads that do not obtain orbit and range safety system failures.
Orbit	Involves space mishaps occurring during spacecraft operations after separation from all space vehicle components, including upper stages and transfer motors.
Ground-based Space Systems	Mishaps dealing with: <ul style="list-style-type: none"> • Unique space support equipment. • Space systems that are ground based and not directly related to space launch and not directly used in support of orbital operations, such as satellite command and control operations. Examples include warning, surveillance, space control, and system integration.

Table 4. Motor Vehicle Mishap Category and Subcategories

MOTOR VEHICLE MISHAPS INVOLVE THE OPERATION OF A MOTOR VEHICLE.	
Subcategory	Subcategory Characteristics
Government Motor Vehicle (GMV)	A mishap involving a motor vehicle that is: <ul style="list-style-type: none"> • Owned, leased, or rented by a DoD Component (not individuals). • Primarily designed for over-the-road operations. • For the general purpose of the transportation of cargo or personnel. Examples of GMVs are passenger cars, station wagons, vans, ambulances, buses, motorcycles, trucks, and tractor-trailer trucks. Vehicles on receipt to, and operated by, non-DoD persons or agencies and activities such as the U.S. Postal Service or the American Red Cross are not GMVs.
Government Vehicle, Other (GVO)	A mishap involving a vehicle that is owned, leased, or rented by a DoD Component (not individuals) designed primarily for off-the-highway operation such as: <ul style="list-style-type: none"> • Construction tracked vehicles. • Powered industrial trucks (e.g., fork lifts). • Road graders. • Agricultural-type wheeled tractors. • Aircraft tugs. • Military combat and tactical vehicles (e.g., tanks, self-propelled weapons, armored personnel carriers, amphibious vehicles ashore, and high-mobility multipurpose wheeled vehicles).
Private Motor Vehicle (PMV)	A motor vehicle mishap, regardless of the identity of the operator, that does not involve a GMV or GVO.

Table 5. Ground Mishap Category and Subcategories

GROUND MISHAPS OCCUR ON LAND AND INVOLVE DoD OPERATIONS.*	
Subcategory	Subcategory Characteristics
Industrial and Occupational	A ground mishap involving operations similar to those performed in private industry. Includes, but is not limited to, equipment maintenance, facility construction and maintenance, health care provision, laboratory research, and administrative and clerical tasks.
Sports, Recreation, and Individual Fitness	A mishap associated with an activity that: <ul style="list-style-type: none"> • Requires physical exertion and skill that is governed by a set of rules or customs and often undertaken competitively. • Refreshes one's mind or body through activity that amuses or stimulates. • Involves the activity of exerting muscles in various ways to keep fit through the performance of exercise. This includes all fitness activities that do not meet the criteria for command-directed or organized fitness programs.
Combat Support and Training	A mishap associated with a non-combat military exercise or training activity designed to develop a military member's physical ability, maintain or increase individual or collective combat and peacekeeping skills, and is due to either a mishap or the result of natural causes when the medical event occurs during or within 1 hour after any training activity where the exercise or activity could be a contributing factor. This includes all training activities that do not meet the definition or are not included as values in sports, recreation, and individual fitness.
Miscellaneous	A ground mishap not assigned to another subcategory.
*See Glossary for detailed definition of ground mishaps.	

Table 6. Afloat Mishap Category and Subcategories

AFLOAT MISHAPS RESULT FROM OR DURING THE OPERATION OF A DoD VESSEL INCLUDING DoD DIVING OR SWIMMER OPERATIONS.*	
Subcategory	Subcategory Characteristics
Industrial and Occupational	A mishap occurring: <ul style="list-style-type: none"> • On a vessel involving operations similar to those performed in private industry (such as boiler maintenance). • Includes, but is not limited to, equipment maintenance, facility construction and maintenance, health care provision, laboratory research, and administrative and clerical tasks. A mishap that occurs on board that results from shipyard, repair facility, or private contractor operations are ground (industrial) mishaps.
Sports, Recreation, and Individual Fitness	A mishap associated with an activity that: <ul style="list-style-type: none"> • Requires physical exertion and skill that is governed by a set of rules or customs and is often undertaken competitively. • Refreshes one's mind or body through activity that amuses or stimulates. • Involves the activity of exerting muscles in various ways to keep fit through the performance of exercise. This includes all fitness activities that do not meet the criteria for command-directed or organized fitness programs.
Combat Support and Training	A mishap associated with a non-combat military exercise or training activity designed to develop a military member's physical ability, maintain or increase individual or collective combat and peacekeeping skills, and is due to either a mishap or the result of natural causes when the medical event occurs during or within 1 hour after any training activity where the exercise or activity could be a contributing factor. This includes all training activities that do not meet the definition or are not included as values in sports, recreation, and individual fitness.
Miscellaneous	An afloat mishap not assigned to another subcategory.
*See Glossary for detailed definition of afloat mishaps.	

ENCLOSURE 7

DoD MISHAP DATA REQUIREMENTS WORKING GROUP FUNCTIONS

1. Provides advice to the DUSD(I&E) through the Director for Environmental Readiness and Safety (ER&S) on data requirements for safety investigations.
2. Includes representatives from DUSD(I&E), USD(P&R), DDESB, and the DoD Components.
3. Under the direction of DUSD(I&E), develops procedures to further define membership, chairmanship, and operation.
4. Meets at the call of the working group chair or Director, ER&S, to share information, discuss items of mutual interest, and recommend policies.
5. Submits an annual report to the Director, ER&S, with working group accomplishments and a work plan for future actions.

ENCLOSURE 8MISHAP NOTIFICATION, INVESTIGATION, AND REPORTING PROCEDURES

Mishap notification, investigation, and reporting procedures are presented in Tables 7 through 11 and Figures 1 and 2.

- a. Procedures for the notification, investigation, and reporting of mishaps are presented in Table 7.
- b. Confirming occurrence of a mishap is illustrated in Figure 1.
- c. Exemptions from the provisions of this Instruction are presented in Table 8.
- d. Assigning a mishap class is illustrated in Figure 2.
- e. Special reporting groups are presented in Table 9.
- f. Special reporting group notification requirements are presented in Table 10.
- g. Safety investigation requirements are presented in Table 11.

Table 7. Procedures for the Notification, Investigation, and Reporting of Mishaps

#	STEP	PROCEDURE
1	Determine if a mishap occurred.	Use Figure 1. If a mishap occurred, continue this procedure. If no mishap occurred, end this procedure and consider treating the incident as a “near miss,” using DoD Component specific guidance.
2	Determine if the mishap is exempt from the provisions of this Instruction.	Use Table 8. If no exemption conditions are present, continue this procedure. If the mishap is exempt from the provisions of this Instruction, end this procedure—no further action is required.
3	Determine the mishap category and subcategory.	Use Tables 1 through 6.
4	Assign a mishap class.	Use Figure 2.
5	Determine whether the mishap is in a special reporting group.	Use Table 9.
6	Notify appropriate officials based on mishap class, category, and special reporting group.	Use the requirements in Table 10 and DoD Component specific guidance.
7	Investigate the mishap.	Use the requirements in Table 11 and DoD Component developed procedures.
8	Prepare and distribute safety investigation reports.	Use the requirements in Enclosure 9 and DoD Component developed procedures.
9	Distribute lessons learned; cross-feed safety information.	Use the requirements in Enclosure 10 and DoD Component requirements.

Figure 1. Confirming Occurrence of a Mishap

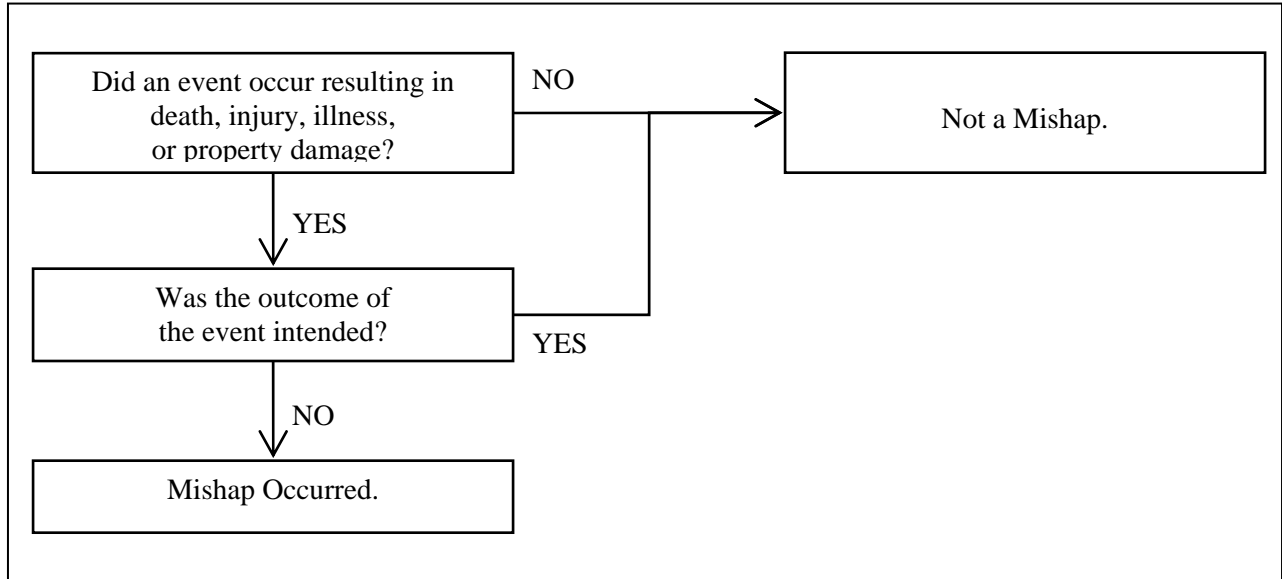


Table 8. Exemptions From the Provisions of This Instruction

#	EXEMPTION CONDITION DESCRIPTION*
1	Mishaps involving destruction of or serious damage to nuclear weapons, nuclear weapons systems, or nuclear weapons components, resulting in an actual or potential threat to national security or life and property.
2	Damage or injury by direct action of an enemy to include maneuvering conducted relative to hostile fire or a perceived hostile threat, or hostile force, not including suspected cases of friendly fire.
3	Injuries associated with non-occupational diseases, when the disease, not the injury, is the proximate cause of the lost time, such as diabetes and its resultant complications like loss of vision; but not including complications of the injury (such as the infection of a cut aggravated by a work-related activity) that result in lost time.
4	Injuries resulting from altercations, attack, or assault, unless injuries of this type were incurred in the performance of official duties.
5	Injuries sustained before entry into Military Service or employment by the U.S. Government, unless the injuries were specifically aggravated or accelerated by current tenure of service.
6	Injuries resulting from pre-existing musculoskeletal disorders, unless the injuries were specifically aggravated or accelerated by current tenure of service.
7	Intentional, controlled jettison or release, during flight, of canopies, cargo, doors, drag chutes, hatches, life rafts, auxiliary fuel tanks, missiles, drones, rockets, non-nuclear munitions, and externally carried equipment not essential to flight when there is no injury, no reportable damage to the aircraft or other property, and, in the case of missiles, drones, or non-nuclear munitions, when the reason for jettison is not malfunction.
8	Replacement of component parts due to normal wear and tear, which is beyond the scope or definition of the affected time between overhaul of component, and when any associated damage is confined to the component part. This exemption only applies to items that are normally used until they fail or until predetermined wear limits are reached. The need for replacement may not be evident until malfunction or failure of the part. Resultant damage to other components is reportable.
9	Attempted or consummated suicide, murder, or intentionally self-inflicted injuries.
10	Inpatient hospitalization for treatment where the patient is retained beyond the day of admission solely for administrative reasons unless other reporting criteria are met (e.g., medical treatment beyond first aid).
11	Inpatient hospitalization solely for observation, counseling, or diagnostic testing, or for administrative reasons not related to the immediate injury or occupational illness, unless other reporting criteria are met (e.g., medical treatment beyond first aid).
12	Injuries resulting from minimum stress and strain (simple, natural, and nonviolent body positions or actions, as in dressing, sleeping, coughing, or sneezing). Those are injuries unrelated to mishap-producing agents or environments normally associated with active participation in daily work or recreation.
13	Injuries or fatalities to persons in the act of escaping from or eluding military or civilian custody or arrest.
14	Death due to natural causes unrelated to strenuous acts performed at work or to physical training associated with the requirement to pass physical standards.
15	Intentional or expected damage to DoD equipment or property incurred during authorized testing or combat training, including missile and ordnance firing.
16	Foreign object damage to aircraft, air-breathing missiles, or drone engines discovered during scheduled engine disassembly.
17	Property damage, death, or injury as a result of vandalism, riots, civil disorders, sabotage, terrorist activities, or criminal acts, such as arson.
18	Adverse bodily reactions resulting directly from the use of drugs under the direction of competent medical authority.
19	Death or injury resulting directly from the illegal use of drugs or other substance abuse.
20	Normal residual damage as a result of a missile launch.
21	Contractor mishaps in which the contractor employee is not under the direct supervision of DoD personnel.
*In all cases, if the mishap involves injury or illness to DoD personnel in the performance of duty, follow the reporting requirements in part 1904, subparts C, D, E, and G, of Reference (h).	

Figure 2. Assigning a Mishap Class

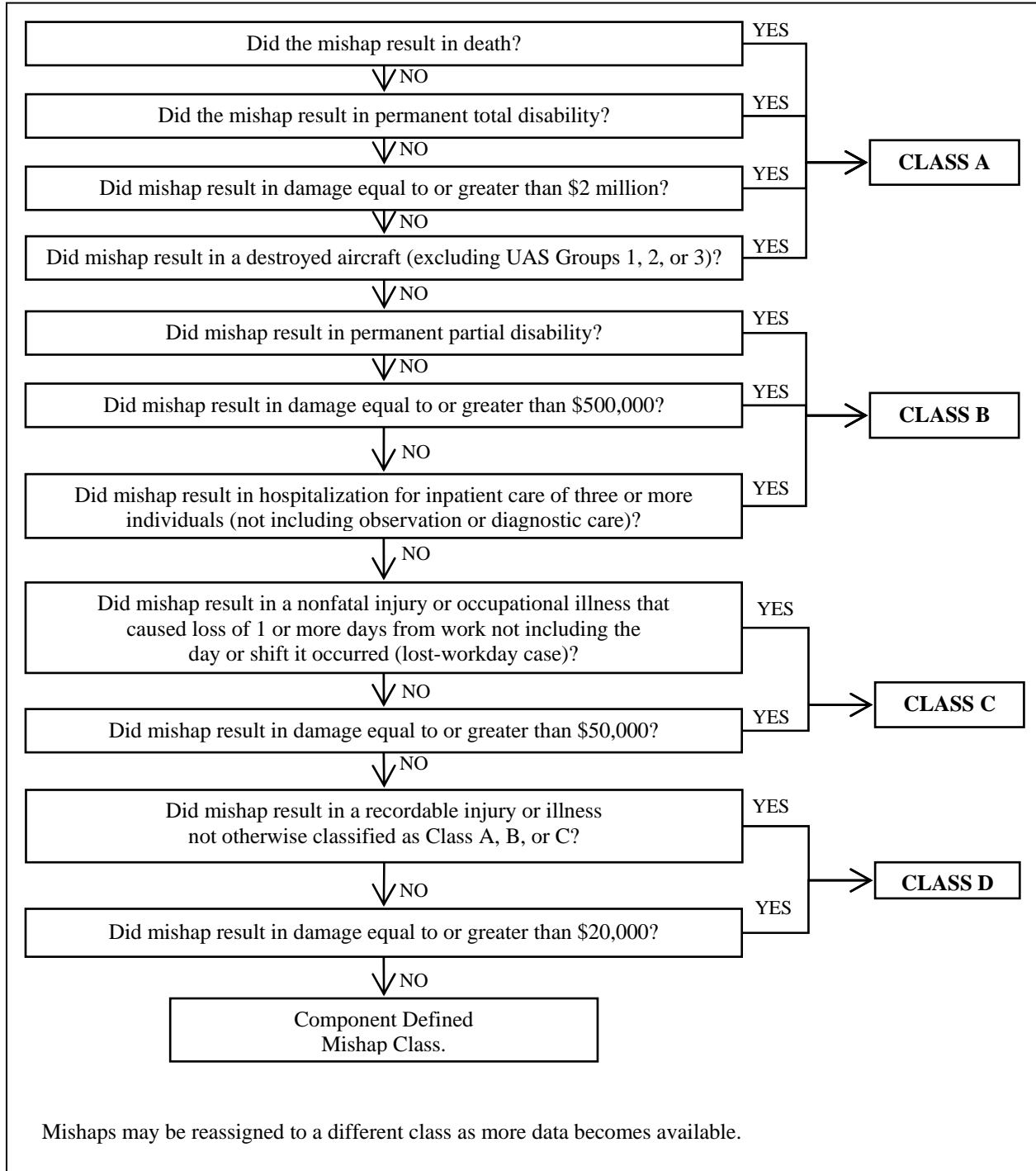


Table 9. Special Reporting Groups

SPECIAL REPORTING GROUP*	CHARACTERISTICS OF SPECIAL REPORTING GROUP
Serious	A Class A mishap; OR A Class B mishap resulting in inpatient hospitalization of three or more personnel.
Civilian Catastrophic	A mishap involving a civilian fatality; OR A mishap resulting in inpatient hospitalization of three or more personnel where at least one is a civilian.
Mishap with Fatality	A mishap associated with death.
Explosives or Chemical Agent	A Class A, B, C, or D mishap resulting in damage or injury from: <ul style="list-style-type: none"> • An explosion or functioning of explosive materials or devices (except as a result of enemy action); • Inadvertent actuation, jettisoning, and releasing or launching explosive devices; or • Impacts of ordnance off-range. OR A mishap in which explosives are present, even if there is no explosion.
	A Class A, B, C, or D mishap involving any unintentional or uncontrolled release of a chemical agent where: <ul style="list-style-type: none"> • Reportable damage occurs to property from contamination or costs are incurred for decontamination; • Individuals exhibit physiological symptoms of agent exposure; or • The agent quantity released to the atmosphere is such that a serious potential for exposure is created by exceeding the applicable maximum allowable concentration-time levels for exposure of unprotected workers or the general population or property. OR A mishap in which a chemical agent is present, even if there is no release.
Serious Explosives or Chemical Agent	A serious mishap AND an explosives or chemical agent mishap. OR An explosives or chemical agent mishap including: <ul style="list-style-type: none"> • DoD military, civilian, or contractor fatality; • Greater than \$500,000 property damage; • Greater than 72 hours lost production; • Major weapons system loss (tank, aircraft, ship, or large missile); or • Probable high public interest.
Friendly Fire	Friendly fire incidents
*A mishap may be included in more than one Special Reporting Group.	

Table 10. Special Reporting Group Notification Requirements

SPECIAL REPORTING GROUP	WHO TO NOTIFY	WHEN TO NOTIFY	CONTENTS OF NOTIFICATION
Serious	Office of the DUSD(I&E) through Director, ER&S	Within 45 days	<ul style="list-style-type: none"> • Date and time of mishap. • DoD Component, unit, and OSHA establishment name. • Location of the mishap. • Number and employment category of fatalities and hospitalized personnel. • Description of operation. • Description mishap. • Causal factors. • Applicable OSHA standards and their effectiveness. • Corrective actions.
Civilian Catastrophic	OSHA (area or regional office)	Within 8 hours of the DoD Component's knowledge of mishap	Summary of Civilian Catastrophic or Fatal Mishap. (See section 5 of Enclosure 4.)
Mishap with Fatality	Military Service Casualty Headquarters Office <ul style="list-style-type: none"> • Army 703-325-0395 cocopns@conus.army.mil • Navy 800-368-3202 MILL_SPT-LOD@Navy.mil • Air Force 210-565-3505 afpc.casualty@randolph.af.mil • Marine Corps 800-847-1597 	On initiation of investigation and at a 30-day frequency until investigation is completed (See Reference (r).)	When an investigation into the cause or circumstances surrounding the death of a military member or DoD civilian employee who becomes a fatality while accompanying military personnel in the field or as a result of military-related actions is initiated, the appropriate Military Service Casualty Headquarters Office shall be notified immediately. At a minimum, the Casualty Office shall be provided written confirmation containing: <ul style="list-style-type: none"> • Name of the DoD organization conducting the investigation. • Type of investigation being conducted. • Existence of any reports by the investigating organization that have been or will be issued as a result of the investigation. • Point of contact within the investigating organization that can provide information on the status of the completion of any investigative reports. • Procedures for family members to obtain a copy of the completed report(s) to the extent such reports may be furnished consistent with sections 552 and 552a of Reference (ab), and to obtain assistance in obtaining a copy of the completed report(s). • The procedures for family members to obtain answers to their questions on the completed investigation from a fully qualified representative.
Explosives or Chemical Agent	DDESB	As soon as practical	See Volume 1, Enclosure 4, of Reference (k).

Table 10. Special Reporting Group Notification Requirements, Continued

SPECIAL REPORTING GROUP	WHO TO NOTIFY	WHEN TO NOTIFY	CONTENTS OF NOTIFICATION
Serious Explosives or Chemical Agent	DDESB	Within 24 hours of occurrence	See Volume 1, Enclosure 4, of Reference (k).
Friendly Fire	Joint Capability Integration and Fires Division, 757-836-5193, DSN: 836-5193, NIPRNET: USJFCOMJ85FRAT@jfc .mil, SIPRNET: USJFCOMJ85FRAT@hq.jfc om.smil.mil	Within 48 hours of occurrence	<ul style="list-style-type: none"> • Date and time of mishap. • DoD Component and unit. • Location of the mishap. • Number and employment category of fatalities and hospitalized personnel. • Description of operation. • Description of mishap. • Causal factors.

Table 11. Investigation Requirements

CONDITION	REQUIRED INVESTIGATION
Mishap results in fire loss to Government property or content, wildland fires, or personal property (excluding military aircraft flight-related operations and Navy ships underway).	Fire Loss Investigation for inclusion in Safety or Legal Investigation (See Enclosure 4)
Class A, B, and C mishaps and work-related Class D injury mishaps.	Safety Investigation (See section 3 of Enclosure 4)
All system-related Class A and B mishaps.	System Program Office analysis of hazards that contributed to the mishap, and recommendations for materiel risk mitigation measures, especially those that minimize potential human errors
On-duty Class A mishap.	Legal Investigation (A legal investigation is optional for on-duty Class A mishaps that result solely in damage to Government property.) (See section 1 of Enclosure 4)
Litigation is anticipated for or against the Government or a Government contractor as a result of the mishap.	
Disciplinary action or adverse administrative action is anticipated against any individual associated with circumstances of the mishap.	
Mishap has probability of high public interest.	
Mishap involves the loss of an aircraft or space vehicle, even if damage is limited to Government property.	
Friendly fire incidents.	Legal Investigation (See section 1 of Enclosure 4) Safety Investigation (See Enclosure 3)

ENCLOSURE 9

DoD COMPONENT REQUIREMENTS FOR SAFETY INVESTIGATION REPORTS

1. SAFETY INVESTIGATION REPORTS

a. Review safety investigation reports, establish a system to identify problem areas, and ensure that corrective actions from safety investigations are validated, approved, and monitored by competent authority until corrective action is complete.

b. Furnish the Commander, USJFCOM, with completed friendly fire safety investigations. Ensure personal information is managed in compliance with References (s) and (t).

c. For Class A and B mishaps involving materiel, weapons, or information systems developed or sustained in accordance with DoDD 5000.01 (Reference (af)), include:

(1) The system program office analysis of hazards that contributed to the mishap.

(2) Recommendations for materiel risk mitigation measures, especially those that minimize potential human errors.

2. SERIOUS EXPLOSIVES AND CHEMICAL AGENT MISHAPS

a. Safety investigation reports for serious explosives and chemical agent mishaps shall be sent to the DDESB as soon as they are released by the DoD Component having releasing authority.

b. Information about mishaps that are less serious shall be reported to the DDESB if, in the opinion of the investigating team or the Chair, DDESB, the information will contribute to the development or verification of explosives safety procedures or standards.

3. MISHAPS INVOLVING CIVILIANS. Follow report requirements in part 1960 of Reference (h); subpart E of part 293 of title 5, CFR (Reference (ag)); and the U.S. Office of Personnel Management's Guide to Personnel Recordkeeping (Reference (ah)).

ENCLOSURE 10

DoD COMPONENT INFORMATION CROSS-FEED REQUIREMENTS

1. Establish procedures to ensure the timely distribution of the lessons learned from safety investigations to all affected organizations in the DoD, including transmitting materiel changes to the responsible system program offices.
2. Provide for the cross-feed of mishap data that involves like equipment or similar operations among the DoD Components and the U.S. Coast Guard. That cross-feed shall include applicable information about equipment safety modifications, human performance threats, hazards, and human error.
3. Establish procedures to review safety modifications directed by the FAA for possible application to similar DoD aircraft.
4. Establish procedures to exchange safety information with Federal agencies and foreign military safety agencies in accordance with Enclosure 5.
5. Where there are significant industrial operations, participate in the Failure Experience Data Bank of the Government-Industry Data Exchange Program (GIDEP) described in the GIDEP's Database On-line Access User Guide (Reference (ai)). Each SAFE-ALERT issued by GIDEP as a result of part, component, process, or material failure shall be reviewed and appropriate action taken to disseminate the information therein.

ENCLOSURE 11

DoD COMPONENT RECORD-KEEPING REQUIREMENTS

1. SAFETY INVESTIGATION RECORDS

a. Collect, maintain, analyze, and report standardized property damage, injury, and occupational illness data. Standardizing data across all of the DoD Components provides a common language for all mishaps in the DoD. The use of standardized data allows for consistent mishap trending, efficient hazards analysis, and more effective sharing of lessons learned.

b. Maintain mishap data that meets the minimum data requirements specified at <https://www.denix.osd.mil/portal/page/portal/denix/shf/References>.

c. Implement the minimum data requirements in the DoD Component safety investigation procedures and IMSs by the date specified in the most current posted requirements. The ER&S Website at <https://www.denix.osd.mil/portal/page/portal/denix/shf/References> serves as the only Internet site where current minimum data requirements shall be posted.

d. Transmit mishap data to a USD(P&R)-designated integrated safety data aggregation and analysis system as available or within 5 working days of new or updated data in the DoD Component's IMS.

e. Notify DUSD(I&E), through Director, ER&S, of recommended modifications of the minimum data requirements.

f. Protect the privacy interests of all persons involved and comply with References (r), (s), and (t).

2. INJURY AND ILLNESS LOG

a. Maintain a log of work-related fatalities, injuries, and illnesses for all DoD civilian personnel and for applicable volunteer and DoD-supervised contract personnel at each DoD installation or distinctly identified establishment according to part 1904 of Reference (h).

b. Maintain a log of work-related fatalities, injuries, and illnesses for all military personnel at each DoD installation or distinctly identified establishment separate but equivalent to the log specified in paragraph 2.a. of this enclosure.

3. RETENTION OF RECORDS. Maintain all records, created or received in the course of conducting DoD business or operations, including those in electronic format, in accordance with Reference (l) and applicable DoD Component records disposition schedules.

GLOSSARY

PART I. ABBREVIATIONS AND ACRONYMS

AGL	above ground level
CCDR	combatant commander
CFR	Code of Federal Regulations
COA	certificate of waiver or authorization
DDESB	Department of Defense Explosives Safety Board
DoDD	DoD Directive
DoDI	DoD Instruction
DSOC	Defense Safety Oversight Council
DTM	Directive-Type Memorandum
DUSD(I&E)	Deputy Under Secretary of Defense for Installations and Environment
ER&S	Environmental Readiness and Safety
FAA	Federal Aviation Administration
FDO	Foreign Defense Organization
FOIA	Freedom of Information Act
GIDEP	Government-Industry Data Exchange Program
GMV	Government motor vehicle
GVO	Government vehicle, other
IDT	inactive duty training
IMS	information management system
CIAS	knots indicated airspeed
MCIO	Military Criminal Investigative Organization
MSL	mean sea level
NATO	North Atlantic Treaty Organization
NDA	nondisclosure agreement
NTSB	National Transportation Safety Board
OSHA	Occupational Safety and Health Administration
PMV	private motor vehicle
STANAG	Standardization Agreement

UAS	unmanned aircraft system
UAV	unmanned aerial vehicles
U.S.C.	United States Code
USD(AT&L)	Under Secretary of Defense for Acquisition, Technology, and Logistics
USD(P&R)	Under Secretary of Defense for Personnel and Readiness
USJFCOM	U.S. Joint Forces Command

PART II. DEFINITIONS

Unless otherwise noted, these terms and their definitions are for the purposes of this Instruction.

afloat mishap. A DoD mishap occurring on board or resulting from or during the operation of a DoD vessel, including mishaps during DoD diving or swimmer operations; mishaps occurring while loading, off-loading, or receiving services at dockside; and mishaps occurring up to the high water mark during amphibious or inshore warfare training operations. It applies to all injuries to DoD personnel occurring on board, whether or not job related. A mishap occurring on board that results from shipyard, repair facility, or private contractor operations is a ground (industrial) mishap, not an afloat mishap.

aircraft. A device that is used or intended to be used for flight in the air, including UAV and UAS.

aviation mishap. A DoD mishap involving aircraft or flying operations.

chemical agent. Defined in Joint Publication 1-02 (Reference (aj)).

civilian personnel. DoD civilians as defined in Reference (aj); Reserve Component military technicians (unless in a military duty status), and non-dual status technicians; U.S. Army Corps of Engineers Civil Works employees; Youth or Student Assistance Program employees; and foreign nationals employed by the DoD Components.

Class A mishap. The resulting total cost of damages to Government and other property is \$2 million or more, a DoD aircraft is destroyed (excluding UAS Groups 1, 2, or 3), or an injury or occupational illness results in a fatality or permanent total disability.

Class B mishap. The resulting total cost of damages to Government and other property is \$500,000 or more, but less than \$2 million. An injury or occupational illness results in permanent partial disability, or when three or more personnel are hospitalized for inpatient care (which, for mishap reporting purposes only, does not include just observation or diagnostic care) as a result of a single mishap.

Class C mishap. The resulting total cost of property damages to Government and other property is \$50,000 or more, but less than \$500,000; or a nonfatal injury or illness that results in 1 or more days away from work, not including the day of the injury.

Class D mishap. The resulting total cost of property damage is \$20,000 or more, but less than \$50,000; or a recordable injury or illness not otherwise classified as a Class A, B, or C mishap.

days away from work. Those days when a person loses 1 or more work days as a result of an injury or illness, starting with the day after the injury occurred or the illness began and including calendar days the person was unable to work, regardless of whether the person was scheduled to work on those days. (See section 1904.7(b)(3) of Reference (h).) For military personnel, days away from work for on- and off-duty injuries and occupational illnesses include inpatient hospitalization, medical restrictions to quarters, convalescent leave, and commander directed removal from duties.

days of restricted work or transfer to another job. Days on which a person is working but restricted from completing assigned tasks, works less than a full day or shift, or is transferred to another task to accommodate the injury or illness. Calendar days not scheduled to work are included in the count of days. Count of days is stopped when the person is either returned to their pre-injury or pre-illness job or permanently assigned to a job that has been modified or permanently changed to eliminate the routine functions the person was restricted from performing. For military personnel, restricted work or transfer to another job includes limited- and light-duty assignments.

DoD aircraft

Includes aircraft owned or leased by the DoD Components (including their Reserve Components) that are:

Operated and exclusively controlled or directed by a DoD Component.

Furnished by the Government, loaned, or on bailment to a non-DoD organization for modification, maintenance, repair, test, contract training, or experimental project for a DoD Component, when the Government has assumed ground and flight risk.

Under test by a DoD Component. (This includes aircraft furnished by a contractor or another Government agency when operated by a DoD aircrew in official status and a DD Form 250, "Material Inspection and Receiving Report," has been executed to certify that the DoD has accepted the aircraft.)

Does not include aircraft that are:

Leased, on bailment, or loaned (except, as specified above) to contractors, commercial airlines, other Government agencies, or foreign governments, when the lessee has assumed risk of loss. (See DoDI 7230.08 (Reference (ak)).)

Civil aircraft owned by civil operators and accomplishing contract air missions for a DoD Component.

Factory-new production aircraft until successful completion of the post-production acceptance flight. Mishaps that involve such aircraft are reported as contractor mishaps.

Flying club aircraft or privately owned aircraft stored in a hangar on a DoD installation.

An aircraft when it is being handled as a commodity or cargo.

DoD mishap. An unplanned event or series of events that results in damage to DoD property; occupational illness to DoD personnel; injury to on- or off-duty DoD military personnel; injury to on-duty DoD civilian personnel; or damage to public or private property, or injury or illness to non-DoD personnel, caused by DoD activities.

DoD personnel. Civilian personnel and military personnel as defined herein.

duty status determination. These definitions are for mishap reporting purposes only and have no relation to compensability or line-of-duty determination:

on-duty. DoD personnel are on-duty when:

Physically present at any location where they are to perform their officially assigned work. Officially assigned work includes organization-sponsored events an employee is permitted to attend, regardless of location. This includes those activities incident to normal work activities that occur on DoD installations, such as lunch, coffee, or rest breaks, and all activities aboard military vessels.

Being transported by DoD or commercial conveyance to perform officially assigned work. (This includes travel in PMVs or commercial conveyances while performing official duty, but not routine travel to and from work.)

On temporary duty or temporary additional duty. Personnel on assignment away from the regular place of employment are covered 24 hours a day for any injury that results from activities essential or incidental to the temporary assignment. However, when personnel deviate from the normal incidents of the trip and become involved in activities, personal or otherwise, that are not reasonably incidental to the duties of the temporary assignment contemplated by the employer, the person ceases to be considered on-duty for investigation and reporting purposes of occupational injuries or illnesses.

off-duty. DoD personnel are off-duty when they are not on-duty. Reserve Component personnel performing inactive duty training (IDT) (e.g., drill, Additional Flight Training Program flights) shall be considered off-duty:

When traveling to or from the place at which such duty is performed; or

While remaining overnight, immediately before the commencement of IDT; or

While remaining overnight between successive periods of IDT, at or in the vicinity of the site of the IDT, unless the site of the IDT is outside reasonable commuting distance of the member's residence.

employee. Defined in section 1960.2(g) of Reference (h).

endorsement. Submitting a proposed addition, deletion, or modification to the causal factors or recommendations in an investigation.

explosives. All items of ammunition; propellants (solid and liquid); pyrotechnics; explosives; warheads; explosive devices; and chemical agent substances and associated components presenting real or potential hazards to life, property, or the environment. Excluded are wholly inert items and nuclear warheads and associated devices, except for considerations of storage and stowage compatibility; and for considerations of blast, fire, and non-nuclear fragment hazards associated with the explosives.

fire. A rapid oxidation process, which is a chemical reaction resulting in the evolution of light and heat in varying intensities.

fire investigation. The process of determining the origin, cause, and development of a fire or explosion.

first aid. Defined in section 1904.7(b)(5)(ii) of Reference (h).

friendly fire. A circumstance in which authorized members of U.S. or friendly military forces, U.S. or friendly official government employees, U.S. DoD or friendly nation contractor personnel, and nongovernmental organizations or private volunteer organizations, who, while accompanying or operating with the U.S. Armed Forces, are mistakenly or accidentally killed or wounded in action by U.S. or friendly forces actively engaged with an enemy or who are directing fire at a hostile force or what is thought to be a hostile force. This also includes incidents that result in only damage or destruction of U.S. or friendly nation's military property mistakenly or accidentally damaged in action by U.S. or friendly forces actively engaged with an enemy, or who are directing fire at a hostile force or what is thought to be a hostile force.

GMV. Defined in DoDI 6055.04 (Reference (al)).

ground mishap. A DoD mishap that occurs on land, involves DoD activities, and results in occupational illness to DoD personnel, injury to DoD military personnel on- or off-duty, injury to on-duty civilian personnel or DoD-supervised contractor employees, damage to DoD property, and damage to private property or injury or illness to non-DoD personnel caused by DoD activities, but does not involve damages to DoD aircraft, missiles, explosives, chemical agents, motor vehicles, space systems and support equipment, or nuclear weapons or reactors.

guided missile. A military-unique item consisting of all missiles propelled through air or water that are unmanned, guided by internal or external systems, and self-propelled. This term includes individual major missile components such as stages, guidance and control sections, payloads other than nuclear re-entry vehicles; system equipment required to place the missile in

an operational status while at the launch or launch control facility or on the launching aircraft; and system equipment required to launch and control the missile. Examples are intercontinental ballistic missiles; surface-to-air, air-to-air, and air-to-surface guided missiles; and torpedoes. This term includes all missiles that are owned in whole or in part by a DoD Component; operationally controlled by a DoD Component; on bailment or loan to a non-DoD entity for modification, testing, or as an experimental project for a DoD Component; or under test by a DoD Component.

GVO. Defined in Reference (al).

illness or disease. A non-traumatic physiological harm or loss of capacity produced by systemic continued or repeated stress or strain, exposure to toxins, poisons, fumes, etc., or other continued and repeated exposures to conditions of the environment over a long period of time. For practical purposes, an occupational illness or disease is any reported condition that does not meet the definition of injury.

injury. Defined in Reference (aj).

intent for flight. Intent for flight is considered to exist when aircraft brakes are released or takeoff power is applied for commencing an authorized flight. For catapult-assisted takeoffs, flight begins at first motion of the catapult after the pilot has indicated readiness for launch. Intent for flight continues until either the fixed-wing aircraft taxis clear of the runway or, for helicopters or vertical takeoff and landing aircraft, the aircraft has alighted and the aircraft weight is wholly supported by the landing gear.

lost-time case. A nonfatal traumatic injury that causes any loss of time from work beyond the day or shift it occurred, or a nonfatal, non-traumatic illness or disease that causes disability at any time.

military personnel. All U.S. military personnel, including members of the Army, Navy, Air Force, and Marine Corps Reserves, the Army National Guard of the United States, and the Air National Guard of the United States, on active duty or inactive duty for training under the provisions of, U.S.C. or title 32, U.S.C. (References (am) and (an)); cadets of the United States Military Academy and the United States Air Force Academy; midshipmen of the United States Naval Academy; Reserve Officer Training Corps cadets when engaged in directed training activities; and foreign national military personnel assigned to the DoD Components.

motor vehicle. Defined in Reference (al).

motor vehicle mishap. A DoD mishap involving the operation of a motor vehicle.

multiple DoD Component mishap. A single DoD mishap involving two or more DoD Components in which one or more DoD Components experience reportable injuries or damages.

near miss. An undesired event that, under slightly different circumstances, would have resulted in personal harm, property damage, or an undesired loss of resources.

no lost-time case. A nonfatal injury or illness or disease that does not meet the definition of a lost-time case (usually created by a compensation claim for medical expense) or first-aid case.

observation or diagnostic care. Inpatient hospitalization or restriction from assigned work activities for observation or diagnosis provided no treatment or medication is given for the suspected injury or occupational illness, and a competent medical authority determines the individual could have returned to his or her normal job without impairment or disability, or where an individual is temporarily restricted from regularly assigned duties to prevent exceeding time-weighted exposure limits. This care does not create a “lost-time case,” “no lost-time case,” or “first-aid case.”

off-duty military mishap. A DoD mishap that results in a fatality or 1 or more lost workdays to off-duty DoD military personnel whether or not on a DoD installation.

operational control. Defined in Reference (aj).

party. Defined in subpart 831.11 of title 49, CFR (Reference (ao)).

party representative. An individual approved by an NTSB investigator-in-charge to participate in an investigation on behalf of a designated party. Party representatives are typically assigned to one or more investigative groups chaired by NTSB personnel to examine specific aspects of a mishap (e.g., operations, aircraft performance, and maintenance).

permanent partial disability. An injury or occupational illness that does not result in death or permanent total disability, but, in the opinion of competent medical authority, results in permanent impairment through loss of the use of any part of the body with the following exceptions: teeth, fingernails, toe nails, tips of fingers or tips of toes without bone involvement, inguinal hernia, disfigurement, or sprains or strains that do not cause permanent loss of motion.

permanent total disability. Any nonfatal injury or occupational illness that in the opinion of competent medical authority permanently or totally incapacitates a person to the extent that he or she cannot follow any gainful occupation and results in a medical discharge or civilian equivalent. (The loss, or the loss of use of both hands, both feet, both eyes, or a combination of any of those body parts as a result of a single mishap shall be considered as a permanent total disability.)

point of origin. The exact physical location where a heat source and a fuel come in contact with each other and a fire begins.

privilege. A common law doctrine or statutory rule of evidence that protects certain communications and products from being used as evidence in court or otherwise released.

privileged safety information. Information that is reflective of a deliberative process in the safety investigation or given to a safety investigator pursuant to a promise of confidentiality, which the safety privilege protects from being released outside safety channels or from being

used for any purpose except mishap prevention. It includes products such as draft and final findings, evaluations, opinions, preliminary discussions, conclusions, mishap causes, recommendations, analyses, and other material that would reveal the deliberations of safety investigators, including reviews and endorsements. It also includes information given to a safety investigator pursuant to a promise of confidentiality and any information derived from that information or direct or indirect references to that information.

property damage. Damage to facilities, equipment, property, or materiel. If the incident meets mishap reporting criteria, then the cost of environmental restoration shall also be included in property damage costs.

recordable injury or illness. For civilian personnel, an occupational injury or illness meeting the recording requirements of part 1904 of Reference (h). For military personnel, an on-duty injury or occupational illness meeting the recording requirements of part 1904 of Reference (h) or an off-duty injury resulting in death or 1 or more days away from work.

safety privilege. The term the DoD uses to describe privileges recognized by the courts that protect safety information from release. It is an executive privilege afforded a head of an agency to protect information from release that would hamper the efficient operation of an important Government program and perhaps impair the national defense or security.

sanitized information. Safety investigation information where, after following the procedures of Enclosure 5, privileged safety information and the identity of a mishap are not revealed.

small arms. Defined in Reference (aj).

space mishap. A DoD mishap involving a space system or unique space support equipment.

space system. A military unique system consisting of any system used for space operations or support. Space system is a generic term used to encompass all ground, space, and link segment systems and their components. This includes space vehicles, unique space support equipment, and space command and control systems.

space vehicle. A military unique system consisting of any vehicle designed to orbit the earth or travel beyond its atmosphere or a system designed to lift such a vehicle into orbit or travel beyond the atmosphere. Examples of space vehicles include boosters (launch vehicles), spacecraft (satellites, orbiters, payloads) and reusable spacecraft. Intercontinental ballistic missiles are not considered space vehicles.

system related. Pertaining to a particular integrated composite of people, products, and processes that provide a capability to satisfy a stated need or objective.

time line. Documented and graphical representation of the events in a mishap investigation displayed in chronological order of how the incident occurred.

UAS. The UAS, whose components include unmanned aerial vehicles (UAVs), is defined by five groups:

Group 1. Has maximum gross takeoff weight of 1-20 pounds, operates normally at less than 1,200 feet above ground level (AGL) and at a speed of less than 100 knots indicated airspeed (KIAS).

Group 2. Has maximum gross takeoff weight of 21-55 pounds, operates normally at less than 3,500 feet AGL and at a speed of less than 250 KIAS.

Group 3. Has maximum gross takeoff weight less than 1,320 pounds, operates normally at less than 18,000 feet AGL and at a speed of less than 250 KIAS.

Group 4. Typically weighs more than 1,320 pounds and normally operates below 18,000 feet mean sea level (MSL) at any speed.

Group 5. Typically weighs more than 1,320 pounds and normally operates higher than 18,000 feet MSL at any speed.

UAV. All unmanned weight-carrying devices supported in flight by buoyancy or dynamic action and are owned or leased by the DoD Components, to include aerostat balloons, that are:

Operated and exclusively controlled or directed by a DoD Component.

Furnished by the Government or on bailment to a non-DoD organization for modification, maintenance, repair, test, contract training, or experimental project for a DoD Component, when the Government has assumed ground and flight risk.

UAV/UAS mishap. A DoD mishap involving a UAV/UAS, but not involving a manned DoD aircraft. Unlike a manned DoD aircraft, a destroyed UAV/UAS is not a Class A mishap unless the event meets the cost or injury Class A threshold.

unmanned aircraft. Defined in Reference (aj).

volunteer workers. See section 8101(1)(B) of Reference (ab).

weapon mishap. A DoD mishap involving explosives, small arms, guided missiles, chemical agents, or directed energy.