



PERSONNEL AND
READINESS

UNDER SECRETARY OF DEFENSE
4000 DEFENSE PENTAGON
WASHINGTON, D.C. 20301-4000

March 29, 2023

MEMORANDUM FOR SENIOR PENTAGON LEADERSHIP
COMMANDANT OF THE COAST GUARD
DEFENSE AGENCY AND DOD FIELD ACTIVITY DIRECTORS

SUBJECT: Directive-type Memorandum 23-003 – Bereavement Leave for Service Members

References: See Attachment 1.

Purpose. In accordance with the authority in DoD Directive (DoDD) 5124.02 and Section 622 of Public Law 117-81, also known as the “National Defense Authorization Act for Fiscal Year 2022,” this directive-type memorandum (DTM):

- Establishes policy, assigns responsibilities, and prescribes procedures allowing for up to 2 weeks of leave, including a new type of non-chargeable, paid leave known as bereavement leave, for covered Service members, referred to as “members” in this DTM, in connection with the death of a spouse or child.
- Implements bereavement leave pursuant to Section 701(l) of Title 10, United States Code (U.S.C.). Policies and procedures established in this DTM supplement DoD Instruction (DoDI) 1327.06.
- Is effective March 29, 2023 and remains in effect until incorporated into DoDI 1327.06. This DTM will expire effective March 29, 2025.

Applicability. This DTM applies to the OSD, the Military Departments (including the Coast Guard at all times, including when it is a Service in the Department of Homeland Security by agreement with that Department), the Office of the Chairman of the Joint Chiefs of Staff and the Joint Staff, the Combatant Commands, the Office of Inspector General of the Department of Defense, the Defense Agencies, the DoD Field Activities, and all other organizational entities within the DoD.

Definitions. See Glossary.

Policy.

- Members will be afforded the opportunity to take up to 2 weeks of leave, including non-chargeable bereavement leave in certain circumstances, in connection with the death of a spouse or child, consistent with operational requirements.
- Bereavement leave will be administered in accordance with applicable laws, as well as the policies and procedures in this DTM.

Responsibilities. See Attachment 2.

Procedures. See Attachment 3.

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



Gilbert R. Cisneros, Jr.

Attachments:
As stated

ATTACHMENT 1

REFERENCES

DoD Directive 5124.02, “Under Secretary of Defense for Personnel and Readiness (USD(P&R)),” June 23, 2008
DoD Directive 5124.10, “Assistant Secretary of Defense for Manpower and Reserve Affairs (ASD(M&RA)),” March 14, 2018
DoD Instruction 1327.06, “Leave and Liberty Policy and Procedures,” June 16, 2009, as amended
Public Law 117-81, Section 622, “National Defense Authorization Act for Fiscal Year 2022,” December 27, 2021
United States Code, Title 1, Section 8
United States Code, Title 10, Section 701(1)

ATTACHMENT 2

RESPONSIBILITIES

1. UNDER SECRETARY OF DEFENSE FOR PERSONNEL AND READINESS (USD(P&R)). In accordance with DoDD 5124.02, the USD(P&R):

- a. Ensures Service leave policies and procedures implementing this DTM are uniform across the Military Services, to the extent feasible.
- b. Monitors the effectiveness of Service policies and procedures regarding bereavement leave.

2. ASSISTANT SECRETARY OF DEFENSE FOR MANPOWER AND RESERVE AFFAIRS. Under the authority, direction, and control of the USD(P&R), the Assistant Secretary of Defense for Manpower and Reserve Affairs:

- a. Provides overall guidance and oversight of the administration of bereavement leave in accordance with DoDD 5124.10.
- b. Serves as the focal point for bereavement leave policy.
- c. Develops, publishes, and maintains supporting guidance governing bereavement leave and publications and memoranda that implement this DTM, as required.
- d. Updates and submits for reissuance DoDI 1327.06 to incorporate the policies in this DTM.
- e. Monitors Service administration of the provisions of bereavement leave in accordance with this DTM.
- f. Adjudicates exception to policy requests regarding the authorities provided in this DTM.

3. SECRETARIES OF THE MILITARY DEPARTMENTS AND COMMANDANT OF THE UNITED STATES COAST GUARD. The Secretaries of the Military Departments and the Commandant of the United States Coast Guard:

- a. Implement the policy and procedures in this DTM in their respective Military Services.
- b. Issue Service-specific guidance in accordance with this DTM.
- c. Oversee member education to ensure they understand the benefits contained within this DTM, including eligibility and the date of implementation.

ATTACHMENT 3

PROCEDURES

1. GENERAL. The loss of a spouse or child has detrimental effects on a member's ability to perform assigned duties. In accordance with Section 701(l) of Title 10, U.S.C., a member who experiences such a loss will be allowed up to 14 days of leave to be used in connection with the death of a spouse or child. A member with less than 30 days of accrued ordinary leave may be authorized bereavement leave for this purpose.

2. IMPLEMENTATION OF BEREAVEMENT LEAVE.

a. Immediate Effect. A member whose spouse or child dies on or after this DTM's effective date, and who was charged leave in connection with such death, may request such leave be restored through the process established by the Secretary of the Military Department concerned or the Commandant of the Coast Guard. Such leave will be restored if the member would have been eligible for bereavement leave as described in this DTM.

b. Retroactive Period. A member whose spouse or child died on or after June 25, 2022, and before this DTM's effective date, and who was charged leave in connection with such death, may request such leave be restored through the process established by the Secretary of the Military Department concerned or the Commandant of the Coast Guard. Such leave will be restored if the member would have been eligible for bereavement leave as described in this DTM and the member has not separated (includes transfer to the Fleet Reserve or Fleet Marine Corps Reserve) or retired from active service before the effective date of this DTM.

3. AUTHORITY TO GRANT BEREAVEMENT LEAVE. Authority to grant bereavement leave will be extended to unit commanders. Swift and sensitive action on bereavement leave requests will be made to avoid additional stress on the member and their family.

4. ELIGIBILITY.

a. A member whose spouse or child dies on or after June 25, 2022 and who has fewer than 30 days of accrued ordinary leave on the date of such death is eligible for bereavement leave.

b. A member whose spouse or child dies on or after June 25, 2022 and who has 30 or more days of accrued ordinary leave on the date of such death is eligible for bereavement leave once their accrued ordinary leave is less than 30 days.

5. ALLOCATION OF BEREAVEMENT LEAVE. A member may be authorized up to 14 consecutive days of bereavement leave, based on the member's request, to be used in connection with the death of a spouse or child.

6. PERIOD OF BEREAVEMENT. The period of bereavement is the timeframe in which a member may take bereavement leave. The period of bereavement begins on the date of death of a spouse or child and ends on the date that is no later than 14 consecutive days after the deceased person's funeral, burial, or memorial service, whichever occurs last. The Secretary of the Military Department concerned or Commandant of the Coast Guard may extend a member's period of bereavement due to operational requirements or other extenuating circumstances.

7. LEAVE IN CONNECTION WITH THE DEATH OF A SPOUSE OR CHILD.

a. General Provisions. Members will be afforded the opportunity to take up to 14 days of leave in connection with the death of a spouse or child, consistent with operational requirements. Additional leave may be authorized.

b. Bereavement Leave. Eligible members may be authorized up to 14 days of bereavement leave, to be taken in one increment of consecutive calendar days, during the period of bereavement described in Paragraph 6 of this attachment. A member who initially requests and is authorized less than 14 consecutive days of bereavement leave may be authorized to extend the period of bereavement leave up to 14 consecutive days, so long as all of the bereavement leave is taken in one increment.

c. Other Leave in Addition to Bereavement Leave. Bereavement leave may be authorized in combination with chargeable leave (e.g., emergency leave, ordinary leave, and advance leave) and other types of non-chargeable leave (e.g., convalescent leave and emergency leave of absence). When more than one type of leave is authorized, bereavement leave does not need to be taken prior to using other types of leave but, unlike other types of leave, bereavement leave must be used during the period of bereavement described in Paragraph 6 of this attachment.

d. Transition from Chargeable Leave to Bereavement Leave. During the period of bereavement, a member with 30 or more days of accrued ordinary leave who is authorized to take chargeable leave (e.g., emergency leave) will be charged leave until such point that the member's accrued ordinary leave is less than 30 days. Up to 14 consecutive days of bereavement leave may be authorized to begin after such point.

8. LIMITATIONS.

a. Absent an exception due to operational requirements or other extenuating circumstances, a member will not be authorized bereavement leave for a period that extends past the end of the period of bereavement.

b. A member will not be extended on, or recalled back to, active service solely to permit the member to be authorized bereavement leave.

c. A member will not be authorized bereavement leave in connection with the death of a person who is not their spouse or child, but may be authorized other forms of leave, as appropriate, in accordance with DoDI 1327.06.

d. A member will not be authorized bereavement leave in connection with a stillbirth or miscarriage, but may be authorized other forms of leave, as appropriate, in accordance with DoDI 1327.06.

e. A member whose misconduct resulted in the death of their spouse or child will not be authorized bereavement leave.

9. VALIDATION OF SPOUSE OR CHILD'S DEATH. Unit commanders may consider a member's self-certification of the death of their spouse or child to approve a request for bereavement leave. Unit commanders will require the member to provide administratively acceptable documentation within 30 calendar days after returning to duty. If the member fails to provide the required documentation, the unit commander will direct that their ordinary leave account be reduced by the number of days of bereavement leave taken.

GLOSSARYPART I. ABBREVIATIONS AND ACRONYMS

ACRONYM	MEANING
DoDD	DoD directive
DoDI	DoD instruction
DTM	directive-type memorandum
U.S.C.	United States Code
USD(P&R)	Under Secretary of Defense for Personnel and Readiness

PART II. DEFINITIONS

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

TERM	DEFINITION
accrued leave	Defined in DoDI 1327.06.
advance leave	Defined in DoDI 1327.06.
bereavement leave	A period of non-chargeable paid leave to make arrangements required by the death of a member's spouse or child and to attend the funeral, burial, or memorial service of the spouse or child.
born alive	Defined in Section 8 of Title 1, U.S.C.
child	<p>A person born alive who is:</p> <p style="padding-left: 40px;">A biological, adopted, step, or foster son or daughter of the member;</p> <p style="padding-left: 40px;">A person who is a legal ward of the member or was a legal ward of the member when the person was a minor or otherwise required a legal guardian;</p> <p style="padding-left: 40px;">A person for whom the member stands <i>in loco parentis</i> (day-to-day responsibility for the care and financial support of a child) or stood <i>in loco parentis</i> when the person was a minor or otherwise required someone to stand <i>in loco parentis</i>; or</p> <p style="padding-left: 40px;">A son or daughter (as described in the paragraphs of this definition) of the member's spouse.</p>

TERM	DEFINITION
covered Service members	Active Component Service members, Reserve Component Service members performing active Guard and Reserve duty or full-time National Guard Duty for longer than 12 months consecutively, and Reserve Component Service members performing duty under a call or order to active service for more than 12 months consecutively.
emergency leave	Defined in DoDI 1327.06.
emergency leave of absence	Non-chargeable leave that may be granted only once during any member's entire career as a result of a qualifying emergency and subject to other limitations described in DoDI 1327.06.
ordinary leave	Defined in DoDI 1327.06.
spouse	An individual, to include Service members, lawfully married to a Service member, as recognized by any State, possession, or territory of the United States.