

**BY ORDER OF THE  
SECRETARY OF THE AIR FORCE**

**DEPARTMENT OF THE AIR FORCE  
MANUAL 36-2602**

**26 OCTOBER 2020**

***Personnel***

***ACTIVE DUTY SERVICE  
DETERMINATION FOR CIVILIANS OR  
CONTRACTUAL GROUPS***



**COMPLIANCE WITH THIS PUBLICATION IS MANDATORY**

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This manual implements Department of Defense Directive (DoDD) 1000.20, *Active Duty Service Determinations for Civilian or Contractual Groups*, and Air Force Policy Directive (AFPD) 36-32, *Military Retirements and Separations*. Compliance with this publication is mandatory. It has been developed in collaboration between the Deputy Chief of Staff for Manpower, Personnel and Services (AF/A1), the Chief of the Air Force Reserve (AF/RE) and the Director of the Air National Guard (NGB/CF). This publication applies to members of the Regular Air Force (RegAF) and Regular Space Force. This publication does not apply to the Air Force Reserve or the Air National Guard. This publication may not be supplemented or further implemented/extended. The authorities to waive wing/unit level requirements in this publication are identified with a Tier ("T-0, T-1, T-2, T-3") number following the compliance statement. This manual requires the collection and or maintenance of information protected by the Privacy Act of 1974 authorized by Title 10 United States Code, Section 8013, Secretary of the Air Force and Executive Order 9397, *Numbering System for Federal Accounts Relating to Individual Persons*. The applicable SORNs F036 AFPC P, *Separation Case Files* and F036 AF PC C, *Military Personnel Records System*, are available at: <http://dpcl.d.defense.gov/Privacy/SORNs.aspx>. This publication is subject to the requirements of DoDI 5400.11, *DoD Privacy and Civil Liberties Program*. Refer recommended changes and questions about this publication to the Office of Primary Responsibility using the Air Force (AF) Form 847, *Recommendation for Change of Publication*; route AF Forms 847 from the field through the appropriate functional chain of command. Ensure all records created as a result of processes prescribed in this publication are maintained in accordance with Air Force Instruction

(AFI) 33-322, *Records Management and Information Governance Program*, and disposed of in accordance with the Air Force Records Disposition Schedule located in the Air Force Records Information Management System. 44 United States Code (USC) §§ 3501-3521, *Federal Information Policy* (better known as *The Paperwork Reduction Act of 1995*), affects this manual. See Department of the Air Force Instruction (DAFI) 33-360, *Publications and Forms Management*, for a description of the authorities associated with the Tier numbers. Submit requests for waivers through the chain of command to the appropriate Tier waiver approval authority, or alternately, to the requestor's commander for non-tiered compliance items. Compliance with the attachment in this publication is not mandatory. Refer to [Attachment 1](#), Glossary of References and Supporting Information.

### ***SUMMARY OF CHANGES***

This publication has been substantially revised and must be completely reviewed. Major changes include change from an Air Force Instruction (AFI) to a Department of the Air Force Manual (DAFMAN), revision of application process and procedures, reorganization and drafted with "plain language" and includes tiering as required by DAFI 33-360.

## Chapter 1

### OVERVIEW

**1.1. Background.** Public Law 95-202, *GI Improvement Act of 1977*, section 401(B), authorizes the Secretary of Defense to determine whether the service of civilian employees or contractual groups should be considered active duty for the purposes of benefits administered by the Department of Veterans Affairs (VA). In Department of Defense Directive (DoDD) 1000.20, the Secretary of Defense delegated this authority to the Secretary of the Air Force.

1.1.1. Recognized Groups. Civilian employees and/or contractual groups who provided military-related service to the United States (US) may apply to have their service deemed “active service” by the DoD Civilian/Military Service Review Board, in accordance with DoDD 1000.20.

1.1.2. A number of civilian employee and contractual groups who provided military-related service to the US, have been approved and are “recognized” as having served on active duty. A list of recognized groups can be found on the VA benefits website or in the Federal Register.

**1.2. Overview.** This publication explains how civilian employees apply and qualify as a member of a recognized group, determined by the Secretary of the Air Force (SecAF), to have served on active duty (AD) for the purpose of all laws administered by the Department of Veterans Affairs (VA).

1.2.1. Qualifying Individuals/Members. Individuals (their spouse, next of kin, or legal representative for deceased or mentally incompetent members) may apply and provide evidence that they were a member of a recognized group. An Individual Service Review Board (described in [paragraph 3.3](#)) determines whether applicants were a member of a group determined to have been active duty.

1.2.2. Discharge from Active Service. Members of recognized groups must be honorably discharged from active service in order to qualify for VA benefits. Types of VA benefits may include hospitalization, outpatient care, domiciliary care and other benefits established by law.

**1.3. Eligibility for Consideration.** For consideration under PL 95-202 (reference (b)) and DoDD 1000.20, a group must:

1.3.1. Have been similarly situated to the Women's Air Forces Service Pilots of World War II.

1.3.2. Have rendered service to the United States as a civilian employee with the U.S. Armed Forces, through formal Civil Service hiring or under the exigencies of war, or as the result of a contract with the U.S. Government to provide direct support to the U.S. Armed Forces.

1.3.3. Have rendered service during a period of armed conflict.

1.3.4. A living person to whom VA benefits can accrue.

1.3.5. Not have already received benefits from the Federal Government for the service in question.

## Chapter 2

### ROLES AND RESPONSIBILITIES

**2.1. The Secretary of the Air Force (SecAF).** Executes the responsibilities directed by DoDD 1000.20, *Active Duty Service Determinations for Civilian or Contractual Groups*, to determine whether service provided to the U.S. Armed Forces, by civilian employees or contractual groups, shall be considered AD service for the purpose of Department of Veterans Affairs (VA) benefits.

**2.2. Individual Service Review Board.** The Individual Service Review board will:

2.2.1. Evaluate the evidence presented by the applicant. (T-0).

2.2.2. Decide whether the applicant was a member of a recognized group, determined by SecAF to have been active duty. (T-0).

2.2.3. Determine the period and character of the applicant's service. (T-0).

2.2.4. Approve/disapprove applications for discharge. (T-0).

**2.3. Air Force Personnel Center/Commander (AFPC/CC):** Appoints personnel to serve as Individual Service Review Board members.

**2.4. Air Force Personnel Center, Military Transition Operations Branch, Retirement and Separations Section (AFPC/DP2SSR).** AFPC/DP2SSR will:

2.4.1. Correspond with individuals interested in submitting applications. (T-0).

2.4.2. Return incomplete applications to the applicant stating the reason for its return.

2.4.3. Process completed applications for the Individual Service Review Board to review and make a determination. (T-0).

2.4.4. Serves as recorder for the Individual Service Review Board. (T-0).

2.4.5. Sends approved applicants, or next of kin, the DD Form 214, *Certificate of Release or Discharge from Active Duty*, DD Form 256AF, *Honorable Discharge Certificate*, DD Form 1300, *Report of Casualty* (if applicable) and any applicable awards and decorations garnered for the timeframe. (T-0).

**2.5. AFPC Casualty Matters and Mortuary Affairs Division (AFPC/DPFC):** Issues DD Form 1300, including military pay grade, to the next of kin or a designated representative, in accordance with Department of Defense Instruction (DoDI) 1300.18, *Department of Defense (DoD) Personnel Casualty Matters, Policies and Procedures*, and AFI 36-3002, *Casualty Services*.

**2.6. AFPC Records Management Branch (AFPC/DP1ORM):** Files a copy of the application, supporting evidence, and DD Form 214 for approved cases in the Master Personnel Records Groups maintained at the National Personnel Records Center.

## Chapter 3

### APPLICATION FOR INDIVIDUAL DISCHARGE OF MEMBER OF A CIVILIAN OR CONTRACTUAL GROUP DETERMINED TO QUALIFY FOR ACTIVE DUTY SERVICE

#### 3.1. Application Process

3.1.1. Who may apply. A member of a recognized group, or a member's spouse, next of kin, or legal representative on behalf of a deceased or mentally incompetent member.

3.1.2. Where to apply. Send application for discharge to the Military Transition Operations Branch (AFPC/DP2SSR).

3.1.3. How to apply. Fill out DD Form 2168, *Application for Discharge of Member or Survivor of Member of Group Certified To Have Performed Active Duty With the Armed Forces of the US*, or write a letter.

3.1.3.1. Obtain DD Form 2168 from AFPC/DP2SSR, the National Personnel Records Center or at:  
<https://www.esd.whs.mil/Portals/54/Documents/DD/forms/dd/dd2168.pdf>.

3.1.3.2. The application should be as complete as possible; the burden of proof is on the applicant. The applicant should provide all available evidence to document membership in the group and what services were performed.

3.1.3.3. Documentation may include the following:

- 3.1.3.3.1. Flight logbooks.
- 3.1.3.3.2. Separation or discharge certificates.
- 3.1.3.3.3. Mission orders.
- 3.1.3.3.4. Identification cards.
- 3.1.3.3.5. Contracts.
- 3.1.3.3.6. Personnel action forms.
- 3.1.3.3.7. Employment records.
- 3.1.3.3.8. Education certificates and diplomas.
- 3.1.3.3.9. Pay vouchers.
- 3.1.3.3.10. Certificates of awards.
- 3.1.3.3.11. Casualty information.

3.1.3.4. The Air Force cannot under any circumstances provide or pay for legal representation for the applicant.

**3.2. Screening the Applications.** AFPC/DP2SSR reviews the application and does one of the following:

- 3.2.1. Refers the application to another military department and sends a written notice or a copy of the referral letter to the applicant.
- 3.2.2. Returns the application without prejudice if the SecAF has not determined the applicant's group qualifies for AD service equivalency. The individual may resubmit the application after the Secretary determines that his or her group qualifies for AD service equivalency.
- 3.2.3. If the application is a group application submitting for AD service equivalency determination, refers application to the DoD C/MSRB, Security Protection Directorate, 1500 West Perimeter Road, Suite 3700, Joint Base Andrews, MD 20762-7002. Refer to DoDD 1000.20 for guidance on such applications.
- 3.2.4. Returns the application if it is incomplete.
- 3.2.5. Refers all complete applications to the Individual Service Review Board for further consideration.

**3.3. Individual Service Review Board.**

- 3.3.1. The AFPC/CC establishes the Individual Service Review Board as necessary.
- 3.3.2. The board consists of military and civilian employees, appointed by AFPC/CC. Military members must be in the grade of O-5 (lieutenant colonel) or higher; civilian employees must be in the grade of GS-12 or higher. Three members constitute a quorum. The senior member acts as board chairperson. A nonvoting member keeps a record of the board's actions on an application.
- 3.3.3. AFPC/DP2SSR provides administrative support to the board.

**3.4. Processing the Application.**

- 3.4.1. Individual Service Review Board meets in closed session to consider the application, the evidence submitted, and other relevant information. Neither applicants nor their representatives have the right to appear before the board.
- 3.4.2. The board:
  - 3.4.2.1. Evaluates the evidence.
  - 3.4.2.2. Decides whether the applicant was a member of a recognized group during qualifying dates. The standard of proof is preponderance of the evidence.
  - 3.4.2.3. Decides whether to approve the application for discharge.
  - 3.4.2.4. Determines the period and character of the applicant's service.

**3.5. If an Application is Approved.**

- 3.5.1. If the board approves an application for discharge and determines that service characterization should be honorable, AFPC/DP2SSR will issue the applicant a DD Form 214, as appropriate. In accordance with DoDD 1000.20, AFPC/DP2SSR will:

3.5.1.1. Determine and enter a military grade on the DD Form 214 only if the Secretary of the VA requests it. **(T-0)**.

3.5.1.2. Enter a pay grade on the DD Form 214 only for individuals who were killed or endured service-related injuries or disease during the approved period of service. **(T-0)**.

3.5.1.3. Ensure each DD Form 214 contains the following statement in the 'Remarks' section: This document, issued under 38 United States Code (USC) § 106, *Certain service deemed to be active service* and Public Law 95-202, GI Improvement Act of 1977, Section 401(B), administratively establishes AD service for the purposes of the VA benefits". **(T-0)**.

3.5.2. If the board approves an application for discharge, but determines that service characterization should be under honorable conditions (general), it forwards the case to the Secretary of the Air Force's Personnel Council for final decision by the AF Personnel Board. AFPC/DP2SSR then issues the appropriate discharge certificate and a DD Form 214 to the applicant. **(T-0)**.

3.5.3. If the member dies or is declared missing during the period of equivalent active military duty, the Casualty Matters and Mortuary Affairs Division (AFPC/DPFC) will issue DD Form 1300, including military pay grade, to the next of kin or a designated representative, in accordance with DoDI 1300.18, and AFI 36-3002. **(T-1)**.

### **3.6. If an Application Is Denied.**

3.6.1. Once the board has decided the case, AFPC/DP2SSR will make notification:

3.6.1.1. If the board denied the application for discharge because there is insufficient evidence to show that the applicant belonged to a qualifying group. **(T-1)**.

3.6.1.2. If the board determined that the service cannot be characterized as "under honorable conditions (general)." **(T-1)**.

3.6.2. Applicants have 60 days from the date of this notice to submit additional evidence or information to AFPC/DP2SSR. **(T-3)**.

3.6.3. If additional evidence is received within 60 days, the board shall review the case again. If the board determines that the application now merits approval, it proceeds in accordance with [paragraph 3.5](#) **(T-3)**.

3.6.4. If additional evidence is not submitted or if, after review, the board determines that the application should be denied, it forwards the case to the Secretary of the Air Force Personnel Council for final decision.

3.6.5. AFPC/DP2SSR will notify applicant of the final decision. **(T-1)**.

3.6.6. If the application is denied, the board returns it without prejudicing any later consideration.

### **3.7. Discharge Upgrades and Appeals.**

3.7.1. If the applicant receives an under honorable conditions (general) service characterization, the applicant may apply to the Air Force Discharge Review Board for discharge upgrade under DoDI 1332.28, *Discharge Review Board Procedures and Standards*. If the applicant's application is disapproved by the Discharge Review Board, the



applicant may appeal to the Air Force Board for Correction of Military Records under AFI 36-2603, *Air Force Board For Correction of Military Records (AFBCMR)*.

3.7.2. To appeal the characterization of a discharge, the applicant may submit DD Form 149, *Application for Correction of Military Record Under the Provisions of Title 10, U.S.C., Section 1552*, to the SecAF through the Air Force Review Boards Office (SAF/MRB).

**3.8. Disposition of Documents.** AFPC/DP2SSR will send a copy of the application, supporting evidence, and DD Form 214 to the Records Management Branch (AFPC/DP1ORM) to file in the MPerRGp maintained at the National Personnel Records Center for approved cases. AFPC/DP2SSR sends copies of DD Form 214 to:

3.8.1. The applicant. **(T-1)**.

3.8.2. The VA. **(T-1)**.

JOHN A. FEDRIGO, SES  
Principal Deputy Assistant Secretary  
(Manpower and Reserve Affairs)

**Attachment 1****GLOSSARY OF REFERENCES AND SUPPORTING INFORMATION*****References***

5 USC § 552a, Records maintained on individuals (Privacy Act of 1974)

10 USC § 8013, *Secretary of the Air Force*

44 USC §§ 3501-3521, *Federal Information Policy* (better known as *The Paperwork Reduction Act of 1995*)

AFI 33-322, *Records Management and Information Governance Program*, 23 March 2020

AFI 33-332, *Air Force Privacy and Civil Liberties Programs*, 10 March 2020

AFI 36-2603, *Air Force Board for Correction of Military Records (AFBCMR)*, 18 September 2017

AFI 36-3002, *Casualty Services*, 20 June 2017

AFPD 36-32, *Military Retirements and Separations*; 30 August 2018

DAFI 33-360, *Publications and Forms Management*, 26 June 2020

DoDD 1000.20, *Active Duty Service Determinations for Civilian or Contractual Groups*, 11 September 1989

DoDI 1300.18, *Department of Defense (DoD) Personnel Casualty Matters, Policies and Procedures*, 8 January 2008

DoDI 1332.28, *Discharge Review Board Procedures and Standards*, 4 April 2004

DoDI 5400.11, *DoD Privacy and Civil Liberties Program*, 29 January 2019

EO 9397, *Numbering System for Federal Accounts Relating to Individual Persons* (as amended)

PL 95-202 § 401(B), *GI Improvement Act of 1977*

SORN F036 AFPC P, *Separation Case Files*

SORN F036 AF PC C, *Military Personnel Records System*

***Prescribed forms***

None

***Adopted Forms***

AF Form 847, *Recommendation for Change of Publication*

DD Form 149, *Application for Correction of Military Record under the Provisions of Title 10, U.S.C. Section 1552*

DD Form 214, *Certificate of Release or Discharge from Active Duty*

DD Form 256AF, *Honorable Discharge Certificate*

DD Form 1300, *Report of Casualty*

DD Form 2168, *Application for Discharge of Member or Survivor of Member of a Group Certified to Have Performed Active Duty with the US Armed Forces of the US*

### ***Abbreviations and Acronyms***

**AF**—Air Force

**AF/A1P**—Directorate of Military Force Management Policy

**AF Form**—Air Force Form

**AFI**—Air Force Instruction

**DAFMAN**—Department of the Air Force Manual

**DoD C/MSRB**—Security Protection Directorate

**AFPC**—Air Force Personnel Center

**AFPC/CC**—Commander, Air Force Personnel Center

**AFPC/DPFC**—AFPC, Casualty Matters and Mortuary Affairs Division

**AFPC/DP2SSR**—Military Transition Operations Branch, Retirements and Separations Section

**AFPC/DP1ORM**—AFPC, Records Management Branch

**AFPD**—Air Force Policy Directive

**ASD(FM&P)**—Assistance Secretary of Defense Force Management and Personnel

**DD Form**—Department of Defense Form

**DoD**—Department of Defense

**DoDD**—Department of Defense Directive

**DoDI**—Department of Defense Instruction

**MPerRGp**—Master Personnel Records Groups

**OPR**—Office of Primary Responsibility

**RegAF**—Regular Air Force

**SecAF**—Secretary of the Air Force

**SAF/MRB**—Air Force Review Boards Agency

**USC**—United States Code

**VA**—Department of Veterans Affairs

### ***Terms***

**Active Duty (AD)**—Full-time duty in the active military services of the US. It includes full-time training duty, annual training duty, and attendance, while in the active military service, at a school designated as a service school by law or by the Secretary of the military department concerned.

**Application**—A Service member's request for discharge, who claim they are part of a recognized group that has been determined by the Secretary of the Air Force (SecAF) to have been active duty for the purpose of all laws administered by the Department of Veterans Affairs (VA).

**Armed Conflict**—A war, expedition, occupation of an area or territory, battle, skirmish, raid, invasion, rebellion, insurrection, guerilla action, riot, or any other action in which Service members are engaged with a hostile or belligerent nation, faction, force, or terrorist. Armed conflict may also include such situations as incidents involving a member while interned as a prisoner of war or while detained against his or her will in the custody of a hostile or belligerent force or while escaping or attempting to escape from such confinement, prisoner-of-war, or detained status.

**Civilian or Contractual Group**—An organization whose members rendered service to any military department or a predecessor organization during a period of armed conflict. In that capacity the members were considered civilian employees with the Armed Forces or contractors with the US Government, providing direct support to the Armed Forces. An example of such a group is the Women's Air Force Service Pilots, who were Federal civilian employees attached to the US Army Air Force during World War II.

**Designated Representative**—A generic term which describes the Next of Kin or appointed guardian that acts for a member when the member is mentally incompetent or the physician determines that divulging information to the member would be harmful to the member's well-being. The Next of Kin or guardian has the same rights, privileges, and counseling benefits and, unless specifically prohibited, follows the same procedures as for the members being evaluated.

**Discharge**—Complete severance from the active military service. The discharge includes a reason and characterization of service.

**Honorable Discharge Certificate**—The type of discharge certificate received by a member whose separation is characterized as honorable; a DD Form 256AF, Honorable Discharge.

**Incompetent**—The state of a member who is mentally unable to make rational decisions based on factual understanding of matters including, but not limited to, pay, records, and disability processing. Incompetency must be determined by a competency board hearing.

**Member**—An enlisted member of a military service.

**Military Duty**—The duties of a member's office and grade as determined by the Secretary concerned, and not necessarily the specialty skill or special qualification held by the member prior to incurring or aggravating an injury, illness or disease in the line of duty.

**Recognized Group**—A group whose service the Secretary of the Air Force has determined was "active duty for the purposes of all laws administered by the VA," for benefits to such individuals as defined under Title 38, U.S.C., Section 101.

**Secretary of the Air Force (SecAF)**—Includes the Secretary, and the Assistant Secretaries of the Air Force.

**Service Characterization**—A determination reflecting a member's military behavior and duty performance during a specified period of service. Three service characterizations are authorized for administrative separation: honorable; general (Under Honorable Conditions); and Under Other Than Honorable Conditions.