



DEPARTMENT OF THE NAVY

OFFICE OF THE SECRETARY  
1000 NAVY PENTAGON  
WASHINGTON, DC 20350-1000

SECNAVINST 12990.1A  
PERS-312  
DEC 30, 2004

SECNAV INSTRUCTION 12990.1A

From: Secretary of the Navy

Subj: ACTIVE DUTY SERVICE DETERMINATION FOR CIVILIAN OR  
CONTRACTUAL GROUPS

Ref: (a) P.L. 95-202, section 401 (38 U.S.C. 106 note)  
(b) DODD 1000.20 of 11 Sep 89

1. Purpose

a. To revise established procedures for making application and processing discharge certificates for civilian employees or contract workers claiming service that could be considered active military service for entitlement to Department of Veterans Affairs (DVA) benefits.

b. To implement the provisions of references (a) and (b).

c. This instruction is a complete revision and should be reviewed in its entirety.

2. Cancellation. SECNAVINST 12990.1.

3. Background

a. Per reference (b), Secretary of the Air Force is designated as the Executive Agent of the Secretary of Defense for the administration of reference (a) and the Department of Defense (DOD) Civilian/Military Service Review Board (C/MSRB) and the Advisory Panel.

b. The Secretary of the Navy appoints a primary and an alternate member to this Board in the grades of O-6 or GM/GS-15 or higher.

c. This Board reviews applications from civilian groups who believe their civilian employment or contractual service should be considered equivalent to active military service for DVA benefits. After considering the recommendation of the C/MSRB

and Advisory Panel, the Secretary of the Air Force determines whether the service rendered by a civilian or contractual group shall be considered active duty service for all laws administered by the DVA. The Secretary of the Air Force's determination is final.

4. Applicability. This instruction applies to an individual member of a recognized group who applies to the Department of the Navy (DON) for discharge documents. A spouse, next of kin, or legal representative may apply on behalf of a deceased or mentally incompetent person. Proof of death or mental incompetence must accompany such an application.

5. Responsibilities. Navy Personnel Command (NAVPERSCOM), Head, Records Support Branch (PERS-312), and Headquarters, U.S. Marine Corps, Head, Records Correspondence Section (MMSR) will

a. determine whether or not an applicant is requesting discharge documents and related certificates because of work for a recognized group the Secretary of the Air Force placed within the jurisdiction of DON. If the applicant claims service for a recognized group that is not within the jurisdiction of DON, forward the application to the appropriate service.

b. review applications and determine whether an applicant was a member of a recognized group after considering the individual's evidence of membership and verifying the service against available government records. The burden of proof is upon individual applicants to show their membership in a civilian group recognized to have performed service equivalent to active military service.

c. issue the appropriate discharge documents and certificates as outlined in paragraph 5.3 of reference (b).

6. Application Process. Applications must be submitted on DD 2168 (FEB 2003), (Application for Discharge of Member or Survivor of Member of Group Certified to Have Performed Active Duty with the Armed Forces of the United States). Submit applications and accompanying documentation to

Navy

Marine Corps

Navy Personnel Command  
(PERS-312)  
5720 Integrity Drive  
Millington, TN 38055-3120

Headquarters, U.S. Marine Corps  
Records Correspondence Section MMSB  
2008 Elliot Road  
Quantico, VA 22134-5103

7. Form. DD 2168 (FEB 2003), Application for Discharge of Member or Survivor of Member of Group Certified to Have Performed Active Duty with the Armed Forces of the United States is available at the DoD forms website.

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(Manpower & Reserve Affairs)

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