



DEPARTMENT OF THE AIR FORCE  
WASHINGTON, DC

Office of the Assistant Secretary

May 29, 2014

DoD C/MSRB  
SAF Personnel Council  
1500 West Perimeter Road, Suite 3700  
Joint Base Andrews, NAF Washington, MD 20762-7002

Mr. Khao Insixiengmay  
Executive Director  
The United Royal Lao Armed Forces and  
Special Guerilla Unit Veterans of the Vietnam War  
P.O. Box 43457  
Brooklyn Park, MN 55443

Dear Mr. Insixiengmay

We received the enclosed package from the Department of Veterans Affairs (DVA). We understand based upon that package that you seek recognition for Lao and Hmong individuals who you state fought as surrogates in place of American soldiers during the Vietnam War.

Under Public Law 95-202, Congress directed the Secretary of Defense to establish procedures to recognize civilian work, which is equivalent to active military service for DVA benefits. The service had to be by a group of civilian employees or contractors, during wartime, and to the U.S. Armed Forces, among other criteria. The Secretary of Defense published the recognition criteria and application procedures in Department of Defense Directive (DoDD) 1000.20, *Active Duty Service Determination for Civilian or Contractual Groups*, and appointed the Secretary of the Air Force as the DoD Executive Agent to make the final recognition decisions.

In that directive, the Secretary of Defense also created the DoD Civilian/Military Service Review Board (C/MSRB). It was charged with evaluating applications and making recommendations to the Secretary of the Air Force whether or not to recognize a group. The C/MSRB's process includes reviews by military historians and experts in the law of armed conflict.

We have enclosed a copy of DoDD 1000.20, which sets out the criteria for recognition and the process to submit an application. Additionally, we enclose a copy of the frequently asked questions and answers about the C/MSRB.

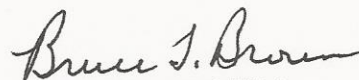
If the Secretary grants the group "veteran status," the Secretary directs a particular military service to evaluate applications by *individuals* who believe they were part of the group. When an individual is part of the recognized group, the military service will provide the individual a discharge document (DD Form 214).

Without prejudging any application you might submit to the C/MSRB, we noted in reviewing your package that it appears the service rendered by your group was not service provided to the U.S. Armed Forces as civilian employees or contractors, but as members of the Laotian Armed Forces. In addition, based upon the matters you submitted to the DVA, it appears the service your group rendered was at the direction and control of the Central Intelligence Agency and the American Ambassador to Laos, and not under the direction and control of the U.S. Armed Forces. Based upon these observations, it would appear your group does not qualify for recognition under Public Law 95-202.

If you decide to submit an application on behalf of the group, we encourage you to thoroughly read the criteria and address each in the application remembering that the burden of proof is on the applicant group to show that it meets the criteria for recognition set forth in DoDD 1000.20.

In accordance with DoDD 1000.20, we are returning the correspondence we received on your behalf from the DVA. We trust this information is helpful. If you have any questions, please contact me at (240) 612-5364.

Sincerely



BRUCE T. BROWN

Executive Secretary

DoD Civilian/Military Service Review Board

SAF Personnel Council

Enclosures: As stated