RECORD OF PROCEEDINGS

AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

 DOCKET NUMBER: BC-2010-03724

 COUNSEL: NONE

 HEARING DESIRED: NO

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APPLICANT REQUESTS THAT:

He be entitled to Post Deployment Mobilization Respite Absence (PDMRA).

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APPLICANT CONTENDS THAT:

He was denied an opportunity to take leave under the PDMRA due to administrative error.

In support of the appeal, the applicant submits extracts from his military records.

Applicant’s complete submission, with attachments, is at Exhibit A.

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STATEMENT OF FACTS:

The applicant is a member of the West Virginia Air National Guard.

On 19 January 2007, the Secretary of Defense (SecDef) released a memorandum, *Utilization of the Total Force*, directing the service secretaries establish a new program to compensate individuals who are required to mobilize or deploy beyond the established rotational policy goals.

On 18 April 2007, the Under Secretary of Defense released a memorandum, *Programs to Support Utilization of the Total Force*, establishing PDMRA as a new category of administrative absence. PDMRA accrues to reserve component members when their creditable mobilized service exceeds 12 months in a rolling 72-month window as follows: one day for each month of mobilized service between 12 and 18 months, two days for each month of mobilized service between 18 and 24 months, and four days for each month of mobilized service in excess of 24 months. The rolling window must culminate with tour of mobilized service occurring on or after 1 Jan 07 in order for PDMRA to accrue.

According to the 1 Oct 07 HQ USAF/A1P PDMRA implementation guidance, mobilizations starting no earlier than 7 Oct 01 are creditable in calculating the PDMRA entitlement. Creditable mobilizations are defined as those under Title 10, USC, Sections 12301(A) (Full Mobilization), 12302 (Partial Mobilization), or 12304 (Presidential Reserve Call-up). Additionally, voluntary (10 USC 12301(d)) deployed service to Afghanistan or Iraq since 7 Oct 01 is also creditable for the purpose of PDMRA.

On 26 October 2009, AFI 36-3003, *Military Leave Program*, was revised to include PDMRA as a form of administrative absence.

On 11 June 2010, NGB/A1 released amplifying information/guidance regarding the calculation and documentation of PDMRA usage/entitlements.

To date, approximately 61 members of the 130th Airlift Wing (AW), West Virginia ANG, have submitted AFBCMR appeals, contending they were not afforded the opportunity to utilize their PDMRA credit accrued since the program’s inception.

The remaining relevant facts pertaining to this application, extracted from the applicant’s military records, are contained in the letters prepared by the appropriate office of the Air Force. Accordingly, there is no need to recite these facts in this Record of Proceedings.

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AIR FORCE EVALUATION:

NGB/A1PR recommends denial. PDMRA is an administrative absence that qualifying mobilized members can apply for. It is a use or lose benefit that must be approved by the member’s commander while serving in a mobilized status for the reserve component. However, upon reviewing the applicant’s record no loss or error has occurred. The applicant does not have a qualifying mobilization where he would have earned PDMRA. The applicant was not mobilized in 2009, with the numerous other members of the 130th, and he does not qualify for PDMRA during current 2010 mobilization. Individuals must have in excess of 12 months (365 days) of qualifying mobilization/deployments within their 72 month rolling window in order to earn PDMRA. The applicant currently has only 94 days of creditable time within the 72 month rolling window.

The complete evaluation, with attachments, is at Exhibit B.

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APPLICANT'S REVIEW OF AIR FORCE EVALUATION:

On 25 Feb 11, a copy of the Air Force evaluation was forwarded to the applicant for review and comment within 30 days (Exhibit C). As of this date, this office has received no response.

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THE BOARD CONCLUDES THAT:

1.  The applicant has exhausted all remedies provided by existing law or regulations.

2.  The application was timely filed.

3.  Insufficient relevant evidence has been presented to demonstrate the existence of error or injustice. The applicant’s contentions are duly noted; however, after reviewing the evidence of record we agree with the opinion and recommendation of the Air Force office of primary responsibility and adopt its rationale as the basis for our conclusion the applicant has not provided evidence showing his entitlement to PDMRA. Therefore, we find no basis to recommend granting the relief sought.

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THE BOARD DETERMINES THAT:

The applicant be notified the evidence presented did not demonstrate the existence of an error or injustice; the application was denied without a personal appearance; and the application will only be reconsidered upon the submission of newly discovered relevant evidence not considered with this application.

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The following members of the Board considered AFBCMR Docket Number BC-2010-03724 in Executive Session on 6 Jul 11, under the provisions of AFI 36-2603:

The following documentary evidence pertaining to AFBCMR Docket Number BC-2010-03724 was considered:

 Exhibit A. DD Form 149, dated 5 Aug 10, w/atchs.

 Exhibit B. Letter, NGB/A1PR, dated 9 Dec 10, w/atchs.

 Exhibit C. Letter, SAF/MRBR, dated 25 Feb 11.