

ADDENDUM TO RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2020-00161

XXXXXXXXXXXX

COUNSEL: NONE

HEARING REQUESTED: YES

APPLICANT'S REQUEST

The Board reconsider his request he be issued DD Forms 214, *Certificate of Release or Discharge from Active Duty*, for his deployments to Paraguay and Turkey under Title 10 orders.

RESUME OF THE CASE

The applicant is a retired Air Force Reserve technical sergeant (E-6).

On 26 Aug 20, the Board considered and denied his request to create and issue him a DD Form 214 reflecting the time he served on active duty, 14 – 24 Jul 02, while deployed to Paraguay in support of a humanitarian assignment as part of MEDRETE South Command; finding the preponderance of the evidence did not substantiate the applicant's contentions and the request was not timely submitted.

For an accounting of the applicant's original request and the rationale of the earlier decision, see the AFBCMR Letter and Record of Proceedings at Exhibit E.

On 5 Dec 22, the applicant requested reconsideration of his request he be issued DD Forms 214, for his deployments to Paraguay and Turkey under Title 10 orders. He contends that while his request for creation of a DD Form 214 for his deployment to Paraguay was addressed, his deployment to Turkey was not addressed in his original request. He contends he should be issued DD Forms 214 for his deployment to Turkey, 13 Mar 00 to 30 Mar 00, in support of Operation NORTHERN WATCH. Per the new evidence he submitted, Operation NORTHERN WATCH and Operation SOUTHERN WATCH became part of Operation IRAQI FREEDOM in May 03. According to myPers guidelines, Reserve members are eligible to receive a DD Form 214 for any tour duration in support of Operation IRAQI FREEDOM. Regarding his Paraguay deployment, he contends it did not constitute training alone, as he found out all humanitarian deployments to Paraguay through South Command were a part of a contingency. In support of his reconsideration request, the applicant submitted the following new evidence: (1) CRS Report to Congress: RE Component Personnel Issues Order Code RL 30802; (2) MSM Certificate, 24 May 00 to 15 Feb 05; (3) myPers Excerpt "DD214 Creation," and (4) Service Medal Award Verification Operation NORTHERN WATCH, 13 Mar 00 to 30 Mar 00.

The applicant's complete submission is at Exhibit F.

APPLICABLE AUTHORITY/GUIDANCE

DoDI 1336.01, *Certificate of Uniformed Service (DD Form 214/215 Series)*, Section 3: DD Form 214/5 Series Procedures, 3.2. Issuance, a. DD Form 214 Issuance (1) (e) Reserve Component personnel ordered to active duty for a contingency operation for a period greater than 30 days.

The entire guidance can be found at Exhibit G.

FINDINGS AND CONCLUSION

1. The application was timely filed.
2. The applicant exhausted all available non-judicial relief before applying to the Board.
3. After reviewing all Exhibits, the Board remains unconvinced the evidence presented demonstrates an error or injustice. Specifically, the applicant's official military records and documentation he submitted revealed his deployments to Turkey and Paraguay did not meet the DoDI 1336.01 threshold criteria of a period greater than 30 days active duty for reserve members to be issued a DD Form 214. Regarding the applicant's contention that according to myPers guidelines, Reserve component members are eligible to receive a DD Form 214 for any tour duration in support of Operation IRAQI FREEDOM; the Board notes the time the applicant served in Operation NORTHERN WATCH was over 2 years prior to that operation being incorporated into Operation IRAQI FREEDOM. Therefore, the Board recommends against correcting the applicant's records.
4. The applicant has not shown a personal appearance, with or without counsel, would materially add to the Board's understanding of the issues involved.

RECOMMENDATION

The Board recommends informing the applicant the evidence did not demonstrate material error or injustice, and the Board will reconsider the application only upon receipt of relevant evidence not already presented.

CERTIFICATION

The following quorum of the Board, as defined in Department of the Air Force Instruction (DAFI) 36-2603, *Air Force Board for Correction of Military Records (AFBCMR)*, paragraph 2.1, considered Docket Number BC-2020-00161-2 in Executive Session on 18 May 23:

, Panel Chair
, Panel Member
, Panel Member

All members voted against correcting the record. The panel considered the following:

Exhibit E: Record of Proceedings, w/ Exhibits A-D, dated 26 Aug 20.
Exhibit F: Application, DD Form 149, w/atchs, dated 5 Dec 22.
Exhibit G: Documentary Evidence, Applicable Authority/Guidance

Taken together with all Exhibits, this document constitutes the true and complete Record of Proceedings pertaining to Docket Number BC-2020-00161, as required by DAFI 36-2603, paragraph 4.12.9.

X

Board Operations Manager, AFBCMR