



**CUI//SP-MIL/SP-PRVCY**

**UNITED STATES AIR FORCE  
BOARD FOR CORRECTION OF MILITARY RECORDS**

**RECORD OF PROCEEDINGS**

**IN THE MATTER OF:**

**DOCKET NUMBER: BC-2022-01356**

**Work-Product**

**COUNSEL: NONE**

**HEARING REQUESTED: NO**

**APPLICANT'S REQUEST**

His DD Form 214, *Certificate of Release or Discharge from Active Duty*, be corrected to reflect two deployments to Iraq in 2008 and 2009 in support of Operation IRAQI FREEDOM (OIF).

**APPLICANT'S CONTENTIONS**

In 2008 and 2009 he deployed to Iraq in support of OIF. His DD Form 214, reflects one (1) year, four (4) months, and twelve (12) days of foreign service; however, Block 18. *Remarks*, does not list the deployments individually. He needs the deployments listed in Block 18. *Remarks* so that he can be eligible for a government contract position.

The applicant's complete submission is at Exhibit A.

**STATEMENT OF FACTS**

The applicant is a former Air Force senior airman (E-4).

On 23 Oct 10, according to DD Form 214, *Certificate of Release or Discharge from Active Duty*, the applicant separated after four (4) years of active service. Additionally, Block 12.f. *Foreign Service*, reflects one (1) year, four (4) months and twelve (12) days. Block 13. *Decorations, Medals, Badges, Citations and Campaign Ribbons Awarded or Authorized*, reflect the Iraq Campaign Medal with 1 service star which indicates two tours in Iraq.

On 10 Jan 07, according to Special Order **Work-Product** dated 3 Dec 07, submitted by the applicant, he was ordered to deploy to Bucca, Iraq for 169 days.

On 12 Mar 09, according to Special Order **Work-Product**, dated 3 Feb 09, submitted by the applicant, he was ordered to deploy to Speicher, Iraq for 169 days.

For more information, see the excerpt of the applicant's record at Exhibit B and the advisory at Exhibit C.

**APPLICABLE AUTHORITY**

Title 10, United States Code, Section 1168: Discharge or release from active duty: limitation; DoDI 1336.01, Certificate of Release or Discharge from Active Duty (DD Form 214/5 Series); AFI 36-3202, Certificate of Release or Discharge from Active Duty (DD Form 214/5 Series); DD Form 214 Total Force Personnel Services Delivery Guide. The DD Form 214 is prepared in

Controlled by: SAF.MRBC  
CUI Categories: SP-MIL/SP-PRVCY  
Limited Dissemination Control: N/A  
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accordance with the aforementioned publications and is used to record qualifying active duty service. Foreign Service locations are not an authorized entry on the DD Form 214. Foreign Service is annotated in increments of years, months, and days. In addition, the publications do not include a provision for update of TDY assignments or Operations on the DD Form 214.

## **AIR FORCE EVALUATION**

AFPC/DP2WR recommends denying the application. The applicant is requesting to have Block 18 on his DD Form 214 reflect deployments to Iraq in 2008 and 2009. A search of Military Personnel Delivery System (MilPDS), and Deliberate and Crisis Action Planning and Execution Segments (DECAPES) confirm the applicant deployed to Iraq in 2008 and 2009. However, the systems reflect conflicting dates which will require documentation with specific travel dates to rectify. Based on documentation provided by the applicant and analysis of the facts, there is not enough evidence to determine the inclusive dates of the deployments to list on the DD Form 214. AFPC/DP2WR recommends the applicant provide a copy of the travel vouchers for each deployment to verify the specific inclusive dates of the deployments.

The complete advisory opinion is at Exhibit C.

## **APPLICANT'S REVIEW OF AIR FORCE EVALUATION**

The Board sent a copy of the advisory opinion to the applicant on 1 Aug 22 for comment (Exhibit D), but has received no response.

## **FINDINGS AND CONCLUSION**

1. The application was not timely filed.
2. The applicant exhausted all available non-judicial relief before applying to the Board.
3. After reviewing all Exhibits, the Board concludes the applicant is not the victim of an error or injustice. The Board concurs with the rationale and recommendation of AFPC/DP2WR and finds a preponderance of the evidence does not substantiate the applicant's contentions. The Board found the applicant provided copies of the CED orders that coincide with the deployments. However, he did not provide copies of the travel vouchers that confirm exact inclusive dates of the deployments. Moreover, there is no provision in the governing regulations for preparing a DD Form 214 that require the update of TDY assignments or Operations on the DD Form 214. Therefore, the Board recommends against correcting the applicant's records

The Board also notes the applicant did not file the application within three years of discovering the alleged error or injustice, as required by Section 1552 of Title 10, United States Code, and Department of the Air Force Instruction 36-2603, *Air Force Board for Correction of Military Records (AFBCMR)*. The Board does not find it in the interest of justice to waive the three-year filing requirement. Therefore, the Board finds the application untimely.

## **RECOMMENDATION**

The Board recommends informing the applicant the application was not timely filed; it would not be in the interest of justice to excuse the delay; 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-2022-01356 in Executive Session on 11 Apr 23:

<i>Work-Product</i>	Panel Chair
<i>Work-Product</i>	Panel Member
<i>Work-Product</i>	Panel Member

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

- Exhibit A: Application, DD Form 149, w/atchs, dated 23 Jun 22.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory Opinion, AFPC/DP2WR, dated 1 Aug 22.
- Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 1 Aug 22.

Taken together with all Exhibits, this document constitutes the true and complete Record of Proceedings, as required by DAFI 36-2603, paragraph 4.12.9.

3/31/2024

*Work-Product*