RECORD OF PROCEEDINGS

AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF: DOCKET NUMBER: BC-2011-00294

XXXXXXX COUNSEL: NONE

HEARING DESIRED: NO

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

APPLICANT REQUESTS THAT:

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

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

APPLICANT CONTENDS THAT:

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

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

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

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

STATEMENT OF FACTS:

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

On 19 January 2007, Secretary of Defense (SecDef) released a memorandum, *Utilization of the Total Force*, directing the service secretaries to 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, United States Code (USC), Sections 12301(A) (Full Mobilization), 12302 (Partial Mobilization), or 12304 (Presidential Reserve Call-up). Additionally, voluntary deployed service to Afghanistan or Iraq under 10 USC 12301(d) 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.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

AIR FORCE EVALUATION:

NGB/A1PR recommends denial, indicating there is no evidence of an error or injustice. Upon review of the applicant’s record, no loss or error has occurred. The applicant must have in excess of 12 months (365 days) of qualifying mobilized service within a 72-month rolling window in order to earn PDMRA. While it appears he has performed in excess of 12 months of mobilized service within a 72-month rolling window, his most recent mobilization was in 2005; however, in order for PDMRA to accrue, he would have to have been mobilized since the program’s inception in Jan 2007.

A complete copy of the NGB/A1PR evaluation is at Exhibit C.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

APPLICANT'S REVIEW OF AIR FORCE EVALUATION:

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

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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 an error or injustice. We took notice of the applicant's complete submission in judging the merits of the case; however, 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 been the victim of an error or injustice. Therefore, in the absence of evidence to the contrary, we find no basis to recommend granting the relief sought in this application.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

THE BOARD RECOMMENDS THAT:

The applicant be notified the evidence presented did not demonstrate the existence of material 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.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

The following members of the Board considered AFBCMR Docket Number BC-2011-00294 in Executive Session on 4 May 11, under the provisions of AFI 36-2603:

Mr. XXXXXXXXXX, Panel Chair

Mr. XXXXXXXXXX, Member

Mr. XXXXXXXXXX, Member

The following documentary evidence was considered:

Exhibit A.  DD Form 149, dated 11 Jan 11, w/atchs.

Exhibit B.  Applicant's Master Personnel Records.

Exhibit C.  Letter, NGB/A1PR, dated 11 Feb 11, w/atchs.

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

XXXXXXXXXX

Panel Chair