

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 5 January 2023

DOCKET NUMBER: AR20230005946

APPLICANT REQUESTS: correction of his DD Form 214 (Certificate of Release or Discharge from Active Duty) in block 12f (Foreign Service) to show foreign service.

APPLICANT'S SUPPORTING DOCUMENT(S) CONSIDERED BY THE BOARD:
DD Form 149 (Application for Correction of Military Record)

FACTS:

1. The applicant did not file within the 3-year time frame provided in Title 10, U.S. Code, section 1552(b); however, the Army Board for Correction of Military Records (ABCMR) conducted a substantive review of this case and determined it is in the interest of justice to excuse the applicant's failure to timely file.
2. The applicant states he performed foreign service in various locations overseas, which was not reflected on DD Form 214; he requires this correction for Veteran's benefits.
3. The applicant enlisted in the Regular Army 11 October 1988.
4. His DA Form 2-1 (Personnel Qualification Record) does not show any entries for foreign service in blocks 5 (overseas service) or 35 (Record of Assignments).
5. He was honorably released from active duty on 5 September 1991. Block 12f of his DD Form 214 did not reflect credit for foreign service, however, he was awarded the Multinational Forces and Observer Medal.
6. Regulatory guidance provides award of the Multinational Force and Observers Medal requires service the Multinational Force and Observers for at least 90 cumulative days after 3 August 1981. Effective 15 March 1985, personnel must serve 6 months (170 days minimum) with the Multinational Force and Observers to qualify for the award in Sinai. Service in Lebanon does not qualify.

BOARD DISCUSSION:

After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that relief was not warranted. The Board carefully considered the applicant's contentions, the military record, and regulatory guidance. The applicant states he performed foreign service in various locations overseas, which is not reflected on DD Form 214 and the correction is needed for determination of his Veteran's benefits. Although a review of the applicant's record did indicate assignments at conus locations, it did not reveal any overseas assignments or orders. Prior to closing the case, the Board did note the award of the Multinational Force and Observer Medal; however, the absence of orders, citation of other evidence of record to determine a period of foreign service, the Board determined the evidence presented insufficient to warrant a recommendation for relief.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

:	:	:	GRANT FULL RELIEF
:	:	:	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
█	█	█	DENY APPLICATION

BOARD DETERMINATION/RECOMMENDATION:

The Board determined the evidence presented does not demonstrate the existence of a probable error or injustice. Therefore, the Board determined the overall merits of this case are insufficient as a basis for correction of the records of the individual concerned.

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I certify that herein is recorded the true and complete record of the proceedings of the Army Board for Correction of Military Records in this case.

REFERENCES:

1. Title 10, U.S. Code, section 1552(b), provides that applications for correction of military records must be filed within 3 years after discovery of the alleged error or injustice. This provision of law also allows the ABCMR to excuse an applicant's failure to timely file within the 3-year statute of limitations if the ABCMR determines it would be in the interest of justice to do so.
2. Army Regulation (AR) 635-5 (Personnel Separations-Separation Documents) states, for block 12f of the DD Form 214, enter the total amount of foreign service completed during the period covered in block 12c (Net Active Service this Period). Use the item 5 of the DA Form 2-1 for enlisted soldiers to compute this entry. If necessary, verify the foreign service in the Military Personnel Record Jacket.
3. Army Regulation 600-8-22 (Military Awards) states the Multinational Force and Observers Medal was accepted by the President for the U.S. Armed Forces on 28 July 1982. To qualify for the award, personnel must have served with the Multinational Force and Observers at least 90 days cumulative after 3 August 1981. Effective 15 March 1985, personnel must serve 6 months (170 days minimum) with the Multinational Force and Observers to qualify for the award. Periods of service on behalf of the Multinational Force and Observers outside of the Sinai and periods of leave while a member is serving with the Multinational Force and Observers may be counted toward eligibility for the Multinational Force and Observers Medal. An appropriate numeral starting with numeral 2 will indicate second and subsequent awards for each completed 6-month tour. If an individual has not completed a cumulative 6-month tour, then he or she is not eligible for award of the Multinational Force and Observers Medal unless the award is to be made posthumously, the member is medically evacuated due to service incurred injuries or serious illness, or the member is withdrawn at the request of the parent government for national service reasons under honorable conditions. Qualifying time for award of the Multinational Force and Observers Medal may be lost for disciplinary reasons.

//NOTHING FOLLOWS//