

IN THE CASE OF: ██████████

BOARD DATE: 22 February 2024

DOCKET NUMBER: AR20230008194

APPLICANT REQUESTS: Correction of his DD Form 214 (Certificate of Release or Discharge from Active Duty) to include a period of foreign service and award of the Royal Netherlands Armed Forces Parachute Badge.

APPLICANT'S SUPPORTING DOCUMENT(S) CONSIDERED BY THE BOARD:

- DD Form 149 (Application for Correction of Military Record)
- DD Form 1610 (Request and Authorization for TDY Travel of DOD Personnel)
- Per Diem and Reimbursable Expenses
- Parachute Badge of the Royal Netherlands Armed Forces award Certificate

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 block 12f (Foreign Service) should include his 35 days of foreign service for his period of temporary duty (TDY) in Japan, and in block 13 (Decorations, Medals, Badges, Citations and Campaign Ribbons Awarded or Authorized) his award of the Parachute Badge of the Royal Netherlands Armed Forces.
3. A review of the applicant's service record shows he enlisted in the Regular Army on 16 November 2015 and completed training with award of the military occupational specialty 92R (Parachute Rigger). The highest grade he held was E-5.
4. The applicant was honorably released from active duty and transferred to the U.S. Army Reserves on 22 October 2022. He is shown to have served on active duty for 6 years, 11 months, and 7 days. His awards are listed as the:
 - Army Commendation Medal
 - Army Achievement Medal (3rd award)
 - Army Good Conduct Medal (2nd award)

- National Defense Service Medal
- Global War on Terrorism Service Medal
- Humanitarian Service Medal
- Noncommissioned Officer Professional Development Ribbon
- Army Service Ribbon
- Military Freefall Parachutist Badge
- Parachutist Badge
- Parachute Rigger Badge
- Driver and Mechanic Badge with Driver Wheeled Vehicle Clasp
- Expert Qualification Badge with Carbine Bar

5. The applicant's official records do not include copies of his initial enlistment documents, any reenlistment documents, orders for most of his awards, orders authorizing the Royal Netherlands Armed Forces Parachute Badge, or an Enlisted Record Brief (ERB) or similar document.

6. The applicant provided copies of a DD Form 1610, dated 29 March 2018, a 35 day TDY to and from Japan, a reimbursement work sheet for the same period and an undated Royal Netherlands Armed Forces Parachute Badge School Certificate.

7. The Defense Finance and Accounting Service provided a copy of the applicant's 2018 Master Military Pay Account (MMPA) and a note that the record did not show the member was in the zone during the period in question.

BOARD DISCUSSION:

After reviewing the application and all supporting documents, the Board determined relief was not warranted. The applicant's contentions, the military record, and regulatory guidance were carefully considered. Based upon the information reflected in the applicant's DFAS pay records failing to show the applicant performed foreign service during the period in question, and the regulatory guidance found in AR 600-8-22 stating foreign awards are not reflected on a DD Form 214, the Board concluded there was insufficient evidence of an error or injustice warranting a change to the applicant's record.

BOARD VOTE:

<u>Mbr 1</u>	<u>Mbr 2</u>	<u>Mbr 3</u>	
:	:	:	GRANT FULL RELIEF
:	:	:	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
█	█	█	DENY APPLICATION

BOARD DETERMINATION/RECOMMENDATION:

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.

5/15/2024

X

CHAIRPERSON

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 635-5 (Separation Documents) states the DD Form 214 is a summary of a Soldier's most recent period of continuous active duty. It states for entries at:

a. Block 12f, from the enlisted record brief enter the total amount of foreign service completed during the period covered in block 12c.

b. Block 13 to list all awards and decorations awarded or authorized for all periods of service in the priority sequence as listed in Army Regulation 600-8-22 (Military Awards).

3. Army Regulation 600-8-22 (Military Awards) provides the criteria and order of precedence for awards and decorations. Paragraph 9-26 (Foreign Badges) states qualification and special skill badges may be accepted if awarded in recognition of meeting the criteria, as established by the foreign government concerned, for the specific award. Only those badges that are awarded in recognition of military activities and by the military department of the host country are authorized for acceptance and permanent wear. Badges that do not meet these criteria may be authorized for acceptance but not for wear. Of particular importance are the criteria established by the military department of the host country; for example, if a particular badge is authorized for award only to enlisted personnel of host country then the badge may be accepted and worn by U.S. Army enlisted personnel. Foreign badges listed in Appendix D are not annotated in an individual's Soldier's record brief or entered on the DD Form 214. The list includes the Royal Netherlands Army Parachute Badge with the note that the award is honorary and may only be accepted and retained; it is not allowed for wear on the U.S. Army uniform.

//NOTHING FOLLOWS//