

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 16 January 2024

DOCKET NUMBER: AR20230008313

APPLICANT REQUESTS: correction of her DD Form 214 (Certificate of Release or Discharge from Active Duty) to show her deployment dates and foreign service.

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

- DD Form 149 (Application for Correction of Military Record)
- DD Form 214, November 2000 to December 2003

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, in effect, her deployment and foreign service are not listed on her DD Form 214.
3. Review of the applicant's service records shows:
  - a. She enlisted in the Regular Army on 14 November 2000. She completed training and was awarded military occupational specialty 91M, Hospital Food Service Specialist. Following completion of MOS training, she was reassigned to the 28th Combat Support Hospital at Fort Bragg (Liberty), NC.
  - c. She was honorably released from active duty on 20 December 2003. Her DD Form 214 shows she completed 3 years, 1 month, and 7 days of active service. This DD Form 214 also shows in:
    - Block 12f, (Foreign Service) she completed zero
    - Block 13 (Decorations, Medals, Badges, Commendations and Campaign Ribbons Awarded or Authorized) Army Service Ribbon, National Defense Service Medal, and Expert Marksmanship Badge with Rifle Bar
    - Block 18 (Remarks) no entries pertaining to deployments/combat service

d. The applicant's service record does not contain, and the applicant does not provide evidence of foreign service such as permanent change of station orders, manifest, deployment orders, temporary duty orders, or an award certificate confirming combat service.

4. On 17 October 2023, the U.S. Army Human Resources Command provided an advisory opinion in the processing of her case. An advisory official stated no foreign service is currently accounted for in block 12f or block 18 on the applicant's DD Form 214. To add foreign service to her DD Form 214, she will need to provide the following supporting documentation to verify dates and locations of Foreign Service: Leave and Earning Statements from DFAS, order award and/or citation.

5. The applicant was provided with a copy of this advisory opinion to give her an opportunity to submit additional documents and/or a rebuttal. She did not respond.

6. By regulation (AR 635-5 then and AR 635-8 now), for item 12f of the DD Form 214 enter the total amount of foreign service completed during the period covered by the DD Form 214 and for an active duty Soldier deployed with his or her unit during their continuous period of active service, enter in item 18 (Remarks) "Service in (name of Country Deployed) From (inclusive dates, for example YYYYMMDD to YYYYMMDD)."

#### 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 applicant's contentions, the military record, and regulatory guidance were carefully considered. The Board found no evidence of record and the applicant did not provide any evidence that shows she served overseas or in combat theater. Her service record does not contain a manifest, deployment orders, permanent change of station or temporary duty orders, or an award certificate confirming her foreign service and/or deployment. The applicant may request reconsideration if she can provide documentary evidence of her deployment/foreign service: Examples of such evidence are Leave and Earnings Statements confirming her receipt of hostile fire/imminent danger pay, award certificate acknowledging her performance/service in a combat theater, noncommissioned officer reports commenting on her performance, witness statements, manifest reports, TDY/TCS orders, or other documents that confirm she deployed and/or served overseas.

BOARD VOTE:

Mbr 1    Mbr 2    Mbr 3

:            :            :            GRANT FULL RELIEF

:            :            :            GRANT PARTIAL RELIEF

:            :            :            GRANT FORMAL HEARING

█           █           █            DENY APPLICATION

BOARD DETERMINATION/RECOMMENDATION:

Except for the correction addressed in Administrative Note(s) below, the Board found 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.

ADMINISTRATIVE NOTE(S):

A review of the applicant's service records shows she is eligible for an award that is not listed on her DD Form 214. As a result, amend her DD Form 214 to show the Global War on Terrorism Service Medal.

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) establishes the standardized policy for preparing and distributing the DD Form 214. Chapter 2 contains guidance for preparation of the DD Form 214. It states:

- Item 12f, from the Enlisted Record Brief, enter the total amount of foreign service completed during the period covered by the DD Form 214
- Item 13, list awards and decorations for all periods of service
- Item 18 is used for mandatory entries; for an active duty Soldier deployed with their unit, to a foreign country, enter the statements :Service in (Name of Country Deployed) From (inclusive dates for example, YYYYMMDD - YYYYMMDD'

3. Army Regulation 600-8-22 (Military Awards) states the Global War on Terrorism Service Medal is authorized for award to members of the Armed Forces of the United States who have participated in Global War on Terrorism operations outside of the areas of eligibility (AOE) designated for award of the Global War on Terrorism Expeditionary Medal, Afghanistan Campaign Medal, or Iraq Campaign Medal. All Soldiers on active duty, including Reserve Component Soldiers mobilized or National Guard Soldiers activated, on or after 11 September 2001 to a date to be determined having served 30 consecutive days or 60 nonconsecutive days are authorized the Global War on Terrorism Service Medal.

//NOTHING FOLLOWS//