

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 2 April 2024

DOCKET NUMBER: AR20230010164

APPLICANT REQUESTS: her foreign service tours to Korea and Saudi Arabia be added to her DD Form 214 (Certificate of Release or Discharge from Active Duty).

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

- DD Form 149 (Application for Correction of Military Record)
- Officer Record Brief
- Two (2) DA Forms 67-8 (Officer Evaluation Report)

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, she would like her foreign service tours (Korea, 1993 and Saudi Arabia, 1995) to be added on to her DD Form 214. She states the correction should be made based on the PACT Act/Environmental Exposure.
3. The applicant provides:
  - a. Officer Record Brief, 9 November 1995, shows the applicant completed a 12-month overseas short tour in Korea in 1993, 29 January 1993 thru 18 January 1994
  - b. two (2) DA Forms 67-8: Rating period covering 17 December 1992 thru 20 July 1993, as Collection and Jamming Platoon Leader, while assigned to B Company, 102d Military Battalion, 2d Infantry Division, Korea; and 16 November 1994 thru 31 October 1995, as Company Executive Officer, while assigned to B Company, U.S. Army CI Security Battalion, 902d Military Intelligence Group, Fort Gillem, GA
4. A review of the applicant's service record shows:

a. The applicant executed an oath of office and was appointed a Reserve commissioned officer on 30 May 1992.

b. The applicant's Officer Record Brief, dated 20 January 1996, does not indicate any additional overseas duty aside from the 12-month tour in Korea. The applicant's service record is void of any deployment and/or mobilization orders to Saudi Arabia.

c. The applicant was honorably released from active duty on 28 June 1996. Her DD Form 214 shows she was separated under the provisions of Army Regulation 635-100 (Officer Transfers and Discharges), chapter 3, completion of required active service, separation code MBK. She was transferred to the U.S. Army Reserve Control Group (Reinforcement). She served four years of net active service this period.

- Item 12f (Foreign Service) 11 months and 2 days
- Item 13 (Decorations, Medals, Badges, Citations and Campaign Ribbons Awarded or Authorized) reflect Army Commendation Medal-2, National Defense Service Medal, Army Service Ribbon.
- Item 18 (Remarks) does not list any deployments

5. On 1 July 2004, by memorandum, the U.S. Army Human Resources Command informed the applicant that she was considered but, unfortunately, not among those selected for promotion by the board. As a result of her second nonselection, she was to be discharged in accordance with Title 10, U.S. Code, section 14513 or AR 140-10, with an established removal date no later than 1 January 2005, unless she was eligible for and request transfer to the Retired Reserve.

6. The applicant does not provide evidence of her service in Saudi Arabia such as re are no temporary duty orders, temporary change of station orders, award reflecting deployment to Saudi Arabia, or Leave and Earnings Statements reflective of receipt of hostile fire pay.

7. By regulation (AR 635-5), the DD Form 214 is a synopsis of the Soldier's most recent period of continuous active duty. For an active duty Soldier deployed with his or her unit during their continuous period of active service, enter the statement "SERVICE IN (NAME OF COUNTRY DEPLOYED) FROM (inclusive dates for example, YYYYMMDD - YYYYMMDD)" in item 18.

#### 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.

a. The evidence of record shows the applicant served in Korea from 17 December 1992 to 20 July 1993, on a permanent change of station, not a deployment. Since this was not a deployment, this foreign service is properly captured in item 12f (Foreign Service) of the applicant's DD Form214.

b. There is no evidence in the record and the applicant provides none to show she served in Southwest Asia. If the applicant has supporting evidence that confirms her exact date of deployment and redeployment, she may resubmit her case with the evidence to this Board for reconsideration.

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 corrections addressed in Administrative Note(s) below, 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 record shows his DD Form 214 should be amended as follows:

- Item 12f (Foreign Service): (delete) "00 11 02"  
(add) "00 11 20"
- Item 13 (Decorations, Medals, Badges, Citations and Campaign Ribbons Awarded or Authorized): (add) Korean Defense Service Medal  
(add) Overseas Service Ribbon

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), prescribes the separation documents prepared for Soldiers upon retirement, discharge, or release from active military service or control of the Army. It established standardized policy for preparation of the DD Form 214. The DD Form 214 is a synopsis of the Soldier's most recent period of continuous active duty. It provides a brief, clear-cut record of active Army service at the time of release from active duty, retirement, or discharge. It provided for entry of the total amount of foreign service completed during the period covered in item 12c (Net Active Service This Period) in item 12f. A more recent version of this regulation stated for an active duty Soldier deployed with his or her unit during their continuous period of active service, enter the statement "SERVICE IN (NAME OF COUNTRY DEPLOYED) FROM (inclusive dates for example, YYYYMMDD - YYYYMMDD)" in item 18.

//NOTHING FOLLOWS//