

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: ██████████

BOARD DATE: 17 May 2024

DOCKET NUMBER: AR20230011552

APPLICANT REQUESTS: correction of his DD Form 214 (Certificate of Release or Discharge from Active Duty) to amend his foreign service credit in Uzbekistan and Niger.

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

- DD Form 149 (Application for Correction of Military Record)
- Enlisted Record Brief (ERB)
- DD Form 214WS (Worksheet), for the period ending 13 December 2020

FACTS:

1. The applicant states he is requesting a copy of his DD Form 214 for his records so he can supply it to employers when he is seeking employment, as he only received the draft version at the time of his expiration of term of service (ETS). In addition, he would like the dates of his foreign service corrected as he believes he served more than 3 months in Uzbekistan and more than 5 months in Niger. This will allow for recognition and honors for time served in theatre.

3. The applicant's service records show:

a. He enlisted in the Regular Army on 24 May 2011.

b. His ERB shows in:

(1) Section I – Assignment Information (Overseas Service/Combat Duty):

- 2 March 2015 to 12 June 2015; Uzbekistan; 3 months
- 7 January 2016 to 28 May 2016; Niger; 5 months

(2) Section IX – Assignment Information: Panzer Kaserne, in Boblingen, Germany from 7 November 2017 to his ETS (13 December 2020), a period of 3 years, 1 month, and 7 days.

c. His DD Form 214 shows he was honorably released on 13 December 2020 from active duty due to the completion of his required active service. He served 9 years, 6 months, and 20 days of active service. It also shows in:

- item 12f (Foreign Service): 3 years, 9 months, and 10 days
- item 18 (Remarks): Service in Niger from 2 March 2015 to 12 June 2015 (3 months, 11 days)
- item 18 (cont.): Service in Uzbekistan from 28 May 2016 to 28 June 2016 (1 month, 1 day)

4. An email from the Defense Finance and Accounting Service (DFAS), dated 30 April 2024, shows the applicant served in:

- Uzbekistan: 1 March 2015 to 10 June 2015 (3 months and 10 days)
- Niger: 6 January 2016 to 20 May 2016 (4 months and 15 days)

5. His service record does not show and the applicant does not provide any orders or documentation for any additional foreign service credit and the location of his foreign service to support his request.

BOARD DISCUSSION:

1. After reviewing the application and all supporting documents, the Board found that partial relief was warranted. The Board carefully considered the applicant's record of service, documents submitted in support of the petition and executed a comprehensive review based on law, policy, and regulation. Upon review of the applicants petition, military records, and Defense Finance and Accounting Service (DFAS) summary, the Board determined the applicant's DD Form 214 incorrectly reflects his service overseas. His DD Form 214 currently reflects "Service in Uzbekistan 20160528-20160628." The DFAS summary outlines his dates of service in Uzbekistan as 20150301-20150610, a period of 3 months and 10 days. His DD Form 214 currently reflects "Service in Niger 20150302-20150612." The DFAS summary outlines his dates of service in Niger as 20160106-20160520, a period of 4 months and 15 days. The Board determined the foreign service locations and dates in item 18 (Remarks) are incorrect and will be corrected to accurately reflect the dates of foreign service. Additionally, the applicant served in Germany from 7 November 2017 to his ETS on 13 December 2020, a period of 3 years, 1 month, and 7 days.

2. The applicant's total foreign service is accurately reflected in item 12f (Foreign Service) reflects 3 years, 9 months, and 10 days and the Board denied relief of so much of the applicant's request pertaining to additional foreign service credit.

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 is sufficient to warrant a recommendation for partial relief. As a result, the Board recommends that all Department of the Army records of the individual concerned be corrected by amending his DD Form 214, for the period ending 13 December 2020 to show in item 18 (Remarks):

- SERVICE IN UZBEKISTAN 20150301-20150610
- SERVICE IN NIGER 20160106-20160520

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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 635-8 (Separation Documents) in effect at the time, states that the DD Form 214 will reflect the conditions and circumstances that existed at the time the records were created. The purpose of the separation document is to provide the individual with documentary evidence of his or her military service at the time of release from active duty, retirement, or discharge. It is important that information entered on the form be complete and accurate and reflects the conditions as they existed at the time of separation.

a. Block 12f (Foreign Service): Enter the total amount of service performed outside the continental United States (OCONUS) during the period covered in block 12c to include deployments.

b. Block 18 (Remarks): List periods of deployed service in "SERVICE IN (NAME OF COUNTRY DEPLOYED) FROM (inclusive dates)".

3. Army Regulation 15-185 (Army Board for Correction of Military Records) prescribes the policies and procedures for correction of military records by the Secretary of the Army acting through the ABCMR. The ABCMR begins its consideration of each case with the presumption of administrative regularity. The applicant has the burden of proving an error or injustice by a preponderance of the evidence.

//NOTHING FOLLOWS//