

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 18 June 2024

DOCKET NUMBER: AR20230012642

APPLICANT REQUESTS: in effect, correction of her DD Form 214 (Certificate of Release or Discharge from Active Duty) to show her service in Afghanistan.

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

- DD Form 149 (Application for Correction of Military Record)
- Reassignment/Deployment order 20 January 2006
- Enlisted Record Brief
- DD Form 214
- Pregnancy Physical Profile

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 she was in Afghanistan from 26 March 2006 to 20 July 2006 and she would like her DD Form 214 to reflect that. She is requesting relief for injuries sustained be mental or physical from my time in service. During her separation phase 90 percent of her unit was still deployed to Afghanistan to include her Team Leader, Squad Leader, Platoon Sergeant, and First Sergeant. In her opinion the leadership that was left behind was only concerned about daily operations. Therefore, as a specialist with only 3 years in service she was not given the proper guidance to ensure that all my records were properly annotated before her separation date from the Army.
3. Review of the applicant's service records shows:
  - a. She enlisted in the Regular Army on 18 September 2003, and she reenlisted on 28 September 2005. She held military occupational specialty 92Y, Unit Supply Specialist.

b. On 28 January 2006, Headquarters, XVIII Airborne Corps, Fort Bragg, published orders ordering her deployment in support of Operation Enduring Freedom, proceeding on or about 3 April 2006 and reporting on or about 6 April 2006.

c. On 21 July 2006, the Medical Task Force, 14th Combat Support Hospital, Bagram, Afghanistan, issued her a Pregnancy Physical Profile.

d. On 26 July 2006, at Fort Bragg, NC, she was issued a Pregnancy Physical Profile.

e. On 31 July 2006, also at Fort Bragg, she received pregnancy developmental counseling by her company commander.

f. On 28 September 2006, at Fort Bragg, the applicant submitted a DA Form 4187, Personnel Action, requesting separation for pregnancy. Her chain of command recommended approval.

g. On 7 November 2006, the separation authority approved her separation. Accordingly, she was honorably discharged on 27 December 2006 after completing 3 years, 3 months, and 10 days of active service. Her DD Form 214 shows in:

- Block 12f (Foreign Service) - 0000-00-00
- Block 13 (Decorations, Medals, Badges, Citations, and Campaign Ribbons Awarded or Authorized), Army Achievement Medal, National Defense Service Medal, Global War on Terrorism Service Medal, and Army Service Ribbon,
- Block 18 (Remarks), no deployment entry

4. The applicant's Enlisted Record Brief, dated 29 August 2006, does not list any Overseas Service/Deployment/Combat Duty; however, it lists the Afghanistan Campaign Medal as an authorized award.

5. The Defense Finance and Accounting Service verified that the applicant received hostile fire pay for Afghanistan from 23 March 2006 to 1 August 2006.

6. By regulation (AR 635-5), the form that documents a summary of the Soldier's most recent period of continuous active duty is the DD Form 214. Chapter 2 of Army Regulation 635-5 provides instructions to complete the DD Form 214. It states, for:

- Block 12f, enter the total amount of foreign service completed during the period covered by the DD Form 214
- Block 13, list all awards and decorations
- Block 18, for an active duty Soldier deployed to a foreign country 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)"

7. By regulation (AR 600-8-22), Afghanistan Campaign Medal is authorized for servicemembers who served in direct support of Operation Enduring Freedom from 11 September 2001 to 31 December 2014 and Operation Freedom's Sentinel from 1 January 2015 to 31 August 2021. One bronze service star is authorized for participation in each designated campaign.

8. The applicant's service record does not contain any derogatory information or a disqualifying memorandum for award of the Army Good Conduct Medal (1st Award).

**BOARD DISCUSSION:**

After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that relief was warranted. The applicant's contentions, the military record, and regulatory guidance were carefully considered.

a. Afghanistan service: Grant. The evidence shows the applicant was issued deployment orders in support of Operation Enduring Freedom, reporting on or about 6 April 2006. She was issued a pregnancy profile in Afghanistan on 21 July 2006. She was issued a second profile, at Fort Bragg, NC on 26 July 2006. She also received pregnancy counseling, also at Fort Bragg, on 31 July 2006. DFAS verified that the applicant received hostile fire pay for Afghanistan from 23 March 2006 to 1 August 2006. Her ERB lists the Afghanistan Campaign Medal as an authorized award. Based on available evidence, there is clear evidence she served in Afghanistan. However, her exact dates of service remain problematic. In the absence of additional documentary evidence, the Board determined she served in Afghanistan from on or about 6 April 2006 to on or about 21 July 2006, a period of 3 months and 15 days.

b. Army Good Conduct Medal: Grant. The applicant served on active duty from 18 September 2003 to 7 November 2006, completing 3 years, 3 months, and 10 days of active service. Her record does not contain any derogatory information, or a commander's disqualification memorandum, that would have disqualified her from receiving the Army Good Conduct Medal. Therefore, the Board determined she meets the criteria for this award.

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 relief. As a result, the Board recommends that all Department of the Army records of the individual concerned be corrected by:

- Awarding the applicant the Army Good Conduct Medal (1st Award) for service during the period 18 September 2003 through 17 September 2006
- Amending the applicant's DD Form 214 as follows:
  - Block 12f, add 0 years, 3 months, and 15 days
  - Block 13, add the Afghanistan Service Medal and Army Good Conduct Medal (1st Award)
  - Block 18, add Service in Afghanistan 6 April 2006 to 21 July 2006.

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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 635-5 (Separation Documents), in effect at the time, prescribed the separation documents that must be prepared for Soldiers upon retirement, discharge, or release from active duty service or control of the Active Army. The DD Form 214 is a summary of the Soldier's most recent period of continuous active duty. It provides a brief, clear-cut record of all current active, prior active, and prior inactive duty service at the time of release from active duty, retirement, or discharge. The general instructions stated all available records would be used as a basis for preparation of the DD Form 214. The specific instructions for:

- Block 12f, enter the total amount of foreign service completed during the period covered by the DD Form 214
- Block 13, list all awards and decorations
- Block 18, for an active duty Soldier deployed to a foreign country 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)"

3. Army Regulation 600-8-22 (Military Awards) states:

a. The Afghanistan Campaign Medal is authorized for servicemembers who served in direct support of Operation Enduring Freedom from 11 September 2001 to 31 December 2014 and Operation Freedom's Sentinel from 1 January 2015 to 31 August 2021. The AOE encompasses all land area of the country of Afghanistan and all airspaces above the land. One bronze service star is authorized for participation in each designated campaign. DoD-designated campaigns for Afghanistan include Consolidation I campaign, 1 December 2001 to 30 September 2006.

b. The Army Good Conduct Medal is awarded for exemplary behavior, efficiency, and fidelity in active Federal military service. It is awarded on a selective basis to each Soldier who distinguishes themselves from their fellow Soldiers by exemplary conduct, efficiency, and fidelity throughout a specified period of continuous enlisted active Federal military service, for each 3 years completed on or after 27 August 1940 or as outlined in this chapter. There is no right or entitlement to the medal until the immediate commander has approved the award and the award has been announced in Permanent Orders. Each 3 years completed on or after 27 August 1940.

//NOTHING FOLLOWS//