

IN THE CASE OF: [REDACTED]

BOARD DATE: 26 November 2024

DOCKET NUMBER: AR20240005558

APPLICANT REQUESTS: in effect, correction of his DD Form 214 (Certificate of Release or Discharge from Active Duty) to show a 6-month deployment to Kuwait in 1997.

APPLICANT'S SUPPORTING DOCUMENT CONSIDERED BY THE BOARD:  
DD Form 149 (Application for Correction of Military Record).

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 enlisted in the Regular Army on 31 August 1995. He served in military occupational specialty 19D (Cavalry Scout).
3. On 30 August 1998, he was honorably released from active duty upon the completion of his required active service. He completed 3 years of active service. The DD Form 214 he was issued does not list any foreign service. The form shows he was awarded or authorized the:
  - Army Lapel Button
  - National Defense Service Medal
  - Army Service Ribbon
  - Marksman Marksmanship Qualification Badge with Rifle Bar
4. During the processing of this case, the Defense Finance and Accounting Service (DFAS) reviewed his Master Military Pay Account which shows he performed foreign duty and received hostile fire pay/imminent danger pay for service in Kuwait from 19 February to 13 June 1997 (a period of 3 months and 26 days). Note: DFAS only verifies receipt of hostile fire/imminent danger pay. DFAS does not verify inclusive dates of deployed service or deployment locations beyond the first qualifying country (e.g., Kuwait versus Iraq). DFAS pay records are not considered "source documents," but

may be considered as supporting documents leading to a preponderance of the evidence. A second source document is required.

5. Army Regulation 635-8 (Separation and Processing and Documents), establishes the standardized policy for preparing and distributing the DD Form 214. Chapter 5 contains guidance on the preparation of the DD Form 214, to include entering awards, training, foreign service, and remarks pertaining to deployment locations and through dates.

#### BOARD DISCUSSION:

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 and available military records, the Board determined there is sufficient evidence to grant full relief, including a summary from the Defense Finance and Accounting Service (DFAS) indicating the applicant served in Kuwait from 19 February to 13 June 1997 (a period of 3 months and 26 days). However, the applicant's DD Form 214 does not reflect this period of service in Kuwait. Therefore, the Board determined relief was appropriate for the 3 months and 26 days, not the 6-month tour requested by the applicant.

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 Army records of the individual concerned be corrected by amending his DD Form 214, for the period ending 30 August 1998 to show in:

- item 12f (Foreign Service): 3 months and 26 days
- item 18 (Remarks): Service in Kuwait from 19 February to 13 June 1997

4/2/2025

**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 635-8 establishes the standardized policy for preparing and distributing the DD Form 214. Chapter 5 contains guidance on the preparation of the DD Form 214. It states for:

- block 12f (Foreign Service) enter the total amount of foreign service completed during the period covered by the DD Form 214
- block 18 (Remarks) for an active duty Soldier deployed with his or her unit during their continuous period of active service, the statement "Service in (Name of Country Deployed) From YYYYMMDD - YYYYMMDD)"

//NOTHING FOLLOWS//