

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 24 February 2025

DOCKET NUMBER: AR20240006086

APPLICANT REQUESTS: correction of his DD Form 214 (Certificate of Release or Discharge from Active Duty) to show in block 12f (Foreign Service) 10 months, and 16 days.

APPLICANT'S SUPPORTING DOCUMENT(S) 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 states currently his DD Form 214 shows his deployment to Desert Storm was 4 months and 16 days, however it was actually 10 months and 16 days. He does not have his deployment order, but he knows the period was under a year. He is working with the Veterans Affairs to address an asthmatic condition as well as other issues and needs to illustrate the full deployment period.
3. A review of the applicant's service record shows the following:
  - a. On 30 December 1987, the applicant enlisted in the Regular Army.
  - b. Permanent Orders Number 1-3, dated 30 September 1991, shows the applicant was awarded the Southwest Asia Medal.
  - c. Permanent Orders Number 8-3, dated 22 October 1991, shows the applicant was awarded the National Defense Service Medal.
  - d. His DA Form 2-1 (Personnel Qualification Record) shows the applicant served in Saudi Arabia from 20 September 1991 to 5 February 1992 (4 months and 16 days).

e. On 10 December 1993, he was honorably released from active duty. The DD Form 214 shows he completed 5 years, 11 months, and 11 days of active service. Block 18 (Remarks) does not list contingency operations; however, Block 12f (Foreign Service) lists 4 months and 16 days. It also shows he was awarded or authorized:

- Army Commendation Medal
- Army Achievement Medal (2nd Award)
- Army Good Conduct Medal
- National Defense Service Medal
- Noncommissioned Officer Development Ribbon
- Army Service Ribbon
- Oversea Service Bar
- Southwest Asia Service Medal
- Marksman Marksmanship Qualification Badge with Rifle Bar (M-16)

4. The Defense Manpower Data Center (DMDC) compiled the Desert Shield/Storm Data Base. The primary Desert Shield/Storm file contains one record for each active duty member who participated in-theater between 2 August 1990 and 31 July 1991 and one record for each Reservist, National Guard member, or retiree who was activated or federalized in response to Desert Shield/Desert Storm. This applicant is not listed on the Gulf War Roster.

5. The Defense Finance and Accounting Service provides nine leave earning statements for the period September 1991 to February 1992, that shows the applicant deployed to Saudi Arabia from 19 September 1991 to 29 February 1992.

6. A review of the applicant's record confirms he is eligible for foreign credit entries and awards that are not recorded on his DD Form 214. The entries will be added to his DD Form 214 as administrative corrections and will not be considered by the Board.

7. By regulation (AR 635-5) 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 information entered thereon reflects the conditions as they existed at the time of separation.

a. Item 12f (Foreign Service) enter the total amount of foreign service completed during the period covered by the DD Form 214

b. Item 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)".

BOARD DISCUSSION:

After reviewing the application and all supporting documents, the Board determined partial relief was warranted. The applicant's contentions, the military record, and regulatory guidance were carefully considered. Based upon the available documentation, specifically the information obtained from DFAS concerning the dates of the applicant's deployment to Southwest Asia, the Board concluded here was sufficient evidence of an error or injustice warranting changing the foreign service annotated on the applicant's DD Form 214 to reflect 5 months, 11 days.

BOARD VOTE:

<u>Mbr 1</u>	<u>Mbr 2</u>	<u>Mbr 3</u>	
:	:	:	GRANT FULL RELIEF
:XXX	:XXX	:XXX	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
:	:	:	DENY APPLICATION

BOARD DETERMINATION/RECOMMENDATION:

1. 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 block 12f (Foreign Service) of his DD Form 214 to reflect "00 05 11".
  
2. The Board further determined the evidence presented is insufficient to warrant a portion of the requested relief. As a result, the Board recommends denial of so much of the application that pertains to awarding any more foreign service than that reflected above.
  
3. Prior to closing the case, the Board noted the administrative notes below from the analyst of record and recommended those changes also be completed to more accurately reflect the military service of the applicant.

//SIGNED//

X

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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.

ADMINISTRATIVE NOTE(S):

A review of the applicant's service records show he is authorized awards and foreign service entries not annotated on his DD Form 214. As a result, amend his DD Form 214 to show:

- Kuwait Liberation Medal - Kuwait
- Block 18 (Remarks): "Service in Southwest Asia from 19910919 to 19920229."

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

a. Item 12f (Foreign Service) enter the total amount of foreign service completed during the period covered by the DD Form 214

b. Item 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//