

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 7 March 2025

DOCKET NUMBER: AR20240008252

APPLICANT REQUESTS: in effect, correction of his DD Form 214 (Certificate of Release or Discharge from Active Duty), ending on 12 March 2000, to show foreign service in –

- Korea from February 1997 through February 1998; and
- Kuwait from 1 May to 21 June 1998

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

- DD Form 149 (Application for Correction of Military Record)
- Leave and Earnings Statements (LES), April 1997 - February 1998
- LES, June - July 1998

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 he is requesting correction of his DD Form 214 ending on 12 March 2000 to show foreign service in Korea and Kuwait. This information is not showing on his DD Form 214.
3. A review of the applicant's service record shows:
 - a. Having prior Army National Guard enlisted service, the applicant enlisted in the Regular Army on 13 March 1997.
 - b. DA Form 2-1 (Personnel Qualification Record – Part II), item 35 (Record of Assignments) shows he was assigned to his unit in Korea on or about 29 March 1997.
 - c. Enlisted Record Brief dated 25 January 2000, shows in Section G (Assignment History) he was assigned to his unit at Fort Stewart, GA, on or about 12 June 1998.

d. On 12 March 2000, the applicant was released from active duty and was transferred to his U.S. Army Reserve (USAR) unit. His DD Form 214 shows in:

- Block 12f (Foreign Service) – no entry
- Block 13 (Decorations, Medals, Badges, Citations and Campaign Ribbons Awarded or Authorized) – no awards or medals for deployed or foreign service
- item 18 (Remarks) – no entries showing deployed or foreign service

e. On 18 June 2002, the U.S. Army Reserve Personnel Command published Orders Number D-06-224191, which honorably discharged the applicant from the USAR, effective 18 June 2002.

4. In support of his petition to the Board, the applicant provides:

a. Leave and Earnings Statements covering the period from April 1997 through February 1998 showing he was entitled to pay and allowances in Korea. He did a permanent change of station during the period of 28 – 31 March 1997 and his cost of living allowance began on 31 March 1997.

b. LES covering the period of June through July 1998 showing he was entitled to Foreign Duty Pay from 31 May 1998 to 21 June 1998 and Hostile Fire Pay/Combat Zone from 1 May 1998 to 30 June 1998. The Foreign duty pay began on 31 May 1998 and ended on 21 June 1998 and hostile fire pay began on 1 May 1998 and ended on 30 June 1998.

BOARD DISCUSSION:

1. After reviewing the application and all supporting documents, the Board found that 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 applicant's petition and available military records, the Board determined there is sufficient evidence to grant full relief, including leave and earnings statements indicating the applicant served in Korea and Kuwait.

2. Additionally, based on the applicant's service, he is authorized the Korea Defense Service Medal and Overseas Service Ribbon, which will also be added to his DD Form 214 by this Board.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

:XX	:XX	:XX	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:

- awarding the applicant the Korea Defense Service Medal and Overseas Service Ribbon
- amending his DD Form 214, for the period ending 12 March 2000 to show in:
 - item 12f (Foreign Service): 10 months and 22 days
 - item 13: Korea Defense Service Medal and Overseas Service Ribbon
 - item 18 (Remarks): Service in Korea from 29 May 1997 to 28 February 1998 and Service in Kuwait from 31 May 1998 to 21 June 1998

[Redacted Signature]

X //SIGNED//

CHAIRPERSON

Signed by:

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 (AR) 635-8 (Separation Processing and Documents) prescribes the transition processing function of the military personnel system. 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 instructions for completing:

a. Block 12f state to enter the total amount of service performed outside the continental United States (OCONUS) during the period covered in block 12c to include deployments. Additionally, list periods of deployed service in block 18.

a. Block 13 state to list all federally recognized awards and decorations for all periods of service.

b. Block 18 state to use this block for Headquarters Department of the Army mandatory requirements when a separate block is not available. For active duty Soldiers list any/all OCONUS deployments completed during the period of the DD Form 214 by entering "service in (name of country deployed) from (inclusive dates)."

3. AR 600-8-22 (Military Awards) implements a part of the Army Awards Program. It prescribes Department of the Army policy, criteria, and procedures for individual and unit military awards and foreign decorations and badges. Paragraph 2-21 (Korea Defense Service Medal) states, the Korea Defense Service Medal is award to Servicemembers of the Armed Forces of the United States who have served on active duty in support of the defense of the Republic of Korea. The period of eligibility is 28 July 1954 to a date to be determined by the Secretary of Defense. Servicemembers must have been assigned, attached, or mobilized to units operating in the area of eligibility for 30 consecutive or for 60 nonconsecutive days.

//NOTHING FOLLOWS//