

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 20 March 2025

DOCKET NUMBER: AR20240009891

APPLICANT REQUESTS: foreign service credit to show he was deployed in support of Operation Iraqi Freedom (OIF).

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

- DD Form 149 (Application for Correction of Military Record)
- Orders Number 022-302 (Partial) that shows a list of personnel assigned to support B Battery, 2nd Battalion, 4th Field Artillery Regiment for Operation Enduring Freedom (OEF), in which the applicant's name is not shown
- Service Member Deployment History Out-processing Verification that shows he was present for duty to an unspecified location for 113 days from 21 February 2003 through 14 June 2003
- Certificate, Army Achievement Medal, dated 1 June 2003 presented to the applicant for extraordinary achievement as an ammunition specialist from 11 January 2003 to 19 March 2003
- DA Form 2166-8 (NCO Evaluation Report) (Partial) dated 20 November 2003 that shows from rating period beginning on November 2002 through October 2003 in Part III (Duty Description), item d (Areas of Special Emphasis) "Operation Iraqi Freedom"

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 there was an error when he departed from the military and his second tour in Iraq was not entered into his records.
3. A review of the applicant's service record shows:

- He enlisted in the Regular Army on 19 January 1984 and remained on active duty until he retired on 31 January 2004
- His DA Form 2-1 (Personnel Qualification Record – Part II) dated 5 December 2002, shows in Item 5 (Oversea Service):
 - EURA-Germany from 5 August 1987 to 31 July 1990
 - Saudi-Arabia from 16 October 1990 to 6 April 1991
 - EURA-Germany from 4 July 1992 to 3 June 1995
- DA Form 2166-8 dated 20 November 2003 that shows for rating period beginning on November 2002 through October 2003 in Part IV (Army Values/Attributes/Skills/Actions) has bullets that state:
 - "Recognized by Battalion Commander for doing an outstanding job as Firing Platoon Sergeant during OIF"
 - "Handled platoon ammunition re-supply operation during OIF..."
 - "Helped keep 25 Soldier motivated during OIF"
 - "Listened to and advised several Soldiers who had deployment related family problems during OIF"
- His DD Form 214 (Certificate of Release or Discharge from Active Duty) shows he was honorably retired on 31 January 2004, after completing 20 years and 12 days of net active service; it also shows in pertinent part in item:
 - 12f (Foreign Service): 6 years, 10 months, and 26 days
 - 13 (Decorations, Medals, Badges, Citations and Campaign Ribbons Awarded or Authorized):
 - Army Commendation Medal (2nd Award)
 - Army Achievement Medal (3rd Award)
 - Army Good Conduct Medal (5th Award)
 - National Defense Service Medal (2nd Award)
 - Kuwait Liberation Medal (K)
 - Kuwait Liberation Medal (SA)
 - Southwest Asia Service Medal with 2 bronze service stars
 - Noncommissioned Officer's Professional Development Ribbon with Numeral 3
 - Army Service Ribbon
 - Overseas Service Ribbon (3rd Award)
 - Marksman Marksmanship Qualification Badge with Rifle Bar
 - Driver and Mechanic Badge with Wheeled Driver Bar

- 18 (Remarks): "Service in Southwest Asia from 16 January 1990 – 5 April 1991"

4. The Defense Finance and Accounting Service provided a Master Military Pay Account which shows the applicant was eligible for Hostile Fire and Imminent Danger Pay in Kuwait from 1 February 2003 through 30 June 2003.

BOARD DISCUSSION:

1. After reviewing the application, all supporting documents, and the evidence found within the military record, 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 and standard review based on law, policy and regulation. The governing regulation provides that at separation the service member's record will be used to enter accurate information when completing their DD Form 214. The Board agreed that DFAS provided sufficient documentation to show she served in Kuwait from 1 February 2003 through 30 June 2003 (5 months); thereby warranting correction in this case.

2. The Board further determined that the evidence presented is sufficient for award of the Global War on Terrorism Service Medal and Global War on Terrorism Expeditionary Medal.

BOARD VOTE:

<u>Mbr 1</u>	<u>Mbr 2</u>	<u>Mbr 3</u>
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XXX	XXX	XXX	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 amending the DD Form 214 for the period ending 31 January 2004 showing in:

- Block 13 (Decorations, Medals, Badges, Citations and Campaign Ribbons Awarded or Authorized) – add Global War on Terrorism Service Medal and Global War on Terrorism Expeditionary Medal
- Block 18 (Remarks) – add “Service in Kuwait from 1 February 2003 through 30 June 2003”

X //SIGNED//

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 (AR) 635-5 (Separation Documents), in effect at the time, establishes 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. Block 12f (Foreign Service) enter the total amount of foreign service completed during the period covered by the DD Form 214
 - b. 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//