

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 30 July 2025

DOCKET NUMBER: AR20240012990

APPLICANT REQUESTS:

- Correction of his DD Form 214 (Certificate of Release or Discharge from Active Duty) for the period ending 11 January 2004 to show his foreign service
- Personal appearance before the Board via video/telephone

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

DD Form 149 (Application for Correction of Military Record), 5 September 2025

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 his DD Form 214 is inaccurate due to missing his foreign service time in Iraq from March 2003 to September 2003.
3. A review of the applicant's service record shows the following:
 - a. He enlisted in the Regular Army on 12 January 2000, for a 4-year period.
 - b. He was honorably discharged on 11 January 2004, under the provisions of Army Regulation 635-200 (Personnel Separations – Active Duty Enlisted Administrative Separations), Chapter 4 (Separation for Expiration of Service Obligation), by reason of completion of required active service. He completed 4 years of net active service. His DD Form 214 does not indicate foreign service.
4. A Defense Finance and Accounting Service (DFAS) foreign service verification email, dated 23 July 2025, shows the applicant served a period of foreign service from 9 January 2003 to 16 July 2003 (6 months and 7 days), with indication of service in Kuwait.

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. Upon review of the applicant's petition and available military records, the Board found that the applicant's DD Form 214 does not reflect any foreign service. However, based on a Defense Finance and Accounting Service (DFAS) verification email dated 23 July 2025, which confirms the applicant served in Kuwait from 9 January 2003 to 16 July 2003 a total of 6 months and 7 days, the Board determined there is sufficient evidence to support correction of the record. As such, the Board granted relief to amend the applicant's DD Form 214 to reflect this period of foreign service in Item 12f and in Item 18 (Remarks) his period of deployment.

2. The applicant's request for a personal appearance hearing was carefully considered. In this case, the evidence of record was sufficient to render a fair and equitable decision. As a result, a personal appearance hearing is not necessary to serve the interest of equity and justice in this case.

BOARD VOTE:

| <u>Mbr 1</u> | <u>Mbr 2</u> | <u>Mbr 3</u> | |
|--------------|--------------|--------------|----------------------|
| 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 his DD Form 214 to show in:

- item 12f (Foreign Service) -6 months and 7 days
- item:18 (Remarks): SERVICE IN KUWAIT FROM 9 January 2003 UNTIL 16 July 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 635-8 (Separation Processing and Documents) prescribes policy and procedural guidance relating to transition management. It consolidates the policies, principles of support, and standards of service regarding processing personnel for transition. Paragraph 5-6r provides: for all Soldiers, list any/all outside the continental U.S. deployments completed during the period of the DD Form 214. Include the statement, "SERVICE IN (NAME OF COUNTRY DEPLOYED) FROM (inclusive dates)."

//NOTHING FOLLOWS//