

IN THE CASE OF: [REDACTED]

BOARD DATE: 10 January 2024

DOCKET NUMBER: AR20220010930

APPLICANT REQUESTS: correction of her DD Form 214 (Certificate of Release or Discharge from Active Duty), ending on 2 April 1991 to credit her with prior active service from June 1985 to June 1986

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 she was stationed at Fort Bragg, NC for MOS (military occupational specialty) 91C (Practical Nurse), course of training. She was considered active Army MEDDA (Medical Department) during training from June 1985 to June 1986.
3. Review of the applicant's service records shows:
 - a. She enlisted in the U.S. Army Reserve on 12 June 1981. She entered active duty for training (ADT) on 30 October 1981 and completed basic training at Fort Dix, NJ and training for MOS 91B, Medical Care Specialist and 91C, Patient Care Specialist, at Fort Sam Houston, TX.
 - b. She was honorably released from active duty on 24 June 1982 to the control of her Reserve unit. Her DD Form 214 for this period shows she completed 7 months and 21 days of active service.
 - c. She extended her enlistment in June 1985 and May 1988, and she reenlisted in January 1989.

d. Her service record contains a memorandum, dated 11 June 1986, from the Program Director, 300-91C30 Phase II Course Director at Womack Army Community Hospital Center, Fort Bragg, NC, Subject: Academic Relief (Approved 11 June 1986). It states the request for the academic relief of the applicant, dated 2 May 1986, is approved.

e. Her service record also contains a "Referred" DA Form 1059 (Service School Academic Evaluation Report) that shows she was academically relieved from the Practical Nurse Course. She had attended the Practical Nurse Course at Fort Bragg, NC, period of the report is 14 June 1985 to 11 June 1986 (11 months and 29 days), but "Failed to Achieve Course Standards" and received an "Unsatisfactory" rating in all categories/abilities.

f. Upon her relief from 91C Practical Nurse Course, she returned to her Reserve unit, 5502nd Hospital, Aurora, CO.

g. She entered active duty in support of Operation Desert Shield/Storm on 1 February 1991.

h. On 28 March 1991, the commander, U.S. Army MEDDAC (separation authority) approve the applicant's request for hardship/parenthood (sole parent) discharge under the provisions of chapter 6 of Army Regulation (AR) 635-2000 (Personnel Separations) and ordered her service characterized as honorable.

i. The applicant was discharged from active duty on 2 April 1991. Her DD Form 214 for this period of service shows she completed 2 months and 2 days of active service. It also shows she had 1 year, 8 months, and 23 days of prior active service.

4. By regulation (AR 635-5) in effect at the time, Block 12d of the DD Form 214 reflects the total prior active service.

BOARD DISCUSSION:

1. After reviewing the application, all supporting documents, and the evidence found within the military record, 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 and standard review based on law, policy and regulation. Upon thorough review of the applicant's petition and military personnel records, the Board acknowledges the applicant currently possesses two DD Forms 214, covering service periods from 30 October 1981 to 24 June 1982 (7 months, 25 days), and from 1 February 1991 to 2 April 1991 (2 months, 2 days). These documents

collectively reflect a Total Prior Active Service of 1 year, 8 months, and 23 days, which is consistent with the entries on record.

2. The Board noted, the applicant requests further recognition of active-duty service for the period from 14 June 1985 to 30 June 1986 in connection with her attendance of the Practical Nurse Course at Fort Bragg, North Carolina. Upon evaluation, the Board finds sufficient corroborating documentation that verifies the applicant's active-duty status during this period. However, there is insufficient documentation in the record required to issue a complete DD Form 214 for this period of service. In light of the verified service and the applicant's honorable service during the training period, the Board determines it appropriate to issue a statement of service that acknowledge the applicant's service. Therefore, the Board grants partial relief in the form of a statement of service covering the period 14 June 1985 through 30 June 1986.

3. The Board wished to inform the applicant that the period of service is properly annotated within the Total Prior Active Service (Block 12d) noted on her DD 214 for the period ending 2 April 1991.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

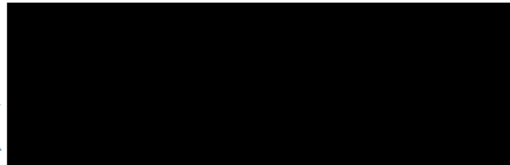
:	:	:	GRANT FULL RELIEF
■	■	■	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
:	:	:	DENY APPLICATION

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 issuing the applicant a statement of service for the period 11 June 1985 to 30 June 1986 to show her honorable service.

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 correction of the applicant's DD Form 214, ending on 2 April 1991 to credit her with prior active service from June 1985 to June 1986.

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 635-5 (Separation Documents), in effect at the time, prescribed the separation documents that must be prepared for Soldiers upon retirement, discharge, or release from active-duty service or control of the Active Army. It established standardized policy for preparing and distributing the DD Form 214. 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. The general instructions stated all available records would be used as a basis for preparation of the DD Form 214. The specific instructions for item 12d is to enter total amount of prior active military service less lost time, if any.

b. A DD Form 214 will be prepared for each Soldier as indicated:

(1) Active Army Soldiers on termination of active duty by reason of administrative separation (including separation by reason of retirement or expiration of term of service), physical disability separation, or punitive discharge under the Uniform Code of Military Justice;

(2) Reserve Component (RC) Soldiers completing 90 days or more of continuous active duty for training (ADT), Full-Time National Guard Duty, active duty for special work, temporary tours of active duty, or Active Guard Reserve service. Also, RC Soldiers separated for cause or physical disability, regardless of the length of time served on active duty.

(3) Army National Guard (ARNG) and USAR Soldiers mobilized under Title 10, U.S. Code, sections 12301(a), 12302, or 12304, and ARNG Soldiers called into Federal service under Title 10, U.S. Code, chapter 15 or section 12406, regardless of length of mobilization, when transitioned from active duty. A Soldier who reports to a mobilization station and is found unqualified for active duty will be excluded from this provision; and

(4) RC Soldiers completing initial ADT that results in the award of a military occupational specialty, even when the active-duty period was less than 90 days. This includes completion of advanced individual training under the ARNG of the United States Alternate Training Program or the USAR Split Training Program.

//NOTHING FOLLOWS//