

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: ██████████

BOARD DATE: 9 April 2024

DOCKET NUMBER: AR20230009810

APPLICANT REQUESTS: correction of his DD Form 214 (Certificate of Release or Discharge from Active Duty) show he served in Southwest Asia longer than 5 days.

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

- DD Form 149 (Application for Correction of Military Record)
- DD Form 214
- DD Form 2860 (Claim for Combat-Related Special Compensation (CRSC))
- Eligibility Determination Worksheet
- U.S. Army Human Resources Command (HRC) letter
- Corporate Award and Rating Data
- Member Entitlement Printout and Compensation
- U.S. Air Force (AF) Form 618 (Medical Board Report)
- Medical Evaluation Board (MEB) Narrative Summary
- Department of Veterans Affairs (VA) Rating Decision

FACTS:

1. The applicant did not file within the 3-year time frame provided in Title 10 (Armed Forces), United States Code (USC), section 1552 (b) (Correction of Military Records: Claims Incident Thereto). 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, in effect, his DD Form 214 incorrectly states the length of his deployment to Southwest Asia; he was there for more than 5 days, and he would like his DD Form 214 to show that. In support of his request, he supplies his DD Form 214, documents detailing his medical condition prior to redeployment, subsequent treatment, VA rating decision, and his efforts to gain approval for CRSC.

3. A review of the applicant's service record reveals the following:

a. On 29 September 1988, the applicant enlisted into the Regular Army for 4 years. Upon completion of initial entry training and the award of military occupational specialty

71L (Administrative Specialist), orders assigned him to an infantry battalion in Germany, and he arrived at his new unit, on 1 May 1989.

b. On 8 January 1991, the applicant deployed with his unit to Southwest Asia. While there, he began to exhibit behaviors that resulted in his referral for medical evaluation. On 6 February 1991, the U.S. Air Force (USAF) medical center at Lackland Air Force Base (AFB), TX, admitted the applicant for evaluation and treatment. The USAF medical staff subsequently conducted an MEB and determined the applicant suffered from a form of schizophrenia.

c. On 22 April 1991, an Army physical evaluation board (PEB) found the applicant unfit for continued military service, based on an in-line-of-duty schizophreniform disorder; the PEB recommended the applicant's placement on the Temporary Disability Retired List. On 26 May 1992, U.S. Total Army Personnel Command (now HRC) issued orders directing the applicant's retirement, effective 16 June 1992, and placement on the TDRL, effective 17 June 1992.

d. On 16 June 1992, the Army honorably retired the applicant; his DD Form 214 shows he completed 3 years, 8 months, and 18 days of his 4-year enlistment contract. The report additionally reflects the following:

(1) Item 13 (Decorations, Medal, Badges, Citations, and Campaign Ribbons Awarded or Authorized):

- Army Service Medal
- Overseas Service Medal
- National Defense Service Medal
- Army Achievement Medal
- Valorous Unit Award
- Southwest Asia Service Medal with two bronze service stars
- Two marksmanship qualification badges

(2) Item 18 (Remarks): indicates service in Southwest Asia, from 19910108 to 19910113 (5 days).

e. An additional review of the applicant's DA Form 2-1 (Personnel Qualification Record – Part II) shows the following:

- Item 27 (Remarks) – on temporary duty in Saudi Arabia, from 8 to 13 January 1991 (5 days)
- Item 35 (Record of Assignments) – on 8 January 1991, the applicant deployed to Southwest Asia; on 1 February 1991, the applicant entered a

casual status (meaning he was in transit); on 22 February 1991, the applicant was assigned to the Medical Holding Company at Fort Sam Houston, TX

4. The Defense Manpower Data Center compiled a database and produced a list showing Soldiers who were deployed in support of Operations Desert Shield/Desert Storm; the list indicates the applicant served in Southwest Asia, from 8 January to 15 February 1991 (38 days).

#### BOARD DISCUSSION:

After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that relief was not warranted. The applicant's contentions, the military record, and regulatory guidance were carefully considered. The evidence shows the applicant deployed to Southwest Asia on 8 January 1991 but encountered medical issues in theater, that required his redeployment to Germany and then on to Lackland Air Force Base, TX, where he was admitted on 6 February 1991. Item 27 (Remarks) of his DA Form 20 shows he was on temporary duty in Saudi Arabia, from 8 to 13 January 1991 (5 days) and item 35 (Record of Assignments) also shows he deployed on 8 January 1991, and on 1 February 1991, he entered a casual status (in transit); on 22 February 1991, he was assigned to the Medical Holding Company at Fort Sam Houston, TX. The evidence clearly shows he deployed on 8 January 1991; however, the date of redeployment is unclear. The Board found insufficient evidence to confirm the exact date he departed Saudi Arabia to Germany and how long he stayed in Germany, before being admitted to the hospital at Fort Sam Houston. As such, the Board determined the dates reflected on his DD Form 214 are correct and there is insufficient evidence to change those dates.

BOARD VOTE:

Mbr 1      Mbr 2      Mbr 3

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

BOARD DETERMINATION/RECOMMENDATION:

The evidence presented does not demonstrate the existence of a probable error or injustice. Therefore, the Board determined the overall merits of this case are insufficient as a basis for correction of the records of the individual concerned.

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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, USC, 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. AR 635-8 (Separation Processing and Documents), currently in effect, directs DD Form 214 preparers to add the following comment in item 18 for Soldiers who have deployed: "SERVICE IN (NAME OF COUNTRY DEPLOYED) FROM (inclusive dates)."

//NOTHING FOLLOWS//