

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 1 October 2024

DOCKET NUMBER: AR20230010971

APPLICANT REQUESTS: correction of his DD Form 214 (Certificate of Release or Discharge from Active Duty) for the period ending 20 October 1989 to show:

- add "82d Airborne Division" to item 7 (Last Duty Assignment and Major Command)
- his foreign service in Honduras in item 12f (Foreign Service)

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

- DD Form 149 (Application for Correction of Military Record under the Provisions of Title 10, U.S. Code, Section 1552)
- two DD Form 214, 28 September 1984 and 20 October 1989

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 other than the unfortunate actions that caused him to abandon his dream of retirement from the Army, he is proud of his service and it would be the proudest moment of his life.
3. The applicant listed in the regular Army on 1 October 1981.
4. He was honorably released from active duty on 28 September 1984 by reason of expiration term of service. He completed 2 years, 11 months, and 28 days of net active service during this period. His DD Form 214 shows in:
 - a. block 12f (Foreign Service), he completed 6 months of foreign service
 - b. block 13 (Decorations, Medals, Badges, Citations, and Campaign Ribbons Awarded or Authorized), he was awarded or authorized the:

- Army Service Ribbon
- Army Good Conduct Medal
- Sharpshooter Marksmanship Qualification Badge with Rifle Bar (M-16)
- Air Assault Badge
- Multi-National Force Observer Medal
- Army Achievement Medal

c. block 18 (Remarks), no entries showing foreign service in Honduras, during the period covered by the DD Form 214.

5. He reenlisted in the Regular Army on 28 November 1986.

6. Headquarters, 82nd Airborne Division Orders 97-85, 28 May 1987 relieved him from Replacement Detachment 82nd Adjutant General Company and assigned him to Battery B, 3rd Battalion, 319th Field Artillery Regiment.

7. His record contains a partially legible memorandum from the Chief, Military Awards Branch which shows he was authorized the wear of the Honduran Parachutist Badge.

8. His DA Form 2-1 (Personnel Qualification Record – Part II) shows in:

a. item 5 (Oversea Service), no overseas service; and

b. item 35 (Record of Assignments), he was assigned to Battery B, 3rd Battalion, 319th Field Artillery Regiment, 82nd Airborne Division, Fort Bragg NC, from 28 May 1987 to 20 October 1989.

9. His Official Military Personnel File is void of any documentation (e.g., deployment orders, an award specific to the operation, etc.) showing foreign service in Honduras.

10. He was discharged from active duty on 20 October 1989 under the provisions of Army Regulation 635-200, paragraph 14 12c, by reason of misconduct – commission of a serious offense. He completed 2 years, 9 months, and 16 days of net active service during this period. His DD Form 214 shows in:

a. block 7 (Last Duty Assignment and Major Command), Battery A, 3rd Battalion, 319th Field Artillery Regiment, U.S. Army Forces Command

a. block 12f (Foreign Service), no foreign service

b. block 13 (Decorations, Medals, Badges, Citations, and Campaign Ribbons Awarded or Authorized), he was awarded or authorized the:

- Army Service Ribbon
- Parachute Badge
- Sharpshooter Marksmanship Qualification Badge
- Army Good Conduct Medal
- Air Assault Badge
- Multi-National Force Observer Medal
- Army Achievement Medal
- Honduran Parachute Badge
- Driver Badge

c. block 18 (Remarks), no entries showing foreign service in Honduras, during the period covered by the DD Form 214.

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.

a. Last Duty Assignment: Deny. The applicant was last assigned to Battery A, 3rd Battalion, 319th Field Artillery Regiment, which was part of FORSCOM (U.S. Army Forces Command) as the major command. His DD Form 214 correctly lists his last unit and major command.

b. Foreign Service: Deny. The applicant's service record is void of any documentation (e.g., deployment orders, an award specific to the operation, etc.) showing foreign service in Honduras. He provides no evidence of such foreign service and/or the specific dates he arrived in and departed from Honduras. If the applicant can provide the exact dates of his deployment to Honduras, with supporting documentary evidence he may apply to this Board for reconsideration.

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, 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 15-185 (Army Board for Correction of Military Records) prescribes the policies and procedures for correction of military records by the Secretary of the Army acting through the ABCMR. The ABCMR begins its consideration of each case with the presumption of administrative regularity. The applicant has the burden of proving an error or injustice by a preponderance of the evidence.

3. 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. Paragraph 2-1 states:

a. For item 7 enter last unit of assignment, major command, and the corresponding two character assignment code shown in paragraph 2-4, AR 680-29.

b. For item 12f, enter the total amount of foreign service completed during the period covered by the DD Form 214.

c. For item 18, use the remarks section for entries required by HQDA for which a separate item is not available on the form and for completing entries that are too long for their blocks.

//NOTHING FOLLOWS//