

IN THE CASE OF: [REDACTED]

BOARD DATE: 25 July 2024

DOCKET NUMBER: AR20230012248

APPLICANT REQUESTS: correction of his DD Form 214 to reflect his service in Panama.

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

- DD Form 149 (Application for Correction of Military Record)
- DD Form 214 (Certificate of Release or Discharge from Active Duty)

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 he would like to have his tour in Panama added to his DD Form 214 to be eligible for Department of Veterans Affairs (VA) benefits.
3. On 3 November 1987, the applicant enlisted in the Regular Army. He completed the training requirements and was awarded military occupational specialty 95B (Military Police (MP)).
4. His DA Form 2-1 (Personnel Qualification Record (PQR)) includes the following entries and information:
  - a. Item 5 (Foreign Service) - blank.
  - b. Item 35 (Record of Assignments) - does not reflect service in Panama
5. There are no orders or other evidence available confirming service in Panama.

6. On 7 March 1990, he was honorably released from active duty and issued a DD Form 214 documenting his service. The DD Form 214 shows he completed 2 years, 4 months, and 5 days of net active service and contains the following entries and information:

- 12f (Foreign Service) – 0 years, 0 months, and 0 days [none]
- 18 (Remarks) does not contain an entry for service in Panama.

BOARD DISCUSSION:

After reviewing the application and all supporting documents, the Board determined relief was not warranted. Based upon the lack of evidence in the applicant's record or provided by the applicant showing he served in Panama during the period of military service covered on the applicant's DD Form 214, the Board concluded there was insufficient evidence of an error or injustice warranting a change to the applicant's record.

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.

1/7/2025

X 

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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. AR 635-5 (Personnel Separations), in effect at the time, established the standardized policy for preparing and distributing the DD Form 214. Chapter 2 contained guidance on preparation of the DD Form 214. It stated:
  - a. All foreign service completed during the period covered by the DD Form 214 will be entered in block 12f (Foreign Service).
  - b. An active-duty Soldier deployed with his or her unit during their continuous period of active service, enter in block 18 (Remarks) the statement "Service in (Name of Country Deployed) From (inclusive dates for example, YYYYMMDD - YYYYMMDD)."

//NOTHING FOLLOWS//