

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 7 June 2024

DOCKET NUMBER: AR20230013223

APPLICANT REQUESTS: issuance of DD Forms 214 (Certificate of Release or Discharge from Active Duty) for service in support of:

- Desert Shield/Desert Storm from October 1991 to June 1992
- Operation Joint Endeavor from 18 December 1995 to 24 August 1996

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

- DD Form 149 (Application for Correction of Military Record)
- NATO Medal Certificate
- Certificate of Appreciation
- Operation Joint Endeavor Certificate
- Orders 215-2237 Release 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 is requesting a DD Form 214 for his active duty deployment to a combat zone for the purpose of acquiring a Department of Veterans Affairs (VA) home loan. He had two active duty tours during his enlistment. Operation Desert Storm from October 1991 to June 1992 and Operation Joint Endeavor from 18 December 1995 through 24 August 1996 when he deployed in theater. He does not have documentation for Operation Desert Storm. He provided documents for his deployment for Operation Joint Endeavor. He is attempting to use benefits for a VA home loan.

3. The applicant provides the following documents:

a. North Atlantic Treaty Organization (NATO) Medal Certificate awarding the applicant the NATO Medal for service with NATO on operations in relation to the former Yugoslavia during the period 10 January 1996 to 15 July 1996.

b. Certificate of Appreciation for participation and outstanding service during Operation Joint Endeavor from 10 January 1996 to 15 July 1996.

c. Scroll of Appreciation for service in support of Operation Joint Endeavor.

d. Orders 215-2237, published by Headquarters, United States Infantry Center, dated 2 August 1996 released the applicant from active duty effective 24 August 1996.

4. The applicant's service record contains the following documents:

a. DD Form 4 (Enlistment/Reenlistment Document Armed Forces of the United States), shows the applicant enlisted in the U.S. Army Reserve (USAR) on 12 September 1987.

b. DD Form 214 shows the applicant entered active duty, as a member of the USAR, in 1988 and was released in 1988. He obtained a military occupational specialty (MOS) and was released back to his USAR unit.

c. DD Form 220 (Active Duty Report), shows the applicant was ordered to active duty from 3 May 1991 through 16 July 1991. The report does not indicate where he performed his active duty.

d. DD Form 4, dated 29 July 1993 shows the applicant reenlisted in the USAR.

e. Orders 347-029, published by Headquarters, 96th Regional Support Command, dated 13 December 1995 ordered the applicant to active duty for Operation Determined Effort with a reporting date of 14 December 1995 and not to exceed 270 days.

f. Orders D-08-954888, published by USAR Personnel Command, dated 3 August 1999 honorable discharged the applicant from the USAR effective 3 August 1999.

g. The applicant's service record is void of DD Forms 214 for Desert Shield/Desert Storm from October 1991 to June 1992 or Operation Joint Endeavor from 18 December 1995 to 24 August 1996.

h. The applicant's name is not listed on the Gulf War/Operations Desert Shield/Storm Data Base Roster, compiled by Defense Manpower Data Center, August 1990 - December 1997.

5. On 14 May 2024, Defense Finance Accounting Service (DFAS) responded to an inquiry regarding the applicant's service in support of Desert Shield/Storm and Operation Joint Endeavor. DFAS did not have record of service for the applicant for the

period of October 1991 to June 1992. DFAS included the only documents they could find for the applicant, which includes his Master Military Pay Account (MMPA) for 1995 and 1996. The "50" are periods of active duty.

a. The applicant's 1995 MMPA shows he was on active duty for the following periods:

- 15 May 1995 through 18 May 1995
- 6 June 1995 through 9 June 1995
- 15 August 1995
- 17 August 1995 through 20 August 1995
- 28 August 1995 through 1 September 1995

The MMPA does not indicate where he performed his active duty service.

b. The applicant's 1996 MMPA shows he was on active duty from 1 January 1996 through 24 August 1996. The MMPA does not indicate where he performed his active duty service.

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 Board carefully considered the applicant's record of service, documents submitted in support of the petition, and executed a comprehensive review based on law, policy, and regulation. The Board reviewed the military pay account provided by the Defense Finance and Accounting Service (DFAS). The Board noted the applicant's contention of his service in theater; however, found his contention to be insufficient to award foreign service credit without verification. Therefore, the Board determined there was no error or injustice to support amending his record.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

:	:	:	GRANT FULL RELIEF
:	:	:	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING

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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.

ADMINISTRATIVE NOTE(S):

Correct the applicant's DD Form 214 for the period ending 1988 by changing his uncharacterized discharge to honorable. The applicant was ordered to active duty to complete his initial active duty training, received an MOS, and was returned to his USAR unit upon completion.

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 the policy and procedural guidance relating to transition management. It consolidates the policies, principles of support, and standards of service regarding processing personnel for transition. It provides that 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 retirement, or discharge. A DD Form 214 will be prepared for USAR personnel completing 90 days or more days of continuous active duty or USAR personnel separated for cause or physical disability regardless of the length of time served on active duty. A DD Form 214 will not be prepared for personnel separated/discharged who have been furnished a prior edition of the DD Form 214 unless that form needs reissuance for some other reason.

//NOTHING FOLLOWS//