

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 18 February 2025

DOCKET NUMBER: AR20240007878

APPLICANT REQUESTS: correction of DD Form 214 (Certificate of Release or Discharge from Active Duty) for the period ending on 4 September 1992 to show additional service credit through October 1992.

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

- DD Form 149 (Application for Correction of Military Record)
- DD Form 214, period ending 24 October 1990
- DD Form 214, period ending 4 September 1992

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 his discharge date is incorrect. He remained in the Army from August 1992 to October 1992 in support of Hurricane Andrew. The correction will allow him to secure better housing since he is currently a homeless Veteran. He is currently unable to get assistance due to his time in service being incorrect. He lost his job and home. His discharge date is July 2024. His unit has been dissolved and he is unable to get access to work dates or the clerk who entered the wrong discharge date.
3. A review of the applicant's service record shows the following:
 - a. He enlisted in the Florida Army National Guard (FLARNG) on 30 April 1990.
 - b. He entered initial active duty for training (IADT) on 29 June 1990. He was released from ADT on 24 October 1990 with an uncharacterized characterization of service. His DD Form 214 shows he completed 3 months and 26 days of active service.
 - c. On 7 December 1992, the applicant received State Active Duty Order – Hurricane Andrew. The applicant was ordered to perform duty from 5 September 1992 to

29 September 1992, for the purpose of assisting local and state law enforcement authorities during Hurricane Andrew with an effective date of 5 September 1992.

d. On 4 September 1992, the applicant was honorably released from ADT and returned to his ARNG unit. His DD Form 214 shows he completed 1 month, and 8 days of net active service.

e. On 17 June 1993, the applicant was honorably released from the FLARNG. His NGB Form 22 (Report of Separation and Record of Service) shows he completed 3 years, 1 month, and 18 days of net service for the period.

4. A review of the applicant's record confirms the applicant is eligible for an honorable characterization of service on his DD Form 214 for the service period ending 24 October 1990 for completion of IADT. The amendment will be made as an administrative correction and will not be considered by the Board.

5. By regulation (AR 635-5), 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. Chapter 5 further notes, a DD Form 214 will be prepared for ARNG and USAR Soldiers mobilized under 10 USC sections 12301, 12302, 12304, 12304a, or 12304b and ARNG Soldiers called into Federal service under 10 USC 12301 or 32 USC 502, regardless of length of mobilization, when transitioned from active duty.

BOARD DISCUSSION:

1. 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 evidence presented does not demonstrate the existence of a probable error or injustice. The evidence of record shows the applicant was discharged on 4 September 1992. The applicant did not provide and the record did not show an alternate discharge date of October 1992 as requested by the applicant. Based on the service record and a preponderance of the evidence, the Board denied relief.

2. Prior to closing the discussion, the Board reviewed and concurred with the administrative note below.

BOARD VOTE:Mbr 1 Mbr 2 Mbr 3

:	:	:	GRANT FULL RELIEF
:	:	:	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
:XX	:XX	:XX	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.

X //signed//

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.

ADMINISTRATIVE NOTE(S):

A review of the applicant's service records shows he completed IADT and is eligible for an administrative correction of his DD Form 214 for the service period ending 24 October 1990. As a result, reissue his DD Form 214 with an honorable characterization of service.

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) states 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. Chapter 5 further notes, a DD Form 214 will be prepared for ARNG and USAR Soldiers mobilized under 10 USC sections 12301, 12302, 12304, 12304a, or 12304b and ARNG Soldiers called into Federal service under 10 USC 12301 or 32 USC 502, regardless of length of mobilization, when transitioned from active duty.

//NOTHING FOLLOWS//