

## FAQ

### **Q1. What was the Secretary's decision?**

A1. The Secretary of the Army set aside the court-martial convictions related to the 1917 Houston riot and directed that all military records for convicted Soldiers not restored to duty be corrected to reflect they received an Honorable Discharge, and all rights and privileges lost because of the court-martial decisions be restored.

### **Q2: What does this decision mean for the next of kin of the Soldiers? Will they be eligible for any military benefits normally afforded to service members?**

A2. Following the Secretary of the Army's decision, all individual historical records must be corrected, and new Honorable Discharge certificates and Certifications of Military Service must be completed. This process will happen automatically and is estimated to take 4-6 weeks (more information about this process is below). Once completed, impacted next of kin will be able to request the corrected records and then submit applications to Army Review Boards Agency and the Department of Veterans Affairs (VA) for several benefits including relocation of the deceased to a desired location with a modified headstone, to include rank, branch of service, etc.; burial with military honors; and life insurance payments.

### **Q3. How long will it be before each individual record is updated?**

A3. It will take 4-6 weeks from the date the Secretary of the Army set aside the court-martial convictions. The Army Review Boards Agency (ARBA) will correct individual historical records and refile records with National Archives and Records Administration (NARA). NARA will complete a Certification of Military Service and provide those Certificates to the VA.

### **Q4. How do applicants prove that they are eligible descendants?**

A4. An applicant will need to provide documentation (e.g., birth certificates, death certificates, marriage documents, government records, letters of administration reflecting they are the personal representative of the estate) demonstrating they are a descendant of the Soldier for whom they are requesting additional records corrections or submitting a claim for benefits. Generally, when a former service member is deceased, the service member's spouse, widow or widower, next of kin (mother, father, brother, sister, or children), legally designated representative, or other specified individual can apply on behalf of the service member. An applicant must provide legal proof of the death of the service member and proof of legal relationship to the service member.

### **Q5. I think I may be eligible to receive benefits on behalf of a deceased family member. What is the claims process?**

A5. The first step in the process is for the applicant to request a copy of the Soldier's records from the [National Archives and Records Administration](#) (NARA). These records should be available approximately 4-6 weeks after the Secretary of the Army's decision. Once the applicant has a copy of the updated record, they may submit a claim to the Army Review Boards Agency (ARBA). After ARBA receives the claim, the applicant will receive a letter regarding the next steps. ARBA will forward the applicant's claim to the appropriate agency for review. Potential claim amounts and entitlements will be determined on a case-by-case basis.

### **Q6. How do descendants of Soldiers or other interested parties request a copy of the corrected records?**

## FAQ

A6. Descendants of the 110 Soldiers or other interested parties may request a copy of the corrected records from National Archives and Records Administration (NARA), in accordance with NARA Archival Records Request procedures. NARA defines next-of-kin as any of the following: the un-remarried widow or widower, son, daughter, father, mother, brother or sister of the deceased veteran.

**Q7. Does the Army intend to revisit other previous court martial cases or administrative discharges?**

A7. The Army is not currently reviewing any other similar cases. However, we are open to addressing other challenging moments of our history when the Army did not live up to our values.

**Q8. How long do I have to submit a claim?**

A8. According to 31 US Code § 3702, a beneficiary would have 6 years from the date of the Board action to file a claim for monetary benefits.

**Q9. How much is this going to cost the Army?**

A9. The total cost depends on the number of claims processed with a maximum amount estimated to be \$12 million.