

IN THE CASE OF: [REDACTED]

BOARD DATE: 9 September 2024

DOCKET NUMBER: AR20230008423

APPLICANT REQUESTS: correction of his DD Form 214 (Certificate of Release or Discharge from Active Duty) for the period ending 1 September 1996 to show in block 7b (Home of Record (HOR)), [REDACTED] (requested HOR) instead of [REDACTED] (contested HOR)

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

- DD Form 149 (Application for Correction of Military Record)
- DA Form 2808 (Report of Medical Examination), 22 October 1986
- DD Form 214, 1 September 1996
- Social Security Administration Statement, 11 May 2021

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, in effect, prior to joining the Army in 1987 he had been living in Texas since 1982. He ended up leaving from Minnesota for the Army because he was visiting his parents before he left. He worked in Texas from 1982 to 1986. He would like to have his HOR changed to [REDACTED] since that is where he lived. He is requesting this change so his son can use Texas benefits for college.
3. The applicant provides the following:
 - a. A copy of his Report of Medical Examination dated 22 October 1986, from the Dallas Military Entrance Processing Station where he took his enlistment physical. It shows the applicant's home address as to [REDACTED] (requested HOR).
 - b. Social Security Administration Statement dated 11 May 2021, which shows from 1983 to 1987 his address was [REDACTED]

4. A review of the applicant's service records shows:

a. DD Form 1966 (Application for Enlistment – Armed Forces of the United States), dated 5 June 1984, and shows:

- Block 3 (Current Address): [REDACTED]
- Block 4 (HOR): [REDACTED]

b. A DD Form 4 (Enlistment/Reenlistment Document Armed Forces of the United States), which shows he enlisted in the U.S. Army Reserve on 5 June 1984. This form shows in block 3 (HOR), [REDACTED]

c. DD Form 4, which shows he enlisted in the Regular Army on 21 August 1987. His DD Form 4 shows in block 3 (HOR), [REDACTED] (contested HOR).

d. He was honorably discharged from active duty on 1 September 1996. His DD Form 214 shows in block 7b (HOR), [REDACTED] (contested HOR).

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. The applicant's 1984 U.S. Army Reserve (USAR) DD Form 1966 listed the applicant's address in [REDACTED] and his Home of Record also as [REDACTED]. He initially enlisted in the USAR on 5 June 1984 in [REDACTED]. However, the applicant's enlistment in the Regular Army on 21 August 1987 reflects his Home of Record as [REDACTED]. Consequently, his DD Form 214 listed the Home of Record where he enlisted or entered active duty. Since the DD Form 214 is a record of continuous active duty, and since the applicant enlisted/entered active duty from [REDACTED], the Board determined his DD Form 214 correctly reflects his Home of Record. The Board found no error or injustice.

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.

9/9/2024

X [REDACTED]

CHAIRPERSON
[REDACTED]

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 635-8 (Separation Processing and Documents) provides the policies and procedures for separation documents. It states in block 7b (HOR), a Soldier's initial enlistment contract or appointment document is the source for this data, or any correction approved by HRC. List the street address, city, state, and zip code as the Soldier's HOR. For Reserve Component Soldiers, the active-duty order lists the Soldier's HOR. HOR is the place recorded as the HOR of the Soldier when commissioned, appointed, enlisted, or ordered to a tour of active duty. This cannot be changed unless there is a break in active service of at least 1 full day, or it is determined by the U.S. Army Human Resources Command (AHRC) to be factually incorrect. Requests to change HOR may be sent to AHRC. HOR is not necessarily the same as the legal domicile as defined for income tax purposes. Legal domicile may change during a Soldier's career.

//NOTHING FOLLOWS//