

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: ██████████

BOARD DATE: 1 May 2024

DOCKET NUMBER: AR20230008438

APPLICANT REQUESTS: correction of his DD Form 214 (Certificate of Release or Discharge from Active Duty) ending on 31 August 1996 to show a different name and address in Blocks 19a (Mailing Address After Separation) and 19b (Nearest Relative)

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

- DD Form 149 (Application for Correction of Military Record)
- Marriage Certificate to Tr*** on 1 September 2000
- Divorce Decree from Ca*** on 21 September 1999
- DD Form 214 ending on 31 August 1996

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 and Ca*** M. G***, Route [Number], Box [Number] Kingsland, Arkansas, zip code, were divorced in 1999. In September 2000, he married Tr*** J. G***, and his mailing address is 1**** Su*** Ma*** Lane, Hensley, Arkansas, zip code. He wants his DD Form 214 updated

3. Review of the applicant's service records shows:

a. Having had prior service, he reenlisted in the Regular Army on 26 March 1979. He served through multiple reenlistments in a variety of stateside or overseas assignments.

b. He retired on 31 August 1996. His DD Form 214 shows in:

- Block 19a (Mailing Address After Separation) Route [Number], Box [Number] Kingsland, Arkansas, zip code
- Block 19b (Nearest Relative) Ca*** M. G***, Address same as Block 19a

4. He provides his marriage certificate to Tr*** and divorce decree from Ca***.
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.

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 and standard review based on law, policy and regulation. Upon review of the applicant's available military records the Board determined there is insufficient evidence to warrant correction of the applicant's DD Form 214. The Board agreed the nearest relative listed on the applicant's DD Form 214 for the period ending 31 August 1996 was correct in accordance with law and regulatory guidance at the time the DD Form 214 was prepared during the applicant's separation. As such, the Board denied relief.
2. The governing regulation provides that at separation the service member's record will be used to enter accurate information when completing their DD Form 214, a summary of a specific period of active-duty service. The Army has an interest in maintaining the integrity of its records for historical purposes. The information in those records must reflect the conditions and circumstances that existed at the time the records were created.

BOARD VOTE:

<u>Mbr 1</u>	<u>Mbr 2</u>	<u>Mbr 3</u>	
:	:	:	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.



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 635-5 (Separation Documents), in effect at the time, prescribed the separation documents that must be prepared for Soldiers upon retirement, discharge, or release from active-duty service or control of the Active Army. It established standardized policy for preparing and distributing the DD Form 214. 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. The general instructions stated all available records would be used as a basis for preparation of the DD Form 214. The specific instructions for Block (19) MAILING ADDRESS AFTER SEPARATION and NEAREST RELATIVE will be provided by the soldier.
 - a. This address must be a permanent address. Civilian penal institutions will not be accepted.

b. Advise a soldier that the name and address of a relative should be someone who will know their location and address at all times. When a relative is not available, use a close friend. When the person is at the same address as 19a, enter "(NAME) and ADDRESS SAME AS BLOCK 19a."

//NOTHING FOLLOWS//