

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: ██████████

BOARD DATE: 15 March 2024

DOCKET NUMBER: AR20230008478

APPLICANT REQUESTS: credit for active service days served while he was on Reserve Component (RC) active duty and correction of his DD Form 214 (Certificate of Release or Discharge from Active Duty) to show his RC active duty.

APPLICANT'S SUPPORTING DOCUMENT(S) CONSIDERED BY THE BOARD: DD Form 149 (Application for Correction of Military Record), 15 May 2023.

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, his DD Form 214 shows an incorrect number of active duty days. He completed between 197 and 200 days while in the RC. He has been unable to reach his Reserve unit without success. He is attempting to use his Veterans benefits and this would help him and his family.
3. A review of the applicant's service records shows:
 - a. DD Form 4 (Enlistment/Reenlistment Document) shows on 3 February 1982, he enlisted in the U.S. Army Reserve (USAR) for a period of 6 years in the Alternate Training Program (ATP).
 - b. A DD Form 1966 (Application for Enlistment) shows he agreed to enter into the ATP with a reporting date at Basic Combat Training at Fort Dix of 4 June 1982.
 - c. On 3 February 1982, Armed Forces Examining and Entrance Station (AFEES), Houston, TX issued Initial Active Duty Training (IADT) Order Number 24-19L, authorizing him government transportation to Initial Active Duty Training (IADT) for Advanced Individual Training (AIT). These orders further show:
 - U.S. Army, Fort Dix, Reception Station date of 25 May 1982

- a basic training date of 4 June 1982
- AIT reporting Date (Alternate Training) (date not shown, date not known) for military occupational specialty (MOS) 63B training
- AIT training period: 8 weeks or upon completion of MOS training

d. Although a DD Form 220 (Active Duty Report) is not available for review, the applicant likely entered active duty on 25 May 1982 and completed basic combat training starting on 4 June 1982. His exact date of graduation from basic training is unknown.

e. On 3 June 1983, he entered active duty for training (advanced individual training (AIT)). Orders to AIT are not contained in the available records.

f. On 27 August 1983, he was honorably released from active duty training due to the completion of his military occupational specialty training, and was transferred to the 808th Engineer Company, Pasadena, TX His DD Form 214 shows in:

- Block 12a (Date Entered AD This Period) – 3 June 1983
- Block 12b (Separation Date This Period) – 27 August 1983
- Block 12c (Net Active Service This Period) – 2 months and 25 days
- Block 12d (Total Prior Active Service) – 2 months and 2 days
- Block 12e (Total Prior Inactive Service) – 1 year, 1 month and 28 days

g. Orders 87-102, issued by the Deputy Chief of Staff, Headquarters, Fifth U.S. Army, Fort Sam Houston, dated 5 May 1988, honorably discharged him from the USAR and authorized issuance of a DD Form 256A (Honorable Discharge Certificate).

h. The applicant's records do not contain, and he does not provide evidence of another period of active duty of 90 days or more, that would have necessitated the issuance of another DD Form 214.

i. 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. The applicant's contentions, the military record, and regulatory guidance were carefully considered. After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that relief was not warranted.
2. The available evidence failed to show the applicant completed another period of active duty of 90 days or more, that would have necessitated the issuance of another DD Form 214.
3. The information entered on the DD Form 214 reflects the circumstances within the records at the time of issuance. Service occurring after the issuance of a DD Form 214 is not authorized for entry.

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.

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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.

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 15-185 (Army Board for Correction of Military Records) prescribes the policies and procedures for correction of military records by the Secretary of the Army acting through the ABCMR. The ABCMR begins its consideration of each case with the presumption of administrative regularity. The applicant has the burden of proving an error or injustice by a preponderance of the evidence.

3. Army Regulation 635-5 (Separation Documents), in effect at the time, prescribed the separation documents that must be prepared for soldiers on retirement, discharge, release from active duty service, or control of the Active Army. It established standardized policy for preparing and distributing the DD Form 214.

a. A DD Form 214 will be prepared for all personnel at the time of their retirement, discharge, or release from the Active Army.

b. In Block 12 (Record of Service), use extreme care in completing this block since post-service benefits, final pay, retirement credit, and so forth are based on this information.

c. In Block 12a (Date Entered Active Duty), enter the beginning date of the continuous period of AD for issuance of this DD Form 214, for which a DD Form 214 was not previously issued.

d. In Block 12b (Separation Date This Period), enter the Soldier's transition date. This date may not be the contractual date if soldier is separated early, voluntarily extends, or is extended for make up of lost time, or retained on active duty for the convenience of the Government.

e. In block 12c (Net Active Service This Period), enter the amount of service this period, computed by subtracting item 12a from 12b. Lost time under Title 10 USC 972 and non-creditable time after ETS, if any, are deducted. Such time will be identified in block 18 (Remarks). If soldier was released from active duty because of voided enlistment, enter "00 00 00."

f. In block 12d (Total Prior Active Service), from previously issued DD Forms 214 and or ERB/ORB, enter the total amount of prior active military service, less lost time, if any.

g. In block 12e (Total Prior inactive Service), from previously issued DD Form 214 and or ERB/ORB, enter the total amount of prior inactive service, less lost time, if any.

4. Army Regulation 140-111 (Army Reserve – Enlistment and Reenlistment), Change 5, in effect at the time (1 November 1980), governs the immediate reenlistment or extension of current members of the U.S. Army Reserve. The regulation provides guidance for commanders and reenlistment personnel in conducting the U.S. Army Reserve Reenlistment Program. It covers program policy, applicant eligibility criteria, and processing guidelines. It only pertains to immediate reenlistment or extension of current terms of service of personnel for continuing membership in Troop Program Units, the Individual Ready Reserve, and Active Guard Reserve status. Initial and prior service enlistments in the U.S. Army Reserve are covered by AR 601-210.

a. Training requirements (IADT). The Standard Training Program. Initial enlistment in the USAR by a nonprior service applicant under the Standard Training Program requires the individual to enter on IADT and successfully complete a Basic Training Program and Advanced Individual Training (AIT) resulting in qualification in a military occupational specialty (MOS). The length of time that the individual is required to remain on active duty for training (ADT) is dependent on the MOS in which the individual is to be trained. However, the minimum period of time required on IADT is 12 weeks.

b. The Alternate Training Program. A pilot of a revised Alternate Training Program which will allow both male and female applicants to participate has been authorized by HQDA, ODCSPER. Enlistment under this program requires the applicant to enter on IADT to undergo the common basic training program. Upon successful completion of basic training, the member will be released from ADT and shall return home and commence training with the unit of assignment in a paid drill status. Within one year of the last day of separation from IADT (basic training), the member will again enter on IADT to successfully complete AIT resulting MOS qualification. The length of time the individual must spend on ADT while undergoing AIT is dependent upon the MOS in which the individual is to be trained. The minimum period of time on IADT (basic training and AIT) must total at least 12 weeks for the individual to be considered deployable. Unit readiness reports will reflect exact deployability status.

(1) The Alternate Training Program is limited to applicants who:

(a) Cannot complete basic training and AIT during one continuous ADT period because of school or seasonal employment.

(b) Enlist for 6 years in a Troop Program Unit (6 x 0 Option). The 4 x 2, 3 x 3, and 3 x 0 options are not authorized with the Alternate Training Program.

(c) Meet the basic eligibility requirements for enlistment in accordance with table 2-1.

(2) Applicants will be enlisted in either Training/Pay category P or L in accordance with paragraph 2-12. Upon return from first ADT (basic training) the participant will be placed in Training/ Pay Category Q.

(3) Basic training reservations will be made through request at the time of enlistment.

(4) Both periods of ADT (basic training and AIT) are considered IADT. Time in grade for promotion to E2 begins upon entry on the first ADT period (basic training). Enlistees may not be promoted to pay grade E2 until 180 days subsequent to entry on the first ADT (basic training).

//NOTHING FOLLOWS//