

IN THE CASE OF: [REDACTED]

BOARD DATE: 2 May 2024

DOCKET NUMBER: AR20230010124

APPLICANT REQUESTS: correction of his DD Form 214 (Certificate of Release or Discharge from Active Duty) for the period ending 31 August 1992 to show his active service from 1972.

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

- DD Form 149 (Application for Correction of Military Record)
- DD Form 214, effective 31 August 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 he is requesting correction of his DD Form 214 to show his active service from 1972. He says the first half of his DD Form 214 is missing dates of service, and he needs the correction to show proof of his entry date.
3. Review of the applicant's service record shows:
 - a. He enlisted in the Regular Army on 8 August 1972.
 - b. He was honorably discharged on 18 July 1974 for immediate reenlistment. He was issued a DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge) that credited him with 1 year, 11 months, and 11 days.
 - c. The applicant reenlisted on 19 July 1974. He was again honorably discharged on 27 April 1978 for immediate reenlistment. He was also issued a DD Form 214 (Report of Separation and Record of Service) that credited him with 3 years, 9 months, and 9 days of active service, as well as 1 year, 11 months, and 11 days of prior active service, for a total of 5 years, 8 months, and 20 days.

d. He reenlisted on 28 April 1978 and again on 28 January 1982 and on 30 October 1985.

e. Orders 252-203, issued by Headquarters, US Army Armor Center & Fort Knox, on 9 September 1991, released him from active duty and placed him on the retired list, effective 31 August 1992.

f. On 31 August 1992, he was retired from active duty. His retirement DD Form 214 shows he completed 14 years, 4 months, and 3 days of active service. It also shows in:

- Block 12a (Date Entered Active Duty This Period): 28 April 1978
- Block 12b (Separation Date This Period): 31 August 1992
- Block 12c (Net Active Service This Period): 14 years, 4 months, and 3 days
- Block 12d (Prior Active Service): 5 years, 8 months, and 20 days
- Block 18 (Remarks): "Immediate reenlistments this period: 780428 – 820127; 820128 – 851029; and 851030 – 920831."

4. By regulation (AR 635-5), prior to 1 October 1979, a DD Form 214 was issued to Soldiers each time they were discharged for immediate reenlistment. That policy was discontinued after 1 October 1979.

BOARD DISCUSSION:

1. After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found relief is not warranted.

2. The Board noted that, prior to 1 October 1979, a DD Form 214 was issued each time a Soldier was discharged for immediate reenlistment. The applicant's record contains two DD Forms 214 that were issued to him when he reenlisted in 1974 and in 1978. His third DD Form 214 covered the remainder of his active duty service and documents his prior active service. The Board determined the service dates shown on the applicant's DD Forms 214 are correct and the DD Forms 214 comply with the policies in effect at the time they were issued.

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.

9/16/2024

X

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.

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 (AR) 635-5 (Personnel Separations – Separation Documents), prescribes the separation documents that must be prepared for soldiers on retirement, discharge, release from active duty service, or control of the Active Army. It establishes standardized policy for preparing and distributing the DD Form 214 (Certificate of Release or Discharge from Active Duty).

a. The DD Form 214 is a summary of a soldier's most recent period of continuous active duty. It provides a brief, clearcut record of active duty service at the time of release from active duty, retirement, or discharge. The DD Form 214 is not intended to have any legal effect on termination of a soldier's service.

b. The information on all eight copies of the form must be legible. Each block of the form must have an entry; when data is not applicable, enter "NA," "NONE" or hyphens, as appropriate. Avoid abbreviations whenever possible since the form is often used by civilian organizations.

c. Do not issue DD Form 214 to replace record copies or DD Forms 214 lost by soldiers. If no DD Form 214 is available, issue a statement of service or transcript of military record.

d. Effective 1 October 1979 ended the need to prepare DD Form 214 for enlisted members who are discharged from immediate re-enlistment.

//NOTHING FOLLOWS//