

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 1 May 2024

DOCKET NUMBER: AR20230010544

APPLICANT REQUESTS: correction to the following items of his DD Form 214 (Certificate of Release or Discharge from Active Duty) for the period ending 30 November 2007, to show a different address and nearest relative than currently listed:

- block 19a (Mailing Address After Separation)
- block 19b (Nearest Relative)

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

- DD Form 149 (Application for Correction of Military Record)
- Certification of Marriage
- Final Judgment and Decree of Divorce
- DD Form 214

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, he wants his DD Form 214 corrected to ensure his current spouse will receive his benefits.
3. Having 4 months and 21 days total prior active service, the applicant entered active duty in the Regular Army on 30 October 1986.
4. Having sufficient service for retirement, the applicant retired honorably on 30 November 2007. Block 19a of the DD Form 214 he was issued lists the contested address. Block 19b of the DD Form 214 he was issued lists the contested individual and address.

5. The applicant provides a different address, and he names a different nearest relative for placement in blocks 19a and 19b.
6. Army Regulation 635-8 (Separation Processing and Documents) states that item 19a is provided by the Soldier and must be a permanent address for mailing purposes. The "permanent" address serves as a basis for contacting a Soldier within a short time after separation in the event the need arose. This regulation also states that item 19b is provided by the Soldier and should reflect the name and address of a relative who would know the Soldier's location and address. If a relative is not available, list a close friend.

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 petition and available military records, the Board determined the address and nearest relative listed on his DD Form 214 for the period ending 30 November 2007 was correct in accordance with law and regulatory guidance at the time the DD Form 214 was prepared during the applicant's separation. The Board found no error or injustice regarding the applicant's request for correction. Therefore, 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 635-8, establishes the policies and provisions for the preparation and distribution of the DD Form 214. It states the DD Form 214 is a synopsis of the Soldier's most recent period of continuous active service. It provides a brief, clear-cut record of active Army service at the time of release from active duty, retirement, or

discharge. This regulation states that block 19a is provided by the Soldier and must be a permanent address for mailing purposes. Civilian penal institutions will not be accepted. The "permanent" address serves as a basis for contacting a Soldier within a short time after separation in the event the need arose. It also states that block 19b is provided by the Soldier and should reflect the name and address of a relative who would know the Soldier's location and address. If a relative is not available, list a close friend. Neither address is intended to be changed or updated each time the individual or family member remarries or relocates following a Soldier's separation.

//NOTHING FOLLOWS//