

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 28 May 2024

DOCKET NUMBER: AR20230010805

APPLICANT REQUESTS: in effect, correction of the following records to show his home of record (HOR) at the time of entry into military service as Nevada, instead of Hawaii:

- DD Form 4 (Enlistment/Reenlistment Document – Armed Forces of the United States), 31 March 2016
- U.S. Army Garrison-Hawaii Orders 201-0008, 20 July 2023
- DD Form 214 (Certificate of Release or Discharge from Active Duty) for the period ending 19 September 2023

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

- DD Form 149 (Application for Correction of Military Record under the Provisions of Title 10, U.S. Code, Section 1552)
- DD Form 4, 31 March 2016
- DD Form 1966 (Record of Military Processing – Armed Forces of the United States), 23 January 2017
- Enlisted Record Brief, 22 November 2022
- DD Form 214
- DD Form 4, 5 April 2023
- DD Form 5691 (Request for Reserve Component Assignment Orders), 5 April 2023
- Integrated Personnel and Pay System-Army Soldier Talent Profile, 26 July 2023
- Excerpts from an Unidentified Regulation or Pamphlet

FACTS:

1. The applicant states he initiated his enlistment processing while residing in Hawaii but relocated to Nevada and changed his HOR before completing the process.

a. He shipped to initial entry training from Nevada. He has all the documents and contracts that support Nevada as his HOR. He is currently clearing the installation and has orders showing his HOR as Hawaii. He is experiencing issues transporting his household goods to Nevada, which is his current HOR. He requests amendment of his

separation orders to show his HOR as Nevada to enable him to ship his household goods.

b. He knows that Army Regulation 601-280 (Army Retention Program), paragraph 11-10a(2) and table 11-1, state an erroneous HOR correction should be requested and the approval is the U.S. Army Human Resources Command (HRC), which he assumes is an administrative correction. "Department of the Army Pamphlet 680-201 [unknown]," chapter 13, states the HOR is the place recorded as the home of the individual when commissioned, appointed, enlisted, inducted, or ordered into the relevant tour of active duty. The place recorded as the home of the individual when reinstated, reappointed, or reenlisted remains the same as that recorded when commissioned, appointed, enlisted, or inducted or ordered into the relevant tour of active duty, unless there is a break in service of more than 1 full day. Only if a break in service exceeds 1 full day can the HOR be changed by the member.

2. His DD Form 4, 31 March 2016, shows he enlisted in the U.S. Army Reserve (USAR) in the Delayed Entry/Enlistment Program (DEP) on 31 March 2016 with an obligation to enlist in the Regular Army for a period of 3 years and 31 weeks by 11 October 2016 unless this period of time is otherwise extended by the Secretary concerned. His HOR is shown as Hawaii. Block 8a states: "While in the DEP, I understand that I must maintain my current qualifications and keep my recruiter Informed of any changes in my physical or dependency status, qualifications, and mailing address." He was discharged from the DEP and enlisted in the Regular Army effective 23 January 2017.
3. His DD Form 1966, 23 January 2017, shows his HOR as Nevada.
4. His DD Form 4, 20 June 2019, shows he reenlisted in the Regular Army for a period of 4 years. His HOR is shown as Hawaii.
5. His Enlisted Record Brief, 22 November 2022, shows his HOR as Nevada.
6. His DD Form 5691, 5 April 2023, shows he requested reassignment and enlistment in the Nevada ARNG.
7. His DD Form 4, 5 April 2023, shows he enlisted in the Army National Guard (ARNG) for a period of 1 year effective 20 September 2023. His HOR is shown as Nevada.
8. U.S. Army Garrison-Hawaii Orders 201-0008, 20 July 2023, released him from active duty effective 19 September 2023 and assigned him to an ARNG unit in Nevada. His HOR is shown as Hawaii.

9. His Integrated Personnel and Pay System-Army Soldier Talent Profile, 26 July 2023, shows his home address as Nevada.

10. He was honorably released from active duty on 19 September 2023 and transferred to the ARNG. He completed 6 years, 7 months, and 27 days of net active service during this period. His DD Form 214 shows his HOR as Hawaii.

11. He provided excerpts from an unidentified regulation or pamphlet in support of his request.

BOARD DISCUSSION:

After reviewing the application, all supporting documents, and the evidence found within the applicant's military records, the Board found that relief was 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 there is sufficient evidence to support the applicant's contentions for correction of his records to reflect his home of record as Nevada verses Hawaii. Evidence in the records shows his Enlisted Record Brief, 22 November 2022, with his HOR as Nevada as well as DD Form 4, 5 April 2023, showing he enlisted in the Army National Guard (ARNG) for a period of 1-year effective 20 September 2023. His HOR is shown as Nevada. Based on the preponderance of evidence the Board granted relief to correct the applicant's home of record to show Nevada.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

■	■	■	GRANT FULL RELIEF
:	:	:	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
:	:	:	DENY APPLICATION

BOARD DETERMINATION/RECOMMENDATION:

The Board determined the evidence presented is sufficient to warrant a recommendation for relief. As a result, the Board recommends that all Department of the Army records of the individual concerned be corrected by amending the applicant's DD Form 214 to show in item 7b (Home of Record (HOR)) for the period ending 19 September 2023 to reflect Nevada.



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. Army Regulation 601-280 (Army Retention Program), 31 January 2006 and in effect at the time, prescribed the criteria for the Army Retention Program.

a. Paragraph 11-10a(2) (Other Errors Detected or Changes Required after Execution and Distribution of DD Form 4) stated the authority to correct minor administrative or typographical errors discovered after distribution of the DD Form 4 is delegated to the immediate commander or his designee. Corrections will be made utilizing a DA Form 4187 (Personnel Action) indicating the corrections to DD Form 4.

b. Table 11-1 (Instructions for Completing DD Form 4), item 3 (HOR), stated for Regular Army Soldiers, enter the street, city, state, and zip code of the HOR. HOR is the place recorded as the home of the individual when commissioned, appointed, enlisted, inducted, or ordered into the relevant tour of active duty. The place recorded as the home of the individual when reinstated, reappointed, or reenlisted remains the same as that recorded when commissioned, appointed, enlisted, or inducted or ordered into the relevant tour of active duty unless there is a break in service of more than 1 full day. Only if a break in service exceeds 1 full day, can the HOR be changed by the member.

2. Army Regulation 601-210 (Regular Army and Reserve Components Enlistment Program) prescribes eligibility criteria governing the enlistment of persons and provides the policies and procedures for processing applicants for enlistment.

a. Paragraph 6-12 (DD Form 1966) states for HOR, enter the street, city, county, state, country, and zip code. Do not enter a temporary address. Address must be in the United States or a U.S. territory.

b. Paragraph 6-13 (DD Form 4) states the DD Form 4 establishes a legal relationship between the U.S. Government and the enlisted member. Special care will be taken to see that all items are correct, without strikeovers.

c. Paragraph 6-15 (Correction of Errors on Enlistment Forms) states an immediate commander or designee may correct minor administrative and typographical errors found after distribution of forms. A DA Form 4187 will be completed and a DD Form 4 or DD Form 1966 will be corrected for Regular Army and ARNG personnel. A copy of the approved DA Form 4187 will be forwarded to the Commander, HRC.

d. Paragraph 6-16 (Claims of Erroneous Entries) states the authority to act on claims of erroneous entries on enlistment documents that are not delegated elsewhere in this chapter or in Army Regulation 600-8-104 (Army Military Human Resource Records Management) is delegated to the Commander, HRC, for Regular Army and U.S. Army Reserve or the Director, Army National Guard, for ARNG. Requests relating to claims of erroneous entries must include a statement signed by the person; attach copies of substantiating documents that will assist in making a decision.

3. Army Regulation 600-8-104 (Army Military Human Resource Records Management), 7 April 2014 and in effect at the time, prescribed Army policy for the creation, utilization, administration, maintenance, and disposition of the Army Military Human Resource Record. Paragraph 5-2 (HOR) defined the term "home of record" as the place (city and state or country) recorded as the home of the individual when commissioned, reinstated, appointed, reappointed, enlisted, reenlisted, inducted, or ordered into the relevant tour of active duty. Official source documents include the DD Form 4.

a. An HOR is used to determine travel entitlements when a Soldier separates from the military. It has nothing to do with voting or paying taxes, registering vehicles, or any of the other privileges of state residency.

b. An HOR can only be changed if there is a break in service of more than 1 day or to correct an error. Any change in connection with a break in service must be recorded on the DD Form 4 at reenlistment. Corrections to erroneous HOR information in personnel systems can be addressed within the S-1, unit administrator, Reserve personnel action center, and/or military personnel division channels.

c. Requests for changes to HOR, with complete justification, must be filed with the Army Board for Correction of Military Records. A Soldier must submit a DD Form 149 to Army Review Boards Agency.

4. Army Regulation 635-8 (Separation Processing and Documents) prescribes policy and procedural guidance relating to transition management. It consolidates the policies, principles of support, and standards of service regarding processing personnel for transition. Paragraph 5-6 (Rules for Completing the DD Form 214) provides detailed instructions for data required in each block of the DD Form 214. The detailed instructions for block 7b (HOR) state 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 listed as the Soldier's HOR. The 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 HRC to be factually incorrect. Requests to change the HOR may be sent to: usarmy.knox.hrc.mbx.tagd-emilpo-helpdesk@mail.mil. The HOR is not necessarily the same as the legal domicile as defined for income tax purposes. A legal domicile may change during a Soldier's career.

5. The Joint Travel Regulation states the HOR is the place recorded as the home of the individual at the time of enlistment or induction. There is no authority to change the HOR as officially recorded at the time of entry into the military service. However, there is authority to correct an HOR if erroneously entered on the records at that time, and then only for travel and transportation purposes. Correction of the HOR must be based on evidence that a bona fide error was made and the HOR as corrected must have been the actual home of the individual at the time of entry into the relevant period of service. It may not be a place selected for the convenience of the Soldier.

//NOTHING FOLLOWS//