

IN THE CASE OF: [REDACTED]

BOARD DATE: 27 June 2024

DOCKET NUMBER: AR20230012852

APPLICANT REQUESTS: correction of his DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge) to show his separation date as 8 January 1974.

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

- DD Form 149 (Application for Correction of Military Record)
- Army Board for Correction of Military Records (ABCMR) Letter, Docket Number AR20170005269, 17 June 2019
- DA Form 20 (Enlisted Qualification Record)

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 his correct date of separation should be 8 January 1974 and the appropriate changes need to be made to his DD Form 214.
3. The applicant provides a DA Form 20 (Enlisted Qualification Record) that shows, in part, in item 11 (Enlisted, Inducted, Reenlisted, Extended) – the applicant enlisted in the Regular Army on 9 January 1968, for a 6-year enlistment, with an expiration date of 8 January 1974.
4. A review of the applicant's service records show:
 - a. On 7 April 1966 the applicant was inducted into the Army of the United States.
 - b. His DA Form 20 shows in:
 - (1) Item 11 - the applicant enlisted in the Regular Army on 9 January 1968, for a 6-year enlistment, with an expiration date of 8 January 1974.

(2) Item 31 (Foreign Service) – service in Germany 31 August 1966 to 1 July 1968.

(3) Item 38 (Record of Assignments) – shows on 10 July 1969 he was placed on the temporary disability retirement list (TDRL), effective 10 July 1969.

c. He was honorably discharged (due to reenlistment) on 8 January 1968.

d. He enlisted in the Army on 9 January 1968. He was honorably retired from active duty and placed on TDRL on 10 July 1969. He completed 1 year, 9 months, and 2 days of active service.

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. Although the applicant had contracted to serve on active duty through 8 January 1974, the record shows he incurred a disabling condition and was placed on the TDRL effective 10 July 1969. The Board determined the separation date recorded on his DD Form 214 is not in error or unjust.

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.

12/19/2024

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 635-5 (Separation Documents), in effect at the time states the DD Form 214 is a summary of the Soldier's most recent period of continuous active duty. For item 11d (Effective Date): Enter the date the separation is effective.

//NOTHING FOLLOWS//