

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 16 July 2024

DOCKET NUMBER: AR20230013020

APPLICANT REQUESTS: correction of his DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge) to show in:

- Item 9 (Marital Status) – Married vice Single
- Item 30b (Amount of Allotment) – to show the amount
- Item 30c (Discontinued Date) – to show the discontinued date

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

- DD Form 149 (Application for Correction of Military Record)
- Certificate of Marriage

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 DD Form 214 needs to be corrected. Item 9 is unclear; he does not know if it shows single or married. Prior to his separation from the U.S. Army, he was married. While being married an allotment was received until his separation month. Item 30b should show the amount of the allotment and item 30c should show the discontinued date.
3. The applicant provides a certificate of marriage that shows his marriage date as 21 May 1966.
4. A review of the applicant's service records show:
  - a. On 10 September 1964, he was inducted into the Army of the United States.
  - b. His DA Form 20 (Enlisted Qualification Record) - shows in item 10 (Marital Status) – "S" [Single].

5. On 10 September 1966, he was honorably released from active duty. His DD Form 214 shows he completed 2 years of active service. His DD Form 214 also shows in:

- Item 9 – shows the entry single and married.
- Item 30a (Government Life Insurance in Force) – an “x” was entered in the “No” block.
- Item 30b (Amount of Allotment) – no entries.
- Item 30c (Month Allotment) – no entries.

**BOARD DISCUSSION:**

After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that partial relief was warranted. The applicant’s contentions, the military record, and regulatory guidance were carefully considered.

a. Marital Status: Grant. The applicant served on active duty from 10 September 1964 to 10 September 1966. There is evidence he was married on 21 May 1966, while on active duty. His DD Form 214 indicates in Block 9 (Marital Status) the words single and married typed on top of each other. For clarity, the Board determined this block should be corrected to show “married.”

b. Amount of Allotment and Discontinued Date: Deny. The applicant does not provide a copy of the form that started and/or stopped his allotment and/or shows the amount of such allotment. Since the Board is not an investigative agency, and since the applicant does not provide evidence of an error, the Board found insufficient evidence to show the amount of his allotment or the date he discontinued it.

BOARD VOTE:

Mbr 1      Mbr 2      Mbr 3

:            :            :            GRANT FULL RELIEF

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:            :            :            GRANT FORMAL HEARING

:            :            :            DENY APPLICATION

BOARD DETERMINATION/RECOMMENDATION:

1. The Board determined the evidence presented is sufficient to warrant a recommendation for partial relief. As a result, the Board recommends that all Department of the Army records of the individual concerned be corrected by deleting the existing entry from Block 9 (Marital Status) of his DD Form 214 and adding the entry "Married."
  
2. The Board further determined the evidence presented is insufficient to warrant a portion of the requested relief. As a result, the Board recommends denial of so much of the application that pertains to Item 30b (Amount of Allotment) and Item 30c (Discontinued Date).

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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 635-5 (Separation Documents), prescribed the separation documents that would be furnished each individual who was separated from the Army including Active-Duty Training personnel and established standardized procedures for the preparation and distribution of these documents. All available records would be used as a basis for the preparation of the DD Form 214, including DA Form 20, DA Form 66, and orders.

a. Item 9, enter from DA Form 20 or DA Form 66, as appropriate.

b. Item 30a, if the individual has Government Life Insurance (National Service Life Insurance or U.S. Government Life Insurance), enter an x in the "Yes" block. If the Individual has indemnity protection only, enter an x in the "No" block.

c. Item 30b, enter amount of allotment if insurance premiums are currently being paid by allotment; otherwise, enter "NA".

d. Item 30c, if the individual has an allotment currently in effect, enter month and year of discontinuance; otherwise, enter "NA".

3. 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.

//NOTHING FOLLOWS//