

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 19 July 2024

DOCKET NUMBER: AR20230014103

APPLICANT REQUESTS: correction of his DD Form 256A (Honorable Discharge Certificate) to show his discharge date as 13 December 1967 vice 13 December 1971.

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

- DD Form 149 (Application for Correction of Military Record)
- DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge), for the period ending 13 December 1967
- DD Form 256A, 13 December 1971

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 the wrong separation date is listed on his discharge certificate.
3. A review of the applicant's service record shows:
 - a. The applicant was inducted into the Army of the United States on 14 December 1965. His Acknowledgement of Service Obligation states he understood he must serve in the Ready Reserve, which, when added to his active duty service totals 4 years (or 5 years if he was assigned to the Control Group (Annual Training)).
 - b. The applicant was honorably transferred to the U.S. Army Reserve (USAR) on 13 December 1967. His DD Form 214 shows he completed 2 years of active service with a terminal date of reserve obligation ending on 13 December 1971.
4. The applicant provides a copy of his DD Form 256A from the USAR which was issued on 13 December 1971.

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 not warranted. The Board carefully considered the applicant's record of service, documents submitted in support of the petition, and executed a comprehensive review based on law, policy, and regulation. Upon review of the applicant's petition and available military records, the Board determined the applicant was inducted into the Army of the United States on 14 December 1965 for a 2-year active service obligation and 4-year total service obligation. Upon completion of his 2 years on active duty, he was transferred to the U.S. Army Reserve to complete his remaining service obligation. On 13 December 1971, he completed his 4-year service obligation and was issued a DD Form 256A (Honorable Discharge Certificate). The Board determined there was no error or injustice and denied relief.

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.

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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 635-200, in effect at the time, provided for the discharge of enlisted personnel upon expiration of term of enlistment and set forth the general provisions governing the release from active duty of enlisted and inducted persons prior to expiration of their terms of service. It stated:

a. Discharge certificates are furnished to enlisted and inducted personnel when they are discharged. The five types of discharge certificates, the issuance of which is governed by this regulation, include the DD Form 257A (General Discharge Certificate). Because the type of discharge may significantly influence the individual's civilian rights and eligibility for benefits provided by law, it is essential that all pertinent factors be considered so the type of discharge will reflect accurately the nature of service rendered. The policy of the Department of the Army is to base evaluation of an individual's service and conduct on his overall enlistment period rather than on any disqualifying entries in his service record during a particular portion of his current service.

b. The character of service will be determined only by the member's military record of the current enlistment or current period of service, which record includes an individual's military behavior and performance of duty.

c. An honorable discharge is a separation with honor. Issuance will be conditioned upon proper military behavior and proficient performance of duty during the member's current enlistment or current period of service with due consideration for the member's age, length of service, grade, and general aptitude. Where a member has served faithfully and performed to the best of his ability and has been cooperative and conscientious in doing his assigned tasks, he may be furnished an honorable discharge. Where there have been infractions of discipline, the extent thereof should be considered, as well as the seriousness of the offense(s). A member will not necessarily be denied an honorable discharge solely by reasons of a specific number of convictions by courts-martial or actions under Article 15 of the UCMJ. It is the pattern of behavior and not the isolated instance which should be considered the governing factor in determination of character of service to be awarded.

d. A general discharge is a separation from the Army under honorable conditions of an individual whose military record is not sufficiently meritorious to warrant an honorable

discharge. When a member's service is characterized as general, except when discharged by reason of misconduct, unfitness, unsuitability, homosexuality, or security, the specific basis for such separation will be included in the individual's military personnel record. A general discharge may be issued if an individual has been convicted of an offense by general court-martial or has been convicted by more than one special court-martial in the current enlistment period or obligated service or any extension thereof. The decision is discretionary; especially if there is evidence that the individual's military behavior is sufficiently serious to raise a question as to the member's potential for further useful military service.

//NOTHING FOLLOWS//