

IN THE CASE OF: [REDACTED]

BOARD DATE: 15 August 2024

DOCKET NUMBER: AR20230015134

APPLICANT REQUESTS: in effect, correction of his home of record (HOR) at time of entry.

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

- DD Form 149 (Application for Correction of Military Record)
- Social Security Card
- Certification of Vital Record
- High School Diploma
- Driver License
- College Transcripts
- Rental Agreement
- DA Form 31 (Request and Authority for Leave)
- DD Form 1351-2 (Travel Voucher or Subvoucher)
- DD Form 2278 (Application for Personally Procured Move and Counseling Checklist)
- DD Form 214 (Certificate of Release or Discharge from Active Duty)

FACTS:

1. The applicant states, in effect:

a. His HOR says [REDACTED] He joined the Army from the [REDACTED] Military Entrance Processing Station. Prior to his entrance, he moved to [REDACTED] to marry his girlfriend and intended to join the Army from [REDACTED] Due to unforeseen circumstances, he needed to join right away. He lived in [REDACTED] his whole life. This includes going to elementary, middle, high school, and college in [REDACTED]. He moved back to [REDACTED] after completion of his military service obligation; it is where his children attend school, it is where he rents a house, its where he works at the pentagon for the Army and pays taxes. Additionally, the Army conducted his last permanent change of station (PCS) move to his current residence in [REDACTED]

b. The Military Entrance Processing Station put his HOR as [REDACTED]. He joined the military in [REDACTED] but he was a [REDACTED] resident. This is significant because he cannot access

extremely important State veteran benefits for a 100 percent (Permanent and Total) veteran for ■■■ or ■■■ because his HOR says ■■■ and he has not lived at least five years in ■■■ immediately prior to requesting state benefits. This is impossible for him to accomplish as he exited the military on 31 March 2023. Based on the current ■■■ laws he would have to wait 5 years to use State benefits. Furthermore, he was not a resident of ■■■ so he cannot use ■■■ State benefits either. His administration office told him the change would be made. However, he was unable to verify this as he did not see or sign his DD Form 214 prior to it being completed. This is verifiable by reviewing the lack of signature on his documentation. The ■■■ State laws do not take in consideration that you can join the military from another State and be a resident of ■■■. He hopes the Board will consider this.

2. A DD Form 1966/1 (Record of Military Processing – Armed Forces of the United States), dated 12 November 2008, shows he graduated from a university in ■■■ in May 2007; however, he held an ■■■ driver license, and he was residing at an address in ■■■ upon his enlistment.
3. The applicant enlisted in the Regular Army (RA) on 12 November 2008. He was honorably discharged on 13 May 2009 to accept a commission or warrant in the Army. The DD Form 214 he was issued shows in block 7b (HOR) an address in ■■■.
4. The applicant was appointed an officer in the Army of the United States on 14 May 2009. On 31 March 2023, he was honorably released from active duty upon the completion of his required active service. The DD Form 214 he was issued lists in block 7b an address in ■■■.
5. The applicant provides numerous ■■■ documents, driver license, birth certificate, high school and college transcript or diploma, rental agreement, and Army PCS documents which supported his move to VA in 2023.
6. 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 the U.S. Army Human Resources Command (AHRC) to be factually incorrect. HOR is not necessarily the same as the legal domicile as defined for income tax purposes. Legal domicile may change during a Soldier's career.

BOARD DISCUSSION:

After reviewing the application and all supporting documents, the Board determined relief was/was not warranted. The applicant's contentions, the military record, and regulatory guidance were carefully considered. Based upon all military entry documentation reflecting the applicant with a HOR of [REDACTED] the Board concluded there was insufficient evidence of an error or injustice warranting a change to the applicant's HOR.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

:	:	:	GRANT FULL RELIEF
:	:	:	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
[REDACTED]	[REDACTED]	[REDACTED]	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.

2/5/2025

X [REDACTED]

CHAIRPERSON

[REDACTED]

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 635-8 (Separation Processing and Documents) provides the policies and procedures for separation documents. It states, in pertinent part, a Soldier's initial enlistment contract or appointment document is the source for this data. List the street address, city, state, and zip code listed as the Soldier's HOR. For Reserve Component Soldiers, the active duty order lists the Soldier's HOR. 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 the AHRC to be factually incorrect. HOR is not necessarily the same as the legal domicile as defined for income tax purposes. Legal domicile may change during a Soldier's career.
2. A Soldier's initial enlistment contract or order to active duty is the source document for the Place of Entry into Active Duty. Officers enter active duty in accordance with their initial order to active duty. Normally, this is a temporary duty location for attendance at the Basic Officer Leader Course or other temporary duty location (for example, in support of Reserve Officers' Training Command Summer Camp or Gold Bar Recruiting duties). Army National Guard and U.S. Army Reserve Soldiers, the active duty order for this period of service will list where the Soldier enters active duty (for example, home address, home station, mobilization station, Army installation, and so forth). Normally, this location is the first "Report to" lead line listed on the order.
3. The Joint Federal Travel Regulation provides that 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 time of entry into the military service. However, there is authority to correct a 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 must not be a place selected for the convenience of the Soldier.

//NOTHING FOLLOWS//