

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 2 October 2024

DOCKET NUMBER: AR20240000333

APPLICANT REQUESTS: in effect, correction of her DD Form 214 (Certificate of Release or Discharge from Active Duty) to show in block 7a (Place of Entry into Active Duty), Fort Sam Houston, TX.

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

- DD Form 149 (Application for Correction of Military Record)
- DD Form 214
- Orders 205-7-A-2097, Headquarters, U.S. Army Cadet Command, 24 July 2002

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, in effect, she did not realize how important the information in block 7a is when applying for Veterans benefits in the State of Texas. She claims she entered active duty at Fort Sam Houston, TX, when she attended the Army Medical Department (AMEDD) Officer Basic Course.
3. Her Official Military Personnel File contains:
 - a. DA Form 71 (Oath of Office – Military Personnel) which shows the applicant was appointed a Reserve Commissioned Officer in the Army of the United States, on 17 May 2002. The oath was sworn to and subscribed at Omaha, NE.
 - b. Orders 205-7-A-2097, Headquarters, U.S. Army Cadet Command, 24 July 2002, which shows, effective her appointment, she was ordered to active duty and required to perform temporary duty at Fort Sam Houston, TX, for the AMEDD Officer Basic Course from 15 September to 26 November 2002, and then proceed to her permanent duty station (Fort Riley, KS).

c. Separation Orders 238-0608, issued by Headquarters, 101st Airborne Division (Air Assault) and Fort Campbell, 26 August 2011, reassigned her to Fort Campbell, KY Transition Center for separation processing which shows her place entered active duty as Omaha, NE, US.

d. She was honorably discharged from active duty on 31 January 2012. Block 7a (Place of Entry into Active Duty) of her DD Form 214 shows the entry "Omaha, Nebraska."

4. The standardized policy for preparing and distributing the DD Form 214 states the DD Form 214 is a synopsis of the Soldier's most recent period of continuous active service. It further states that a Soldier's initial enlistment contract or order to active duty is the source document for this data and to enter the city and state where the Soldier entered active duty.

BOARD DISCUSSION:

After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that relief was warranted. The applicant's contentions, the military record, and regulatory guidance were carefully considered. The governing regulation states 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. The evidence shows the applicant was sworn in as a Reserve commissioned officer in Omaha, Nebraska, but she was ordered to active duty from her home in Nebraska to report to Fort Sam Houston, Texas, to attend the AMEDD Officer Basic Course and then proceed to her permanent duty station. Therefore, she entered active duty at Fort Sam Houston, Texas and that is what Block 7a of her DD Form 214 should reflect.

BOARD VOTE:

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| █ | █ | █ | 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 Block 7a of her DD Form 214 to show Fort Sam Houston, Texas vice Omaha, Nebraska.

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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 635-8 (Separation Processing and Documents) prescribes the separation documents which are prepared for individuals upon retirement, discharge, or release from active military service or control of the Army. It establishes standardized policy for preparing and distributing the DD Form 214. It states the DD Form 214 is a

synopsis of the Soldier's most recent period of continuous active service. It further states that a Soldier's initial enlistment contract or order to active duty is the source document for this data and to enter the city and state where the Soldier entered 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 Corps Summer Camp or Gold Bar Recruiting duties).

3. Army Regulation 15-185 (ABCMR) prescribes the policies and procedures for correction of military records by the Secretary of the Army, acting through the ABCMR. The ABCMR considers individual applications that are properly brought before it. The ABCMR will decide cases on the evidence of record. It is not an investigative body. 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//