

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 16 August 2024

DOCKET NUMBER: AR20240000580

APPLICANT REQUESTS: correction of his DD Forms 214 (Certificate of Release or Discharge from Active Duty):

- for the period ending 17 July 1984, by changing item 24 (Character of Service) to show honorable or under honorable conditions (General) vice uncharacterized
- for the period ending 8 April 1987, by correcting his total active duty (AD) service time

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

- DD Form 149 (Application for Correction of Military Record)
- DD Forms 214, 17 July 1984 and 8 April 1987

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's request to change his uncharacterized discharge to honorable or under honorable conditions to his DD Form 214 for the period ending 17 July 1984 will be administratively corrected to honorable since he completed his military occupational specialty (MOS). Therefore, this issue will not be discussed further in these proceedings. The Board will make a recommendation regarding his request to correct his total AD service time on his final DD Form 214, for the period ending on 8 April 1987.

3. The applicant states:

a. According to the definition of an uncharacterized separation, he would have had to serve under 180 days from his enlistment date. His enlistment date was 10 October 1983 and the separation date was 17 July 1984, which is greater than 180 days. He

believes this correction would upgrade his character of service to either honorable or under honorable conditions (general).

b. It appears that the two documents have not been properly combined to reflect the total AD service. In addition, due to the service time from the second DD Form 214 his total active service reflects that there is no longer a reserve obligation term of service.

4. The applicant's service record contains the following documents:

a. DD Form 4 (Enlistment/Reenlistment Document - Armed Forces of the United States) shows he enlisted in the U.S. Army Reserve (USAR) on 20 October 1983.

b. DD Form 214 shows, as a member of the USAR, he was ordered to AD on 15 February 1984 and was released to his USAR unit on 17 July 1984. He completed 5 months and 3 days of AD service with 3 months and 25 days of prior inactive duty service.

c. DD Form 368 (Request for Discharge or Clearance from Reserve Component), 21 October 1985 shows he requested a discharge from the USAR for enlistment in the Regular Army.

d. DD Form 4 shows he enlisted in the Regular Army (RA) on 1 November 1985.

e. A separation packet shows he was being involuntarily separated from the RA and would not be transferred to the Individual Ready Reserve.

f. DD Form 214 shows he entered AD on 1 November 1985 and was discharged on 8 April 1987. He had no lost time. The DD Form 214 shows in:

- Item 12c (Net Service This Period) 1 year, 5 months, and 8 days
- Item 12d (Total Prior Active Service) 5 months and 3 days
- Item 12e (Total Prior Inactive Service) 1 year, 7 months, and 8 days
- Item 12i (Reserve Obligation Termination Date) 0 years, 0 months and 0 days

#### BOARD DISCUSSION:

1. 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 had an initial period of active duty service from 15 February 1984 to 17 July 1984, a period of 5 months and 3 days. The applicant

again entered active duty between 1 November 1985 and 8 April 1987, a period of 1 year, 5 months, and 8 days. The Board determined his DD Form 214 for this period accurately reflects his net active service during that period of service and it reflects his accurate total prior active service as 5 months and 3 days. Together, the DD Forms 214 are the applicant's combined separation documents and may be presented together when soliciting support from Veterans' organizations. Based on the foregoing, the Board denied relief.

2. Prior to closing the discussion, the Board noted and concurred with the administrative notes below to amend the characterization of service for the DD Form 214 for the period ending 17 July 1984.

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.

ADMINISTRATIVE NOTE(S):

A review of the applicant's service records is sufficient to correct item 24 (Character of Service) on the DD Form 214 for the period ending 17 July 1984 from uncharacterized to honorable. He is a USAR Soldier who completed his initial active duty training, received a military occupational specialty, and returned to his USAR unit.

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) prescribes the policies and procedures regarding separation documents, including the DD Form 214 (Certificate of Release or Discharge from Active Duty).

a. The DD Form 214 is a summary of the Soldier's most recent period of continuous active duty. It provides a brief, clear-cut record of active duty service at the time of release from active duty, retirement, or discharge.

b. The instructions for preparation of item 12a (Date Entered Active Duty this Period) state to enter the beginning date of the continuous period of active duty for issuance of this DD Form 214, for which a DD Form 214 was not previously issued.

b. The instructions for preparation of item 12b (Separation Date this Period) state this is the Soldier's transition date. This date may not be the contractual date if the Soldier is separated early, voluntarily extends, or is extended for make-up of lost time, or retained on active duty for the convenience of the Government.

c. The instructions for preparation of item 12c (Net Service this Period) states this is the amount of service this period, computed by subtracting item 12a from 12b. Lost time and non-creditable time after expiration term of service, if any, are deducted.

d. The instructions for preparation of item 12d (Total Prior Active Service) states all service entered will be less time lost and time lost after expiration of term of service.

e. The instructions for preparation of item 12e (Total Prior Inactive Service) states all service entered will be less time lost and time lost after expiration term of service.

f. The instructions for preparation of item 12i (Reserve Obligation Termination Date) time lost, while on active duty does not extend the terminal date of the Reserve Service Obligation under the Military Selective Service Act.

//NOTHING FOLLOWS//