

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 8 October 2024

DOCKET NUMBER: AR20240001583

APPLICANT REQUESTS: correction of his DD Form 214 (Certificate of Release or Discharge from Active Duty) to show 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)
- 5 DD Forms 4 (Enlistment/Reenlistment Document – Armed Forces of the United States)
- DD Form 214 (Certificate of Release or Discharge from Active Duty)

FACTS:

1. The applicant states, in effect, a clerk placed erroneous information on his DD Form 214, and he did not catch the error until he applied for benefits.

2. The applicant enlisted in the Regular Army (RA) on 18 November 1999. His DD Form 4 [and associated documents, including his DD Form 1966 (Record of Military Processing)] shows the following entries:

- Item 3 (HOR) – an address in Menasha, WI
- Item 4 (Place of Enlistment) – Milwaukee, Military Entrance Processing Station (MEPS), Milwaukee, WI 53203-2288

3. The applicant reenlisted in the RA on 19 November 2002, 31 October 2006, 28 November 2007, and 26 July 2011. All forms show his HOR as an address in WI.

4. His last reenlistment, dated 26 July 2011 was executed at Fort Riley, KS, indefinitely. It also listed his HOR as Menasha, WI

5. His Enlisted Record Brief listed his HOR as Green Bat, WI.

6. Having sufficient service for retirement, he retired honorably on 31 October 2023. His retirement orders list his HOR as El Paso, TX. His DD Form 214 DD Form 214 shows in:

- Block 7a, Place of Entry on Active Duty: Menasha, WI
- Block 7b (HOR at Time of Entry) El Paso, TX

7. 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, 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 evidence of record shows the applicant listed his HOR as Menasha, WI upon his enlistment in the Regular Army. He immediately reenlisted multiple times until retirement on 31 October 2023. His DD Form 214 erroneously listed his HOR as El Paso, TX. There are no documents in his IPERMS to show he requested and/or was approved for a HOR change during his military service. Since the HOR is the place recorded as the HOR of the Soldier when commissioned, appointed, enlisted, or ordered to a tour of active duty, the Board determined his DD Form 214 should be corrected to show his HOR as shown on his initial enlistment contract in Menasha, WI.

BOARD VOTE:

Mbr 1      Mbr 2      Mbr 3

█	█	█	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 7b of his DD Form 214 to show his Home of Record as shown on his initial DD Form 4, Enlistment/Reenlistment Document.

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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. 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.

4. 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//