

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 20 November 2024

DOCKET NUMBER: AR20240003514

APPLICANT REQUESTS: correction of his DD Form 214 (Certificate of Release or Discharge from Active Duty) to show his sister's name and address in Block 19b (Nearest Relative).

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

- DD Form 149 (Application for Correction of Military Record)
- Personal Statement

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 he would like an administrative update to Block 19b due to his divorce in December 2002. He is requesting that his sister's name and address in Newport News, VA be placed in Block 19b.
3. A review of the applicant's service record shows:
 - a. He enlisted in the Regular Army on 18 November 1980.
 - b. He was retired from active duty on 20 November 1998. His DD Form 214 shows he completed 21 years and 2 days of active service. Block 19b (Nearest Relative) shows E__ F. S___ with an address in Columbus, GA. The form was authenticated with the applicant's signature.
4. By regulation (AR 635-8), currently in effect, states 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 all current active, prior active, and prior inactive duty service at the time of release from active duty, retirement, or discharge. The information entered thereon

reflects the conditions as they existed at the time of separation. Block 19b (Nearest Relative) states the data source is provided by the Soldier. Advise the Soldier that the name and address of a relative should be someone who will now the Soldier's location and address at all times. When a relative is not available, list a close friend. Enter name, street address, city, state, and zip code.

BOARD DISCUSSION:

1. After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that relief was not warranted. The Board carefully considered the applicant's record of service, documents submitted in support of the request and executed a comprehensive and standard review based on law, policy and regulation. Upon review of the applicant's request and available military records the Board determined the nearest relative entry on his DD Form 214, for the period ending 20 November 1998, were listed in accordance with law and regulatory guidance. The Board agreed at the time of the applicant's retirement his now former spouse was then his spouse, the applicant was divorced in 2002, four years after his retirement. In the absence of evidence that shows a material error or injustice, there is a reluctance to recommend that those records be changed. Therefore, the Board denied relief.

2. The governing regulation provides that at separation the service member's record will be used to enter accurate information when completing their DD Form 214, a summary of a specific period of active-duty service. The Army has an interest in maintaining the integrity of its records for historical purposes. The information in those records must reflect the conditions and circumstances that existed at the time the records were created.

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.

X//Signed//

CHAIRPERSON

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 (Separations Processing and Documents), currently in effect, states 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 all current active, prior active, and prior inactive duty service at the time of release from active duty, retirement, or discharge. The information entered thereon reflects the conditions as they existed at the time of separation.

a. Block 19a (Mailing Address After Separation) states the data source is as provided by the Soldier. The address must be a permanent address. Enter street address, city, state, and zip code.

b. Block 19b (Nearest Relative) states the data source is provided by the Soldier. Advise the Soldier that the name and address of a relative should be someone who will now the Soldier's location and address at all times. When a relative is not available, list a close friend. Enter name, street address, city, state, and zip code.

//NOTHING FOLLOWS//