

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 3 December 2024

DOCKET NUMBER: AR20240003921

APPLICANT REQUESTS: correction of Home of Record (HOR) at Time of Entry into Active Service to reflect Raleigh, North Carolina rather than Hayes, Virginia.

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

- DD Form 149 (Application for Correction of Military Record)
- DD Form 214 (Armed Forces of the U.S. Report of Transfer or Discharge), 24 July 1971

FACTS:

1. The applicant did not file within the 3-year time frame provided in Title 10, U.S. Code (USC), 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 pertinent part that his DD Form 214 is incorrect because it does not reflect the address that he was living at prior to entering upon active duty. He contests that he was physically living at [REDACTED] prior to enlisting in the Army. He notes that he was a military dependent prior to enlisting. His parents relocated to Virginia while he was attending college in NC. During his entrance processing, he was required to provide a permanent mailing address, so he listed his parents address in VA; he denies ever residing at that address.

3. A review of the applicant's available service records reflects the following:

a. On 14 September 1967, the applicant enlisted in the U.S. Army Reserve (USAR) while attending North Carolina State University and participating in the Reserve Officers' Training Corps (ROTC) program. His Enlistment Record shows in:

- Place of Birth: Charleston, WV
- Place of Enlistment: Raleigh, NC
- Home Address: Fort Monroe, VA

b. The applicant's DD Form 398 (Statement of Personal History) item 4 (Permanent Mailing Address) reflects an address in Nitro, WV.

c. On 10 January 1969, the applicant underwent a medical exam at the Armed Forces Examination and Entrance Station in Raleigh, NC. His home address is listed as an address in Raleigh, NC.

d. On 3 March 1969, he submitted a DA Form 61, Application for Appointment. Item 11 (Permanent Address) of his application listed an address in Hayes, VA.

e. On 31 July 1969, the applicant was appointed a Reserve commission at Fort Bragg, NC. The published appointment order reflects the following address: Route Number, Box Number, Hayes, VA, 2307X.

f. The applicant's appointment further states that after acceptance of this appointment, any change in his permanent home address of more than 30 days duration will be reported by him to the custodian of his military personnel records.

g. On 26 September 1969, the applicant entered active duty from Hayes, VA.

h. On 24 July 1971, the applicant was honorably released from active duty and transferred into the USAR Control Group (Annual Training). DD Form 214, item 21 (Home of Record at Time of Entry into Active Service) reflects: Route Number, Box Number, Hayes, VA 2307X.

#### BOARD DISCUSSION:

After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that relief was not warranted. The applicant's contentions, the military record, and regulatory guidance were carefully considered. The evidence shows the applicant listed his permanent address upon application for a commission in Hayes, VA. He entered active duty as a Reserve commissioned officer from Hayes, VA. Therefore, his DD Form 214 correctly lists his home of record upon entry on active duty as Hayes, VA. He may have previously lived in Raleigh, NC; however, he did not enter active duty from Raleigh.

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.

## REFERENCES:

1. Title 10, USC, 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. 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 an 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. Only if a break in service that exceeds one full day may the member change the home of record. It may not be a place selected for the convenience of the Soldier.
  
3. Army Regulation (AR) 635-5 (Personnel Separations – Separation Documents) in effect at the time prescribes the separation documents that will be furnished each individual who is separated from the Army including Active-Duty training personnel and cadets from the U.S. Military Academy. The purpose of a separation document is to provide the individual with documentary evidence of his military service. A DD Form 214 will reflect the conditions and circumstances that existed at the time the records were created. The purpose of the separation document is to provide the individual with documentary evidence of his or her military service at the time of release from active duty, retirement, or discharge. It is important that information entered on the form be complete and accurate and reflects the conditions as they existed at the time of separation. DD Form 214, Item 21 (Home of Record at Time of Entry into Active Service) for Officers, will reflect home address shown on the orders bringing the Officer on the current tour of active duty.
  
4. AR 600–8–104 (Personnel-General Army Military Human Resource Records Management) Chapter 5, paragraph 2 (Home of Record) states the term "home of record" means the place (city and state or country) recorded as the home of the individual when commissioned, reinstated, appointed, reappointed, enlisted, reenlisted, inducted, or ordered into the relevant tour of active duty. Official source documents include DA Form 71 (Oath of Office - Military Personnel), active-duty letter/ order, appointment order, DD Form 4 (Enlistment/Reenlistment Document Armed Forces of the United States), or DD Form 1610 (Request and Authorization for TDY Travel of DOD Personnel) (used for effective date only).

a. Home of record is used to determine travel entitlements when a Soldier separates from the military. It has nothing to do with voting or paying taxes, registering vehicles, or any of the other privileges of State residency.

b. Home of record can only be changed if there is a break in service of more than 1 day or to correct an error. Any change in connection with a break in service must be recorded on the DD Form 4 at reenlistment. Corrections to erroneous home of record information in personnel systems can be addressed within S1, Unit Administrator - Reserve personnel action center, and/or MPD channels.

c. Requests for changes to home of record, with complete justification, must be filed with ABCMR.

5. AR 15-185 (ABCMR) paragraph 2-9 states 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//