

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 20 February 2025

DOCKET NUMBER: AR20240005741

APPLICANT REQUESTS:

- issuance of a DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge) for his period of active service from 14 October 1968 to 5 October 1969
- correction of his DD Form 214 to show the Air Medal

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

- DD Form 149 (Application for Correction of Military Record)
- DD Form 214 for the period 6 October 1969 to 12 May 1971
- DD Form 214 for the period 13 May 1971 to 3 May 1977
- Three DA Forms 1341 (Allotment Authorization)

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. During the review of the applicant's official military personnel file (OMPF), a DD Form 215 (Correction to DD Form 214), dated 21 July 2022, was found. This DD Form 215 corrected his DD Form 214 for the period ending 3 May 1977 by adding the Air Medal as an authorized award. This portion of the applicant's request will not be discussed further in this Record of Proceedings.
3. The applicant states his DD Form 214 for the period 6 October 1969 to 12 May 1971 shows 11 months and 22 days of other service. He is also providing DA Forms 1341 showing he was in the service in 1968.
4. The applicant's records show he enlisted in the Regular Army on 14 October 1968 and reenlisted on 6 October 1969. His OMPF does not contain a DD Form 214 for the period 14 October 1968 to 5 October 1969 (11 months and 22 days), however, it is

presumed he was issued a DD Form 214 for this period of active service in accordance with the regulation in effect at the time.

5. The applicant reenlisted on 13 May 1971. He was issued a DD Form 214 covering the period 6 October 1969 to 12 May 1971 which shows in block 22a(2) (Other Service) 11 months and 22 days and in block 22b (Total Active Service) 2 years, 6 months, and 29 days.

6. The applicant was discharged on 3 May 1977. He was issued a DD Form 214 covering the period 13 May 1971 to 3 May 1977 which also shows his total prior active service in block 18(b) (2 years, 6 months, and 29 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.

2. The Board noted the applicant's contention that his DD Form 214 for the period 6 October 1969 to 12 May 1971 reflects 11 months and 22 days of "Other Service," and he provides DA Forms 1341 to support his claim of service beginning in 1968. However, the Board majority found insufficient evidence for issuance of a DD Form 214 for the time period in question and determined the subsequent DD Forms 214 issued to the applicant accurately reflect his prior service:

- The DD Form 214 for the period 6 October 1969 to 12 May 1971 includes 11 months and 22 days of "Other Service" in block 22a(2), and a total of 2 years, 6 months, and 29 days of active service in block 22b
- The DD Form 214 for the period 13 May 1971 to 3 May 1977 also reflects the same total prior active service (2 years, 6 months, and 29 days) in block 18(b).

3. These entries appropriately account for the applicant's initial enlistment period and subsequent reenlistments.

4. The Board minority determined there was sufficient evidence to generate a DA Form 1569 (Transcript of Military Record) for the service period in question.

BOARD VOTE:

<u>Mbr 1</u>	<u>Mbr 2</u>	<u>Mbr 3</u>	
:XX	:	:	GRANT FULL RELIEF
:	:	:	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
:	:XX	:XX	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 (Separation Processing and Documents) explains separation document preparation, distribution, and correction. Paragraph 8-2 (Rules for reissuing DD Form 214) states do not issue DD Form 214 to replace copies or DD Forms 214 lost by the Soldier. If no DD Form 214 is available, issue a DA Form 1569 (Transcript of Military Record).

//NOTHING FOLLOWS//