

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 5 February 2025

DOCKET NUMBER: AR20240007139

APPLICANT REQUESTS:

- correction of DD Form 214 (Certificate of Release or Discharge from Active Duty) to reflect attendance at Basic Combat Training (BCT)
- correction of National Guard Bureau (NGB) Form 22 (Report of Separation and Record of Service) to reflect total service time

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

- DD Form 149 (Application for Correction of Military Record)
- DD Form 214, 16 October 1998
- Orders Number C-04-611863, 28 April 2006
- Orders Number D-05-610689, 2 May 2006
- NGB Form 22, 1 January 2003
- DD Form 214, 6 August 2005

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 NGB Form 22 does not accurately reflect the time that he spent in the Army National Guard (ARNG). He further contests that his DD Form 214 does not reflect the period of service wherein he attended BCT.

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

a. On 27 February 1998, the applicant enlisted in the ARNG for 8 years with duty as a 71G (Patient Administrative Specialist).

b. On 30 July 1998, the applicant was ordered to active duty for the completion of Initial Active-Duty Training (IADT).

c. On 16 October 1998, the applicant completed IADT and was released from active duty. DD Form 214 reflects the following:

- Item 12c. (Net Active Service this Period) – 2 months 17 days
- Item 12d. (Total Prior Active Service) – 0
- Item 12e. (Total Prior Inactive Service) 5 months and 3 days
- Item 14 (Military Education) – None
- Item 24 (Character of Service) – Uncharacterized
- Item 28 (Narrative Reason for Separation) – Completion of Required Active Service

d. On 1 January 2003, the applicant was released from the ARNG and transferred into the U.S. Army Reserve (USAR) Control Group (Annual Training). NGB Form 22 reflects the following:

- Item 10a. (Net Active Service this Period) – 4 years 10 months 4 days
- Item 10b. (Prior Reserve Component Service) – 0
- Item 10c. (Prior Active Federal Service) – 0
- Item 12 (Military Education) – Patient Administrative Specialist, 8 weeks, October 1998
- Item 18 (Remarks) - IADT 30 July 1998 – 16 October 1998

e. On 5 November 2004, the applicant was ordered to active duty in support of Operation Iraqi Freedom.

f. On 6 August 2005, the applicant was honorably released from active duty. DD Form 214 reflects the following:

- Item 12c. (Net Active Service this Period) – 9 months and 2 days
- Item 12d. (Total Prior Active Service) – 2 months and 17 days
- Item 12e. (Total Prior Inactive Service) 6 years and 18 days
- Item 14 (Military Education) – None

g. On 28 April 2006, the U.S. Army Human Resources Command (AHRC) issued Orders Number C-04-611863, transferring the applicant from the USAR Control Group (Annual Training) to the USAR Control Group (Reinforcement), effective 28 April 2006.

h. On 2 May 2006, AHRC issued Orders Number D-05-610689 honorably discharging the applicant from the USAR, effective 2 May 2006.

4. A review of the applicant's most recent DA Form 5016 (Chronological Statement of Retirement Points) reflects qualifying service completed in the USAR from 27 February 2004 – 2 May 2006.

BOARD DISCUSSION:

1. After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that partial relief was warranted. The Board carefully considered the applicant's record of service, documents submitted in support of the petition and executed a comprehensive and standard review based on law, policy and regulations. Upon review of the applicant's petition and available military records the Board determined the applicant's time is accurately reflected, he completed Initial Active-Duty Training (IADT), including Basic Combat Training (BCT), from 30 July 1998 to 16 October 1998. His DD Form 214 issued at the time reflects 2 months and 17 days of active service but lists the character of service as "Uncharacterized," despite successful completion of training and award of a military occupational specialty (MOS). The Board also noted that the applicant's attendance at BCT was not properly documented in item 14 of his DD Form 214. The Board noted the common Reserve Component administrative error and found that the applicant's service during this period merits correction to show his character of service as Honorable.

2. Additionally, the Board reviewed the applicant's National Guard Bureau (NGB) Form 22 dated 1 January 2003 and found that it inaccurately reflects "0" prior active federal service. Based on verified records, the applicant completed 2 months and 17 days of prior active service during IADT, which should be reflected in item 10c of the NGB Form 22. The Board agreed there is sufficient evidence for issuance of a DD Form 215 to correct the DD Form 214 dated 16 October 1998 to reflect "Honorable" character of service and annotate Basic Combat Training under item 14 (Military Education). The Board further recommends correction of the NGB Form 22 dated 1 January 2003 to reflect 0 years, 2 months, and 17 days of prior active federal service in item 10c. As such partial relief is granted to correct his character of service and his NGB Form 22.

BOARD VOTE:

<u>Mbr 1</u>	<u>Mbr 2</u>	<u>Mbr 3</u>	
:	:	:	GRANT FULL RELIEF
XXX	XXX	XXX	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
:	:	:	DENY APPLICATION

BOARD DETERMINATION/RECOMMENDATION:

1. The Board determined the evidence presented is sufficient to warrant a recommendation for partial relief. As a result, the Board recommends that all Department of the Army records of the individual concerned be corrected by re-issuing the applicant a DD Form 214 for the period ending 16 October 1998 to show his character of service as Honorable. Board recommends correction of the NGB Form 22 dated 1 January 2003 to reflect 0 years, 2 months, and 17 days of prior active federal service in item 10c.

2. The Board further determined the evidence presented is insufficient to warrant a portion of the requested relief. As a result, the Board recommends denial of so much of the application that pertains to correction of DD Form 214 to reflect attendance at Basic Combat Training (BCT).

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, 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. Army Regulation (AR) 635-5 (Separation Documents) provides that the 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. The DD Form 214 is not intended to have any legal effect on termination of a Soldier's service. A DD Form 214 will be prepared for each Soldier in the Reserve Component and Army National Guard who complete 90 days or more of continuous active-duty training or upon completing IADT that results in the award of a Military Occupational Specialty (MOS), even when the active duty period was less than 90 days. This includes completion of advanced individual training (AIT) under ARNGUS Alternate Training Program or USAR Split Training Program. DD Form 214:

- Item 12c. (Net Active Service this Period) will reflect the amount of service completed this period by subtracting item 12a. from item 12b.
- Item 12d. (Total Prior Active Service) will reflect the total amount of prior active military service, less lost time, if any from previously issued DD Forms 214
- Item 12e. (Total Prior Inactive Service) will reflect the total amount of prior inactive military service, less lost time, if any from previously issued DD Forms 214
- Item 11 (Primary Specialty) will reflect the titles of all military occupational specialties served for at least 1 year; do not count Basic Combat Training (BCT) and Advanced Individual Training (AIT)
- Item 14 (Military Education) will reflect a list of formal in-service (full-time attendance) training courses successfully completed during the period of service covered by the DD Form 214

3. National Guard Regulation 600-200 (Enlisted Personnel Management) provides that an NGB Form 22 (Report of Separation and Record of Service) will be prepared for every Soldier being separated from the ARNG or released from the custody and control of the military, unless the Soldier is being discharged for the purpose of immediate reenlistment, executes an interstate transfer, or the Soldier dies. NGB Form 22:

- Item 10a. (Net Active Service this Period) will reflect total service creditable for pay by computing from date of enlistment in item 4 to date of discharge in

item 8b. Include all active service, Reserve component service, Inactive National Guard service and AGR service only for the period covered by this form

- Item 10b. (Prior Reserve Component Service) will reflect total of all prior Reserve component service from DD Form 4, Component Service, item 7b
- Item 10c. (Prior Active Federal Service) will reflect the total of all prior active service. This includes all active service and full-time National Guard duty for which a DD Form 214 or DD Form 220 was issued
- Item 18 (Remarks) will reflect all periods of active service during the current period of service to include ADT, IET and AGR for which a DD Form 214 or DD Form 220 was issued

4. Army Regulation (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.

5. The NGB Form 22 is a State form and any corrections to this form must be completed by the State Adjutant General.

//NOTHING FOLLOWS//