

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: ██████████

BOARD DATE: 12 August 2025

DOCKET NUMBER: AR20240013390

APPLICANT REQUESTS: correction to his DD Form 214 (Certificate of Release or Discharge from Active Duty) to reflect:

- his date of separation as 1 September 1981
- his foreign service time as 4 years and 9 months
- his U.S. Army Reserve (USAR) service from 1 September 1981 through 10 September 2000
- his rank/grade as sergeant (SGT)/E-5 or master sergeant (MSG)/E-8
- personal appearance before the Board

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

- DD Form 149 (Application for Correction of Military Record)
- DD Form 214, covering the period ending 8 September 1980
- partial Department of Veterans Affairs (VA) Form 21-22 (Appointment of Veterans Service Organization as Claimant's Representative), 16 November 2010

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:

a. His separation date is wrong. The right date is 1 September 1981. His grade was E-5 at the time he left Fulda, Germany. He was in Germany from 1 September 1977 through 1 September 1981, for a total of 4 years and 9 months.

b. His USAR time also needs to be added to his DD Form 214. He served at the 693rd General Supply Company on General George S. Patton USAR Center from

1 September 1981 through his separation on 10 September 2000. His grade at the time of his separation from the USAR was E-8.

3. A DD Form 4 (Enlistment or Reenlistment Agreement – Armed Forces of the United States) shows the applicant enlisted in the USAR Delayed Entry Program (DEP) on 17 August 1977, with enlistment in the Regular Army on 8 September 1977.

4. The applicant's DA Form 2-1 (Personnel Qualification Record – Part II) shows:

- in item 5 (Oversea Service) he served in Germany from 13 March 1978 through September 1980, a period of 30 months
- in item 18 (Appointments and Reductions) he was promoted to specialist four (SP4) on 1 August 1979 and to SGT on 28 June 1986, while a member of the USAR
- in item 35 (Record of Assignments) he was enroute to the U.S. from Germany on 2 September 1980 and was released from active duty (REFRAD) on 8 September 1980 with transfer to the USAR Control Group (Reinforcement)

5. U.S. Army Regional Personnel Center Fulda Orders 122-34, 27 May 1980, reassigned the applicant to the U.S. Army Transfer Point, Fort Jackson, SC effective 5 September 1980, for REFRAD on 7 September 1980 and transfer to the USAR Control Group (Reinforcement). His grade is shown on the orders as SP4.

6. The applicant's DD Form 214 shows:

a. He was honorably REFRAD on 8 September 1980, due to expiration term of service (ETS) and transferred to the USAR Control Group (Reinforcement).

b. He was credited with 3 years and 1 day of net active service, with 2 years, 5 months, and 19 days of foreign service.

c. His rank/grade are reflected as SP4/E-4.

7. USAR Components Personnel and Administrative Center Orders C-10-122481, 27 October 1982, reassigned the applicant from the USAR Control Group (Reinforcement) to a USAR Troop Program Unit (TPU), 693rd General Supply Company, effective 2 September 1982, per voluntary request.

8. A DA Form 5016-R (Chronological Record of Military Service), 11 October 1989, shows:

- he enlisted in the Regular Army on 8 September 1977 and was REFRAD on 7 September 1980

- he was assigned to the USAR Control Group (Reinforcement) from 8 September 1980 through 1 September 1982
- he was assigned to a USAR TPU from 2 September 1982 through 21 September 1989
- his grade as of the date of the form was E-5 and his highest grade held was E-5

9. Headquarters, Sixth U.S. Army Order 90-00019, 9 January 1990, honorably discharged the applicant from the USAR Ready Reserve effective 7 January 1990.

10. The applicant provided a VA Form 21-22, 16 November 2010, authorizing the VA to disclose his treatment records to the Army. The form shows he indicated:

a. He served in the Regular Army from 1 September 1977 through 1 September 1981, in the grade of E-5.

b. He served in the USAR from 1 September 1981 through 1 September 2000, in the grade of E-8.

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 evidence of record shows the applicant served in the Regular Army from 8 September 1977 to 8 September 1980 and was honorably released from active duty in the rank of specialist four. The record does not support a separation date of 1 September 1981. He then transitioned to the USAR wherein he was promoted to the rank of SGT on 28 June 1986 and that is the highest rank/grade he held. His DA Form 2-1 shows he served in Germany from on or about 13 March 1978 to on or about 1 September 1980 a period of 2 years, 5 months, and 19 days which is reflected on his DD Form 214 ending on 8 September 1980. Army Regulation 635-5 does not support the issuance of a DD Form 214 to capture reserve service unless ordered to active duty for a period greater than 90 days.

2. The applicant's request for a personal appearance hearing was carefully considered. In this case, the evidence of record was sufficient to render a fair and equitable decision. As a result, a personal appearance hearing is not necessary to serve the interest of equity and justice in this case

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 635-5 (Separation Documents), in effect at the time, prescribes forms to be used in the separation of Army personnel, to include the standardized preparation of the DD Form 214 (Certificate of Release or Discharge from Active Duty). The DD Form 214 is a summary of the Soldier's most recent period of continuous active duty.

a. The general instructions state all available records will be used as a basis for the preparation of the DD Form 214.

b. A DD Form 214 will be prepared for all personnel at the time of their retirement, discharge, or release from the Active Army. Included in the personnel issued a DD Form 214 are members of the ARNG and USAR separated after completing 90 days or more of continuous Active Duty Training (ADT), Full Time Training Duty (FTTD), or active duty support and after completing initial ADT which resulted in the award of a Military Occupational Specialty (MOS), even though the active duty was less than 90 days.

c. The specific instructions for preparation of the DD Form 214 show:

- in items 4a (Grade, Rate or Rank) and 4b (Pay Grade) to enter the active duty grade of rank and pay grade at the time of separation
- item 12b (Separation Date This Period) enter the separation date this period. Separation date may not be the contractual date if extended for makeup of lost time or Soldier has been held over for the convenience of the Government
- item 12f (Foreign Service) enter total amount of foreign service completed during the period covered

3. Army Regulation 15-185 (Army Board for Correction of Military Records (ABCMR)) prescribes the policies and procedures for correction of military records by the Secretary of the Army acting through the ABCMR. Paragraph 2-11 states applicants do not have a right to a formal hearing before the ABCMR. The Director or the ABCMR may grant a formal hearing whenever justice requires.

//NOTHING FOLLOWS//