Correction of Military Records

TWO TYPES OF MILITARY RECORDS

Clients generally seek to either correct their military administrative records or military law enforcement records.

CORRECTING MILITARY ADMINISTRATIVE RECORDS

The Army Board for Correction of Military Records (ABCMR) is the highest level of administrative review within the Department of the Army with the mission to correct errors in or remove injustices from Army military records.

- You must request an ABCMR review within three years after you discover the claimed error or injustice, but the ABCMR *may* waive that time limitation when appropriate.
    - Applicants may request reconsideration of a Board decision within one year of a decision if they can provide new relevant evidence that was not already considered by the Board.
- To apply, send a DD Form 149, Application for Correction of Military Records, to the ABCMR, or apply online at the ARBA's website [http://arba.army.pentagon.mil]
- You must exhaust all other administrative remedies before appealing to the ABCMR, and provide proof of your attempts with your request for review. For example:
    - Requests for discharge characterization upgrade or change of discharge reason must first be submitted to the Army Discharge Review Board (ADRB)
    - Requests for awards or award upgrades must first be submitted through your Congressperson for consideration by the Army Decorations Board
- References
    - DODD 1332.41, BOARDS FOR CORRECTION OF MILITARY RECORDS (BCMRS) AND DISCHARGE REVIEW BOARDS (DRBS)
    - Army Regulation 15-185, ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

CORRECTING MILITARY LAW ENFORCEMENT RECORDS

Army Regulation 190-45, LAW ENFORCEMENT REPORTING, para. 3-6, governs the amendment of law enforcement records. "An amendment of records is appropriate when such records are established as

being inaccurate, irrelevant, untimely, or incomplete. Amendment procedures are not intended to permit challenging an event that actually occurred."

Law enforcement reports are only amended if:

- The individual submits new, relevant and material facts that are determined to warrant their inclusion in, or revision of, the police report
- The burden of proof is on the individual to substantiate the request
- Requests to delete a person's name from the title block will be granted only if it is determined that there is not probable cause to believe that the individual committed the offense for which they are listed as a subject.

PROCEDURE

- The request for amendment of law enforcement records must be made in writing and submitted with all evidence to:
    - The installation Provost Marshall / Director of Emergency Services if the record is less than 5 years old;
    - The Director, US Army Crime Records Center if the record is more than 5 years old; OR
        - Army CID FOIA/Privacy Act Office (in writing): Office of the Chief Council; ATTN: FOIA/Privacy Act Division, Russell-Knox-Building, 27130 Telegraph Road, Quantico, VA 22134 VA
        - usarmy.belvoir.hqda-usacid.mbx.crcfoiapa@army.mil
- A fillable form for amendment requests is available online under the "Contact Us" tab of the Freedom of Information Act & Privacy Act Division website located here: https://www.cid.army.mil/Resources/FOIA-Requests/.
    - Look for the Privacy Act box (middle of page) - *Privacy Act Request to Change Records* (form title)

REQUESTING COPIES OF MILITARY LAW ENFORCEMENT RECORDS

Military law enforcement records may be requested through the Department of the Army Criminal Investigation Division, Freedom of Information Act and Privacy Act Division located at: https://cid.army.mil/Resources/FOIA-Requests/