

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 1 December 2023

DOCKET NUMBER: AR20230005913

APPLICANT REQUESTS: in effect, correction of his DD Form 214 (Certificate of Release or Discharge from Active Duty) by deleting current entries and adding the following replacement entries for the below-listed items:

- Item 11 (Primary Specialty) – 88M Motor Transport Operator
- Item 13 (Decorations, Medals, Badges, Citations, and Campaign Ribbons Awarded or Authorized) – National Defense Service Medal and Army Service Ribbon
- Item 14 (Military Education) – add the courses listed on his DD Form 2586 (Verification of Military Experience and Training)

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

- DD Form 149 (Application for Correction of Military Record)
- DD Form 2586

FACTS:

1. The applicant did not file within the 3-year time frame provided in Title 10, United States Code (USC), section 1552 (b) (Correction of Military Records: Claims Incident Thereto). 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 his records do not reflect any of the courses of instruction he completed and is specifically missing his primary military occupational specialty (MOS) training; additionally, his DD Form 214 lists no awards or medals.

a. "After completion of my primary MOS training, I was placed into the MEB (medical evaluation board) process. Even after requesting that I transition to permanent status/party, I was held in a trainee status until my discharge date of 20070618."

b. The applicant now seeks to correct his records so that they accurately state what he accomplished, "regardless of what little that may be."

c. In support of his request, the applicant supplies a DD Form 2586, which shows the following:

(1) Under "Training History: Courses Successfully Completed" are nine courses, of which one is "Army Course: 750BT, Basic Combat Training," and another is "Army Course: 811810, Motor Transport Operator"; the form indicates the applicant completed the Basic Combat Training Course, during the months September to November 2006, and the Motor Transport Operator Course, between November 2006 and January 2007. The remaining seven courses reflect training periods between October 2015 and September 2016.

(2) The form additionally lists courses for which information is not available; six of those courses are identified without titles, only course numbers and all reflect completion dates after October 2015. A seventh course is, "Army Course: RECBN (Reception Battalion), and the entry notes the applicant participated in this course from August to September 2006.

3. A review of the applicant's service record reveals the following:

a. On 30 August 2006, the applicant enlisted into the Regular Army for 4 years; that same date, the applicant confirmed, in a DA Form 3286, Annex B (Statement for Enlistment – U.S. Army Enlistment Program), that he would undergo training for military occupational specialty 88M (Motor Transport Operator).

b. The applicant's Enlisted Record Brief (ERB) indicates that, on 30 August 2006, the applicant arrived at a reception battalion on Fort Sill, OK, and, on 7 September 2006, he transferred to a unit for basic combat training (BCT). On or about 10 November 2006, the applicant completed BCT and moved to Fort Bliss, TX for 88M advanced individual training (AIT). On an unknown date between August and December 2006, the applicant fell from a rappelling tower and injured his back.

c. In or around April 2007, medical authority referred the applicant into the Army's Physical Disability Evaluation System (PDES), and, on 23 May 2007, a physical evaluation board (PEB) determined the applicant was unfit for continued military service. The PEB recommended separation with severance pay at a combined 0 percent disability rating; (documents from the applicant's PDES process are unavailable for review).

d. On 18 June 2007, the Army honorably discharged the applicant due to physical disability; his DD Form 214 indicates he completed 9 months and 20 days of his 4-year enlistment contract. The form reflects the following additional information:

- Item 11 (Primary Specialty) – "09B1O Trainee, Unassigned - 00 YRS 00 MOS//NOTHING FOLLOWS"
- Item 13 (Decorations, Medals, Badges, Citations, and Campaign Ribbons Awarded or Authorized) – "NONE//NOTHING FOLLOWS"
- Item 14 (Military Education) – "NONE//NOTHING FOLLOWS"

e. The applicant's ERB, dated 19 June 2007, shows the following:

- Section I (Assignment Information) indicates the applicant's PMOS is 88M
- Section VI (Military Education) is blank
- Section VIII (Awards and Decorations) reflects the award of the National Defense Service Medal
- Section IX (Assignment Information DMOS (duty MOS) lists 88M as the applicant's duty MOS, starting 7 September 2006

f. The applicant's online service record is void of any documentation confirming his graduation from 88M AIT.

g. The U.S. Army Human Resources Command (HRC) manages an online web portal called the Soldier Management System (SMS); this portal consists of personnel data on current and former Soldiers, and includes applications designed to assist Human Resource personnel in supporting Soldiers, Retirees, and Veterans.

(1) One of the pages available in SMS provides a brief snapshot of Soldier/Retiree/Veteran and, under "Skills Data," lists the Soldier/Retiree/Veteran's MOS and individual skill level; the page also reports the Soldier/Retiree/Veteran's Army Physical Fitness Test (APFT) results, along with the year and month in which the APFT was taken.

(2) For the applicant, his MOS is listed as 88M, with a skill level of 1 (equivalent to entry-level); APFT data is blank.

h. On 13 June 2019, the applicant applied to the Department of Defense Physical Disability Board of Review (PDBR), requesting a review of his PEB results. On 23 March 2020, the PDBR determined the applicant's 0 percent disability rating should be increased to 20 percent, based on his back condition. On 3 October 2020, the Deputy Assistant Secretary of the Army (Review Boards) accepted the PDBR's recommendation and, on 30 March 2021, the applicant's disability retirement orders were amended to reflect the increase to 20 percent.

4. Army Regulation (AR) 635-5 (Separation Documents), in effect at the time, prescribed procedures for the preparation of DD Forms 214. The regulation states the DD Form 214 is a summary of a Soldier's most recent period of continuous active duty. It provides a brief, clearcut record of active duty service at the time of release from active duty, retirement, or discharge. Regarding items 11, 13, and 14, the regulation directed the following:

a. Item 11. The data for this entry is taken from the Soldier's ERB. "Enter the titles of all MOS served for at least 1 year and include for each MOS the number of years and months served. For time determination, 16 days or more count as a month. Do not count basic training and AIT."

b. Item 13. "List awards and decorations for all periods of service in the priority sequence specified in AR 600-8-22 (Military Awards). Each entry will be verified by the Soldier's records."

c. Item 14. This entry is drawn from the Soldier's ERB. List formal in-service (full-time attendance) training courses successfully completed during the period of service covered by the DD Form 214. Include title, length in weeks, and year completed. This information is to assist the Soldier in job placement and counseling; therefore, do not list training courses for combat skills.

5. AR 350-1 (Army Training and Leader Development), in effect at the time, prescribed policies and procedures for developing, managing, and conducting Army training; it gave specific guidance on initial entry training (IET), which consists of BCT and AIT.

a. Paragraph 3-22 (Initial Military Training (IMT)) stated IMT's intent was to provide an orderly transition for Soldiers from civilian to military life, and to teach Soldiers the tasks and supporting skills needed at their first unit of assignment; IMT for enlisted Soldiers consisted of BCT, AIT, and any other formal Army training needed before awarding an MOS. In order to graduate from AIT, Soldiers had to meet the standards of AR 611-1 (Military Occupational Classification Structure Development and Implementation), AR 600-9 (The Army Weight Control Program), and Field Manual 21-20 (Physical Fitness Training).

b. Per Appendix F (Training Records), training units had the responsibility for completing and maintaining individual Soldiers' DA Forms 5286 (Individual Basic Training, Advanced Individual Training, One Station Unit Training), and, upon completion of IET, the transfer of the form to the Soldiers' new commands. The form conveyed critical training information and reflected the Soldier's successful completion of IET.

6. AR 600-81 (Soldier for Life – Transition Assistance Program), currently in effect, provides policies for the Army's transition assistance program, and describes the use of the DD Form 2586.

a. The DD Form 2586 is useful for preparing resumes and establishing capabilities with prospective employers. It is also helpful when applying to a college or vocational institution requesting information about how military training and experience equate to college credit.

b. Public Law encourages all Soldiers in transition to receive a copy of the completed DD Form 2586. The DD Form 2586 is created from a Soldier's automated personnel records and lists military job experience and training history, recommended college credit information, and civilian equivalent job titles.

7. AR 600-8-22, currently in effect, states, effective 1 August 1981, the Army Service Ribbon can be awarded to all members of the Active Army, Army National Guard, and Army Reserve in an active Reserve status who have successfully completed IET.

#### BOARD DISCUSSION:

1. After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that a portion of relief is warranted. The Board carefully considered the applicant's contentions, military record, and regulatory guidance. Documentation available for review, specifically the applicant's ERB, shows he was awarded the Military Occupational Specialty 88M, Motor Transport Operator and his should be corrected accordingly.

2. As to the remaining portion of the request, the Board noted that the training courses the applicant requests be reflected on his DD214 are after his period of active duty. As such, they are already properly on his supporting, DD Form 2586, "Verification of Military Experience and Training"; therefore, the Board denied this portion of the request.

3. Prior to closing the case, the Board did note the analyst of record administrative notes below, and recommended the correction is completed to more accurately depict the military service of the applicant.

BOARD VOTE:

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

BOARD DETERMINATION/RECOMMENDATION:

The Board determined the evidence presented 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 reissuing the applicant a DD Form 214 for the period ending 18 June 2007 showing in:

- Item 11 (Primary Specialty): 88M Motor Transport Operator
- Item 13 (Decorations, Medals, Badges, Citations and Campaigns Ribbons Awarded or Authorized:
  - National Defense Service Medal and Army Service Ribbon
  - Army Service Ribbon

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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.

ADMINISTRATIVE NOTE(S):

1. AR 635-5 (Separation Documents), in effect at the time, stated the DD Form 214 was to list awards and decorations for all periods of service.
2. The applicant's ERB shows the award of the National Defense Service Medal.
3. Amend the applicant's DD Form 214, ending 18 June 2007, by adding the National Defense Service Medal.

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.

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conveyed critical training information and served as verification of the Soldier's successful completion of IET.

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//NOTHING FOLLOWS//