

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]  
[REDACTED]

BOARD DATE: 30 January 2024

DOCKET NUMBER: AR20230007652

APPLICANT REQUESTS: in effect, correction of her DD Form 214 (Report of Separation from Active Duty) to show the following:

- a. Item 16a (Primary Specialty Number and Title) – change "95B20" to "95B10,"
- b. Item 26 (Decorations, Medals, Badges, Commendations, Citations, and Campaign Ribbons Awarded or Authorized) – add the following:
  - Sharpshooter Marksmanship Qualification Badge with Rifle Bar (M-16)
  - Expert Marksmanship Qualification Badge with Pistol Bar (.45 Caliber)
  - Expert Marksmanship Qualification Badge with Pistol Bar (.38 Special)

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

- DD Form 149 (Application for Correction of Military Record)
- DD Form 214
- DA Form 2 (Personnel Qualification Record – Part I)
- DA Form 2-1 (Personnel Qualification Record – Part II)

FACTS:

1. The applicant did not file within the 3-year time frame provided in Title 10 (Armed Forces), 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, in effect, her military personnel file shows that, on 10 February 1975, she qualified as a sharpshooter on the M-16 and as Expert for two handguns (.45 Caliber pistol and the .38 Special Revolver); additionally, as of 1 March 1976, her primary military occupational specialty (PMOS) was 95B<sub>10</sub> (Military Police) and her secondary MOS (SMOS) was 71B<sub>10</sub> (Clerk Typist).

a. The applicant states, "When you look at my DA Form 2-1. you see some of the records may have been recorded in pencil and not reflected on the DD Form 214."

b. The applicant adds (apparently referring to item 74 (Authorized Position Data – Authorized) on her DA Form 2), "You see where 95B (is) scratched out to write 71B...could also be some confusion between enlisted name 'P\_\_' (applicant's maiden name) and (current) name 'D\_\_' when discharged."

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

a. On 11 November 1974, the applicant (using the last name of P\_\_) enlisted in the Regular Army for 3 years. After completing basic combat training at Fort Jackson, SC, the applicant's DA Form 2-1 shows she transferred to Fort Gordon, GA (renamed Fort Eisenhower) to complete advanced individual training (AIT) in MOS 95B.

b. Headquarters (HQ), U.S. Army Signal Center and Fort Gordon Special Orders, dated 5 March 1975, announced that, effective 19 March 1975, the Army awarded the applicant MOS 92B20. The applicant's DA Form 2-1 indicates orders subsequently assigned the applicant to an MP company at Fort Hood, TX (renamed Fort Cavazos); the applicant arrived at her new unit, on 19 March 1975.

c. HQ, 13th Corps Support Command Special Orders, dated 8 August 1975, confirmed the applicant's last name changed to D\_\_ as a result of marriage.

d. Per HQ, 13th Corps Support Command Special Orders, dated 11 February 1976, the applicant's leadership promoted her to specialist four (SP4)/E-4 in PMOS 95B10; the effective date was 11 February 1976. On 30 June 1976, HQ, 13th Corps Support Command Special Orders announced the applicant's leadership had awarded her the SMOS of 71B20, in accordance with paragraph 2-24 (Initial Designation of SMOS), Army Regulation (AR) 600-200 (Enlisted Personnel Management System).

e. The applicant's available service record includes a U.S. Army Enlisted Records and Evaluation Center (USAEREC) Form 10 (Enlisted Evaluation Data Report), covering the evaluation period through August 1975; (The USAEREC Form 10 was a printed report that gave a comprehensive profile of how the Soldier performed on MOS testing and in Enlisted Evaluation Reports (EER) (DA Form 2166-5)). The applicant's weighted average on her EER was 121, as compared to the Army-wide average of 102, and she scored an 88 on her written MOS test, where the average for her grade was 73. Based on the foregoing scores, the applicant's MOS Evaluation Score was 130.

f. On 16 February 1977, following the birth of her child, the applicant requested separation due to dependency, under the provisions of paragraph 6-4a (Dependency), chapter 6 (Separation Because of Dependency or Hardship), AR 635-200 (Personnel

Separations – Enlisted Personnel). On 30 March 1977, the applicant's command approved her request, and, on 14 April 1977, orders honorably discharged her accordingly. Her DD Form 214 shows she completed 2 years, 5 months, and 4 days of her 3-year enlistment contract. Additionally, the form reflects the following:

- Item 16a – "95B20 Mil Policeman 75/03/19...130 – 75/08"
- Item 17a – "71B10 Clerk Typist 76/06/24"
- Item 26 (Decorations, Medals, Badges, Commendations, Citations, and Campaign Ribbons Awarded or Authorized) – "None"

f. A review of the applicant's DA Form 2-1 reveals erased pencil entries in items 9 (Awards, Decorations & Campaigns) and 27 (Remarks), which indicate the award of the following marksmanship qualification badges: Sharpshooter Marksmanship Qualification Badge with Rifle Bar (M-16) and Expert Marksmanship Qualification Badge with Pistol Bar (.45 Caliber); (portions of item 27 are illegible). Additionally, the applicant's available service record is void of any disciplinary actions.

4. AR 15-185 (ABCMR), currently in effect, states:

a. The ABCMR decides cases on the evidence of record; it is not an investigative body. Additionally, the ABCMR begins its consideration of each case with the presumption of administrative regularity (i.e., the documents in an applicant's service records are accepted as true and accurate, barring compelling evidence to the contrary).

b. The applicant bears the burden of proving the existence of an error or injustice by presenting a preponderance of evidence, meaning the applicant's evidence is sufficient for the Board to conclude that there is a greater than 50-50 chance what he/she claims is accurate.

#### BOARD DISCUSSION:

After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that relief was partially warranted. The applicant's contentions, the military record, and regulatory guidance were carefully considered.

a. The evidence shows the applicant served on active duty from 11 November 1974 to 14 April 1977, attaining the rank of SPC/E-4. For an enlisted soldier, the military record generally identifies the MOS using five characters. The first three characters identify the specific MOS; the fourth character signifies your skill level, and the fifth character is often times a zero unless the soldier has a special qualification identifier (SQI). Most MOSs in the Army have skill levels ranging from 1-5. Skill Level 1 consists of all soldiers

in the ranks of PVT/E-1 to SPC/E-4. Skill Level 2 is used when an enlisted Soldier is promoted to SGT/E-5 and Skill Level 3 for SSG/E-6. Since the applicant held the rank of SPC/E-4 at the time of separation, her DD Form 214 should have reflected her MOS as 95B1O instead of 95B2O, warranting a correction.

b. Marksmanship Badges: The Board found no evidence in the service record, and the applicant did not provide any evidence that shows she qualified sharpshooter with the rifle and expert with two types of pistols. In the absence of orders or other documentary evidence such as a memorandum, letter, roster, or other locally-devised form showing the dates and class of qualification, there is insufficient evidence to add the requested marksmanship badges to her DD Form 214.

c. Although not specifically requested by the applicant, the applicant served on active duty from 11 November 1974 to 14 April 1977, completing 2 years, 5 months, and 4 days of active service. She attained the rank of SPC/E-4, performed well on her Enlisted Evaluation Reports (EER), receiving a score of 121, as compared to the Army-wide average of 102, and she scored an 88 on her written MOS test, where the average for her grade was 73. There is no derogatory information in her file that would have disqualified her from receiving her first award of the Army Good Conduct Medal. The Board determined she qualified for award of the Army Good Conduct Medal (1st Award).

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:

1. The Board determined the evidence presented is sufficient to warrant a recommendation for relief. As a result, the Board recommends that all Department of the Army records of the individual concerned be corrected by

- Awarding him the Army Good Conduct Medal (1st Award) for service during the period 11 November 1974 through 14 April 1977
- Amending her DD Form 214 ending on 14 April 1977 as follows:
  - Block 16a, deleting 95B2O and adding 95B1O
  - Block 13, adding the Army Good Conduct Medal (1st Award)

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 adding the requested marksmanship badges.



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. AR 611-201 (Enlisted Career Management Fields (CMF) and MOS), in effect at the time, was the Army's governing regulation for its enlisted MOS classification structure. Between 1974 and 1977, with the implementation of the Enlisted Personnel Management System (EPMS), the Army changed how it defined skill levels. The EPMS also reconfigured CMFs by realigning and standardizing the authorized grades.

a. In the pre-EPMS system, skill level identified the type and degree of skill held by the Soldier. For example, skill level 1 was given to a helper or entry-level position requiring general supervision to perform simple tasks. By contrast, to be at skill level 2, the Soldier had to be able to perform difficult tasks under general supervision; this level represented a fully qualified or journeyman level Soldier in a nonsupervisory role. Supervisory skills were reserved for levels 4 and 5.

b. Per the pre-EPMS standard, Soldiers awarded MOS 71B20 were required to perform all skill level 1 duties, plus type a minimum of 30 words per minute, organize and type correspondence, prepare travel orders, and assist in the operation of library services. To receive the skill level 3 designation, the Soldier had to be able to type a minimum of 40 words per minute.

c. Under EPMS, there was a direct relationship between grade and associated skill level: skill level 1 applied to positions authorized grades E-3 and E-4; skill level 2 was for grade E-5; skill level 3 for E-6, skill level 4 for E-7, and skill level 5 for E-8 and E-9.

3. AR 640-2-1 (Personnel Qualification Records), in effect at the time, outlined policies and procedures for preparing DA Forms 2-1. Regarding how marksmanship qualification badges were reflected on the DA Form 2-1, the regulation stated, a separate entry was to be made for each weapon in which the individual had qualified. The degree in which individual qualified and date of award was to be entered in pencil and updated as subsequent awards were earned. When the individual was no longer required to participate in weapons qualification firing, the latest entry pertaining to each award was to be made permanent.

4. AR 672-5-1 (Military Awards), in effect at the time, governed military awards and decorations.

a. Regarding the award of the Army Good Conduct Medal, the regulation stated:

(1) The following periods of continuous enlisted active Federal military service qualified for award of the Good Conduct Medal: each 3 years completed on or after 26 August 1940 and, for the first award only, upon termination of service for a period of less than 3 years, but more than 1 year.

(2) Throughout the qualifying period, the Soldier had to meet the following criteria:

- The immediate commander evaluated the Soldier's character as above reproach
- The record of service had to show the Soldier willingly complied with the demands of the military environment; was loyal and obedient to his/her superiors; faithfully supported the goals of the organization; and conducted him/herself in an exemplary manner;
- Additionally, the Soldier's job performance had to meet MOS and grade expectations and requirements

(3) The immediate commander had to recommend the Soldier for the Army Good Conduct Medal for the approval authority to authorize the award. The lack of an official disqualifying comment by a previous commander was deemed as indicating the Soldier was qualified for the award.

b. Basic Marksmanship Qualification Badges. Marksmanship badges were awarded to indicate the degree in which an individual had qualified during prescribed weapons firing courses or events. Each bar was to be attached to the basic badge that reflected the qualification last attained with the respective weapon. Basic qualification badges were of three classes: Expert, Sharpshooter, and Marksman. Authorized weapons for component bars included "Rifle" and "Pistol."

//NOTHING FOLLOWS//