

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 23 April 2024

DOCKET NUMBER: AR20230009483

APPLICANT REQUESTS: correction of his DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge) for the period ending 16 December 1971 to show his additional military occupational specialty (MOS) of 11B (Light Weapons Infantryman).

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

- DD Form 149 (Application for Correction of Military Record under the Provisions of Title 10, U.S. Code, Section 1552)
- Self-authored Addendum to DD Form 149
- U.S. Army Training Center Infantry Certificate of Achievement, 12 September 1969
- Photograph of Applicant Receiving a Certificate or Diploma with Headquarters, U.S. Army Training Center, Infantry and Fort Polk, Letter, 17 September 1969
- Photograph of Applicant Receiving a Trophy
- DD Form 214

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 he was awarded the Outstanding Infantry Soldier trophy for the brigade consisting of 740 Soldiers at Fort Polk, LA, in 1969. His MOS was 11B upon completion of infantry advanced individual training. His DD Form 214 should be amended to show MOS 11B as his first MOS.
3. He enlisted in the Regular Army on 21 April 1969. He completed basic combat training at Fort Polk, LA from 5 May to on or about 29 June 1969. He was then reassigned to Fort Polk Academy on 30 June 1969 to attend the Leader Preparation Course (LPC).

4. His DA Form 20 (Enlisted Qualification Record) shows on or about 14 July 1969, he was assigned to Company A, 5th Battalion, 3rd Advanced Individual Training Brigade, U.S. Army Infantry Center, Fort Polk, for completion of military occupational specialty 11B, Light Weapons Infantryman.

5. Headquarters, U.S. Army Training Center, Infantry and Fort Polk, memorandum (Selection for Officer Candidate School (OCS)), 4 August 1969, notified him that he had been tentatively selected to attend OCS at the U.S. Army Artillery School with a reporting date of 28 September 1969. He acknowledged his selection with his signature on the same date.

6. His U.S. Army Training Center Infantry Certificate of Achievement, 12 September 1969, was awarded for exemplary diligence and proficiency in the pursuit of military knowledge and for being selected as the Outstanding Trainee of the Advanced Individual Training Cycle during the period 14 July 1969 through 12 September 1969

7. Item 22 (Military Occupational Specialties) of his DD Form 20 (Enlisted Qualification Record) shows he was awarded MOS 11B effective 12 September 1969. This entry is lined through.

8. His Fort Sill Form 167-R (Certificate of Proficiency) shows he attended the U.S. Army Field Artillery School, OCS Course Number 7-70, from 28 September 1969 to 21 January 1970. The certificate noted that although he did not graduate, he successfully completed and was proficient in three academic sub-courses.

9. Headquarters, II Field Force Vietnam, Special Orders Number 361, 28 December 1970, promoted him to the rank/grade of specialist five/E-5 in MOS 71B30 (Clerk-Typist) effective 28 December 1970. The orders further directed award of primary MOS 71B30 and secondary MOS 82C20 (Field Artillery Surveyor).

10. His DA Form 20 shows in:

a. item 22 (MOSs):

- primary MOS 11B – light weapons infantryman – 12 September 1969 (lined through)
- secondary MOS 82C20 – field artillery surveyor – 21 January 1970
- primary MOS 71B30 – clerk typist – 28 December 1970

b. item 31 (Foreign Service), overseas tour credit for service in Vietnam from 8 April 1970 through 15 March 1971; and

c. item 27 (Military Education): Artillery Transport/Target Acquisition/ Communications and Electronics (20 weeks, Fort Sill, 1970) and LPC (Leader Preparation Course) 2 weeks, Fort Sill, 1969).

d. item 38 (Record of Assignments), assignment to Headquarters and Headquarters Company, II Field Force, as a clerk typist in duty MOS 71B30 effective 13 April 1970.

11. Headquarters, Fort Sheridan, Special Orders Number 253, 15 December 1971 relieved him from active duty and transferred him to the U.S. Army Reserve effective 16 December 1971. The standard name line shows his MOS as 71B30.

12. He was honorably released from active duty on 16 December 1971 and transferred to the U.S. Army Reserve Control Group (Reinforcement). He completed 2 years, 7 months, and 26 days of total active service. His DD Form 214 shows in:

- item 4 (Department, Component, and Branch or Class) – Regular Army, Adjutant General Corps
- item 22c (Foreign and/or Sea Service) – U.S. Army Pacific –11 months and 8 days
- item 23a (Specialty Number and Title) – 71B30 Clerk Typist (see item 30)
- item 30 (Remarks) – "Item 23a: PMOS [Primary MOS] awarded 28 Dec[ember] [19]70 tested no"

13. He provided the following for consideration:

a. a photograph of himself being presented with a certificate or diploma by an unidentified major general and the Headquarters, U.S. Army Training Center, Infantry and Fort Polk, letter to his spouse, 17 September 1969, congratulating her on his selection as the Outstanding Advanced Individual Trainee for his cycle, placing him first among some 740 of his contemporaries; and

b. a photograph of himself being presented with a certificate and trophy by an unidentified civilian.

BOARD DISCUSSION:

After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that relief was not warranted. The applicant's contentions, the military record, and regulatory guidance were carefully considered. Although some of the applicant's service records show he attended and completed training in MOS 11B, he did not perform duties of an infantryman. Instead, he was awarded primary MOS 71B, Clerk Typist on 28 December 1970. He served in this MOS and was promoted in this MOS. The regulation in effect at the time of the applicant's

separation provided for listing the primary specialty held by the enlisted Soldier at the time of separation. The applicant held MOS 71B at the time of separation. This MOS is correctly recorded in item 23a of his DD Form 214. The specific instructions for item 23a stated to enter the primary MOS code number and title. There were no provisions for recording additional MOSs.

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 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.



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 15-185 (Army Board for Correction of Military Records) prescribes the policies and procedures for correction of military records by the Secretary of the Army acting through the ABCMR. The ABCMR will decide cases on the evidence of record; it is not an investigative body. 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.

3. Army Regulation 600-200 (Enlisted Personnel Management System) states the MOS, including the skill level character, identifies the capability of an individual to perform duties required of the MOS at the current or higher grade and is made a matter of record by the classification authority by an entry on DA Forms 20 and DA Forms 2-1 (Personnel Qualification Record – Part II). The commandants of Army service schools or other Armed Forces schools conducting training for qualification in an Army MOS and training activity commanders are authorized to award an MOS. The duty MOS identifies the authorized manning table position to which an individual is assigned and in which he/she is performing duty, or the MOS of the duty he/she is performing if not assigned to an authorized manning table position.

4. Army Regulation 635-5 (Separation Documents), effective 1 February 1967, prescribed the separation documents that must be prepared for Soldiers upon retirement, discharge, or release from active duty service or control of the Active Army. It established standardized policy for preparing and distributing the DD Form 214.

a. The general instructions stated all available records would be used as a basis for the preparation of DD Form 214, including the DA Form 20 and orders.

b. The specific instructions for item 23a stated to enter the primary MOS code number and title. There were no provisions for recording additional MOSs.

//NOTHING FOLLOWS//