

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 2 April 2024

DOCKET NUMBER: AR20230010327

APPLICANT REQUESTS correction to his DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge) to reflect as follows:

- Item 8 (Date of Birth): [REDACTED] vice [REDACTED]
- Item 23a (Specialty Number & Title): 11B, Light Weapons Infantryman vice 62M, Forklift Operator
- Item 30 (Remarks): "Vietnam Service: May 1969 to 6 February 1971"

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

- DD Form 149 (Application for Correction of Military Record)
- Michigan Department of Health Certificate of Live Birth
- 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, in effect, his 201 file was lost or destroyed while serving in Vietnam. Furthermore, there were several errors found on his DD Form 214, which include his year of birth, the month he served in Vietnam was May, not June of 1969, he never seen a RT forklift until he was in Vietnam, and he is not sure if his awards and decorations are correct.
3. The applicant provides:
  - a. Michigan Department of Health Certificate of Live Birth, which reflects his date of birth as [REDACTED]
  - b. DD Form 214, which reflects he was released from active duty and transferred to the U.S. Army Reserve on 7 February 1971 as an overseas returnee. He served 1 year

and 7 months of net service this period and 1 year, 7 months, and 7 days of foreign and or sea service USARPAC. It also reflects the following:

- Item 9 (Date of Birth): [REDACTED]
- Item 23a (Specialty Number & Title): 62M2O
- Item 30 (Remarks): Vietnam (VN) Service: 30 June 1969 to 6 February 1971

4. A review of the applicant's service record shows:

a. DD Form 373 (Consent, Declaration of Parent or Guardian) reflects the applicant's date of birth as [REDACTED]

b. He enlisted in the Regular Army on 8 July 1968 for three (3) years. It reflects in item 21 (Date of Birth) as [REDACTED] and item 48 as Army Career Group 62 Engineer Heavy Equipment Operation and Maintenance.

c. DA Form 20 (Enlisted Qualification Record), date audited 5 July 1969, reflects the following:

- Item 27 (Military Education): Forklift Operator, 62M2O, 1968
- Item 31 (Foreign Service): 30 June 1969 to (date illegible), February 1971 USARPAC -Vietnam
- Item 38 (Record of Assignments): 5 July 1969 – 20 March 1970, 62M2O, Forklift Operator
- Item 41 (Awards and Decorations): National Defense Service Medal (NDSM), Vietnam Service Medal (VSM), Republic of Vietnam Campaign Medal (RVNCM) (w/device 60), (2) Overseas Service (o/s) Bar, Bronze Star Medal (BSM)

d. Headquarters, U.S. Army Support Command General Orders Number 511, dated 31 October 1970, reflects the applicant was awarded the Bronze Star Medal for meritorious service in connection with ground operations against a hostile force in the Republic of Vietnam from July 1969 to July 1970.

e. As previously stated in paragraph 3c, the applicant's DD Form 214 reflects he was released from active duty and transferred to the U.S. Army Reserve on 7 February 1971 as an overseas returnee.

f. On 30 January 1975, the applicant enlisted in the Michigan Army National Guard (MIARNG) for one year. On 22 December 1975, he extended his current enlistment as a member of the MIARNG and of the Reserve of the Army to a period of two (2) years from the 30 January 1975.

g. DA Form 2-1 (Personnel Qualification Record), prepared 1 September 1977 reflects the following:

- Section II, item 5 (Military Occupational Specialties): 11B3O, 3 December 1975
- Section II, item 9 (Awards, Decorations & Campaigns): 2 overseas (o/s) bars
- Section VII, item 35 (Record of Assignments):
  - 8 July 1968 – 7 February 1971, U.S. Army Active Duty (AD) 62M2O Forklift Operator
  - 8 February 1971 – 7 July 1974, U.S. Army Reserve Forklift Operator 62M2O
  - 30 January 1975 – 31 December 1976, Army National Guard (ARNG) service not on AD
  - 1 January 1977, 11B3O Squad Leader

h. NGB Form 22 reflects the applicant was honorably discharged from the MIARNG and as a Reserve of the Army on 29 January 1978. He served 3 years net service this period. Item 13 (Primary AFSC/MOS/SSI and Title) reflects “11B3O Squad Leader.”

5. AR 635-5 (Personnel Separations - Separation Documents), prescribes the separation documents prepared for Soldiers upon retirement, discharge, or release from active military service or control of the Army. It established standardized policy for preparation of the DD Form 214. The DD Form 214 is a synopsis of the Soldier's most recent period of continuous active duty. It provides a brief, clear-cut record of active Army service at the time of release from active duty, retirement, or discharge.

#### 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.

a. The evidence of record shows the applicant was formally trained as a forklift operator and was awarded MOS 62M. The Military Education Section of his DA Form 20 shows he completed 8 weeks of training in MOS 62M at Fort Leonard Wood, MO in 1968. He may have held MOS 11B during his subsequent service in the ARNG; however, this has no impact on his previously issued DD Form 214.

b. The applicant's DA Form 20 shows he served in Vietnam from 30 June 1969 to on or about 6 (date illegible) February 1971. His DD Form 214 correctly reflects his

foreign service in Vietnam. There is no evidence he began his service in Vietnam in May 1969.

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:

Except for the corrections addressed in Administrative Note(s) below, 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.

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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):

A review of the applicant's record shows his DD Form 214 should be amended as follows: Item 8 (Date of Birth): █

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 (AR) 635-5 (Personnel Separations - Separation Documents), prescribes the separation documents prepared for Soldiers upon retirement, discharge, or release from active military service or control of the Army. It established standardized policy for preparation of the DD Form 214. The DD Form 214 is a synopsis of the Soldier's most recent period of continuous active duty. It provides a brief, clear-cut record of active Army service at the time of release from active duty, retirement, or discharge. The instruction for each item is:

(1) Item 8. Self-explanatory

(2) Item 23a. Enter primary MOS code number, title and date of award. In addition, enter the PMOS evaluation score and date of score. If the enlisted person has not received a PMOS evaluation score, enter "None."

(3) Item 30. The "Remarks" section will be used to complete entries too long for their respective blocks. When used for cross-reference, the item number must precede the continued information. If item 30 is filled and still more space is required, the last line will read "Continued on reverse" and the remarks will be completed on the reverse of the form.

//NOTHING FOLLOWS//