

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 30 July 2024

DOCKET NUMBER: AR20230014143

APPLICANT REQUESTS: reconsideration of his previous request for correction of his records to show he was separated in the rank and grade of sergeant (SGT)/E-5.

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

5-page self-authored statement in lieu of DD Form 149 (Application for Correction of Military Record)

FACTS:

1. Incorporated herein by reference are military records which were summarized in the previous consideration of the applicant's case by the Army Board for Correction of Military Records (ABCMR) in Docket Number AR20220010735 on 26 July 2023.

2. In a 5-page self-authored statement, the applicant describes incidents and his performance and accomplishments during his military service, which he asserts, should have resulted in his promotion to SGT/E-5. He also states:

a. When he was stationed at Fort Leonard Wood, MO, their supply sergeant taught him everything to know about how to make a supply room really function professionally and efficiently. So, when he was reassigned to South Korea, he was already a supply sergeant from the terms of factual operating knowledge; and that at the age of 18. A very undesirable atmosphere existed in their battery after he was passed over for promotion. Some of his fellow Soldiers were very disappointed. Even fellow Soldiers with whom he did not necessarily get along asked him why he was not yet promoted.

b. Case in point, their supply needs were finally met. Their operation was secured. He is not in any way over exaggerating his performance. At that time, he was the youngest in their battery. He is not angry at the Army, he was proud to serve, but he has been insulted. *The complete 5-page statement was provided to the Board for their review and consideration.*

3. In support of his previous application, the applicant provided a self-authored statement requesting advancement to the highest grade he satisfactorily held on active

duty under the provisions of Title 10, U.S. Code, section 3964 (Higher grade after 30 years of service: warrant officers and enlisted members). He also stated that he served his three-year enlistment from 24 September 1968 to 23 September 1971. At the time he was 18-19 years old, he had advanced from SP4/E-4 to acting SGT/E-5. His duties were to head supply as a supply sergeant. Actually, he was scheduled to be promoted but was denied his promotion board hearing at the last moment because of a small misunderstanding in an emergency situation at a railroad crossing point in the area of Osan in South Korea. His decision at that time probably saved the lives of their first officer and another Soldier.

4. The applicant enlisted in the Regular Army on 28 September 1968 for a period of three years.

5. The applicant's DA Form 20 (Enlisted Qualification Record) shows in item 33 (Appointments and Reductions), the highest grade/rank he attained was specialist four (SP4)/E-4 with a date of rank of 27 August 1969.

6. The applicant's DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge) shows he was honorably released from active duty and transferred to the U.S. Army Reserve Control Group (Reinforcement) on 23 September 1971. The DD Form 214 also shows he was separated in the rank and grade of SP4/E-4 and a date of rank of 27 August 1969.

7. There is no evidence in the applicant's available records showing he was promoted or recommended for promotion to the rank and grade of SGT/E-5.

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. The evidence shows the applicant served on active duty from 28 September 1968 to 23 September 1971. His DA Form 20 shows he attained the rank of SP4/E-4 on 27 August 1969. His DD Form 214 shows he was separated in the rank and grade of SP4/E-4 and a date of rank of 27 August 1969. The Board did not find evidence the applicant was recommended for appointment or promotion to SGT or that he held the rank of SGT during his military service. Likewise, the applicant does not provide documentary evidence of such promotion to E-5. Therefore, the Board found insufficient evidence to grant him the requested relief.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

:	:	:	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 to amend the decision of the ABCMR set forth in Docket Number AR20220010735 on 26 July 2023.

■

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. Army Regulation 600-200 (Enlisted Personnel Management System), in effect at the time, states:

a. Commanders of battalions and any similar or higher echelon organizations which are authorized a commander in grade of lieutenant colonel or higher may promote Soldiers to pay grades E-5 and E-6.

b. Company, troop, battery, and separate detachment commanders may appoint qualified individuals as acting corporals, E-4, and acting sergeants, E-5, to fill position vacancies existing in their units. Acting noncommissioned officers are not entitled to pay and allowances of such higher grades, and service as an acting noncommissioned officer will not be credited as time in a higher grade for promotion or date of rank purposes.

2. Army Regulation 635-5 (Separations Documents), in effect at the time, prescribed 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 the preparation of the DD Form 214. It states the DD Form 214 is a synopsis of the Soldier's most recent period of continuous active service. It provides a brief, clear-cut record of active Army service at the time of release from active duty, retirement, or discharge. The regulations states that for item 5a of the DD Form 214, enter grade in which serving at the time of separation indicating whether permanent or temporary.

3. Title 10, U.S. Code, section 3964 states each retired member of the Army (warrant officers/enlisted members on active duty) who is retired with less than 30 years of active service is entitled, when his active service plus his service on the retired list totals 30 years, to be advanced on the retired list to the highest grade in which he served on active duty satisfactorily.

//NOTHING FOLLOWS//