

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 20 September 2024

DOCKET NUMBER: AR20240000217

APPLICANT REQUESTS:

- correction of his DD Form 214 (Certificate of Release or Discharge from Active Duty) to show in:
  - item 4a (Grade, Rate or Rank): Sergeant First Class (SFC)
  - item 4b (Pay Grade): E7
  - item 12d (Total Prior Active Service): 0 years, 0 months, and 0 days
  - item 14 (Military Education):
    - Branch Immaterial Officer Candidate Course, 13-weeks, 1977
    - Signal Officer Basic Course, 12-weeks, 1977
    - Electronic Warfare Staff Officer Course, 2-weeks, 1979
    - Platoon Trainers Workshop, 1-week, 1980
    - Signal Officer Advance Course, 24-weeks, 1982
    - North Atlantic Treaty Organization (NATO) Joint Service Advanced Electronic Warfare Staff Officers Course, 2-weeks, 1983
- item 18 (Remarks):
  - Retired List Grade: Captain (CPT)/O3
  - U.S. Army Reserve (USAR) Retired Grade: Major (MAJ)/O4
  - Discharged from Enlisted Status in Retired Grade E7 and Placed on the Retired List as Indicated in Retirement Order
- a personal appearance before the Board

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

- DD Form 149 (Application for Correction of Military Record)
- Self-authored statement
- U.S. Army Infantry School Branch Immaterial Officer Candidate Course training certificate

- DA Form 87 (Department of the Army Training Certificate) for Signal Officer Basic Course
- U.S. Army Intelligence Center and Schools Electronic Warfare Staff Officer Course training certificate
- DA Form 87 for Electronic Warfare Staff Officer Course
- First Cavalry Division Platoon Trainers Workshop certificate
- DA Form 87 for Platoon Trainers Workshop
- DA Form 87 for Signal Officer Advance Course
- Supreme Headquarters (HQs) Allied Powers Europe The NATO School, NATO Joint Service Advanced Electronic Warfare Staff Officer Course training certificate
- U.S. Total Army Personnel Command, Memorandum, Subject: Promotion as a Reserve Commissioned Officer of the Army Under Title 10 of United States Code (USC)
- DA Form 7301-R (Officer Service Computation for Retirement)
- U.S. Army Total Personnel Command Orders Number S24-13
- HQs, Fort Carson Orders Number 045-0011
- DD Form 214 for service ending 31 August 1996
- HQs, Fort Carson, Memorandum, Subject: Request for DD Form 215 (Correction to DD Form 214, Certificate of Release or Discharge from Active Duty)
- U.S. Army Human Resources Command (AHRC) letter, 30 March 2020
- Army Board for Correction of Military Records (ABCMR) letter, 9 March 2021
- AHRC letter, 13 June 2022
- ABCMR letter, 20 October 2023

FACTS:

1. The applicant did not file within the 3-year time frame provided in Title 10, USC, 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 his DD Form 214 for service ending 31 August 1996 was not properly completed or reviewed prior to his release from active duty for retirement. He would like his children and grandchildren to have a proper official document that actually states his accomplishments and service to his country. He worked so hard both as an active duty service member and as a U.S. Army and Defense Finance and Accounting Service (DFAS) Civilian. Upon his retirement from DFAS in 2020, he was able to see more clearly the errors on his Discharge Certificate and had problems actually calculating his service time as a civilian employee because of these errors on his DD Form 214.

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

a. With prior enlisted U.S. Army Reserve (USAR) service, the applicant enlisted in the Regular Army on 21 August 1974.

b. DA Form 1059 (Service School Academic Evaluation Report) shows the applicant achieved course standards attending the Branch Immaterial Officer Candidate Course during the period of 20 March through 24 June 1977.

c. On 23 June 1977, the applicant was honorably released from active duty. DD Form 214 shows the applicant completed 2 years, 10-months, and 3-days of active service. It also show in Item 27 (Remarks): the applicant successfully completed:

- Clerk Typist course for 7-weeks in 1974
- Basic Leadership School for 1-weeks in 1975
- U.S. Army Infantry School attending the Branch Immaterial Officer Candidate Course during the period of March through June 1977

d. On 24 June 1977, the applicant executed his oath of office and was appointed as a Reserve commissioned officer in the rank/grade of second lieutenant (2LT)/O-1.

e. DA Form 1059 shows he achieved course standards attending the Signal Officer Basic Course during the period of 11 July through 30 September 1977.

f. DA Form 1059 shows he achieved course standards attending the Communication/Electronic Staff Officer Course during the period of 24 August through 2 November 1978.

g. On 7 June 1979, Orders Number 128-135, issued by HQs, 1st Cavalry Division, the applicant was promoted to the rank/grade of first lieutenant (1LT)/O-2, effective on with a Date of Rank (DOR) of 8 June 1979.

h. On 2 March 1981, Orders Number 32-1, issued by the U.S. Army Military Personnel Center, the applicant was promoted to the rank/grade of captain (CPT)/O-3, effective on with a DOR of 4 April 1981.

i. On 2 April 1981, Orders Number 50-15, issued by the U.S. Army Military Personnel Center, the applicant was temporarily promoted to the rank of:

- 1LT with the Army of the United States date of rank of 24 June 1979
- CPT with the Army of the Unites States date of rank of 12 April 1981

j. On 15 March 1982, Orders Number 41-1096, issued by the U.S. Army Military Personnel Center, the applicant was promoted to the rank/grade of CPT/O-3 in the U.S. Army, effective on 15 March 1982 with a DOR of 4 April 1981.

k. DA Form 1059 shows he achieved course standards attending the Signal Officer Advance Course during the period of 4 January through 24 June 1992.

l. On 1 September 1988, the applicant was honorably released from active duty and assigned to the USAR Control Group (Reinforcement). DD Form 214 shows he completed 11-years, 2-months, and 8-days of active service with 2-years, 10-months, and 3-days of prior active service. It also it shows in items:

- 4a: CPT
- 4b: O3
- 14:
  - Signal Officer Basic Course (1977)
  - Branch Immaterial Officer Course (1977)
  - Nuclear Biographical Chemical School Officer Course (1978)
  - Communication Electronic Staff Officer Course (1978)
  - Electronic Warfare Officer Course (1979)
  - Signal Officer Advance Course (1982)
  - Airborne School (1982)
  - Combined Arms Service Staff School (1986)

m. On 2 September 1988, the applicant enlisted in the Regular Army (RA) in the rank/grade of sergeant (SGT)/E-5 and he served with continuous service through reenlistments and an extension.

n. On 17 December 1990, the U.S. Total Army Personnel Command notified the applicant he was promoted to the rank/grade of major (MAJ)/O-4 as a Reserve Commissioned Officer of the Army, effective 23 March 1990 with a DOR of 23 June 1989 while serving on active duty as a staff sergeant.

o. DA Form 1059 shows he achieved course standards attending the Basic Noncommissioned Officer Course during the period of 29 October through 18 December 1990.

p. On 28 April 1992, the ABCMR directed the correction of the applicant's DOR for SSG to 1 May 1990.

q. On 8 May 1995, Orders Number 128-26, issued by the U.S. Total Army Personnel Command, the applicant was promoted in the U.S. Army to the rank/grade of SFC/E-7, effective on with a DOR of 1 June 1995.

r. DA Form 1059 shows the applicant exceeded course standards attending the Advanced Noncommissioned Officer Course during the period of 10 July through 28 September 1995.

s. On 17 October 1995, the applicant requested a voluntary retirement as a dual component Soldier, effective 31 August 1996, and to be placed on the retired list, effective 1 September 1996.

t. On 9 February 1996, Orders Number S24-13, issued by the U.S. Total Army Personnel Command, the applicant was retired from active service in the rank/grade of SFC/E-7, effective 31 August 1996. He was placed on the retired list effective 1 September 1996 in the retired rank for pay of CPT and retired in the rank of MAJ.

u. On 14 February 1996, Orders Number 045-0011, issued by HQs, Fort Carson, the applicant in the rank of SFC was assigned to the U.S. Army Transition Center, effective 31 August 1996.

v. On 31 August 1996, the applicant was honorably retired from active duty and assigned to the USAR Control Group (Retired Reserve). DD Form 214 shows the applicant completed 22-years, 0-months, and 10-days of active service with 14-years and 11-days of prior active service. It also shows it:

- Item 4a: CPT
- Item 4b: O3
- Item 12d: 14-days, 0-months, and 11-days
- Item 14:
  - Clerk Typist Course, 7-weeks, 1974
  - Basic Leadership Course, 1-week, 1975
  - Basic Airborne Course, 3-weeks, 1982
  - Battalion Training Maintenance Systems Course, 2-weeks, 1982
  - Nuclear, Biological, Chemical Course, 2-weeks, 1978
  - Personnel Administration Specialist Course, 8-weeks, 1988
  - Primary Leadership Development Course, 4-weeks, 1989
  - Basic Noncommissioned Officer Course, 7-weeks, 1990
  - Advanced Noncommissioned Officer Course, 12-weeks, 1995

w. On 1 October 1996, HQs, Fort Carson Transition Center requested the issuance of a DD Form 215 for the applicant's DD Form 214 for service ending 31 August 1996 to reflect in:

- Item 4a: SFC
- Item 4b: E-7
- Item 18: add;
  - retired list grade of CPT/O-3
  - USAR retired grade of MAJ/O-4
  - Discharged from enlisted status in retired grade E7 and place on the retired list as indicated in the retirement order

4. The applicant provides:

- a. Officer Candidate Course completion certificate showing he completed the course.
- b. DA Form 87 showing he completed the Signal Officer Basic Course.
- c. U.S. Army Intelligence Center and Schools certificate showing he completed the Electronic Warfare Staff Officer Course.
- d. DA Form 87 which shows the applicant successfully completed the 80-hours of the Electronic Warfare Staff Officer Course during the period of 10 through 21 December 1979 at Fort Hood, TX
- e. First Cavalry Division Certificate of Training which shows the applicant successfully completed the Platoon Trainers Workshop of the Battalion Training Management System on 28 March 1980.
- f. DA Form 87 which shows the applicant successfully completed the 40-hours of the Platoon Trainers Workshop on 28 March 1980 at Fort Hood, TX.
- g. DA Form 87 showing he completed the Signal Officer Advance Course.
- h. Supreme HQs Allied Powers Europe The NATO School certificate which shows the applicant successfully completed the NATO Joint Service Advanced Electronic Warfare Staff Officers Course during the period of 3 through 14 October 1983.
- i. DA Form 7301 which shows his total service credit as an officer and enlisted Soldier.

- j. HRC letter and ABCMR letters directing the applicant to the Board and HRC.

BOARD DISCUSSION:

1. After reviewing the application and all supporting documents, the Board found that relief was not warranted. The Board carefully considered the applicant's record of service, documents submitted in support of the petition and executed a comprehensive review based on law, policy, and regulation.

2. Upon review of the applicant's petition and available military records, the Board determined:

- a. His record is absent evidence that shows he was promoted to sergeant first class (SFC)/E-7. The available record shows he was promoted to sergeant (SGT)/E-5 on 4 April 1981 and no documentation or evidence provided shows any further promotion after this date.

- b. His current DD Form 214, for the period ending 31 August 1996 shows in item 12d (Total Prior Active Service): 14 years and 11 days. The Board found no evidence to support he had 0 years, 0 months, and 0 days of prior active service to support amendment of this block on his DD Form 214.

- c. The available record does not support and the applicant does not provide evidence to support the addition of military education courses to be added to the applicant's DD Form 214 for the period ending 31 August 1996. The requested courses are accurately reflected on his DD Form 214 for the period ending 1 September 1988 as they were completed during that period of service.

- d. The Board noted the applicant's retirement orders were amended to reflect his retirement list grade as captain (CPT)/O-3 and U.S. Army Reserve retirement grade as major (MAJ)/O-4 vice SFC/E-7. However, the Board concluded the DD Form 214 is a summary of the applicant's most recent period of continuous active duty. When retired from active duty, those were the conditions that existed at the time and therefore no correction is necessary as there is no error.

3. The applicant's request for a personal appearance hearing was carefully considered. In this case, the evidence of record was sufficient to render a fair and equitable decision. As a result, a personal appearance hearing is not necessary to serve the interest of equity and justice in this case.

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 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.



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. Army Regulation (AR) 15-185 (Army Board for Correction of Military Records (ABCMR)) prescribes the policies and procedures for correction of military records by the Secretary of the Army, acting through the ABCMR. The ABCMR may, in its discretion, hold a hearing or request additional evidence or opinions. Additionally, it states in paragraph 2-11 applicants do not have a right to a hearing before the ABCMR. The Director or the ABCMR may grant a formal hearing whenever justice requires.

3. AR 635-5 (Personnel Separations – Separation Documents), in effect at the time, prescribes the separation documents which are prepared for individuals upon retirement, discharge, or release from active military service or control of the Army. Paragraph 2-8 (DD Form 214 Instructions):

- Item 4 (a and b), enter active duty grade of rank and pay grade at the time of separation
- Item 12a, enter the date of the first day of the last immediate reenlistment from which a DD Form 214 was not issued
- Item 12c, all service entered will be less time lost
- Item 12d, all service entered will be less time lost
- Item 14, list in service training courses successfully completed during this period of service
- Item 18, Dual Component Retirement Grade: If an enlisted Soldier is discharged to retire as a commissioned or warrant officer, enter "Discharged from enlisted status in the retired grade \_\_\_\_\_, and placed on the retired list as indicated in the retirement order."

//NOTHING FOLLOWS//