

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 15 October 2024

DOCKET NUMBER: AR20240001359

APPLICANT REQUESTS: correction of his DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge), ending on 29 October 1971, to reflect he was promoted to the rank/grade of sergeant (SGT)/E5 and awarded the Connecticut (CT) Veteran Wartime Service Medals.

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

- DD Form 149 (Application for Correction of Military Record)
- 1st Aircraft Maintenance Battalion Recommended List for Promotion of Enlisted Personnel to SGT/E-5
- DD Form 214 for service ending 29 October 1971
- State of CT Department of Veterans' Affairs (VA) letter
- National Personnel Records Center letter

FACTS:

1. The applicant did not file within the 3-year time frame provided in Title 10, U.S. Code (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 he request the correction of his DD Form 214 to reflect he was promoted to the rank/grade of SGT/E-5 and awarded the CT Veteran Wartime Service Medals. He did not know until recently when someone at the VA told him he could have his records corrected.

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

a. On 7 April 1970, the applicant enlisted in the Regular Army. He held military occupational specialty 67Y, Helicopter Repairer.

b. DA Form 20 (Enlisted Qualification Record) shows in:

- Item 2 (Grade): specialist four SP4/E-4

- Item 3 (Date of Rank): 30 November 1970
- Item 33 (Appointments and Reductions); SP4/E-4 date of rank 30 November 1970

c. On 3 December 1970, Special Orders Number 271, issued by the U.S. Army Flight Training Center and Fort Stewart, the applicant was advanced to the rank/grade of SP4/E-4, effective 30 November 1970.

d. On 22 July 1971, the applicant's commander recommended him for consideration for promotion to the rank/grade of SGT/E-5. The applicant would need a waiver for time in service.

e. On 10 August 1971, the enlisted promotion selection board recommended the applicant for promotion to the rank/grade of SGT/E-5 and the results of the board were approved by the promotion authority. The applicant's name along with the other Soldiers recommended for promotion were incorporated on the promotion standing list. The promotion for those individuals on the list would be announced upon receipt of promotion cut off scores from the Department of the Army.

f. On 27 October 1971, Special Orders Number 237, issued by the U.S. Army Flight Training Center and Fort Stewart, the applicant was relieved from active duty and assigned to the U.S. Army Reserve (USAR) Control Group (Annual Training), effective 30 October 1971.

g. On 29 October 1971, the applicant was honorably released from active duty and assigned to the USAR Control Group (Annual Training). DD Form 214 shows the applicant completed 1-year, 6-months, and 23-days of active service. It also shows in:

- Item 5a (Grade, Rate or Rank): SP4
- Item 5b (Pay Grade): E-4
- Item 6 (Date of Rank): 30 November 1970

h. On 25 March 1976, Letter Orders Number 03-1051916, issued by the Office of the Adjutant General Reserve Components Personnel and Administration Center, the applicant was honorably discharged from the USAR, effective 1 April 1976.

4. The applicant provides a State of CT letter dated 16 April 2009, thanking the applicant for his service and as a token of the esteem of the citizens of CT he was being provided the CT Veterans Wartime Service Medal.

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. Grade: Deny. The evidence of record shows the applicant was recommended for promotion to SGT/E-5. However, there is no evidence he met the cut-off scores for his military occupational specialty and was promoted to SGT/E-5. As such, the Board determined there is insufficient evidence to change his DD Form 214 to show his grade as SGT/E-5.

b. Connecticut (CT) Veteran Wartime Service Medals: Deny. By regulation, the DD Form 214 reflects Federally recognized awards. State awards are not entered on the DD Form 214.

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) 600-200 (Enlisted Personal Management System) in effect at the time, prescribes policies, responsibilities and procedures pertaining to career management of Army Enlisted personnel.

a. Paragraph 7-4 (Orders) promotion of enlisted personnel to the grade E-3 through E-9, appointments, grade reductions and grade restorations will be announced in routine orders.

b. Paragraph 7-15 (Eligibility and Selection Criteria), normal requirements necessary to establish an individual's eligibility for promotion are:

- Time in grade and time in service for promotion to E-5 8-months and 36-months respectively
- Promotable status
- Recommendation for promotion by the commander
- Board appearance and recommendation by selection board
- Position vacancy
- Cut-off scores

3. AR 635-5 (Separation Documents) in effect at the time prescribes the separation documents that will be furnished each individual who is separated from the Army. All available records will be used as a basis for the preparation of DD Form 214, including DA Form 20, and orders. Item 5a; enter the in which serving at the time of separation, indicating whether permanent or temporary. Paragraph 5-6 (Rules for completing the DD Form 214) stated in subparagraph m, block 13 (Decorations, Medals, Badges, Citations and Campaign Ribbons Awarded or Authorized), do not enter foreign or state level awards on the DD Form 214. State awards and decorations will be entered on the National Guard Bureau (NGB) Form 22 (Report of Separation and Record of Service) upon separation from the Army National Guard of the United States.

//NOTHING FOLLOWS//