

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 10 June 2025

DOCKET NUMBER: AR20240003598

APPLICANT REQUESTS: correction of his DD Form 214 (Report of Separation from Active Duty), ending 31 October 1975 to show he was promoted to the rank of specialist 5 (SP5)/E-5 or specialist six (SP6)/E-6.

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

- DD Form 149 (Application for Correction of Military Record)
- Self-authored statement

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 part:
 - He was scheduled to be the last draft number of the last Selective Service System
 - Once he found out he was to be drafted, he interviewed with the Army Band, since he was in college for a music degree at the time, passed their requirements, and enlisted for 3 years
 - He completed his Military Occupational Specialty (MOS) training for 02L20 (Saxophone Player) and was sent to Fort Lewis, WA with the 9th Infantry Division
 - While assigned to this unit, he served in several MOSs where he had to play different instruments to include the piano, xylophone, vibes, glockenspiel, marimba, chimes, percussion accessories and cymbals, in addition to the saxophone, whenever requested
 - He also designed the band fronts for the Big Band Performance Group serving in the Presentation Band, Big Band, Jazz Band, Marching Band, Alpine Band Group and played in solo private performances with the accordion

- Other Soldiers in the similar music related MOS's, who only enlisted for 2 years, were promoted to the ranks of SP5/E-5 while he remained in the rank of specialist four (SP4)/E-4 and felt taken advantage of
- Today band members are promoted to E-5 quickly and in some cases as an E-6 without the expectation of fulfilling multiple MOS positions
- He requests consideration for promotion to SP5/E-5 and possibly SP6/E-6

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

- On 2 November 1972, he enlisted in the Regular Army for three years in MOS 02L20
- DA Form 2-1 (Personnel Qualification Record – Part II), Item 18 (Appointments and Reductions) lists his date of rank as follows:
 - Private first class (PFC)/E-3, effective 16 May 1973
 - SP4/E-4, effective 4 June 1974
- Special Orders Number 155, dated 4 June 1974 was issued promoting him to the rank of SP4/E-4, effective 4 June 1974
- Special Orders Number 279, dated 6 October 1975 was issued for relief from active duty and transfer to the U.S. Army Reserve Control Group (Reinforcement) in the rank of SP4, effective 31 October 1975
- DD Form 214, ending 31 October 1975 reflects an honorable release from active duty with service from 2 November 1972 – 31 October 1975 for a net active service of 2 years, 11 months, and 29 days; item 6a (Grade, Rate or Rank) shows SP4 and item 7 (Date of Rank) shows 4 June 1974
- His record is void of any instruments promoting him to the rank of SP5/E-5 or SP6/E-6

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. Upon review of the applicant's petition and available military records, the Board determined his record is absent evidence that shows he was promoted to SP5/E-5 or SP6/E-6 prior to his release from active duty on 31 October 1975. Based on the service record and a preponderance of the evidence, the Board denied relief.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

:	:	:	GRANT FULL RELIEF
:	:	:	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
:XX	:XX	:XX	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.

X //signed//

CHAIRPERSON

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 (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. Source documents will consist of DA Form 2-1. Item 6a; enter the grade in which serving at the time of separation, indicating whether permanent or temporary. Item 30; if grade as shown in item 5 is not permanent, enter permanent grade, date of appointment, and date of rank if different from date of appointment.
3. AR 600-200 (Enlisted Personnel Management System) in effect at the time states in section 7-3 (Authority to promote) states pay grades E-5 and E-6. Field grade commanders of any organization which is authorized a commander in the grade of lieutenant colonel or higher may promote assigned personnel to pay grades E-5 and E-6.

//NOTHING FOLLOWS//