

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 20 February 2025

DOCKET NUMBER: AR20240005989

APPLICANT REQUESTS: in effect, correction of his DD Form 214 (Certificate of Release or Discharge from Active Duty) for the period ending 30 April 1998, to show in:

- Block 5 (Date of Birth) the date as listed on his expired U.S. Passport
- Block 11 (Primary Specialty) 63Z5M (First Sergeant) and 54C4O (Smoke Operations Specialist)
- Block 12a (Date Entered Active Duty This Period) 1974 03 25
- Block 12c (Net Active Service This Period) 0024 01 05
- Block 12d (Total Prior Active Service) 0000 00 00
- Block 18 (Remarks) 4 tours of Germany and 1 tour of Korea

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

- DD Form 149 (Application for Correction of Military Record)
- Orders 104-0200, Headquarters, III Corps and Fort Hood, 14 April 1998
- DD Form 214
- Copy of an expired U.S. Passport

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 Board will not consider correction of the applicant's date of birth. His requested date of birth is listed on his enlistment DD Form 4 (Enlistment Contract – Armed Forces of the United States). This item will be addressed through an administrative correction.
3. The applicant enlisted in the Regular Army on 25 March 1974. He served in military occupational specialty 62C (Engineer Missile Equipment Specialist).
4. His Official Military Personnel File (OMPF) contains a poor copy of his DD Form 214 which shows he was honorably discharged on 27 December 1976. He completed

2 years, 9 months, and 3 days net active service this period. The form further shows he was awarded or authorized the National Defense Service Medal and Sharpshooter Marksmanship Qualification Badge with Rifle Bar (M-16).

5. On 28 December 1976, he immediately reenlisted. His OMPF contains a poor copy of his DD Form 214 which shows he was honorably discharged on 30 July 1978. He completed 1 year, 7 months, and 3 days net active service this period (the form incorrectly lists 2 versus 3 days). The form further shows he was awarded and authorized the National Defense Service Medal and Army Good Conduct Medal.

6. Evidence shows he immediately reenlisted on 31 July 1978. Having sufficient service for retirement, on 30 April 1998, he retired honorably. The DD Form 214 he was issued states in:

- Block 11 (Primary Specialty) 63B4O LIGHT WVEH MECH –0 YRS – 0 MOS
- Block 12a (Date Entered Active Duty This Period) 1978 07 31
- Block 12c (Net Active Service This Period) 0019 09 00
- Block 12d (Total Prior Active Service) 0004 04 06

7. His DD Form 214 for the period ending 30 April 1998, further shows he was awarded or authorized the:

- Army Commendation Medal (5th Award)
- Army Good Conduct Medal (6th Award)
- National Defense Service Medal
- Southwest Asia Service Medal with 2 bronze service stars
- Noncommissioned Officer Professional Development Ribbon with numeral 3
- Army Service Ribbon
- Overseas Service Ribbon (4th Award)
- Kuwait Liberation Medal – Kuwait
- Kuwait Liberation Medal – Saudi Arabia
- Expert Marksmanship Qualification Badge with Rifle Bar
- Expert Marksmanship Qualification Badge with Grenade Bar

8. On 27 April 2018, his DD Form 214 for the period ending 30 April 1998, was corrected by DD Form 215 (Correction to DD Form 214) by adding the Korea Defense Service Medal.

9. His OMPF contains a DA Form 2-1 (Personnel Qualification Record). Item 5 (Overseas Service) shows he completed 3 permanent change of station (PCS) tours of Germany and 1 PCS tour of Korea. The form shows his only deployment as duty in the imminent danger pay area of Southwest Asia (Saudi Arabia) from 26 August 1990 to 26 March 1991.

10. Order Number 14-6, U.S. Total Army Personnel Command, 28 January 1993, shows he was promoted to the rank of Master Sergeant on 1 March 1993, in MOS 63Z5H.

11. His OMPF does not contain lateral appointment orders to MOS 63Z5M. In addition, there is no available evidence which shows he was ever awarded MOS 54C4O.

12. The DD Form 214 is a summary of a Soldier's most recent period of continuous active duty. It provides a brief, clear-cut record of active duty service at the time of release from active duty, retirement, or discharge, and is not intended to have any legal effect on termination of a Soldier's service.

#### 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.

a. MOS Amendment on his DD Form 214. Deny. The evidence of record shows the applicant was awarded primary MOS 63Z5H when promoted to master sergeant. His record is void of a lateral appointment to first sergeant for the MOS of 63Z5M or evidence to support he was awarded MOS 54C4O. Therefore, the Board denied relief.

b. Amendment of blocks 12a and 12b of his DD Form 214 to capture his entire military service period. Deny. The Board noted the DD Form 214 is a summary of continuous active duty and provides a record of all active and inactive service at the time of release. The Board also noted the applicant previously received a DD Form 214 for his period of service requested.

c. Amendment of block 18 to show four tours of service in Germany and one tour in Korea. Deny. The Board noted block 18 is reserved for deployments of service members with their unit of organization. Block 18 accurately reflects the applicant's deployment to Southwest Asia and will not include PCS moves.

2. Prior to closing the discussion, the Board reviewed and concurred with the administrative notes below.

BOARD VOTE:

<u>Mbr 1</u>	<u>Mbr 2</u>	<u>Mbr 3</u>	
:	:	:	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.

ADMINISTRATIVE NOTE(S): correct the applicant's DD Form 214 for the period ending 30 April 1998, by correcting:

- his date of birth as listed on his DD Form 4 dated 25 March 1974
- block 12c to read 0019 09 01

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 635-8 (Separation Processing and Documents) prescribes the separation documents prepared for Soldiers upon retirement, discharge, or release from active military service or control of the Army. 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.

a. Block 11 (Primary Specialty) states to enter the titles of all MOSs or areas of concentration (AOCs) awarded and held for at least 1 year during the current period of service and include for each MOS/AOC the number of years and months held. For time determinations, 16 or more days counts as a month. Do not count time in training (basic training, advanced individual training, Basic Officer's Leader Course, or MOS-producing school). Primary specialty MOS or AOC is awarded by Service school completion or by publication of orders awarding the MOS or AOC. For an enlisted Soldier, specify the first five characters of the military occupational specialty code (MOSC), which includes three characters of the MOS, the fourth character of skill and grade level in the MOS, and the fifth character of a special qualification identifier, if applicable. Enter "O" when not applicable. When MOSCs merge at skill level 5, or convert to another MOSC, make separate entries for the highest skill level in each MOSC held for at least 1 year. A single additional skill identifier may be listed immediately following the five-character MOSC.

b. Block 12 (Record of Service):

(1) Block 12a (Date Entered Active Duty This Period). Data sources are enlistment contract(s), initial order to active duty, active duty order, previously issued DD Forms 214, DA Form 1506 (Statement of Service – For Computation of Length of Service for Pay Purposes), and a complete review of the Soldier's official record. Enter the beginning date of the continuous period of active duty for issuance of this DD Form 214, for which a DD Form 214 was not previously issued. Do not depend on basic active service date for this data item. The basic active service date can be an adjusted date.

(2) Block 12b (Separation Date This Period). List the Soldier's transition date.  
This

date may not be the contractual date if the Soldier was separated early, voluntarily extends, is extended to make up lost time, or is retained on active duty for the convenience of the Government.

(3) Block 12c (Net Active Service This Period). Amount of service this period, computed by subtracting block 12a from 12b. Lost time under 10 USC 972 and noncreditable time after expiration term of service, if any, are deducted. Lost time will be listed in block 29 (Dates of Time Lost This Period); other noncreditable time will be identified in block 18 (Remarks). If Soldier was released from active duty because of voided enlistment, enter "00 00 00."

(4) Block 12d (Total Prior Active Service). From previously issued DD Form 214, DD Form 220 (Active Duty Report), DA Form 1506, or Retirement Point Annual Statement, enter total amount of prior active military service less lost time, if any. If not applicable, enter "00 00 00."

(5) Block 12e (Total Prior Inactive Service). From previously issued DD Form 214, Retirement Point Annual Statement, DA Form 1506, or Servicemember's record brief, enter the total amount of prior inactive service, less lost time, if any. Inactive Service should be annotated in block 12e and block 18 as prior inactive service entered in format "0000 00 00."

(6) Block 18 (Remarks). In part, for active duty Soldiers, list any/all Outside the Continental United States deployments completed during the period of the DD Form 214 being created by adding the statement, "SERVICE IN (NAME OF COUNTRY DEPLOYED) FROM (inclusive dates)."

3. Army Regulation 15-185 (ABCMR) prescribes the policies and procedures for correction of military records by the Secretary of the Army, acting through the ABCMR. The ABCMR considers individual applications that are properly brought before it. The ABCMR will decide cases on the evidence of record. It is not an investigative body. The ABCMR begins its consideration of each case with the presumption of administrative regularity. The applicant has the burden of proving an error or injustice by a preponderance of the evidence.

//NOTHING FOLLOWS//