

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 13 February 2025

DOCKET NUMBER: AR20240006012

APPLICANT REQUESTS: correction of his DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge) period ending 1 November 1970, to show in block 1 (Last Name, First Name, Middle Name)) his suffix as "III" vice "JR."

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

- DD Form 149 (Application for Correction of Military Record)
- DD Form 214
- Certificate of birth
- Department of Veterans Affairs (VA) Card, Driver's License and Social Security Card

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 when he enlisted in the Army in 1967 as an Officer Candidate School candidate, he believed his suffix was "junior." However, a few years ago, he discovered his suffix was "III." He requests a change in his DD Form 214 to reflect his suffix as "III" to match his birth certificate, social security card, and driver's license.
3. The applicant provides his certificate of birth, VA card, driver's license, and social security card to show his legal suffix is "III."
4. A review of the applicant's service record shows:
 - a. He enlisted in the Regular on 28 August 1967. His DD Form 4 (Enlistment Record – Armed Forces of the United States) shows in Block 1 (Last Name – First Name – Middle Initial) W__, J__ H__ JR.

b. Additionally, his service record includes the below listed documents which list his suffix as "JR.":

- DD Form 214 effective 19 June 1968
- Reserve commissioned officer appointment letter, dated 20 June 1968
- DA Form 71 (Oath of Office), 20 June 1968

c. Having had prior enlisted service, he was commissioned in the U.S. Army Reserve on 20 June 1968 and ordered to active duty.

d. His personnel qualification record shows he served in Vietnam from 29 October 1969 to 27 October 1970. He was assigned in Vietnam to Company C, 1st Battalion, 5th Infantry Regiment, 25th Infantry Division. Section I (Identification Data) shows his suffix as "JR."

e. Special Orders (SO) Number 241, dated 9 December 1968, awarded him the Expert Marksmanship Qualification Badge with Rifle Bar (M-14). His suffix is listed on the orders as "JR."

f. A DA Form 428 (Application for Identification Card), dated 26 November 1969 shows in block 1 (Last Name, First Name, Middle Name) his suffix as "JR."

g. On 1 November 1970, he was honorably released from active duty. His DD Form 214 shows he completed 2 years, 4 months, and 12 months of active service with no lost time. Block 1 listed his suffix as "JR." It also shows he was awarded or authorized:

- National Defense Service Medal
- Army Commendation Medal
- Purple Heart
- Vietnam Service Medal
- Combat Infantryman Badge
- Ranger Tab
- Parachute Badge
- Vietnam Campaign Medal
- Bronze Star Medal
- Overseas Service Bars (2)

5. A review of the applicant's record confirms he is eligible for awards and campaign credits that are not recorded on his DD Form 214. The entries will be added to his DD Form 214 as administrative corrections and will not be considered by the Board.

6. By regulation (AR 635-5), the DD Form 214 is a summary of the Soldier's most recent period of continuous active duty. It provides a brief, clear-cut record of all current active, prior active, and prior inactive duty service at the time of release from active duty, retirement, or discharge. The information entered thereon reflects the conditions as they existed at the time of separation. For the date of birth, verify data accuracy by reviewing original enlistment contract and/or application for appointment. Compare original enlistment contract or appointment order and review official record for possible name changes.

BOARD DISCUSSION:

1. After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that relief was not warranted.

2. The Board carefully considered the applicant's contentions, his military record, the name he used consistently throughout his service, the name on the birth certificate he provided and his name and signature as it appeared on his DD Form 214. The applicant stated that he was unaware of his name as reflected on his birth certificate. The Board considered the regulatory guidance that the information entered on the DD Form 214 reflects the conditions as they existed at the time of separation. The Board majority found insufficient evidence to determine that there was an error or injustice in his name as reflected in his military records and on his DD Form 214. One Board member determined that his birth certificate reflected the applicant's requested name and that his record should be corrected to reflect that change. Based on a preponderance of evidence, the Board majority determined there was no error or injustice that warranted a correction to the applicant's record. The Board concurred with the corrections stated in the Administrative Notes below.

BOARD VOTE:

<u>Mbr 1</u>	<u>Mbr 2</u>	<u>Mbr 3</u>	
:	:	XX:	GRANT FULL RELIEF
:	:	:	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
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, except for the corrections stated in the Administrative Notes that follow, 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):

A review of the applicant's service records show he is authorized campaign credits and additional awards not annotated on his DD Form 214 for the service period ending 1 November 1970. As a result, amend his DD Form 214 to show:

- Republic of Vietnam Gallantry Cross with Palm Unit Citation
- Expert Marksmanship Qualification Badge with Rifle Bar (M-14)
- four bronze service stars with his previously issued Vietnam Service Medal

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 635-5 (Separation Documents) states the DD Form 214 is a summary of the Soldier's most recent period of continuous active duty. It provides a brief, clear-cut record of all current active, prior active, and prior inactive duty service at the time of release from active duty, retirement, or discharge. The information entered

thereon reflects the conditions as they existed at the time of separation. Block 1 (Last Name, First Name, Middle Name) states enter last name, first name, and full middle name or names, if any.

//NOTHING FOLLOWS//