

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 27 February 2025

DOCKET NUMBER: AR20240006777

APPLICANT REQUESTS: correction of his DD Form 214 (Certificate of Release or Discharge from Active Duty) to show the Legion of Merit (2nd Award) and to show his military occupational specialties (MOS) as:

- Signal Intelligence Officer
- Electronic Warfare Cryptology Officer
- Strategic Intelligence Staff Officer

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

- DD Form 149 (Application for Correction of Military Record)
- orders for the Legion of Merit (2nd Award), dated 7 January 1981
- DA Form 2-1 (Personnel Qualification Record – Part II), revised in September 1978
- DD Form 214 for the period 15 February 1963 to 31 March 1981

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 he was awarded the Legion of Merit. He contends that the information on his DD Form 214 is incorrect and needs to be corrected.
3. Following enlisted service in the Regular Army, the applicant was appointed as a commissioned officer on 15 February 1963. He entered active duty on the same date.
4. U.S. Army Security Agency General Orders Number 81, dated 5 August 1966, awarded the applicant the Legion of Merit (1st Award) for service during the period October 1963 to July 1966.

5. The applicant's records contain a memorandum from the U.S. Army Personnel Center (currently U.S. Army Human Resources Command), dated 1 March 1978, showing a change in his alternate specialty was approved and his new alternate specialty was Tactical/Strategic Intelligence, Code 35.
6. The applicant's records contain a DA Form 2-1, revised on 22 October 1979, showing in Section II (Classification and Assignment Data), Item 6 (MOSs) his MOSs were Electronic Warfare/Cryptology Officer (Code 37), effective 3 September 1976, and Tactical Intelligence Officer (Code 35) effective 1 March 1978.
7. The applicant provided permanent orders issued by the U.S. Army Intelligence and Security Command on 7 January 1981, awarding him the Legion of Merit (First Oak Leaf Cluster (i.e., 2nd Award) for service during the period 2 September 1974 to 16 January 1981.
8. The applicant was retired on 31 March 1981 by reason of required service for retirement. His DD Form 214 shows in item 11 (Primary Specialty Number, Title, and Years and Months in Specialty (Additional specialty numbers and titles involving periods of one or more years)) the entries:
 - [Code] 37A Electronic Warfare Cryptology Tactical Operations Officer 17 Years, 3 Months
 - [Code] 35A Tactical Intelligence Officer
9. The applicant's DD Form 214 also shows in item 13 (Decorations, Medals, Badges, Citations and Campaign Ribbons Awarded or Authorized (All periods of service)) he was awarded, among other awards, the Legion of Merit (1st Award).

BOARD DISCUSSION:

1. After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found relief was/was not warranted. The applicant's contentions, the military record, and regulatory guidance were carefully considered. The evidence of record shows the applicant's primary MOS was Electronic Warfare Cryptology Officer and his DD Form 214 also shows Tactical Intelligence Officer. The Board noted the memorandum which shows the applicant's alternative MOS as Tactical/Strategic Intelligence, Code 35, shown on his DD Form 214. However, the Board found insufficient evidence the applicant served in the AOC Signal Intelligence Officer and therefore denied relief.
2. Prior to closing the discussion, the Board reviewed and concurred with the administrative note 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

Signed by:

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): add to block 13 of the applicant's DD Form 214 for the period ending 31 March 1981 the Legion of Merit (2nd Award).

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 (Separations Documents), in effect at the time, prescribed the separation documents prepared for Soldiers upon retirement, discharge, or release from active military service or control of the Army. It established standardized policy for the preparation of the DD Form 214. 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. The version of the regulation in effect at the time of the applicant's retirement states that in item 11 (Primary Specialty Number, Title, and Years and Months in Specialty (Additional specialty numbers and titles involving periods of one or more years)) for commissioned officers enter the specialty skill identifier (two digits and one letter), title, years, and months.

//NOTHING FOLLOWS//