

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 4 December 2024

DOCKET NUMBER: AR20240006909

APPLICANT REQUESTS: correction of his DD Form 214 (Certificate of Release or Discharge from Active Duty), ending on 29 January 1994, to show:

- Military Occupational Specialties (MOS) of: 75D (Personnel Records Specialist), 92S (Laundry and Shower Specialist), and 75H (Personnel Services Specialist)
- Rank/Grade of specialist (SPC)/E-4
- Honorable Discharge

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

- DD Form 293 (Application for the Review of Discharge from the Armed Forces of the United States)
- Self-Authored Statement

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 wants his DD Form 214 to be updated to correctly reflect his service to this country. He further states that he served honorably in the following MOS: 75D, 92S, and 75H. Additionally, he ended his Army career in the rank/grade of SPC/E-4 and expects acknowledgement of his honor and integrity.
3. A review of the applicant's service record shows:
  - a. He enlisted in the U.S. Army Reserve (USAR) on 2 June 1993.
  - b. On 17 September 1993 he was ordered to active duty for Initial Active Duty for Training (IADT).

c. He was released from IADT on 29 January 1994, with an uncharacterized characterization of service. He completed 4 months and 13 days of service. His DD Form 214 shows he was awarded the primary MOS of 75D10 (Personnel Records Specialist) and his rank in item 4a (Grade, Rate or Rank) shows private (PVT)/E-1.

d. DA Form 4187 (Personnel Action) dated 11 August 1997, shows the applicant was promoted to the rank/grade of SPC/E-4, effective 11 August 1997.

e. DA Form 1059 (Service School Academic Evaluation Report) dated 3 May 1999, shows he successfully completed advanced individual training for the Laundry and Shower Specialist training from 12 December 1998 through 2 May 1999.

f. On 12 September 2001, he was honorably discharged from the USAR.

4. The applicant's record does not contain, nor did he provide, any documentation that shows he held the rank/grade of SPC/E-4 at the time of his separation from active duty. Also, his record does not contain, nor did he provide evidence of another period of active duty that would warrant the issuance of a DD Form 214. Additionally, his record is void of orders awarding him MOS 75H.

#### BOARD DISCUSSION:

After reviewing the application and all supporting documents, the Board found that partial relief was 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. Military Occupational Specialties (MOS) of: 75D (Personnel Records Specialist), 92S (Laundry and Shower Specialist), and 75H (Personnel Services Specialist). Deny. The Board concluded there is insufficient evidence to support the applicant held these MOSs to be added to the DD Form 214.

b. Rank/Grade of specialist (SPC)/E-4. Deny. The Board concluded there is insufficient evidence the applicant held the rank/grade of SPC/E-4 while in an active status that would warrant amendment of his DD Form 214.

c. Honorable Discharge. Grant. The applicant's records contain sufficient evidence to support corrections not shown on his DD Form 214. His DD Form 214 will be corrected to show his characterization of service as honorable.

BOARD VOTE:

Mbr 1      Mbr 2      Mbr 3

:	:	:	GRANT FULL RELIEF
■	■	■	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
:	:	:	DENY APPLICATION

BOARD DETERMINATION/RECOMMENDATION:

1. The Board determined the evidence presented is sufficient to warrant partial relief. As a result, the Board recommends that all Department of the Army records of the individual concerned be corrected by amending the applicant's DD Form 214, for the period ending 29 January 1994 to show his characterization of service as honorable.
2. The Board further determined that the evidence presented is insufficient to warrant a portion of the requested relief. As a result, the Board recommends denial of so much of the application that pertains to any additional amendments of his DD Form 214 in excess of the above.

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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) 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 begins its consideration of each case with the presumption of administrative regularity, which is that what the Army did was correct. The ABCMR is not an investigative body and decides cases based on the evidence that is presented in the military records provided and the independent evidence submitted with the application. The applicant has the burden of proving an error or injustice by a preponderance of the evidence.

3. AR 635-5 (Separation Documents), in effect at the time, 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. In The Military Personnel Records Jacket (MPRJ), U.S. Army (MPRJ), Official Military Personnel Files (OMPF), DA Forms 2 and 2-1 (Personnel Qualification Record) are the basic source documents.

a. A DD Form 214 will be prepared for all personnel when completing 90 days or more of continuous active duty training or active duty support or after completing IADT which resulted in the award of an MOS, even though the active duty was less than 90 days.

b. For item 4a (Grade, Rate or Rank); enter the rank in which serving at the time of separation.

c. For item 11; enter the MOS code and title and include the number of years and months served. For time determination 16 days or more count as a month. Time spent in basic training and advanced individual training are not counted.

4. AR 635-8 (Separation Processing and Documents), currently in effect, prescribes policy and procedural guidance relating to transition management. Specifically, it references instruction related to the preparation of the DD Form 214. 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. Paragraph 5-6 states: "When a Reserve Component Soldier successfully completes initial active duty training the character of service is Honorable unless directed otherwise by the separation approval authority."

//NOTHING FOLLOWS//