

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 14 January 2025

DOCKET NUMBER: AR20240007247

APPLICANT REQUESTS: correction of his DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge) to show his rank/pay grade as sergeant (SGT)/E-5.

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

- DD Form 149 (Application for Correction of Military Record), 28 March 2024
- DD Form 214, 22 May 1962
- U.S. Army Reserve Corps (USAR) ID Card, date illegible

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 his DD Form 214 reads he was a specialist/E-4 but he was a sergeant/E-5.
3. The applicant provides a copy of his DD Form 214 and a partially legible ID card.
4. A review of the applicant's service record shows:
 - a. On 30 June 1960, he was inducted into the Army of the United States at the rank/pay grade of private/E-1.
 - b. He was promoted to:
 - private/E-2 on 30 October 1960
 - private first class (Temporary (T))/E-3 on 13 March 1961
 - specialist 4 (SP4)(T)/E-4 on 25 September 1961

c. Special Orders Number 107, issued by U.S. Army Personnel Center, Fort Hamilton, assigned him the U.S. Army Garrison, Transfer Point, Fort Gordon. His rank/pay grade was SP4/E-4.

d. Special Orders Number 104, issued by Headquarters (HQ), Fort Gordon, released him from active duty at the rank/pay grade of SP4/E-4.

e. On 22 May 1962, he was honorably released from active duty and transferred to the control of USAR Control Group (Annual Training), IV U.S. Army Corps. His DD Form 214 shows in:

- block 3a (Grade, Rate, or Rank) – SP4/E-4 (T)
- block 3b (Date of Rank) – 25 September 1961

f. On 5 June 1962, the Adjutant General, Florida State Arsenal, requested contact with the applicant for obligated reserve assignment and enlistment in the Florida National Guard (FLARNG).

g. On 20 June 1962, the Commanding Officer, IV United States Army Corps, requested his assignment to a unit for mandatory training in the USAR Control Group (Annual Training). His rank/pay grade was SP4/E-4.

h. On 30 July 1962, he was assigned to 945 Transportation Company (Heavy Boat), Tampa, FL at the rank/pay grade SP4/E-4.

i. Special Orders Number 228, issued from IV United States Army Corps, dated 27 November 1963, promoted him to sergeant (SGT)/E-5.

j. On 27 July 1964, he was reassigned to USAR Control Group (Standby) in the rank/pay grade SGT/E-5.

k. Letter orders showing his discharge and date of discharge from the USAR Control Group (Standby) are not in the available records.

5. The Board should consider the applicant's petition, service record, and statements in light of the published guidance.

BOARD DISCUSSION:

After reviewing the application and all supporting documents, the Board determined relief was not warranted. The applicant's contentions, the military record, and regulatory guidance were carefully considered. Based upon the available documentation showing that the applicant's active-duty service ended in 1962 and he was not promoted to SGT until 1963, while serving in the FLARNG, and the regulatory guidance stating information on a DD Form 214 reflects information at the time of publication, the Board concluded there was insufficient evidence of an error or injustice warranting a change to the applicant's rank.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

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

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 635-5 (Personnel Separations – Administrative Separation Procedures and Forms), effective 12 June 1956, established uniform administrative procedures and separation forms to be used in connection with the relief from active duty or complete separation from the military service of commissioned officers, warrant officers and enlisted personnel.

a. In item 1 (Name) – enter last name, first name, and spell out the full middle name or names, if any.

b. All available records will be used as a basis for the preparation of DD Form 214 (Worksheet), including DA Form 24 (Service Record), DA Form 20 (Enlisted Qualification Record), DA Form 66 (Officer Qualification Record), and court-martial orders, when appropriate.

c. After thorough comparison has been made between the entries on DD Form 214a and those on DD Form 214, the worksheet will be destroyed. If the information required to complete an item is not available or if more space is required to complete the item, the words "See Remarks" or "See 32" will be entered in the space and an explanation will be made in item 32 (Remarks).

d. In item 3a for enlisted personnel. Enter grade in which serving at the time of separation indicating whether permanent or temporary. Example: "MSgt (P)" or "MSgt (T)".

e. In item 3b for enlisted personnel. Enter date of rank for the grade shown in item 3a.

//NOTHING FOLLOWS//