

IN THE CASE OF: [REDACTED]

BOARD DATE: 21 April 2025

DOCKET NUMBER: AR20240009270

APPLICANT REQUESTS: correction of his DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge) to show:

- Bronze Star Medal
- Air Medal
- his rank and grade as sergeant (SGT)/E-5
- his correct date of birth

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

- DD Form 149 (Application for Correction of Military Record)
- DD Form 214
- orders for the Bronze Star Medal and the Air Medal
- Headquarters, 1st Basic Combat Training Brigade, Fort Jackson, SC, Special Orders Number 13, dated 30 January 1970 (promotion to SGT/E-5 orders)
- Certificate of Birth

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 would like his DD Form 214 to show the proper information.
3. The applicant provided, and his records contain, general orders awarding him the Bronze Star Medal and the Air Medal. Therefore, there is sufficient evidence to administratively correct his DD Form 214 to show these awards without Board action. Additionally, his records contain a DD Form 215 (Correction to DD Form 214), dated 23 December 2011, which corrected his DD Form 214 to show his correct date of birth. The Board will only consider the portion of the applicant's request pertaining to the rank and grade shown on his DD Form 214.

4. The applicant was inducted into the Army on 20 February 1968.
5. A Company, 3rd Battalion, Third Advanced Individual Training Brigade, Fort Polk, LA, Unit Order Number 30, dated 27 June 1968, promoted the applicant to the permanent (P) rank and grade of private first class (PFC)/E-3.
6. Headquarters, 1st Infantry Division Special Orders Number 359, dated 24 December 1968, promoted the applicant to the temporary (T) rank and grade of specialist four (SP4)/E-4 with a date of rank of 14 December 1968.
7. Headquarters, 1st Basic Combat Training Brigade, Fort Jackson, SC, Special Orders Number 13, dated 30 January 1970, promoted the applicant to the temporary rank and grade of SGT/E-5 effective 30 January 1970, under the authority of Army Regulation 600-200 (Enlisted Personnel Management System), paragraph 7-13 (temporary promotion of enlisted personnel of the Active Army to pay grades E-4 through E-6).
8. Headquarters, U.S. Army Personnel Center, Fort Jackson, SC, Special Orders Number 30, dated 5 February 1970, ordered the applicant's released from active duty and his transfer to the U.S. Army Reserve (USAR) effective 19 February 1970 in the rank of SP4. The orders contain the following entry: "All temporary appointments held are terminated on your effective date of release."
9. The applicant's records contain a DA Form 3327 (Individual/Organization Clothing and Equipment Record), certified by his commander officer on 18 February 1970, and a DA Form 137 (Installation Clearance Record), dated 18 February 1970, showing his rank and grade as SGT/E-5.
10. The applicant's records also contain a DA Form 1811 (Physical and Mental Status on Release from Active Service), dated 19 February 1970, showing his rank as SP4.
11. The applicant's DD Form 214 shows he was released from active duty and transferred to the USAR Control Group (Annual Training) on 19 February 1970. Items 5a and 5b (Grade Rate or Rank/ Pay Grade) of the DD Form 214 shows his rank as SP4/E-4. Item 6 (Date of Rank) shows 14 December 1968.
12. The DD Form 214 also shows in item 30 (Remarks) the entry: "Item 5a: PFC (P) Aptd [appointed]: 27 June 1968."
13. Orders issued on 23 January 1974 ordered the applicant's discharge from the USAR effective 1 February 1974. The orders show his rank as SP4.

14. A review of the applicant's record confirms he is eligible for awards 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.

BOARD DISCUSSION:

1. After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that relief was warranted. The Board carefully considered the applicant's record of service, documents submitted in support of the petition and executed a comprehensive and standard review based on law, policy and regulation. The governing regulation provides that at separation the service member's record will be used to enter accurate information when completing their DD Form 214. Upon review of the applicant's petition and available military records, the Board determined that the evidence presented is sufficient to show he held the rank and grade of sergeant (SGT)/E-5; thereby warranting correction in this case.

2. The Board further determined the evidence presented is sufficient to warrant a correction the record not otherwise requested. The Board noted that the applicant served for a period of two years and received an honorable discharge. As his record is void of derogatory information, the Board agreed that he met the criteria for award of the Army Good Conduct Medal.

3. Prior to closing the case, the Board did note the analyst of record administrative notes below, and recommended the correction is completed to more accurately depict the military service of the applicant.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

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

BOARD DETERMINATION/RECOMMENDATION:

In addition to the administrative notes annotated by the Analyst of Record (below the signature), the Board determined the evidence presented is sufficient to warrant a recommendation for relief. As a result, the Board recommends that all Department of the Army records of the individual concerned be corrected by amending his DD Form 214 for the period ending 17 August 2004 by awarding him the Army Good Conduct Medal (1st Award) for exemplary service from 20 February 1968 to 19 February 1970.and adding the medal to his DD Form 214 for the period ending 19 February 1970.and listing:

- Item 5a (Grade, Rate or Rank), SGT(T)
- Item 5b (Pay Grade), E-5
- Item 6 (Date of Rank), 30 JAN 70

X 

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 additional campaign credit not annotated on his DD Form 214. As a result, amend his DD Form 214 to show the Bronze Star Medal and the Air 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) 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 release from active duty states:

a. Item 5a (Grade, Rate or Rank), enter grade in which serving at time of separation indicating whether permanent (P) or temporary (T), e.g. SGT (P) or SGT(T).

b. Item 6 (Date of Rank), enter date of rank for the grade shown in item 5a. If grade at time of separation is not permanent, the permanent grade, date of appointment, and date of rank, if different from date of appointment, will be entered in item 30 (Remarks).

3. Army Regulation 600-200 (Enlisted Personnel Management System), in effect at the time, states in section III, paragraph 7-13, this section together with section IX, governs temporary promotion of enlisted personnel of the Active Army to pay grades E-4 through E-6, made against periodic temporary promotion quota allocations, and pay grade E-7, made against temporary promotion quota allocations in conjunction with personnel requisition items canceled by Headquarters, Department of the Army. This paragraph will be cited in promotions using quota allocations.

//NOTHING FOLLOWS//