

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 29 April 2025

DOCKET NUMBER: AR20240009318

APPLICANT REQUESTS: In effect, correction of his DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge) ending on 3 April 1964, to show the rank/grade of sergeant (SGT)/E-5 instead of specialist four (SP4)/E-4.

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

- DD Form 149 (Application for Correction of Military Record)
- DA Form 137 (Installation Clearance Record) dated 23 June 1962, which shows, he had excellent conduct and efficiency ratings
- Certificate of Training dated 14 February 1963, which shows, he completed the "Program of Instruction"
- DD Form 214, ending on 3 April 1964, which shows, the applicant was inducted into the Army of the United States on 16 April 1962 and was released from active duty and transferred to the U.S. Army Reserve Control Group (Annual Training) on 3 April 1964
- USAAC Form 825 - Subject: Discharge from United States Army Reserve (USAR) dated 31 March 1968, showing the applicant was honorably discharged from the USAR Control Group (Standby), effective 31 March 1968
- Honorable Discharge Certificate dated 31 March 1968, showing he was honorably discharged from the USAR on 31 March 1968
- Congressional correspondence dated 5 September 2017, which shows, the applicant's Congressman was informed that the applicant had the right to submit a request to the ABCMR to change his military record
- Army Review Boards Agency letter dated 14 February 2018, responding to the applicant's request to amend his DD Form 214 to show his correct rank; he was referred to the U.S. Army Human Resources Command for failing to exhaust his administrative remedies

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:

- During the first year or so in which he served, he earned the rank of Specialist 4th class, and at some point, during 1963, he was issued a letter from personnel informing him that he was scheduled to be promoted to sergeant (SGT)/E-5
- Additionally, he observed the directive and the relating stripes on the desk of his commander yet, this promotion never took place
- Several attempts to receive some type or kind of aid from any source of the United States Military in determining what happened to his "Staff Sergeant (E-5)" promotion have failed
- The resolution that he seeks is the granting of his "Staff Sergeant (E-5)" ranking and all accouterments attached there to
- He was a model Soldier, and he earned the rank of "Staff Sergeant E-5"
- It is the moral, ethical, and just stance for the United States Army to grant him the honor
- He would like for his grandchildren to know that he earned the rank of sergeant while serving in the United States Army
- He would have intently sought to resolve this concern upon being honorably discharged from the Army but instead, he pursued getting an education
- During the years that this situation was overlooked, he attended several colleges and acquired an Undergraduate Degree and four Advanced Degrees
- He would possibly have sought after the resolution to this concern years ago, but it was more than apparent the United States was not prepared to resolve Veteran's concerns let alone those concerns of an African American Veteran; the tide toward the importance of Veterans seems to be changing in America - so he tests the waters

3. A review of the applicant's military service records show:

- On 16 April 1962, the applicant was inducted into the Army of the United States
- His DA Form 20 (Enlisted Qualification Record) and DA Forms 24 (Service Record) show the highest rank/grade he held was SP4/E-4
- Unit Orders Number 36 dated 23 October 1963 promoted/appointed the applicant to the rank of SP4
- On 3 April 1964, the applicant was released from active duty and was transferred to the USAR Control Group (Annual Training); he completed 1 year, 11 months, and 18 days net active service this period and his DD Form 214 shows in item:
 - 3a (Grade, Rate or Rank); SP4 (E-4) (T) [Temporary]
 - 3b (Date of Rank); 23 October 1963

- 32 (Remarks); "Item #3a: Private First Class (E3)(Permanent) Appointed: 1 April 1963"
- Effective 31 March 1968, USAAC Form 825 shows the applicant was honorably discharge from the Standby Reserve in the rank of SP4

4. The applicant's military service record did not contain orders or documentation showing he was promoted to the rank of SGT, nor did he provide orders or documentation.

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 the applicant obtained the rank of SP4 six months prior to his separation and there being a lack of documentation showing he was promoted during that time, 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
:XXX	:XXX	:XXX	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.

//SIGNED//

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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.

REFERENCES:

1. Army Regulation (AR) 15-185 (Army Board for Correction of Military Records) prescribes the policies and procedures for correction of military records by the Secretary of the Army, acting through the Army Board for Correction of Military Records (ABCMR). In pertinent part, it states that the ABCMR begins its consideration of each case with the presumption of administrative regularity. The applicant has the burden of proving an error or injustice by a preponderance of the evidence. The ABCMR will decide cases based on the evidence of record. It is not an investigative agency.
2. AR 600-200 (Enlisted Personnel Management System) in effect at the time prescribes policies, responsibilities, and procedures pertaining to career management of Army enlisted personnel. Paragraph 7-4 (Orders) states, promotion of enlisted personnel to grade E-3 through E-9, appointments, grade reductions, and grade restorations will be announced in routine orders.
3. AR 635-5 (Personnel Separations Separation Documents), in effect at the time, prescribes the separation documents that will be furnished each individual who is separated from the Army and establishes standardized procedures for the preparation and distribution of these documents. The preparation instructions for item 5a (Grade, Rate or Rank) state to enter grade in which serving at time of separation, indicating whether permanent or temporary. Example: "MSG (P)" or "MSG (T)".

//NOTHING FOLLOWS//