

IN THE CASE OF: [REDACTED]

BOARD DATE: 24 April 2025

DOCKET NUMBER: AR20240011434

APPLICANT REQUESTS:

- correction of his DD Form 214 (Certificate of Release or Discharge from Active Duty) for the period ending 17 May 2021 to show in Item 11 (Primary Specialty) 12B (Combat Engineer)
- a video/telephonic appearance before the Board

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

- DD Form 149 (Application for Correction of Military Record)
- DA Form 1059 (Service School Academic Evaluation Report)
- DD Form 214, period ending 17 May 2021

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 primary military occupational specialty (PMOS) was originally 91B (Wheeled Vehicle Mechanic) but he was reclassified to 12B (Combat Engineer) prior to his deployment.
3. The applicant provides a DA Form 1059 which shows he attended and completed the 12B ((Combat Engineer) course from 30 March 2019 to 12 April 2019 during his service period in the U.S. Army Reserve (USAR).
4. A review of the applicant's service record shows:
 - a. He enlisted in the USAR on 2 October 2015, for a service term of 8-years.

b. The applicant entered active duty for training (ADT) on 28 June 2016, for the purpose of completing his initial entry training.

c. The applicant was honorably released from active duty training on 8 December 2016. His DD Form 214 shows he completed 5 months and 11 days of active service. Block 11 (Primary Specialty) shows 91B10 (Wheeled Vehicle Mechanic).

d. On 14 May 2018, the applicant entered active duty. He was honorably released from active duty on 30 September 2018 shows. His DD Form 214 shows he completed 4 months and 17days of active service.

e. He entered active duty on 14 May 2020. He was honorably released from active duty on 17 May 2021. His DD Form 214 shows he completed 1 year, and 4 days of active service. It also shows in Block 11 91B. Block 11 is listed as 91B. Block 18 (Remarks) lists his foreign service as:

- Kuwait – 29 June 2020 through 12 July 2020
- Syria – 13 July 2020 through 20 March 2021

BOARD DISCUSSION:

1. After reviewing the application and all supporting documents, the Board found that relief was not 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. Upon review of the applicant's petition, the Board determined that the applicant's record is absent of orders or evidence that shows he was awarded the military occupational specialty (MOS) 12B (Combat Engineer). Additionally, his assignment history does not show he served in the duty MOS of 12B. Therefore, the Board determined that there was insufficient evidence that he held the MOS of 12B.

2. The applicant's request for a personal appearance hearing was carefully considered. In this case, the evidence of record was sufficient to render a fair and equitable decision. As a result, a personal appearance hearing is not necessary to serve the interest of equity and justice in this case.

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.

5/5/2025

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.

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 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

a. 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.

b. The ABCMR may, in its discretion, hold a hearing or request additional evidence or opinions. Additionally, it states in paragraph 2-11 that applicants do not have a right to a hearing before the ABCMR. The Director or the ABCMR may grant a formal hearing whenever justice requires.

3. Army Regulation 600-200 (Enlisted Personnel Management System) states the MOS, including the skill level character, identifies the capability of an individual to perform duties required of the MOS at the current or higher grade and is made a matter of record by the classification authority by an entry on DA Forms 20 and DA Forms 2-1 (Personnel Qualification Record – Part II). The commandants of Army service schools or other Armed Forces schools conducting training for qualification in an Army MOS and training activity commanders are authorized to award an MOS. The duty MOS identifies the authorized manning table position to which an individual is assigned and in which he/she is performing duty, or the MOS of the duty he/she is performing if not assigned to an authorized manning table position.

4. Army Regulation 635-8 (Separation Processing and 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 active 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. For Block 11 (Primary Specialty) enter the titles of all MOSs or areas of concentration (AOCs) awarded and held for at least 1 year during the current period of service and include for each MOS/AOC the number of years and months held. For time determinations, 16 or more days counts as a month. Do not count time in training (basic training, advanced

individual training, Basic Officer's Leader Course, or MOS-producing school). Primary specialty MOS or AOC is awarded by Service school completion or by publication of orders awarding the MOS or AOC.

//NOTHING FOLLOWS//