

IN THE CASE OF: ██████████

BOARD DATE: 7 February 2024

DOCKET NUMBER: AR20230007386

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

- award of the Joint Service Commendation Medal
- Phase I and II, Interrogator
- highest civilian education held as 16 years

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

- DD Form 149 (Application for Correction of Military Record)
- DD Form 214, for the period ending 21 September 1973
- General Orders (GO) Number 162, dated 10 October 1973 (Joint Service Commendation Medal)
- Joint Service Commendation Medal Certificate
- Memorandum, subject: Award of the Joint Service Commendation Medal, dated 5 December 1975
- Two Certificates of Training, Phase I & II, Interrogator Course
- ██████████ University Transcript
- Orders 56-194, dated 20 September 1976 (Discharge Orders)
- Honorable Discharge Certificate, dated 21 August 1977
- National Personnel Records Center (NPRC) Correspondence

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 served 3 years in the Regular Army and 3 years in the U.S. Army Reserve (USAR). After 6 years, he reenlisted for an additional year for his

vacancy at 318th Military Intelligence Detachment. Please correct his total service to include all 7 years.

3. The applicant provides:

a. GO Number 162, dated 10 October 1973, which shows he was awarded the Joint Service Commendation Medal. He also provides the certificate and memorandum to accompany the award.

b. Two certificates of training for Phase I and Phase II, Interrogator Course (Military Occupational Specialty 96C), dated 21 March 1976, which show he successfully completed the courses.

c. His [REDACTED] University official transcript that shows the applicant received a Bachelor of Science in Real Estate and Insurance on 7 May 1976.

d. Orders 56-194, issued by Headquarters, Fifth United States Army, dated 20 September 1976, that discharged the applicant from the USAR, effective 21 August 1976.

e. An Honorable Discharge Certificate dated 21 August 1977, that discharged the applicant from the USAR.

f. Correspondence with NPRC between 17 December 2004 and 8 January 2005, requesting separation documents and entitlement to the Joint Service Commendation Medal.

5. A review of the applicant's service record shows:

a. He enlisted in the Regular Army on 22 September 1970.

b. On 21 September 1973, the applicant was honorably released from active duty and transferred to the USAR. His DD Form 214 shows he completed 3 years of active duty service. It also shows in:

- item 22b (Total Active Service): 3 years
- item 23a (Specialty Number & Title): 71L (Administrative Specialist)
- item 24 (Decorations, Medals, Badges, Commendations, Citations and Campaign Ribbons Awarded or Authorized): National Defense Service Medal, Army Commendation Medal, Sharpshooter Marksmanship Qualification Badge with Rifle Bar (M-16), Expert Marksmanship Qualification Badge with Hand Grenade Bar, Good Conduct Medal

- item 25 (Education and Training Completed): 4 weeks, 1971, Administration Course and 1 week, 1972, Basic Leadership Course
- item 30 (Remarks): highest civilian education level attained: 13 years, 1 year college (GED) = 14 years

c. Orders 56-194, issued by Headquarters, Fifth United States Army discharged the applicant from the USAR, effective 21 August 1976, with an honorable characterization of service.

d. DD Form 4 (Enlistment Contract – Armed Forces of the United States), effective 22 August 1976, shows the applicant reenlisted in the USAR for a period of 1 year.

6. By regulation, 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. It states for:

- item 22b: Enter total active service the individual has completed beginning with the earliest period of active service up to and including current period of active duty, less any period served in the ARNGUS or USAR not on active duty, and less time lost under title 10, United States Code, section 972. Enter "see 30" if information to accomplish the foregoing is not readily available, and enter explanation in item 30 (Remarks). In the case of enlisted personnel retired for length of service, the total active service entered in this item must agree with the official total of service for basic pay purposes shown in the letter or electrically transmitted message from The Adjutant General, as provided in chapter 12, AR 635-200.
- items 23a and b: Enter primary MOS code number, title, and date of award. In addition, enter PMOS evaluation score and date of score. If the enlisted person has not received a PMOS evaluation score, enter "None." If more space is required, enter "see 30" and continue remark in Item 30. If the specialty represented by the MOS has a related civilian occupation, enter in item 23b the appropriate job title and code number from the Dictionary of Occupational Titles. If not applicable, enter "NA."
- item 24: Enter from section 9, DA Form 20 (Enlisted Qualification Record), all decorations, service medals, campaign credits, and badges awarded or authorized, omitting authorities cited therein.
- item 25: Enter service schools, including major courses which were successfully completed, and military sponsored courses completed in civilian schools and colleges during period covered by the DD Form 214 being prepared. This entry includes the highest civilian education level acquired during this period of military service, if appropriate.
- item 30: This block will be used to complete entries too long for their respective blocks. When used for cross-reference, the item number must precede the

continued information. If item 30 is filled and still more space is required, the last line will read "Continued on reverse" and the remarks will be completed on the reverse of the form. Because of the arrangements of the one-time carbon contained in this form, all items on the face of the form should be completed prior to using the reverse. Enter the highest civilian education level attained as the first entry in this block when not adequately covered in block 25. This information will be taken from DA Form 20.

BOARD DISCUSSION

1. After reviewing the application, all supporting documents, and the evidence found within the military record, 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 and standard review based on law, policy and regulation. One potential outcome was to grant relief based on the evidence provided by the applicant. However, upon further review of the applicant's petition and available military records, the Board determined the applicant the Phase I and II, Interrogator courses and college degrees were completed during the applicant's Reserve service and not while he was on active duty. The Board noted, the DD Form 214 is a summary of a Soldier's most recent period of continuous active duty. However, the Board agreed there is sufficient evidence to support the applicant's Joint Service Commendation Medal was not annotated on his DD Form 214. Based on this, the Board granted partial relief to correct the applicant's record with annotation of his awarded Joint Service Commendation Medal on his DD Form 214.

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 a recommendation for partial 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 21 September 1973, to show award of the Joint Service Commendation Medal.

2. The Board further determined 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 adding the Phase I and II, Interrogator course to the applicant's DD Form 214 and his highest civilian education held as 16 years.

2/22/2024

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 635-5 (Separation Documents), in effect at the time, prescribed the separation documents that must be prepared for Soldiers upon retirement, discharge, or release from active duty service or control of the Active Army. It established standardized policy for preparing and distributing the DD Form 214. 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.

a. A DD Form 214 will be prepared for each member of the Regular Army and each member of the Reserve components ordered to active duty for a period of 90 days or more.

b. This regulation provides the following guidance for making entries on the DD Form 214, and provides:

(1) Item 22b: Enter total active service the individual has completed beginning with the earliest period of active service up to and including current period of active duty, less any period served in the ARNGUS or USAR not on active duty, and less time lost under title 10, United States Code, section 972. Enter "see 30" if information to accomplish the foregoing is not readily available, and enter explanation in item 30 (Remarks). In the case of enlisted personnel retired for length of service, the total active service entered in this item must agree with the official total of service for basic pay purposes shown in the letter or electrically transmitted message from The Adjutant General, as provided in chapter 12, AR 635-200.

(2) Item 24: Enter from section 9, DA Form 20 (Enlisted Qualification Record) all decorations, service medals, campaign credits, and badges awarded or authorized, omitting authorities cited therein.

(3) Item 25: Enter service schools, including major courses which were successfully completed, and military sponsored courses completed in civilian schools and colleges during period covered by the DD Form 214 being prepared. This entry includes the highest civilian education level acquired during this period of military service, if appropriate.

(4) Item 30: The "Remarks" section will be used to complete entries too long for their respective blocks. When used for cross-reference, the item number must precede the continued information. If item 30 is filled and still more space is required, the last line will read "Continued on reverse" and the remarks will be completed on the reverse of the form. Because of the arrangements of the one-time carbon contained in this form, all items on the face of the form should be completed prior to using the reverse. Enter the highest civilian education level attained as the first entry in this block when not adequately covered in block 25. This information will be taken from DA Form 20.

//NOTHING FOLLOWS//