

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 5 April 2024

DOCKET NUMBER: AR20230009247

APPLICANT REQUESTS: correction of her DD Form 214, ending 8 October 1991 -

- to show her rank/grade as staff sergeant (SSG)/E-6
- to add three (3) Army Achievement Medals (AAM)

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

- DD Form 149 (Application for Correction of Military Record)
- Permanent Order (PO) 1-5, Headquarters 315th Support Group, IL, 2 February 1988
- Certificate for Award of the Army Achievement Medal, 2 February 1988
- DA Form 638-1 (Recommendation for Award (for other than Valor) of the Army Achievement Medal, Army Commendation Medal, and Meritorious Service Medal), 17 May 1990
- Certificate for Award of the Army Achievement Medal, 17 May 1990
- DA Form 638-1, 11 March 1991
- Certificate for Award of the Army Commendation Medal, 19 March 1991
- DA Form 638-1, 1st page only, 4 June 1993
- Certificate for Award of the Army Achievement Medal, 5 June 1993
- Orders 030-015, Headquarters, 86th U.S. Army Reserve Command, IL, 30 January 1994
- Certificate for Award of the Army Achievement Medal (4th Award), 6 March 1994
- photograph of (1) Army Commendation Medal, (4) Army Achievement Medals, and (1) National Defense Service Medal
- (2) alert rosters, 3 January 1994

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, in effect, her DD Form 214 shows she was awarded three (3) AAMs; however, she was awarded five (5) while serving in the Army. In addition, her rank should reflect SSG/E-6 as her rank reflected as such on her alert roster.
3. The applicant enlisted in the Army Reserve on 19 July 1979 and served through a series of extensions or reenlistments. She was promoted to the rank/grade of sergeant (SGT)/E-5 on 30 August 1982.
4. PO 1-5, published by Headquarters 315th Support Group, IL, and the accompanying Certificate for Award of the Army Achievement Medal, show she was awarded the Army Achievement Medal (1st Award) for the period 6 December 1986 to 8 January 1988, on 2 February 1988.
5. A DA Form 638-1 and a Certificate for Award of the Army Achievement Medal show PO 4-9, published by the 347th Postal and Administrative Battalion, IL, on 17 May 1990, awarded her the Army Achievement Medal (2nd Award or 1st Oak Leaf Cluster) for the period for the period 17 March 1990 thru 31 March 1990.
6. A DA Form 638-1 and a Certificate for Award of the Army Commendation Medal show PO 078-362, dated 19 March 1991, awarded her the Army Commendation Medal (1st Award) for the period for the period 6 November 1990 to 7 March 1991.
7. She was ordered to active duty in support of Operation Desert Shield/Storm on 15 October 1990 and she served in Southwest Asia from 30 October 1990 to 25 April 1991, a period of 5 months and 25 days.
8. Orders 107-1, published by U.S. Army Garrison Fort Sheridan, on 4 June 1991, show she was ordered to active duty for the purpose of a medical evaluation, with a reporting date of 20 May 1991, for an indefinite period.
9. On 8 October 1991, she was honorably released from active duty upon completion of her required active duty service and returned to her Reserve unit. Her DD Form 214 and subsequently DD Form 215 (Correction to DD Form 214) show:
 - a. She completed 11 months and 24 days of net active service during the covered period, of which, 5 months and 26 days were considered foreign service.
 - b. She was separated in the rank/grade SGT/E-5 and her date of rank reflects 1 August 1982.

c. Item 13 (Decorations, Medals, Badges, Citations, and Campaign Ribbons Awarded or Authorized) lists the:

- Army Service Medal
- Army Reserve Component Overseas Training Ribbon (3)
- Army Achievement Medal (1st Oak Leaf Clusters or 2nd Award)
- National Defense Service Medal
- Army Lapel Button
- Noncommissioned Officer Professional Development Ribbon with Numeral 2
- Southwest Asia Service Medal with 2 bronze service stars
- Marksman Marksmanship Qualification Badge with Pistol Bar (.45 caliber)

d. Item 18 (Remarks) includes the entry, "SERVICE IN SWA 901030 TO 19910425."

10. She provides the first page of a DA Form 638-1, dated 4 June 1993, and a Certificate for Award of the Army Achievement Medal, which show PO Number 11-7 awarded her the Army Achievement Medal (2nd Oak Leaf Cluster or 3rd Award) on 5 June 1993.

11. Orders 7-8, published by Headquarters, 347th Replacement Battalion, on 20 October 1993, promoted her staff sergeant (SSG)/E-6, with an effective date and date of rank of 20 October 1993.

12. Orders 030-015, published by Headquarters, 86th U.S. Army Reserve Command, IL, on 30 January 1994, awarded her the Additional Skill Identifier (ASI) F5, effective 28 February 1994.

13. She provides a Certificate for Award of the Army Achievement Medal showing PO 1-3, published by the 347th Replacement Battalion, on 6 March 1994 awarded her the Army Achievement Medal (4th Award), for the period 19 December 1993 to 31 January 1994.

14. She provides 2 alert rosters, dated 3 January 1994, which show her rank as SSG and a photograph of (1) Army Commendation Medal, (4) Army Achievement Medals, and (1) National Defense Service Medal.

15. Regulatory guidance provides the DD Form 214 is a summary of a soldier's most recent period of continuous active duty. It provides a brief, clearcut record of active duty service at the time of release from active duty, retirement, or discharge.

BOARD DISCUSSION:

1. The applicant's contentions, the military record, and regulatory guidance were carefully considered. After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that relief was not warranted.
2. Army Regulation 635-5 (Separation Documents) provides the DD Form 214 is a summary of a soldier's most recent period of continuous active duty, which provides a brief, clearcut record of active duty service at the time of release from active duty, retirement, or discharge. This means the DD Form 214 is only authorized to record the events that occur up to the date the Soldier is released from active duty. Any awards or promotions authorized or earned after the issuance of a DD Form 214 are not authorized for entry.
 - a. The applicant's DD Form 214 properly records her rank/grade as SGT/E-5, as this was the rank/grade she held at the time she was released from active duty. She was not promoted to SSG/E-6 until after the issuance of her DD Form 214.
 - b. The applicant's DD Form 214 correctly shows she was awarded the Army Achievement Medal (2nd Award or 1st Oak Leaf Cluster). She was not awarded or authorized the Army Achievement Medal (3rd Award or 2nd Oak Leaf Cluster) until after the issuance of this DD Form 214.
 - c. The Board concurs with the administrative notes, which properly identified the need for an administrative correction of the Applicant's DD Form 214, without action by the Board, to add the Army Commendation Medal, Kuwait Liberation Medal (Kingdom of Saudi Arabia), and the Kuwait Liberation Medal (Government of Kuwait). These awards were previously authorized by Army Regulation 600-8-22 (Military Awards) or official orders.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

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

BOARD DETERMINATION/RECOMMENDATION:

The Board concurs with the corrections addressed in Administrative Note(s) below, but found 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.

ADMINISTRATIVE NOTES: administratively correct item 13 (Decorations, Medals, Badges, Citations, and Campaign Ribbons Awarded or Authorized) of her DD Form 214 ending 8 October 1991, without action by the Board, by adding the:

- Army Commendation Medal
- Kuwait Liberation Medal (Kingdom of Saudi Arabia)
- Kuwait Liberation Medal (Government of Kuwait)

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 – Separation Documents) prescribes the separation documents that must be prepared for soldiers on retirement, discharge, release from active duty service, or control of the Active Army. Paragraph 2-1 states, the DD Form 214 is a summary of a soldier's most recent period of continuous active duty. It provides a brief, clearcut record of active duty service at the time of release from active duty, retirement, or discharge. The DD Form 214 is not intended to have any legal effect on termination of a soldier's service.

3. Army Regulation 600-8-22 (Military Awards) states:

a. The Kuwait Liberation Medal awarded by the Kingdom of Saudi Arabia (KLM-SA) was approved on 3 January 1992 and is awarded to members of the Armed Forces of the United States who participated in the Persian Gulf War between 17 January 1991 and 28 February 1991.

b. The Kuwait Liberation Medal awarded by the Government of Kuwait (KLM-K) was approved on 9 November 1995 and is awarded to members of the Armed Forces of the United States who participated in the Persian Gulf War between 2 August 1990 and 31 August 1993.

//NOTHING FOLLOWS//