

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: ██████████

BOARD DATE: 30 April 2024

DOCKET NUMBER: AR20230011003

APPLICANT REQUESTS: correction of his DD Form 214 (Certificate of Release or Discharge from Active Duty) to show award of the Army Achievement Medal and completion of the Ranger Assessment and Selection Program.

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

- DD Form 149 (Application for Correction of Military Record)
- DA Form 638 (Recommendation for Award)
- Certificate, Army Achievement Medal (Permanent Order #26-1654)
- Ranger Assessment and Selection Program Level One Certificate of Graduation
- DD Form 214WS (Certificate of Release or Discharge from Active Duty – Worksheet)
- DD Form 214, effective 20 December 2013

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 is requesting correction of his DD Form 214, effective 20 December 2013, to show award of the Army Achievement Medal and completion of the Ranger Assessment and Selection Program.
3. The applicant provides:
 - a. An approved DA Form 638 endorsed by his battalion commander, which awards him the Army Achievement Medal, with Permanent Order #26-1652.
 - b. An Army Achievement Medal certificate, issued to him for outstanding achievement as Soldier of the Cycle, from 16 November 2010 to 3 February 2011, by Permanent Order Number 26-1654.

c. A Certificate of Graduation, issued by the Ranger Selection and Training Company, Regimental Special Troops Battalion, 75th Ranger Regiment, for successful completion of the Ranger Assessment and Selection Program Level One, endorsed by the battalion commander on 6 October 2011.

d. A DD Form 214, effective 20 December 2013, that shows:

(1) In Item 13 (Decorations, Medals, Badges, Citations, and Campaign Ribbons Awarded or Authorized): National Defense Service Medal, Global War on Terrorism Service Medal, Army Service Ribbon, Parachutist Badge.

(2) In Item 14 (Military Education): Health Care Specialist Course, 8 weeks, 2011.

4. A review of the applicant's service records contain sufficient information to support he is eligible for an additional award not annotated on his DD Form 214. As a result, this award will be added administratively. The Board will consider the portion of the request pertaining to correction of his DD Form 214 to show completion of the Ranger and Selection Program.

5. Review of the applicant's service record shows:

a. He enlisted in the Regular Army and entered active duty on 10 November 2010.

b. His Enlisted Record Brief shows:

- In Section VI (Military Education) that he attended Ranger Assessment and Selection Program Level 1 and Airborne training in 2011.
- In Section VIII (Awards and Decorations) that he was awarded the National Defense Service Medal, Global War on Terrorism Service Medal, and Army Service Ribbon.

c. Order 343-0267, issued by Headquarters, U.S. Army Garrison, Fort Bragg, on 9 December 2013, discharged him from the Regular Army on 13 December 2013.

d. On 20 December 2013, he was discharged from active duty. His DD Form 214 shows he completed 3 years and 17 days of active service.

- Item 13 shows award of the National Defense Service Medal, Global War on Terrorism Service Medal, and Army Service Ribbon.
- Item 14 shows "Health Care Specialist Course, 8 weeks, 2011."

6. The applicant's record does not contain evidence his commander disqualified him for award of the Army Good Conduct Medal (1st Award). His record does not contain evidence of a court-martial conviction nor any other derogatory information that would disqualify him from the first award of the Army Good Conduct Medal.

7. By regulation, in effect at the time, training courses for combat skills will not be listed in Item 14 of the DD Form 214.

8. Also by regulation, 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.

9. Additionally, the Army Good Conduct Medal is awarded to individuals who distinguish themselves by their conduct, efficiency, and fidelity. This period is 3 years except in those cases when the period for the first award ends with the termination of a period of active Federal military service. Although there is no automatic entitlement to the Army Good Conduct Medal, disqualification must be justified.

BOARD DISCUSSION:

After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that partial relief was warranted. The applicant's contentions, the military record, and regulatory guidance were carefully considered.

a. Permanent orders awarded the applicant the Army Achievement Medal for outstanding achievement from 16 November 2010 to 3 February 2011. This award should be listed on his DD Form 214.

b. As a related award, although not specifically requested by the applicant, the Board noted that the applicant served on active duty from 10 November 2010 to 20 December 2013, completing 3 years of and 17 days of active service. His record does not contain evidence his commander disqualified him for award of the Army Good Conduct Medal (1st Award). Likewise, his record does not contain evidence of a court-martial conviction nor any other derogatory information that would disqualify him from the first award of the Army Good Conduct Medal. His record is void of any disqualifying factor that prevents him from receiving his first award of the Army Good Conduct Medal. The Board determined he meets the criteria for award of the Army Good Conduct Medal (1st Award).

c. The Board noted the applicant's completion of the arduous Ranger Assessment and Selection Program Level One Course. However, as this a combat course, it is not listed on the DD Form 214.

BOARD VOTE:

<u>Mbr 1</u>	<u>Mbr 2</u>	<u>Mbr 3</u>	
:	:	:	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:

- awarding him the Army Good Conduct Medal for service during the period 10 November 2010 through 9 November 2013
- adding to his DD Form 214 the Army Achievement Medal and Army Good Conduct Medal (1st Award)

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 listing the Ranger Assessment and Selection Program Level One Course

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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 (AR) 635-5 (Personnel Separations – Separation Documents), prescribes the policy and procedures for preparing the DD Form 214 (Certificate of Release or Discharge from Active Duty). It states for item 14 (Military Education) of the DD Form 214, list formal in-service (full-time attendance) training courses successfully completed during the period of service covered by title, length in weeks, and month and year completed. This information is to assist the soldier after separation in job placement and counseling; therefore, training courses for combat skills will not be listed.

3. Army Regulation 600-8-22 (Military Awards) states the Army Good Conduct Medal is awarded to individuals who distinguish themselves by their conduct, efficiency, and fidelity. This period is 3 years except in those cases when the period for the first award ends with the termination of a period of active Federal military service. Although there is no automatic entitlement to the Army Good Conduct Medal, disqualification must be justified. In instances of disqualification as determined by the unit commander, the commander will prepare a statement of the rationale for his or her decision. This statement will include the period of disqualification and will be referred to the individual concerned for response. The unit commander will consider the individual's statement. If the commander's decision remains the same, the commander will forward his or her statement, the individual's statement, and his or her consideration for permanent filing in the individual's Official Military Personnel File. The immediate commander's decision to award the Army Good Conduct Medal will be based on his or her personal knowledge and of the individual's official records for the periods of service under previous commanders during the period for which the award is to be made. However, there is no right or entitlement to the medal until the immediate commander has approved the award and the award has been announced in permanent orders.

//NOTHING FOLLOWS//