

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 23 July 2024

DOCKET NUMBER: AR20230012462

APPLICANT REQUESTS: correction of his DD Form 214 (Certificate of Release or Discharge from Active Duty) for the period ending 2 December 2004 to show award of the Defense Meritorious Service Medal.

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

- DD Form 149 (Application for Correction of Military Record under the Provisions of Title 10, U.S. Code, Section 1552)
- DD Form 214
- Defense Meritorious Service Medal Certificate, 27 October 2004

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 out-processed from U.S. Special Operations Command, MacDill Air Force Base, FL, shortly after being awarded the Defense Meritorious Service Medal. The award was not entered on his final DD Form 214. During his out-processing, the personnel noncommissioned officer advised him that the Defense Meritorious Service Medal would eventually be added to his records. He recently noticed the award was never added to his DD Form 214.

3. State of Connecticut, Military Department, Office of the Adjutant General, Orders 176-146, appointed him as a Reserve commissioned officer in the Army National Guard of Connecticut effective 11 September 1999.

4. His National Guard Bureau Form 22, 3 September 2003, shows he was honorably discharged from the Army National Guard of Connecticut and transferred to the U.S. Army Reserve Control Group (Reinforcement).

5. U.S. Army Human Resources Command, St. Louis, MO, Orders M-10-302641, 20 October 2003, ordered him to active duty for the purpose of partial mobilization in support of Operation Enduring Freedom for not more than 365 days with a reporting date of no later than 5 December 2003 to Fort Benning, GA, with follow-on assignment to Headquarters and Headquarters Company, U.S. Army Central, Camp Doha, Kuwait.
6. His records do not contain orders assigning him to U.S. Special Operations Command Central, MacDill Air Force Base, FL.
7. His DA Form 67-9 (Officer Evaluation Report) covering the period 12 December 2003 to 19 November 2004 shows he was assigned to Headquarters, U.S. Special Operations Command Central, MacDill Air Force Base, FL, as a J-6 Plans Officer.
8. The Defense Meritorious Service Medal Certificate, 27 October 2004, shows he was awarded the Defense Meritorious Service Medal for exceptionally meritorious service for an unspecified period while assigned to U.S. Special Operations Command Central, MacDill Air Force Base, FL. The certificate does not reference the issuing orders.
9. Headquarters, U.S. Army Infantry Center, Fort Benning, Orders 322-2224, 17 November 2004, released him from active duty effective 2 December 2004 and assigned him to U.S. Army Reserve Control Group (Individual Mobilization Augmentee).
10. His DD Form 214 shows he was released from active duty on 2 December 2004. He completed 11 months and 26 days of net active service during this period. Item 13 (Decorations, Medals, Badges, Citations and Campaign Ribbons Awarded or Authorized) shows he was awarded or authorized the:
 - Global War on Terrorism Service Medal
 - Global War on Terrorism Expeditionary Medal
 - Korea Defense Service Medal
 - Army Commendation Medal (3rd Award)
 - National Defense Service Medal (2nd Award)
 - Armed Forces Reserve Medal with "M" Device
 - Army Service Ribbon
 - Overseas Service Ribbon (2nd Award)
 - Basic Parachutist Badge
 - Air Assault Badge

BOARD DISCUSSION:

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

considered. The applicant provides a certificate reflective of his award of the Defense Meritorious Service Medal Certificate, 27 October 2004, for exceptionally meritorious service for an unspecified period while assigned to U.S. Special Operations Command Central, MacDill Air Force Base, FL. The certificate does not reference the issuing orders. His DA Form 67-9 (Officer Evaluation Report) covering the period 12 December 2003 to 19 November 2004 shows he was assigned to Headquarters, U.S. Special Operations Command Central, MacDill Air Force Base, FL, as a J-6 Plans Officer. Despite the absence of permanent orders and the issuing authority, the Board found the wording on the certificate consistent with his duty station, assignment, and scope of responsibility. The Board accepted the certificate as sufficient evidence to add the Defense Meritorious Service Medal to 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:

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 adding the Defense Meritorious Service Medal to his DD Form 214 ending on 2 December 2004.

[Redacted Signature]

[Redacted Title]

[Redacted Title]

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 600-8-22 (Military Awards) provides policy, criteria, and administrative instructions concerning individual military decorations. The Defense Meritorious Service Medal is awarded in the name of the Secretary of Defense to service members of the Armed Forces of the United States who distinguished themselves by noncombat meritorious achievement or service after 3 November 1977,

//NOTHING FOLLOWS//