

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 20 August 2024

DOCKET NUMBER: AR20230014743

APPLICANT REQUESTS: award of the National Defense Service Medal.

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

- DD Form 149 (Application for Correction of Military Record)
- Memorandum for Distribution
- Orders 0-04-009660, United States Army Reserve (USAR) Center, St. Louis, MO
- Orders 169-126, Headquarters, Fourth U.S. Army and Fort Sheridan, IL
- Orders 174-08, Headquarters, 88th USAR Command, Saint Paul, MN
- Promotion Memorandum, U.S. Total Army Personnel Command, St. Louis, MO
- Honorable Discharge Certificate (USAR)
- Letter, National Personnel Records Center (NPRC), St. Louis, MO

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 available evidence contains an NGB Form 22 (Report of Separation and Record of Service) showing the applicant served honorably in the Wisconsin Army National Guard (WIARNG) from 26 April 1982 to 17 May 1984. He completed 2 years, and 22 days of net active service this period. He held the rank of sergeant/E-5. This NGB Form 22 also shows:

- he completed initial active-duty training (IADT) from 19 June to 20 August 1982 (Phase I, basic training)
- he was a member of the Simultaneous Membership Program (SMP) from 30 August 1982 through 17 April 1984 [in effect 17 May 1984]
- his award is listed as the Expert Marksmanship Qualification Badge M16A1 Rifle

3. The available evidence shows he was appointed a second lieutenant in the USAR and executed an oath of office on 19 May 1984.

4. His record contains two DD Forms 214 showing:

a. He served in an active-duty status from 5 March 1985 to 15 March 1986, he completed the Aviation Officer Basic Course and the Officer Rotary Wing Aviator Course, and he was awarded primary specialty 15A (General Aviation Officer).

b. He completed 1 year and 11 days of net active service this period and he was honorably relieved from active-duty training, due to completion of a period of full-time training duty, in the rank of second lieutenant (2LT). His awards are listed as the: Army Aviator Badge, Army Service Ribbon, Marksman Marksmanship Qualification Badge (Rifle), and Expert Marksmanship Qualification Badge (Grenade).

c. He served in an active-duty status from 19 October 1987 to 28 March 1988, he completed the Aviation Officer Advanced Course, and he was awarded primary specialty 15B (Aviation, Combat).

d. He completed 1 year, 2 months, and 7 days of net active service this period, he was honorably relieved from active-duty training, due to completion of a period of full-time training duty, in the rank of first lieutenant (1LT). His awards are listed as the: Army Service Ribbon, Army Aviator Badge, Army Reserve Components Achievement Medal, and Marksman Marksmanship Qualification Badge (Rifle), and Expert Marksmanship Qualification Badge (Grenade).

5. A second NGB Form 22 shows he served honorably in the WIARNG until 1 February 1990. He completed 5 years, 7 months, and 13 days of net active service this period. He held the rank of 1LT/O2. His awards are listed as the One Army Service Ribbon, Army Aviation Badge, and Army Reserve Components Achievement Medal.

6. The available evidence does not show the applicant served a qualifying period for award of the National Defense Service Medal.

7. On 13 September 2013, the NPRC advised the applicant he was being shipped the following awards based on the documents he provided and other official documents that were available.

- Army Reserve Components Achievement Medal
- Army Service Ribbon
- Expert Marksmanship Qualification Badge Grenade Bar
- Marksman Marksmanship Qualification Badge with Rifle Bar
- Army Aviation Badge Basic

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

a. The National Defense Service Medal is awarded for honorable active service for any period between 27 June 1950 and 27 July 1954, both dates inclusive; between 1 January 1961 and 14 August 1974, both dates inclusive; between 2 August 1990 and 30 November 1995; and from 11 September 2001 to a date to be determined.

b. ARNG and USAR forces personnel on short tours of duty to fulfill training obligations under an inactive duty training program will not be considered as performing active service which qualifies for award of the National Defense Service Medal.

BOARD DISCUSSION:

After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that relief was not warranted. The applicant's contentions, the military record, and regulatory guidance were carefully considered. The National Defense Service Medal is awarded for honorable active service for selected periods, including between 2 August 1990 and 30 November 1995. During this period, ARNG and USAR forces personnel on short tours of duty to fulfill training obligations under an inactive duty training program will not be considered as performing active service which qualifies for award of the National Defense Service Medal. The applicant served in the ARNG from 19 May 1984 to 1 February 1990 and was ultimately discharged from the USAR in February 1999. Based on his period and type of service, the Board determined he did not serve a qualifying period of service for this award.

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.

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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. Executive Order 12776, issued on 8 October 1991, by President George Bush, provides in part, states:

Section 1 ...Under such regulations as the Secretaries of the Army [and the other service Branches] ... may ... prescribe, and subject to the provisions of this order, the

National Defense Service Medal, as established by Executive Order No. 10448, as amended, may be awarded to members of the Reserve Components of the Armed Forces of the United States, as delineated by section 261 of title 10 of the United States Code.

Sec 2. The National Defense Service Medal, as authorized in the first section of this order, may be awarded to an individual who was a member in good standing of a Reserve Component of the Armed Forces of the United States during a period designated by the Secretary of Defense as the period of the Persian Gulf crisis for the purposes of this order.

3. Army Regulation 600-8-22 (Military Awards), currently in effect, states:

a. ARNG and USAR forces personnel on short tours of duty to fulfill training obligations under an inactive duty training program will not be considered as performing active service which qualifies for award of the National Defense Service Medal.

b. Army Regulation 600-8-22 (Military Awards) states the National Defense Service Medal is awarded for honorable active service for any period between 27 June 1950 and 27 July 1954, 1 January 1961 and 14 August 1974, 2 August 1990 and 30 November 1995, and 11 September 2001 and a date to be determined.

c. Executive Order 12776 extended award of the National Defense Service Medal to all members of the ARNG and the USAR who were part of the Selected Reserve in good standing during the period 2 August 1990 through 30 November 1995. Members of other than the Selected Reserve who were called to active duty will also be eligible. During these periods, service members in the following categories will not be considered eligible for the National Defense Service Medal:

(1) any service member on active duty for the sole purpose of undergoing a physical examination; or

(2) any Soldier of the Individual Ready Reserve, Inactive National Guard, or the Standby or Retired Reserve whose active duty service was for training only or to serve on boards, courts, commissions, and like organizations.

//NOTHING FOLLOWS//