

IN THE CASE OF: [REDACTED]

BOARD DATE: 30 October 2024

DOCKET NUMBER: AR20240002945

APPLICANT REQUESTS:

- an upgrade of his characterization of service from Under Honorable Conditions (General) to Honorable
- correction of his DD Form 214 (Certificate of Release or Discharge from Active Duty) to show:
  - his initial primary military occupational specialty (PMOS) of 63S (Heavy Wheel Vehicle Mechanic)
  - his period of deployment to Iraq
  - award of the Iraqi Campaign Medal

APPLICANT'S SUPPORTING DOCUMENTS CONSIDERED BY THE BOARD:

- DD Form 149 (Application for Correction of Military Record)
- Self-authored statement
- Certificate of Training
- Certificates of Achievement (four)
- Documentation for award of:
  - Army Achievement Medals (two)
  - Army Commendation Medals (two)
  - Army Good Conduct Medal
  - Driver's Badge
  - Mechanic's Badge
- Page 1 of 2 of a DA Form 3355 (Promotion Point Worksheet)

FACTS:

1. The applicant did not file within the 3-year time frame provided in Title 10, U.S. Code (USC), 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 in his first MOS of 63S for a period of 5 years and 10 months, but it is not reflected on his DD Form 214. His deployment to Iraq and award

of the Iraqi Campaign Medal were also omitted. Additionally, he desires an upgrade of his characterization of service from general to honorable. He has documentation to back up his requests.

a. He deployed to Iraq in February of 2003 and came back in late June to attend training to change his MOS. Because of this he never received any commendation from his unit, the 418th Transportation Company at Fort Hood, TX. He completed training for MOS 91E (Dental Specialist) in Oct 2004. Afterward, he was supposed to relocate on a permanent change of station reassignment to Korea. However, he had a severe bout with depression and post-traumatic stress disorder (PTSD), for which he never received counseling. He self-medicated with alcohol to cope and thought of suicide. His life went down the drain and he ended up going absent without leave (AWOL) for 60 days. He reported to Fort Sam Houston, TX and was provided some help. However, he was hastily discharged, which led to the errors on his DD Form 214.

b. He was a very good Soldier prior to his deployment, as is reflected in his awards and decorations. However, he has suffered with PTSD for years since his deployment and it ultimately led to his misconduct and many family issues, to include divorce. He was unaware of the errors on his DD Form 214 until he submitted it to the Department of Veterans Affairs (VA) along with a claim for PTSD, hearing loss, and tinnitus. Upon review, the VA discovered he was missing a lot of information to support his claim.

3. On 17 September 1998, the applicant enlisted in the Regular Army in the rank/grade of private/E-1 for a period of 4 years. Upon completion of training, he was awarded MOS 63S and assigned to a unit at Fort Hood, TX. He was advanced to specialist (SPC)/E-4 on 1 April 2000 the highest rank he held.

4. A DA Form 4980-18 (Army Achievement Medal Certificate) shows Permanent Orders Number 324-1 issued by Headquarters, 180th Transportation Battalion, Fort Hood, TX awarded the applicant the Army Achievement Medal in recognition of his dedication and commitment to excellence as a Light Wheeled Vehicle Mechanic from 1 August 2001 to 1 September 2001.

5. A 180th Transportation Battalion Certificate of Achievement was awarded to the applicant for exceptional motivation and duty performance which were instrument to the success of the battalions consolidated maintenance operation during field training exercise Rex Fighter on 20 March 2002.

6. On 23 May 2002, the applicant reenlisted for a period of 4 years for training in MOS 91E.

7. A DA Form 4980-14 (Army Commendation Medal Certificate) shows Permanent Orders Number 263-3 issued by Commander, 64th Corps Support Group, Fort Hood,

TX awarded the applicant the Army Commendation Medal on 13 September 2002, in recognition of his exceptionally meritorious achievement as the company shop foreman for the National training Center Rotation 02-10 from 13 August 2002 to 13 September 2002.

8. The applicant's Master Military Pay Account (MMPA) shows he was paid Hostile Fire/ Imminent Danger Pay for his service in Kuwait/Iraq from 28 February 2003 to 27 June 2003.

9. A DA Form 4980-14 shows Permanent Orders Number 147-24, issued by Commander, 16th Corps Support Group, Forward Logistics Base Dogwood, Iraq awarded the applicant the Army Commendation Medal on 27 May 2003, in recognition of his exceptional meritorious service as a heavy wheeled vehicle operator during Operation Iraqi Freedom from 20 March 2003 to 1 May 2003.

10. Orders L169-021 issued by Headquarters III Corps and Fort Hood, Fort Hood, TX on 17 June 2004 show the applicant was reassigned on a permanent change of station to Korea with a reporting date between 1 and 20 November 2004.

11. A DA Form 1059 (Service School Academic Evaluation Report), dated 20 October 2004 shows the applicant successfully completed Dental Specialist Course 15-04 on 19 October 2004.

12. The applicant's duty status was changed from Present for Duty (PDY) to AWOL effective 19 November 2004, and from AWOL to PDY effective 17 January 2005.

13. On 21 January 2005, the applicant was attached to Headquarters and Headquarters Detachment, 187th Medical Battalion, Fort Sam Houston, TX for rations and Uniform Code of Military Justice (UCMJ) actions.

14. An administrative flag was imposed upon the applicant on 21 January 2005 to prevent him from receiving favorable personnel actions while he was pending field-initiated elimination.

15. On 24 January 2005, the applicant was counseled by the command sergeant major (CSM) of 187th Medical Battalion regarding his period of AWOL. The CSM stated the applicant was required to report to his next duty station on 19 November 2004, and did not communicate with his gaining or losing organization about his whereabouts. He did not report to military control until 17 January 2005. The applicant's AWOL for over a 30-day period of time should have meant that he was placed in a deserter status, but his gaining unit failed to report him appropriately. The CSM advised the applicant that he was recommending to the battalion commander that UCMJ punishment be imposed against him for being AWOL, that his pay be taken back for the period from

19 November 2004 to 17 January 2005, and that he immediately be separated from the Army under the provisions of Army Regulation 635-200 (Active Duty Enlisted Administrative Separations).

16. On 28 January 2005, the applicant underwent a separation medical examination and was found to be qualified for administrative separation. It was noted the applicant self-reported he had been receiving mental health treatment for problems with depression, drugs, and drinking.

17. On 7 February 2005, the applicant underwent a mental status evaluation. It was noted that while attending 91E training at Fort Sam Houston back in October 2004, the applicant was seen at Community Behavioral Health Service on a self-referral basis because of a nightmare associated with his past deployment to Iraq, depression, marital problems and abuse of alcohol and drugs. He was currently being followed by the Army Substance Abuse Program. His Axis I diagnostic impression included: Alcohol Abuse, Amphetamine Abuse, PTSD, and Occupational problem. There was no evidence of a mental defect, emotional illness, or psychiatric disorder of sufficient severity to warrant disposition through military medical channels. The applicant was mentally responsible for his behavior, could distinguish right from wrong, and possessed sufficient mental capacity to understand and participate intelligently as a respondent in any administrative proceedings that might involve him. He was psychiatrically cleared for any administrative action deemed appropriate by command.

18. On 28 February 2005, the applicant's immediate commander notified the applicant of his intent to initiate action to separate him under the provisions of Army Regulation 635-200, Chapter 14, paragraph 14-12c, for commission of a serious offense. The specific reason for this action was the applicant's AWOL from 19 November 2004 to 17 January 2005. He was advised that he was being recommended for a General, Under Honorable Conditions Discharge. The applicant acknowledged receipt of the proposed separation notification on the same date.

19. On 1 March 2005, the applicant acknowledged that he was advised of the reasons for separation and of the rights available to him. He consulted with counsel and submitted a conditional election of rights wherein he elected to waive consideration of his case by an administrative separation board conditioned upon his receipt of no less than a general discharge. He elected not to submit statements in his own behalf.

20. On 7 March 2005, the applicant's immediate commander formally recommended his separation prior to the expiration of his term of service, under the provisions of Army Regulation 635-200, paragraph 14-12c by reason of commission of a serious offense. The intermediate commander concurred with the recommendation.

21. On 9 March 2005, the separation authority approved the conditional request and recommendation. He directed the applicant be discharged with an Under Honorable Conditions (General) characterization of service.

22. Orders and the applicant's DD Form 214 show he was discharged on 14 March 2005, under the provisions of Army Regulation 635-200, paragraph 14-12c(1), by reason of Misconduct with separation code "JKD" and reentry code "3." His service was characterized as Under Honorable Conditions (General). He was credited with completion of 6 years, 3 months, and 28 days of net active service this period. He completed his first full term of service. Block 13 (Decorations, Medals, Badges, Citations and Campaign Ribbons Awarded or Authorized) shows he was awarded or authorized the:

- Army Good Conduct Medal (2nd Award)
- National Defense Service Medal
- Army Service Ribbon
- Global War on Terrorism Service Medal

23. Block 18 (Remarks) of his DD Form 214 does not show he his immediate reenlistment this period from 23 May 2002 to 14 March 2005 and does not identify his period of continuous honorable service from 17 September 1998 to 22 May 2002. The applicant's service in Iraq from 28 February 2003 to 27 June 2003 (a period of 4 months) is also not shown in Block 18 or Block 12f (Foreign Service). (see Administrative Notes).

24. In addition to previously discussed evidence, the applicant provides the following documents which are available in their entirety for the Board's consideration:

a. A Department of the Army Certificate of Training which shows he successfully completed a 5-day Generator Operator Course from 7 to 13 January 2000.

b. A 533d Corps Support Battalion Certificate of Achievement awarded to him for exemplary performance during the National Training Center Rotation 00-10 in support of 1st Brigade, 4th Infantry Division.

c. A 180th Transportation Battalion Certificate of Achievement was awarded to the applicant for exemplary achievement during Operation Phantom Lifeline 2001 on 9 March 2001.

d. A 533d Corps Support Battalion Certificate of Achievement awarded to him for outstanding support during the Division Capstone Exercise National Training Center Rotation 01-06 in support of 4th Infantry Division.

e. A III Armored Corps Certificate of Achievement presented to the applicant for being selected as the winner of the Fort Hood Army Award of Maintenance Excellence Program in the Heavy category for fiscal year 2001 on 20 May 2002.

f. A DA Form 4980-18 shows Permanent Orders Number 062-5 issued by Headquarters, 180th Transportation Battalion, Fort Hood, TX awarded the applicant the Army Achievement Medal in recognition of him displaying outstanding technical knowledge, enthusiasm, and providing superior maintenance support to the Headquarters and Headquarters Detachment during the Task Force Iron Horse deployment operations, 21 to 26 January 2003 on 3 January 2003.

g. Page 1 of 2 of a DA Form 3355, dated 7 January 2003, which shows, in part, he was credited with 65 promotion points for his receipt of an Army Achievement Medal, an Army Commendation Medal, an Army Good Conduct Medal, and four Certificates of Achievement.

h. Order 136-12 issued by 181st Transportation Battalion on 16 May 2003 shows the applicant was awarded the Driver Badge for having driven accident and incident free for one year or 8,000 miles.

i. Order 138-12 issued by 181st Transportation Battalion on 18 May 2003 shows the applicant was awarded the Mechanic Badge.

j. A DA Form 638 and DA Form 4980-14 shows Permanent Orders Number 171-25 issued by Commander, 16th Corps Support Group, Forward Logistics Base Dogwood, Iraq awarded the applicant the Army Commendation Medal in recognition of his exceptional meritorious service as a heavy wheeled vehicle operator from 1 May 1999 to 3 August 2003 on 20 June 2003. On the occasion of his permanent change of station departure from his unit.

25. On 8 August 2024, a member of the Army Review Boards Agency (ARBA) staff requested the applicant provide a copy of medical documents in support of his issues with PTSD and depression and afforded him an opportunity to comply. To date, the applicant has not provided a response.

26. In reaching its determination, the Board shall consider the applicant's petition, available records and/or submitted documents in support of the petition.

27. MEDICAL REVIEW:

a. Background: The applicant is requesting an upgrade of his characterization of service from Under Honorable Conditions (General) to Honorable and correction of his DD Form 214 (Certificate of Release or Discharge from Active Duty).

b. The specific facts and circumstances of the case can be found in the ABCMR Record of Proceedings (ROP). Pertinent to this advisory are the following:

- The applicant enlisted in the Regular Army on 17 September 1998 and reenlisted on 23 May 2002.
- Applicant's duty status was changed from Present for Duty (PDY) to AWOL effective 19 November 2004, and from AWOL to PDY effective 17 January 2005.,
- An administrative flag was imposed upon the applicant on 21 January 2005 to prevent him from receiving favorable personnel actions while he was pending field initiated elimination.
- On 24 January 2005, the applicant was counseled by the command sergeant major (CSM) of 187th Medical Battalion regarding his period of AWOL.
- On 28 February 2005, the applicant's immediate commander notified the applicant of his intent to initiate action to separate him under the provisions of Army Regulation 635-200, Chapter 14, paragraph 14-12c, for commission of a serious offense. The specific reason for this action was the applicant's AWOL from 19 November 2004 to 17 January 2005. He was advised that he was being recommended for a General, Under Honorable Conditions Discharge. The applicant acknowledged receipt of the proposed separation notification on the same date.
- Orders and the applicant's DD Form 214 show he was discharged on 14 March 2005, under the provisions of Army Regulation 635-200, paragraph 14-12c(1), by reason of Misconduct with separation code "JKD" and reentry code "3." His service was characterized as Under Honorable Conditions (General).

c. Review of Available Records: The Army Review Board Agency's (ARBA) Behavioral Health Advisor reviewed the supporting documents contained in the applicant's file. The applicant states, he "deployed to Iraq in February of 2003 and came back in late June to attend training to change his MOS. Because of this he never received any commendation from his unit, the 418th Transportation Company at Fort Hood, TX. He completed training for MOS 91E (Dental Specialist) in Oct 2004. Afterward, he was supposed to relocate on a permanent change of station reassignment to Korea. However, he had a severe bout with depression and post-traumatic stress disorder (PTSD), for which he never received counseling. He self-medicated with alcohol to cope and thought of suicide. His life went down the drain and he ended up going absent without leave (AWOL) for 60 days. He reported to Fort Sam Houston, TX and was provided some help. However, he was hastily discharged, which led to the errors on his DD Form 214. He was a very good Soldier prior to his deployment, as is reflected in his awards and decorations. However, he has suffered with PTSD for years since his deployment and it ultimately led to his misconduct and many family issues, to include divorce. He was unaware of the errors on his

DD Form 214 until he submitted it to the Department of Veterans Affairs (VA) along with a claim for PTSD, hearing loss, and tinnitus. Upon review, the VA discovered he was missing a lot of information to support his claim.”

d. Due to the period of service limited active-duty electronic medical records were available for review. On 7 February 2005, the applicant underwent a mental status evaluation. It was noted that while attending 91E training at Fort Sam Houston in October 2004, the applicant was seen at Community Behavioral Health Service, he self-referred due to nightmares associated with his past deployment to Iraq, depression, marital problems, and alcohol and substance use. The evaluation indicates he was being followed by the Army Substance Abuse Program. The applicant was diagnosed with: Alcohol Abuse, Amphetamine Abuse, PTSD, and Occupational problems. However, there was no evidence of a mental defect, emotional illness, or psychiatric disorder of sufficient severity to warrant disposition through military medical channels. The applicant was mentally responsible for his behavior, could distinguish right from wrong, and possessed sufficient mental capacity to understand and participate intelligently as a respondent in any administrative proceedings that might involve him. He was psychiatrically cleared for any administrative action deemed appropriate by command.

e. The VA's Joint Legacy Viewer (JLV) was reviewed and indicates the applicant is not service connected. The VA electronic medical record shows the applicant is diagnosed with PTSD, Chronic, and is currently being treated via a specialized evidence-based standardized psychotherapy, Prolonged Exposure Therapy (PE) for PTSD. applicant initiated behavioral health services in August 2024, an initial encounter indicates the diagnostic impression of Trauma and/or Stressor Related Disorder, Depression, and Alcohol Related Disorder. The applicant reported during that session, his family told him he was different when he returned home from his 2003 deployment. The applicant reported he was in Iraq for the initial invasion. He acknowledged self-medicating with alcohol to manage his mental health symptoms and expressed a strong desire to now engage in mental health services. He participated in an in-depth intake session on 23 September 2024, where he shared experiencing increased anxiety, combat-related nightmares, and elevated alcohol use after this deployment. He was assessed and met diagnostic criteria for PTSD and was recommended for PTSD-focused psychotherapy services and psychotropic medication, he declined medication but agreed to participate in PTSD specialty treatment.

f. Based on the information available, it is the opinion of the Agency Behavioral Health Advisor that there is sufficient evidence to support the applicant had a behavioral health condition during military service that mitigates his discharge.

g. Kurta Questions:



(1) Did the applicant have a condition or experience that may excuse or mitigate the discharge? Yes. The applicant asserts the mitigating condition of PTSD.

(2) Did the condition exist or experience occur during military service? Yes. The applicant deployed to a combat zone and is currently being treated by the VA for combat-related PTSD.

(3) Does the condition or experience actually excuse or mitigate the discharge? Yes. The applicant was discharged due to being AWOL from 19 November 2004 to 17 January 2005. The VA's Joint Legacy Viewer (JLV) was reviewed and indicates the applicant is diagnosed with PTSD and is treated via specialty care for his symptoms of PTSD. Given the association between PTSD and avoidance, the applicant's misconduct of being AWOL is mitigated by his BH condition.

#### BOARD DISCUSSION:

1. After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that 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, and published Department of Defense guidance for liberal and clemency determinations requests for upgrade of his characterization of service. Upon review of the applicant's petition, available military records, and medical review, the Board concurred with the opinion of the Agency Behavioral Health Advisor, finding sufficient evidence that the applicant experienced a behavioral health condition during military service that served to mitigate the circumstances surrounding his discharge.

#### Kurta Questions:

(1) Did the applicant have a condition or experience that may excuse or mitigate the discharge? Yes. The applicant asserts the mitigating condition of PTSD.

(2) Did the condition exist or experience occur during military service? Yes. The applicant deployed to a combat zone and is currently being treated by the VA for combat-related PTSD.

(3) Does the condition or experience actually excuse or mitigate the discharge? Yes. The applicant was discharged due to being AWOL from 19 November 2004 to 17 January 2005. The VA's Joint Legacy Viewer (JLV) was reviewed and indicates the applicant is diagnosed with PTSD and is treated via specialty care for his symptoms of

PTSD. Given the association between PTSD and avoidance, the applicant's misconduct of being AWOL is mitigated by his BH condition.

2. the Board noted that the applicant served as a 63S (Heavy Wheel Vehicle Mechanic) from his initial enlistment through 22 May 2002. The Board concluded that it is appropriate to annotate his DD Form 214 to reflect 63S as a secondary Military Occupational Specialty (MOS), ensuring an accurate representation of both specialties held. Additionally, the Board determined that there were sufficient in-service mitigating factors to address the applicant's misconduct related to AWOL. While not service-connected, the applicant was diagnosed with PTSD during active duty. Taking the medical advisory opinion into consideration, the Board found that this condition contributed to the applicant's behavior and warranted re-evaluation of his discharge characterization.

3. Although the applicant was originally discharged under honorable conditions (General) due to misconduct, the Board determined that, under liberal consideration and based on the totality of evidence, an upgrade of the characterization of service to Honorable was justified. Based on this, the Board granted relief to both upgrade the discharge status and amend block 11 (Primary Specialty) of the DD Form 214 to include 63S as the secondary MOS.

4. Prior to closing the case, the Board did note the analyst of record administrative notes below, and recommended the correction is completed to more accurately depict the military service of the applicant.

BOARD VOTE:

Mbr 1      Mbr 2      Mbr 3


<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	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 relief. As a result, the Board recommends that all Department of the Army records of the individual concerned be corrected by re-issuing the applicant's DD Form 214 for the period ending 14 March 2005 to show in

- Block 11 (Primary Specialty) 63S (Heavy Wheel Vehicle Mechanic) – 4 years
- Block 24 (Character of Service) Honorable

6/20/2025

X 

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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.

ADMINISTRATIVE NOTES:

1. Army Regulation 635-5 (Separation Documents), in effect at the time, stated the DD Form 214 was required to list all of a separating Soldier's periods of deployment, awards and decorations, immediate reenlistments, and periods of continuous honorable service.
2. A review of the applicant's record shows his DD Form 214, for the period ending 14 March 2005, is missing important entries regarding his two periods of enlistment that may affect his eligibility for post-service benefits.
3. Army Regulation 600-8-22 (Military Awards) states the Iraq Campaign Medal is awarded to members who have served in direct support of Operation Iraqi Freedom (OIF). The area of eligibility encompasses all the land area of the country of Iraq, the contiguous water area out to 12 nautical miles, and all air spaces above the land area of Iraq and above the contiguous water area out to 12 nautical miles. The Iraq Campaign Medal period of eligibility is on or after 19 March 2003 through 31 December 2011. A bronze service star is authorized for wear with this medal for participation in each credited campaign. Approved campaigns are:

- Liberation of Iraq (19 March 2003-1 May 2003)
- Transition of Iraq (2 May 2003-28 June 2004)
- Iraqi Governance (29 June 2004-15 December 2005)
- National Resolution (16 December 2005-9 January 2007)
- Iraqi Surge (10 January 2007-31 December 2008)
- Iraqi Sovereignty (1 January 2009-31 August 2010)
- New Dawn (1 September 2010-31 December 2011)

4. Evidence shows the applicant served in Kuwait/Iraq from 28 February 2003 to 27 June 2003 (a period of 4 months) and participated in the Liberation of Iraq and the Transition or Iraq campaigns. Therefore, he is entitled to award of the Iraq Campaign Medal with 2 bronze service stars.

5. The evidence of record confirms orders awarded the applicant the:

- Army Commendation Medal (3rd Award)
- Army Achievement Medal
- Driver Badge
- Mechanic Badge

6. Based on the foregoing, amend the applicant's DD Form 214 for the period ending 3 November 2005 by adding the following:

a. To Block 12f (Foreign Service), the entry "0000 04 00."

b. To Block 13 (Decorations, Medals, Badges, Citations, and Campaign Ribbons Awarded or Authorized):

- Army Commendation Medal (3rd Award)
- Army Achievement Medal
- Iraq Campaign Medal with 2 bronze service stars
- Driver Badge
- Mechanic Badge

c. To Block 18 (Remarks) the entries:

- "IMMEDIATE REENLISTMENTS THIS PERIOD 19980917 UNTIL 20020523"
- "CONTINUOUS HONORABLE ACTIVE SERVICE FROM 19980917 UNTIL 20020522"
- "SERVICE IN KUWAIT/IRAQ FROM 20030228 - 20030627"

REFERENCES:

1. Title 10, USC, Section 1552(b), provides that applications for correction of military records must be filed within three 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 three-year statute of limitations if the ABCMR determines it would be in the interest of justice to do so.

2. Title 10, USC, Section 1556, provides the Secretary of the Army shall ensure that an applicant seeking corrective action by ARBA is provided a copy of all correspondence and communications, including summaries of verbal communications, with any agencies or persons external to agency or board, or a member of the staff of the agency or Board, that directly pertains to or has material effect on the applicant's case, except as authorized by statute.

3. Army Regulation 15-185 (ABCMR) prescribes the policies and procedures for correction of military records by the Secretary of the Army, acting through the ABCMR. The regulation provides that the ABCMR begins its consideration of each case with the presumption of administrative regularity. The applicant has the burden of proving an error or injustice by a preponderance of the evidence. It is not an investigative body.

4. Army Regulation 635-200 (Active Duty Enlisted Administrative Separations) sets forth the basic authority for the separation of enlisted personnel.

a. Paragraph 3-7a provides that an honorable discharge is a separation with honor and entitles the recipient to benefits provided by law. The honorable characterization is appropriate when the quality of the member's service generally has met the standards of acceptable conduct and performance of duty for Army personnel or is otherwise so meritorious that any other characterization would be clearly inappropriate.

b. Paragraph 3-7b states a general discharge is a separation from the Army under honorable conditions. When authorized, it is issued to a Soldier whose military record is satisfactory but not sufficiently meritorious to warrant an honorable discharge.

c. Chapter 14 establishes policy and prescribes procedures for separating members for misconduct. Specific categories include minor disciplinary infractions (a pattern of misconduct consisting solely of minor military disciplinary infractions), a pattern of misconduct (consisting of discreditable involvement with civil or military authorities or conduct prejudicial to good order and discipline). Action will be taken to separate a member for misconduct when it is clearly established that rehabilitation is impracticable or is unlikely to succeed. A discharge under other than honorable conditions is normally appropriate for a Soldier discharged under this chapter; however, the separation authority may direct a general discharge if merited by the Soldier's overall record.

5. Army Regulation 600-8-22 (Military Awards) provides the following guidance.

a. The Iraq Campaign Medal is awarded to members who have served in direct support of Operation Iraqi Freedom (OIF). The area of eligibility encompasses all the land area of the country of Iraq, the contiguous water area out to 12 nautical miles, and all air spaces above the land area of Iraq and above the contiguous water area out to 12 nautical miles. The Iraq Campaign Medal period of eligibility is on or after 19 March 2003 through 31 December 2011. A bronze service star is authorized for wear with this medal for participation in each credited campaign. Approved campaigns are:

- Liberation of Iraq (19 March 2003-1 May 2003)
- Transition of Iraq (2 May 2003-28 June 2004)
- Iraqi Governance (29 June 2004-15 December 2005)
- National Resolution (16 December 2005-9 January 2007)
- Iraqi Surge (10 January 2007-31 December 2008)
- Iraqi Sovereignty (1 January 2009-31 August 2010)
- New Dawn (1 September 2010-31 December 2011)

b. The Army Achievement Medal is awarded to members of the Armed Forces of the United States, who while serving in a noncombat area on or after 1 August 1981, distinguished themselves by meritorious service or achievement. As with all personal decorations, formal recommendations, approval through the chain of command, and announcement in orders are required.

c. The Army Commendation Medal may be awarded to any member of the Armed Forces of the United States who, while serving in any capacity with the Army after 6 December 1941, distinguishes himself or herself by heroism, meritorious achievement, or meritorious service. As with all personal decorations, formal recommendations, approval through the chain of command, and announcement in orders are required.

6. Army Regulation 635-5 (Personnel Separations – Separation Documents), in effect at the time, prescribed the separation documents prepared for Soldiers upon retirement, discharge, or release from active military service or control of the Army. It established the standardized policy for preparing and distributing the DD Form 214. It stated the DD Form 214 provides a brief, clear-cut record of active Army service at the time of release from active duty, retirement, or discharge. Army Regulation 635-5 also stated to list awards and decorations for all periods of service in the priority sequence specified in Army Regulation 600-8-22. Army Regulation 600-8-22 gives the order of precedence for

awards and decorations. Only decorations, medals, and ribbons are listed. Certificates of achievement, letters of appreciation, and similar documents are not listed.

a. Paragraph 1-4b(5) of the regulation in effect at the time stated that a DD Form 214 would not be prepared for enlisted Soldiers discharged for immediate reenlistment in the Regular Army.

b. Paragraph 2-4h(11) stated to enter the titles of all MOS served for at least 1 year and include for each MOS the number of years and months served. For an enlisted Soldier, also specify the first 5 characters of the primary MOS code in Block 11.

c. Paragraph 2-4h(12)(f) stated to enter the total amount of foreign service completed during the period covered by the DD Form 214 in Block 12f (Foreign Service).

d. Paragraph 2-4h(13) stated to list awards and decorations for all periods of service in Block 13.

e. Paragraph 2-4h(18) of the regulation currently in effect states that item 18 documents the remarks that are pertinent to the proper accounting of the separating Soldier's period of service.

(1) Subparagraph (c) states that for enlisted Soldiers with more than one enlistment period during the time covered by the DD Form 214, enter "IMMEDIATE REENLISTMENTS THIS PERIOD" and specify the appropriate dates. For Soldiers who have previously reenlisted without being issued a DD Form 214 and who are later separated with any characterization of service except "honorable," enter "CONTINUOUS HONORABLE ACTIVE SERVICE FROM" (first day of service which DD Form 214 was issued) UNTIL (date before commencement of current enlistment)." Then, enter the specific periods of reenlistments as prescribed above.

(2) Subparagraph (f) states for an active duty Soldier deployed with his or her unit during their continuous period of active duty service, enter "SERVICE IN (NAME OF COUNTRY DEPLOYED) FROM (inclusive dates for example, YYYYMMDD - YYYYMMDD)."

7. On 25 August 2017, the Office of the Undersecretary of Defense for Personnel and Readiness issued clarifying guidance for the Secretary of Defense Directive to Discharge Review Boards (DRB) and Boards for Correction of Military/Naval Records (BCM/NR) when considering requests by Veterans for modification of their discharges due in whole or in part to: mental health conditions, including PTSD; traumatic brain injury; sexual assault; or sexual harassment. Boards are to give liberal consideration to Veterans petitioning for discharge relief when the application for relief is based in whole

or in part to those conditions or experiences. The guidance further describes evidence sources and criteria and requires Boards to consider the conditions or experiences presented in evidence as potential mitigation for misconduct that led to the discharge.

8. On 25 July 2018, the Under Secretary of Defense for Personnel and Readiness issued guidance to Military DRBs and BCM/NRs regarding equity, injustice, or clemency determinations. Clemency generally refers to relief specifically granted from a criminal sentence. BCM/NRs may grant clemency regardless of the type of court-martial. However, the guidance applies to more than clemency from a sentencing in a court-martial; it also applies to other corrections, including changes in a discharge, which may be warranted based on equity or relief from injustice.

a. This guidance does not mandate relief, but rather provides standards and principles to guide Boards in application of their equitable relief authority. In determining whether to grant relief on the basis of equity, injustice, or clemency grounds, Boards shall consider the prospect for rehabilitation, external evidence, sworn testimony, policy changes, relative severity of misconduct, mental and behavioral health conditions, official governmental acknowledgement that a relevant error or injustice was committed, and uniformity of punishment.

b. Changes to the narrative reason for discharge and/or an upgraded character of service granted solely on equity, injustice, or clemency grounds normally should not result in separation pay, retroactive promotions, and payment of past medical expenses or similar benefits that might have been received if the original discharge had been for the revised reason or had the upgraded service characterization.

//NOTHING FOLLOWS//