

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 6 November 2024

DOCKET NUMBER: AR20240003435

APPLICANT REQUESTS: a correction to item 27 (Reentry Code) of his DD Form 214 (Certificate of Release or Discharge from Active Duty) to reflect "3."

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

- DD Form 149 (Application for Correction of Military Record)
- DD Form 214 (Certificate of Release or Discharge from Active Duty)

FACTS:

1. The applicant states, in effect:

a. His separation was due to being identified and selected as part of the Qualitative Management Program (QMP). Upon inquiring to the U.S. Army Ft Knox Human Resources Command Mailbox Enlisted Personnel Management Directorate, Transition Branch, he was informed by Mrs. L.A., HR Specialist, Enlisted Retirement & Separation, the current RE4 code is incorrect and that it should reflect RE3.

b. Per the Military Personnel (MILPER) Message Number 19-210, issued 19 July 2019, beginning with the Fiscal Year (FY) 2018 QMP board, paragraph 8f states, "Appropriate entries for DD Form 214, Regular Army, U.S. Army Reserve (USAR), and Active Guard Reserve (AGR) Soldiers who are not eligible for retirement and are involuntarily discharged will have their DD Form 214 coded with SPD code JGH and reenlistment eligibility code RE-3. These Soldiers may be eligible for separation pay and should contact their Reserve Component Career Counselor (in service recruiter) to determine eligibility."

2. The applicant provides a copy of his DD Form 214, which reflects he was honorably discharged on 1 April 2021 under the provisions of Army Regulation (AR) 635-200 (Active Duty Enlisted Administrative Separations), chapter 4, non-retention on active duty, separation code JGH, and reentry code 4. He served 15 years, 8 months, and 23 days of net active service this period. It also shows he served in a designated imminent danger pay area as follows:

- Iraq, 6 August 2006 – 21 October 2007 and 18 November 2008 – 31 October 2009
- Afghanistan, 25 February 2011 – 9 January 2012
- Romania, 6 October 2019 – 10 July 2020

3. A review of the applicant's service record shows:

a. He enlisted in the Regular Army on 30 June 2005.

b. DA Form 1059 (Service School Academic Evaluation Report), dated 24 June 2016, reflects the applicant was enrolled in and completed the Combat Engineer Advanced Leadership Course (ALC) from 9 May 2016 thru 24 June 2016. Item 9 indicates the DA Form 1059 is a referred report; however, the applicant elected not to make comments. The applicant's performance summary indicated "Marginally Achieved Course Standards" and his demonstrated abilities in Leadership Skills was "Unsat."

c. DA Form 2166-9-2 (Noncommissioned Officer Evaluation Report (SSG-1SG/MSG), Change of Rater, period covered from 15 April 2018 thru 5 April 2019, reflects the following derogatory information:

(1) Part IVc (Character) – "Did Not Meet Standard" with accompanying bullet comment, "failed to adhere to the Army Values while supporting and representing the Battalion at the U.S. Military Academy"

(2) Part Vb (Senior Rater Overall Potential – Comments) – "[applicant] displayed promising potential but demonstrated behavior inconsistent with the Army Values. Continue to develop this NCO before plaint in positions of greater responsibility; not recommended for promotion or NCOES for this rating period."

d. The applicant accepted nonjudicial punishment on 26 April 2019 for, on or about 14 August 2018, wrongfully possess anabolic steroids, schedule II controlled substances. His punishment consisted of forfeiture of \$2,147.00 pay per month for 2 months; extra duty for 30 days; and oral reprimand.

e. The complete facts and circumstances surrounding his separation are not available for review. Furthermore, the applicant's service record found in the Interact Personnel Electronic Records Management System (iPERMS) is void of documents regarding notification and/or selection for QMP.

f. The applicant was honorably discharged on 1 April 2021, under the provisions of AR 635-200, chapter 4, non-retention on active duty, separation code JGH, and reentry code 4. He served 15 years, 8 months, and 23 days of net active service this period.

4. AR 635-5-1 (Separation Program Designator (SPD) Codes) provides the specific authorities (regulatory or directive), reasons for separating Soldiers from active duty, and the SPD codes to be entered on the DD Form 214. Table 2-3 (SPD Codes applicable to enlisted personnel), reflects the SPD Code JGH is an involuntary discharge, with the narrative reason cited as "Non-Retention on Active Duty" and the Regulatory Authority as "AR 635-200, paragraph 19-12."

5. Army Regulation 601-210 (Active and Reserve Components Enlistment Program), an RE code 4 applies to persons separated from last period of service with a non-waiverable disqualification.

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 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. Upon review of the applicant's petition and available military records, the Board determined based on regulatory guidance there is insufficient evidence that would warrant a change to the applicant's RE-Code. The Board found per the SPD/RE Code Cross Reference Table, in effect at the time of the applicant's discharge, which stipulated that a RE-4 code would be assigned to members separated under these provisions with an SPD code of JGH. As such, the Board denied relief.

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.

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. AR 635-5-1 (Separation Program Designator (SPD) Codes) provides the specific authorities (regulatory or directive), reasons for separating Soldiers from active duty, and the SPD codes to be entered on the DD Form 214. The SPD code JGH is the appropriate code to assign to Soldiers separated under the provisions of AR 635-200, paragraph 4, non-retention on active duty.
3. AR 601-210 (Active and Reserve Components Enlistment Program) governs eligibility criteria, policies, and procedures for enlistment and processing into the Regular Army, U.S. Army Reserve, and Army National Guard. Chapter 3 prescribes the basic eligibility for prior-service applicants for enlistment and includes a list of Armed Forces RE codes.
 - an RE code 1 applies to persons who completed an initial term of active service who were fully qualified for enlistment when separated
 - an RE code 3 applies to persons who are not qualified for reentry or continuous service at the time of separation, but the disqualification is waivable

- an RE code 4 applies to persons separated from their last period of service with a non-waivable disqualification

4. The SPD/RE Code Cross Reference Table, in effect at the time of his discharge, stipulated that a RE-4 code would be assigned to members separated under these provisions with an SPD code of JGH.

//NOTHING FOLLOWS//