

IN THE CASE OF: [REDACTED]

BOARD DATE: 30 October 2024

DOCKET NUMBER: AR20240003513

APPLICANT REQUESTS: correction of his DD Form 214 (Certificate of Release or Discharge from Active Duty) to show his:

- service stripes
- rank and grade of specialist (SPC), E-4
- Army Commendation Medal
- Army Good Conduct Medal
- Humanitarian Service Medal
- Expert Marksmanship Qualification Badge with Rifle Bar
- Expert Marksmanship Qualification Badge with Hand Grenade Bar

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

- DD Form 149 (Application for Correction of Military Record)
- Army Training Requirements and Resources System (ATRRS) Transcript
- Humanitarian Service Medal Documentation
- DA Form 638 (Recommendation for Award) – Army Commendation Medal
- DD Form 214

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 the above listed corrections. It never really mattered to him until he was trying to find his father's records after he passed away and he was building a shadow box of his military awards and achievements. He reviewed his own, and realized there were items and information missing. Although he has some of the paperwork or some standard awards that just come with time and service like the Army Good Conduct Medal or years of service stripes. He wants his records to accurately reflect his actual rank and awards.

3. The applicant provides:

a. An ATRRS Transcript dated 17 June 1998 lists the applicant as a specialist (SPC) with 5 years and 8 months of service with military occupational specialty (MOS) 62B, Construction Equipment Repairer and lists approximate credit hours for military training received.

b. A memorandum dated 24 January 1995 shows the Humanitarian Service Medal was recommended for Operation Uphold Democracy and listed the applicant, among others, as a participant.

c. A DA Form 638 shows on 21 June 1997, the applicant's award of the Army Commendation Medal was approved with Permanent Order Number 6-5.

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

a. He enlisted in the Regular Army for 4 years on 1 October 1992. He completed training with award of MOS, 62BP1 (Construction Equipment Repairman - Airborne qualified). The highest grade he attained was E-4.

b. The applicant's DA Form 2A (Personnel Qualification Record) dated 20 December 1995, lists the applicant's grade as SPC with a date of rank 1 December 1994. The available service record does not include documentation of reduction in rank.

c. On 18 September 1995, the applicant was notified that he was disqualified for award of the Army Good Conduct Medal due to nonjudicial punishment (NJP) under Article 15 of the Uniform Code of Military Justice for substandard performance and lateness. A copy of the NJP is not available in the service record.

d. The applicant's DA Form 2-1 (Personnel Qualification Record - Part II) shows the highest grade attained by the applicant in 2 April 1993 was private, E-2 and also listed awards and decorations received as:

- National Defense Service Medal
- Army Service Ribbon
- Parachutist Badge
- Sharpshooter Marksmanship Qualification Badge with Rifle Bar (M-16)
- Sharpshooter Marksmanship Qualification Badge with Hand Grenade Bar

e. He was honorably released from active duty on 25 February 1996 due to a reduction in force. His DD Form 214 shows he completed 3 years, 4 months, and 25 days of active service with no lost time. It also shows he was awarded or authorized:

- Army Lapel Button
- National Defense Service Medal
- Armed Forces Expeditionary Medal
- Army Service Ribbon
- Expert Marksmanship Qualification Badge with Rifle Bar
- Parachutist Badge
- Driver And Mechanic Badge with Driver-W Bar

5. A review of the applicant's record confirms he is eligible for awards not recorded on his DD Form 214. The entries will be added to his DD Form 214 as administrative corrections and will not be considered by the Board.

6. By regulation (AR 635-8), states all awards and decorations for all periods of service are to be listed in priority sequence and abbreviations are not to be used. Only awards and decorations listed in Army Regulation 600-8-22 (Military Awards) are authorized for inclusion on the DD Form 214.

7. By regulation (AR 600-8-22), 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.

8. By regulation (AR 670-1), states service stripes will be worn by enlisted personnel of the Active Army, Army National Guard, and U.S. Army Reserve who have served honorably. One stripe is authorized for each 3 years of active Federal service, active Reserve service, or combination. There is no limit to the number of stripes worn; however, service stripes will not cover the chevrons. Service need not have been continuous. There are no provisions for entering service stripes on the DD Form 214 as it is an item of uniform wear and not an award or decoration.

BOARD DISCUSSION:

1. 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 that the applicant was disqualified from receiving the Army Good Conduct Medal due to a nonjudicial punishment (NJP) under Article 15 of the Uniform Code of Military Justice. The Article 15 cited substandard performance and lateness.

The Board also confirmed that the applicant's DD Form 214 correctly documents the award of the Expert Marksmanship Qualification Badge with Rifle Bar.

2. Additionally, the Board noted that, per regulatory guidance, service stripes are considered items of uniform wear and are not authorized for entry on the DD Form 214, as they are not classified as awards or decorations. The Board further found no documentation in the available record detailing the circumstances or authority of any reduction in rank. As such, the burden of proof remains with the applicant to provide supporting evidence for a correction to reflect the rank of specialist. Based on the absence of compelling documentation and in line with regulatory guidance, the Board concluded there was insufficient basis to warrant any corrections. Therefore, relief was denied.

3. 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:

<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:

Except for the correction addressed in Administrative Note(s) below, the Board found 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.

6/20/2025

X

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 NOTE(S):

A review of the applicant's service records show he is authorized additional awards not annotated on his DD Form 214 for the service period ending 25 February 1996. As a result, amend his DD Form 214 to show:

- Army Commendation Medal
- Humanitarian Service Medal
- Sharpshooter Marksmanship Qualification Badge with Hand Grenade Bar

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) 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.

3. Army Regulation 635-8 (Separation Processing and Documents) prescribes the separation documents that must be prepared for Soldiers on retirement, discharge, release from active duty service, or control of the Active Army. It establishes standardized policy for preparing and distributing the DD Form 214 and states all awards and decorations for all periods of service are to be listed in priority sequence and abbreviations are not to be used. Only awards and decorations listed in Army Regulation 600-8-22 are authorized for inclusion on the DD Form 214.

4. Army Regulation 670-1 (Wear and Appearance of Army Uniforms and Insignia) paragraph 27-25 states service stripes will be worn by enlisted personnel of the Active Army, Army National Guard, and U.S. Army Reserve who have served honorably. One stripe is authorized for each 3 years of active Federal service, active Reserve service, or combination. There is no limit to the number of stripes worn; however, service stripes will not cover the chevrons. Service need not have been continuous. There are no provisions for entering service stripes on the DD Form 214 as it is an item of uniform wear and not an award or decoration.

//NOTHING FOLLOWS//