

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 5 February 2025

DOCKET NUMBER: AR20240005197

APPLICANT REQUESTS: Correction of his DD Form 214 (Certificate of Release or Discharge from Active Duty), ending on 11 February 2010, to

- change his name to [REDACTED]
- change his gender from female to male
- add the following awards:

Sharpshooter Marksmanship Qualification Badge
Physical Fitness Badge
Army Service Ribbon
National Defense Service Medal
Global War on Terrorism Service Medal

- add the following military education:

Modern Army Combative
Tactical Training
Troop Leading Procedures
Field Training Exercises 1, 2, and 3
Vehicle Rollover
Rifle Marksmanship
Unexploded Ordnance (UXO)/Improvised Explosive Device (IED)
Nuclear Biological Chemical Defense 1 and 2
Bayonet Assault Course

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

- DD Form 149 (Application for Correction of Military Record)
- Individual Training Record for Basic Combat Training/One Station Unit Training/Advanced Individual Training
- Orders Number 041-0500
- DD Form 214, ending on 11 February 2010
- Letter, Disability Separations Records and Retirement Benefits
- Orders Number 311-0500

- Orders Number 311-0501
- Memorandum; Subject: Voiding DD Form 214 for [Applicant]
- Connecticut Driver License
- Department of Defense (DoD) Identification and Privilege Card
- State of Connecticut Decree Change of Name

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 officially had his name and gender changed in 2023 and requests amendment of his military record to reflect the change. Additionally, he states that documentation pertaining to his military education and awards were omitted from his DD Form 214 out of negligence, error, and discrimination.

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

a. He enlisted in the Regular Army on 13 August 2009, with the name of [REDACTED]

b. Orders Number 041-0500 issued by the U.S. Army Combined Arms Support Command (CASCOM) on 10 February 2010 discharged him with an effective date of 11 February 2010.

c. Memorandum; Subject: Voiding DD Form 214 for [Applicant] dated 6 November 2020 voided the applicant's DD Form 214 and previous discharge. He was subsequently issued a new DD Form 214 and placed on the Permanent Disability Retired List.

d. Orders Number 311-0500 issued by CASCOM on 6 November 2020 revoked Orders Number 041-0500, dated 10 February 2010.

e. The applicant's reissued DD Form 214, ending on 11 February 2010 shows in item 1 (Name (Last, First, Middle)) the contested name. Items 13 (Decorations, Medals, Badges, Citations and Campaign Ribbons Awarded or Authorized) and 14 (Military Education) are void of any entries.

4. The applicant provides:

a. Individual Training Record for Basic Combat Training/One Station Unit Training/Advanced Individual Training, which details the training he completed, along with the dates of completion. On 26 October 2009, the training officer or commander endorses that he did not satisfactorily complete the requirements of the training program.

b. A letter from the United States Army Physical Disability Agency dated 19 November 2020, that discusses disability separations records and retirement benefits as a result of his retroactive medical retirement.

c. Orders Number 311-0501 issued by CASCOM on 6 November 2020, that released him from assignment and duty because of physical disability incurred while entitled to basic pay and under conditions that permit his retirement for permanent physical disability.

d. Two photocopies of photo identification, to include a Connecticut Driver License which shows the name of [REDACTED] and a DoD Identification and Privilege Card that shows the name of [REDACTED]

5. The applicant does not provide, nor does the record contain orders showing he obtained any marksmanship qualification badges. Additionally, he does not provide, nor does his record contain any certificates of completion for any military education.

BOARD DISCUSSION:

1. After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that partial 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. Upon review of the applicant's petition, available military records, the Board determined the applicant was medically retired effective 11 February 2010. His reissued DD Form 214 is currently void of entries of the requested awards. Based on his verified service, the National Defense Service Medal (NDSM) and Global War on Terrorism Service Medal (GWTSM) are authorized and should be added to his DD Form 214. However, there is no evidence in the record, nor provided by the applicant, to support entitlement to the Army Service Ribbon, the Sharpshooter Marksmanship Qualification Badge, or the Physical Fitness Badge. These awards require formal documentation or qualification orders, which are absent.

2. The Board noted that gender is not included on the DD Form 214 and no action is required from the Board. Regarding military education, while the applicant submitted an Individual Training Record listing various training modules—including Modern Army Combative, Tactical Training, Troop Leading Procedures, Field Training Exercises 1–3,

Vehicle Rollover, Rifle Marksmanship, UXO/IED Awareness, NBC Defense 1 and 2, and Bayonet Assault Course—there are no certificates of completion or documentation verifying that these courses met the regulatory requirement of 40 hours or one week in duration. Additionally, the record confirms the applicant did not graduate from Initial Entry Training (IERT), which further limits eligibility for formal education entries on the DD Form 214. Therefore, while the training may have occurred in part, it does not meet the threshold for inclusion under Army Regulation 635-8. Based on this, the Board granted partial relief to amend the applicant’s DD Form 214 to award the NDSM and GWTSM while denying the remainder of the applicant’s requested awards and education entries due to insufficient documentation and failure to meet regulatory standards.

BOARD VOTE:

<u>Mbr 1</u>	<u>Mbr 2</u>	<u>Mbr 3</u>	
:	:	:	GRANT FULL RELIEF
XXX	XXX	XXX	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
:	:	:	DENY APPLICATION

BOARD DETERMINATION/RECOMMENDATION:

1. In addition to the administrative notes annotated by the Analyst of Record (below the signature), 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 amending his DD Form 214 for the period ending 11 February 2010 award of the National Defense Service Medal (NDSM) and the Global War on Terrorism Service Medal (GWTSM).

2. The Board further determined the evidence presented is insufficient to warrant a portion of the requested relief. As a result, the Board recommends denial of so much of the application that pertains to change his gender from female to male, adding the sharpshooter marksmanship qualification badge, physical fitness badge, the Army Service Ribbon and his requested military education

X //SIGNED//

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):

1. Reference the enclosed request for correction of military records, correct the applicant's DD Form 214, for the period ending 11 February 20 by amending item 1 (Name (Last, First, Middle)) to read [REDACTED]

2. The State of Connecticut Decree Change of Name is sufficient to justify correction of the DD Form 214 without action by the Board.

3. Correct the applicant's DD Form 214 to amend the item shown in paragraph 1 above. Provide the applicant with a copy of the correction, as applicable. Please record the correction in the applicant's official military personnel record.

REFERENCES:

1. Title 10, USC, 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 (AR) 635-5 (Separation Documents), in effect at the time, prescribes the separation documents that must be prepared for Soldiers upon retirement, discharge, or release from active-duty service or control of the Active Army.

a. It established standardized policy for preparing and distributing the DD Form 214. The DD Form 214 is a summary of the Soldier's most recent period of continuous active duty. It provides a brief, clear-cut record of all current active, prior active, and prior inactive duty service at the time of release from active duty, retirement, or discharge. The information entered thereon reflects the conditions as they existed at the time of separation.

b. Item 1 (Name – Last, First Middle) will reflect the service member's name. Compare the service members Personnel Qualification Record to contract for possible name change.

c. It states for Military Education of the DD Form 214, list formal in-service (full-time attendance) training courses successfully completed during the period of service covered by title, length in weeks, and month and year completed. This information is to assist the Soldier after separation in job placement and counseling; therefore, training courses for combat skills will not be listed.

3. On direction of the ABCMR, or in other instances when appropriate, the Deputy Assistant Secretary of the Army (Review Boards) (DASA (RB)), Army Review Boards Agency (ARBA), is authorized to issue or reissue DD Forms 214. Once a DD Form 214 has been issued, it will not be reissued except under specified circumstances including when it is determined that the original DD Form 214 cannot be properly corrected by issuance of a DD Form 215 (Correction to DD Form 214).

4. AR 600-8-22 (Military Awards), in effect at the time, states:

a. The Army Service Ribbon was established by the Secretary of the Army on 10 April 1981. Effective 1 August 1981, all members of the Active Army, Army National Guard, and Army Reserve in an active Reserve status are eligible for the award upon successful completion of initial entry training. The award may be awarded retroactively

to those personnel who completed the required training before 1 August 1981 provided, they had an Active Army status on or after 1 August 1981.

b. The National Defense Service Medal is awarded for honorable active service for any period between 27 July 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. Second and subsequent awards of the National Defense Service Medal are denoted by a bronze service star affixed to the National Defense Service Medal.

c. The Global War on Terrorism Service Medal is authorized for award to members of the Armed Forces of the United States who have participated in Global War on Terrorism operations outside of the areas of eligibility designated for award of the Global War on Terrorism Expeditionary Medal, Afghanistan Campaign Medal, or Iraq Campaign Medal. All Soldiers on active duty, including Reserve Component Soldiers mobilized or National Guard Soldiers activated, on or after 11 September 2001 to a date to be determined having served 30 consecutive days or 60 nonconsecutive days are authorized the Global War on Terrorism Service Medal. The Global War on Terrorism Service Medal may be awarded posthumously. Only one award of the Global War on Terrorism Service Medal may be authorized to any individual; second and subsequent awards will not be awarded.

d. The qualification badge is awarded to indicate the degree – Expert, Sharpshooter, and Marksman -- in which an individual has qualified in a prescribed record course. An appropriate bar is furnished to denote each weapon with which the individual has qualified.

e. The Physical Fitness Badge was established by the Secretary of the Army on 25 June 1986. Effective 1 February 1999, Soldiers who obtain a minimum score of 270 or above, with a minimum of 90 points per event, on the Army Physical Fitness Test and meet the body fat standards will be awarded the Physical Fitness Badge for Physical Fitness Excellence. Soldiers are required to meet the above criteria each record test to continue to wear the badge. Permanent Orders are not required for award of the Physical Fitness Badge. AR 670-1 (Uniform and Insignia -- Wear and Appearance of Army Uniforms and Insignia) prescribes the wear of the Physical Fitness Badge.

//NOTHING FOLLOWS//