

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 27 February 2025

DOCKET NUMBER: AR20240005405

APPLICANT REQUESTS: upgrade his general, under honorable conditions discharge.

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

- DD Form 149 (Application for Correction of Military Record)
- DD Form 214 (Certificate of Release of Discharge from Active Duty), 20 February 1998
- Orders 107-011, 17 April 1998
- General Discharge Certificate, 31 March 1999
- DD Form 214, 1 May 03
- Justification Memo for request for Exception to Policy for USAR Bonus, dated 20 February 2023

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 a general discharge from the Louisiana Army National Guard (LAARNG) should not have been applied to his record. An authorized transfer from the LAARNG to the North Carolina Army National Guard (NCARNG) was conducted on 20 March 1998. A general, under honorable conditions discharge was provided from the NCARNG on 31 March 1999 to return to active duty, where the service obligation was met and awarded an honorable discharge. He is asking for the discharge from NCNG to be upgraded to honorable. The discharge needs to be upgraded as it is currently hindering the receipt of an enlistment bonus from 2019 and future re-enlistment bonuses. All requirements have been met on the applicants' part. However, the general, under honorable conditions discharge provided from the NCARNG on 31 March 1999 is conflicting with the applicants' current bonus approval. The applicant is currently about to enter the one-year window for re-enlisting.
3. The applicant provides:

a. A copy of the applicant's General Discharge Certificate dated 31 March 1999 from the NCNG.

b. A memorandum for Justification for Request for Exception to Policy for United States Army Reserves (USAR) Bonus. The memorandum provide justification for the applicant's entitlement to his enlistment bonus exactly as it was presented to him in writing at the time of his re-enlistment.

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

a. He enlisted in the Regular Army on 19 October 1994.

b. His DA Form 2-1 (Personnel Qualification Record) shows block #5 (Oversea Service) he served: Far East Pacific Area (FEPA) Korea from 19 May 1996 to 18 May 1997.

c. Orders 324-0267 dated 20 November 1997, show the applicant was release from active duty on 20 February 1998.

d. DD Form 214 (Certificate of Release or Discharge from Active Duty) period ending 20 February 1998 shows the applicant was discharge with an honorable character of service.

e. On 6 January 1998 the applicant enlisted in the LAARNG.

f. A DA Form 4187 (Personnel Action) shows the applicant was administratively assigned to the Louisiana Army National Guard (LAARNG) effective 21 February 1998.

g. Orders 107-011 dated 17 April 1998 shows the applicant was transferred to the from the LAARNG to the NCARNG on 20 March 1998.

h. Orders 52-039 dated 8 March 1999 shows the applicant was discharged from NCARNG effective 31 March 1999 with a discharge of general, under honorable conditions.

i. The National Guard Form 22 (Departments of the Army and the Air Force National Guard Bureau Report of Separation and Record of Service) shows the applicant was discharge with a general, under honorable conditions character of service on 31 March 1999 for unsatisfactory participation.

j. DD Form 214 period ending 1 May 2003 show the applicant enlisted on active duty in the United States Coast Guard on 4 May 1999 and was discharge with an honorable character of service on 1 May 2003.

- k. On 24 September 2019 the applicant enlisted in the USAR.
- l. Reserves Annex section IX-Addendums shows a prior service enlistment bonus addendum was part of his enlistment agreement.
- m. Orders 9295008 dated 26 September 2019 shows the applicant ordered to initial active duty for training (IADT) under for the approximately twelve (12) weeks or completion of basic training and Military Occupational Specialty (MOS) 37F20.
- n. DD Form 214 period ending 24 January 2020 show the applicant completed ten (10) weeks of basic combat training and was discharge with an honorable character of service on 24 January 2020.
- o. Orders 21-307-00018 dated 3 November 2021 show the applicant was awarded the MOS 37F100 effective date 22 August 2021.
- p. Order Number: 0005843261.00 dated 29 August 2023 shows the applicants permanent change of assignment.
- q. On 28 February 2024 the applicant successfully completed the 37F30 Advanced Leader Course, class 24-002, with an average grade of 99%. He appeared before the Honor Board and was named Honor Graduate.
- r. Order UT-290-0010 dated 16 October 2024 orders the applicant to active duty for a period of 400 days effective 27 July 2025.
- s. DA Form 5016 dated 23 October 2024 show the applicant's retirement accounting statement from 1 July 1994 to 23 September 2024.
- t. Order Number: 0010543321.00 dated 18 December 2024 shows the applicant released from active duty with an honorable character of service effective 1 December 2024.
5. Army Regulation 635-200 sets forth the basic authority for the separation of enlisted personnel. 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.

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 review based on law, policy, regulation, and published Department of Defense guidance for liberal and clemency determination requests for upgrade of his characterization of service. Upon review of the applicant's petition and available military records, the Board found no error or injustice existed to warrant an upgrade to honorable. The applicant provided no evidence of post-service achievements. Based on a preponderance of evidence, the Board determined that the characterization of service the applicant received upon separation was not in error or unjust.

BOARD VOTE:

<u>Mbr 1</u>	<u>Mbr 2</u>	<u>Mbr 3</u>	
:	:	:	GRANT FULL RELIEF
:	:	:	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
:XX	:XX	:XX	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.



X

//SIGNED//

CHAIRPERSON
Signed by

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. Army Regulation 635-200 sets forth the basic authority for the separation of enlisted personnel. 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.

//NOTHING FOLLOWS//