

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 17 June 2025

DOCKET NUMBER: AR20240010101

APPLICANT REQUESTS: correction of her DD Form 214 (Certificate of Release or Discharge from Active Duty) ending on 22 August 1992, to show:

- Her rank as corporal (CPL) vice specialist (SPC)
- She was awarded or authorized the Southwest Asia Service Medal with 3 bronze service stars vice "3 stars"

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

- DD Form 149 (Application for Correction of Military Record)
- Order Number 93-25 dated 3 April 1991, which laterally appointed the applicant to the rank of CPL, and terminated the rank of SPC
- DD Form 214 ending on 22 August 1992, which shows the applicant entered active duty on 23 February 1988 and was honorably discharged on 22 August 1992; it also shows in:
 - Item 4a (Grade, Rate or Rank) – SPC
 - Item 12h (Effective Date of Pay Grade) – 1 July 1988
 - Item 13 (Decorations, Medals, Badges, Citations and Campaign Ribbons Awarded or Authorized) – "Southwest Asia Service Medal w/3 Stars"

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 requests the correction of her Southwest Asia Service Medal with three bronze service stars. This portion will be administratively corrected and will not be addressed by the Board. The Board will consider her request for her lateral promotion to corporal.

3. The applicant states:

- Line 4a should be CPL not SPC; see attached letter of lateral appointment
- Line 13 should read Southwest Asia Service Medal with "3 bronze stars" vice "3 stars"
- The Department of Motor Vehicles (DMV) will not issue plates with bronze star because it does not specify what type of stars
- She did not notice these mistakes until she was denied plates at the DMV and when she took her DD Form 214 to a funeral home to receive a military discount

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

- Having prior U.S. Marine Corps enlisted service, on 23 February 1988, the applicant enlisted in the Regular Army
- DA Form 4187 (Personnel Action) shows the applicant was advanced to the rank of SPC, effective 1 July 1988
- The following forms show her rank as CPL:
 - SGLV 8286 (Servicemen's Group Life Insurance Election and Certificate) dated 26 June 1991 and reviewed on 11 May 1992
 - DA Form 1695 (Oath of Extension of Enlistment) dated 4 November 1991
- On 17 August 1992, Orders Number 230-02 assigned the applicant to the U.S. Army Transition Point, Fort Eustis, Virginia, with a report and discharge date of 22 August 1992; the orders show her rank as SPC
- On 22 August 1992, she was honorably discharged from active duty; in part, DD Form 214 shows in:
 - Item 4a (Grade, Rate or Rank) – SPC
 - Item 12h (Effective Date of Pay Grade) – 1 July 1988
 - Item 13 (Decorations, Medals, Badges, Citations and Campaign Ribbons Awarded or Authorized) – "Southwest Asia Service Medal w/3 Stars"

BOARD DISCUSSION:

1. After reviewing the application and all supporting documents, the Board determined relief was warranted. The applicant's contentions, the military record, and regulatory guidance were carefully considered. Based upon the available documentation showing the applicant was laterally promoted to CPL during her military service and a lack of any evidence the lateral promotion was reversed prior to separation, the Board concluded there was sufficient evidence to amend the rank reflected on the applicant's DD Form 214.
2. Prior to closing the case, the Board noted the administrative notes below from the analyst of record and recommended those changes also be completed to more accurately reflect the military service of the applicant.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

:XXX	:XXX	:XXX	GRANT FULL RELIEF
:	:	:	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
:	:	:	DENY APPLICATION

BOARD DETERMINATION/RECOMMENDATION:

1. The Board determined the evidence presented is sufficient to warrant a recommendation for relief. As a result, the Board recommends that all Department of Army records of the individual concerned be corrected by amending the applicant's DD Form 214 by changing the rank reflected to show CPL.
2. Prior to closing the case, the Board noted the administrative notes below from the analyst of record and recommended those changes also be completed to more accurately reflect the military service of the applicant.

//SIGNED//

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):

1. Reference the enclosed request for correction of military records from the applicant to correct her DD Form 214 for the period ending 22 August 1992, by:
 - a. Deleting the "Southwest Asia Service Medal w/3 Stars".
 - b. Adding:
 - Southwest Asia Service Medal with 3 bronze service stars
 - Kuwait Liberation Medal (Kingdom of Saudi Arabia)
2. A review of the records listed below (enclosed) is sufficient to substantiate correction of the DD Form 214 without action by the Board.
 - DA Form 2-1 (Personnel Qualification Record)
 - DD Form 214 ending on 22 August 1992
 - Army Regulation (AR) 600-8-22 (Military Awards)
 - AR 635-5 (Personnel Separation - Separation Documents)

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 (AR) 600-200 (Enlisted Personnel Management System), in effect at the time, prescribes policies and procedures for promotions and reductions in rank. Paragraph 2-43 (Lateral appointment of specialist to corporal) states:

a. Specialists may be laterally appointed to corporal without local selection board action provided they are assigned to an authorized Noncommissioned Officer (NCO) position.

b. Soldiers appointed to corporal will retain the rank when reassigned from the NCO position. However, the unit commander may laterally appoint corporals to specialist without their consent or board action for – (1) Disciplinary action taken under Uniform Code of Military Justice which adversely affects the ability to perform duties of an NCO, or (2) Demonstrated inefficient performance of technical or supervisory duties or (3) Upon direction of Commanding General, Personnel Command.

3. AR 635-5 (Separation Documents), in effect at the time, prescribes the separation documents which are prepared for individuals upon retirement, discharge, or release from active military service or control of the Army. DD Form 214 instructions state for items 4 (a and b), enter active duty grade or rank and pay grade at time of separation, and item 13, entries will be for all periods of service. Check Soldiers' service records for validity of awards. Do not abbreviate when listing the entries.

//NOTHING FOLLOWS//