

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 6 August 2025

DOCKET NUMBER: AR20240011354

APPLICANT REQUESTS:

- award of the Meritorious Service Medal
- a personal appearance hearing before the Board via video/telephone

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

- DD Form 149 (Application for Correction of Military Record under the Provisions of Title 10, U.S. Code, Section 1552)
- DD Form 214 (Certificate of Release or Discharge from Active Duty) for the period ending 5 September 2003
- DA Form 638 (Recommendation for Award), 24 June 2009
- Meritorious Service Medal Certificate

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 would like to add his Meritorious Service Medal to his DD Form 214.
3. After having prior enlisted service in the U.S. Army Reserve (USAR), he was appointed as a Reserve commissioned officer in the USAR in the rank/grade of second lieutenant/O-1 on 31 July 1993. He was promoted to the rank/grade of captain/O-3 effective 1 March 2002.
4. He was honorably released from active duty to the control of his USAR unit on 5 September 2003. His DD Form 214 shows he completed 8 months and 4 days of net active service. Item 13 (Decorations, Medals, Badges, Citations and Campaign Ribbons Awarded or Authorized) does not show award of the Meritorious Service Medal.

5. The U.S. Army Human Resources Command memorandum (Notification of Eligibility for Retired pay at Age 60 (Twenty Year Letter)), 26 February 2009, notified him that he had completed the required years of qualifying Reserve service and was eligible for retired pay upon application at age 60 in accordance with statutory guidance.
6. Headquarters, 87th U.S. Army Reserve Support Command (East), Birmingham, AL, Orders 09-079-00001, 20 March 2009 released him from his current assignment and assigned him to the Retired Reserve by reason of completion of 20 or more years of qualifying service for retired pay at age 60 effective 20 March 2009.
7. His DA Form 5016 (Chronological Statement of Retirement Points) shows his status as Retired Reserve as of 2 June 2019. He completed 2 years and 1 day of qualifying service for retirement purposes.
8. His records do not contain evidence that he served 90 days or more of continuous active duty or was mobilized under appropriate statutory guidance authorizing the issuance of another DD Form 214 after 1 January 2004.
9. He provided a DA Form 638, 24 June 2009, and accompanying Meritorious Service Medal Certificate, showing he was awarded the Meritorious Service Medal for his exceptional meritorious service while serving for 20 years in the U.S. Army for the period 4 March 1999 through 3 March 2009.

#### 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 applicant's contentions, the military record, and regulatory guidance were carefully considered. The evidence of record shows the applicant, a USAR Soldier, served on active duty for the period 2 January to 5 September 2003. The applicant's award of the Meritorious Service Medal is not in contention; however, he was awarded the medal for the period 4 March 1999 through 3 March 2009. The Board determined that although a portion of the award included the time the applicant served on active duty, it was a culmination of USAR service and therefore there was no provision to amend his DD Form 214 to add the award.
2. The applicant's request for a personal appearance hearing was carefully considered. In this case, the evidence of record was sufficient to render a fair and equitable decision. As a result, a personal appearance hearing is not necessary to serve the interest of equity and justice in this case.

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.

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.

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 15-185 (ABCMR) prescribes the policies and procedures for correction of military records by the Secretary of the Army, acting through the ABCMR. The regulation provides that the ABCMR begins its consideration of each case with the presumption of administrative regularity. The applicant has the burden of proving an error or injustice by a preponderance of the evidence. The ABCMR may, in its discretion, hold a hearing. Applicants do not have a right to a hearing before the ABCMR. The Director or the ABCMR may grant a formal hearing whenever justice requires.

3. Army Regulation 635-8 (Separation Processing and Documents), currently in effect, prescribes the transition processing function of the military personnel system. It provides principles of support, standards of service, policies, tasks, rules, and steps governing required actions in the field to support processing personnel for separation and preparation of separation documents.

a. 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.

b. A DD Form 214 will be prepared for Reserve Component Soldiers completing 90 days or more days of continuous active duty. A DD Form 214 will also be issued to Army National Guard (ARNG) of the United States (ARNGUS) and USAR Soldiers mobilized under Title 10, U.S. Code, sections 12301, 12302, 12304, 12304a, or 12304b, and ARNG Soldiers called into Federal service under Title 10, U.S. Code, section 12301 or Title 32, U.S. Code, section 502, regardless of the length of mobilization, when transitioned from active duty.

//NOTHING FOLLOWS//