

IN THE CASE OF: ██████████

BOARD DATE: 21 February 2024

DOCKET NUMBER: AR20230006886

APPLICANT REQUESTS:

- correction of his DD Form 214 (Certificate of Release or Discharge from Active Duty), ending on 26 October 1985, to reflect he was awarded the:
 - Overseas Service Ribbon
 - Army Achievement Medal
 - Army Good Conduct Medal
 - Marksmanship Qualification Badge with Machine Gun Bar (.50 caliber)
- personal appearance before the Board via Video or telephonically

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

- DD Form 149 (Application for Correction of Military Record)
- Company Delta, 3rd Battalion, 5th Training Brigade Letter of Commendation
- DD Form 214 service ending September 11, 1981
- U.S. Army Intelligence Center and Schools (USAICS) Form 174 (Diploma)
- DA Form 4874 (Certificate of Promotion)
- Headquarters (HQs), U.S. Army Infantry Center Letter of Commendation with Endorsements
- HQs, 21st Replacement Battalion Orders Number 181-6
- 1st Armored Division Orders Number 186-01
- Army Europe (AE) Form 2427 (Certificate of Achievement), 27 September 1983
- AE Form 2427, 16 May 84
- AE Form 2427, 12 September 1984
- AE Form 5274 (Scroll of Appreciation)
- DA Form 4980-18 (Army Achievement Medal Certificate)
- DA Form 3867-R (Scorecard, Machine Gun (MG), Caliber .50, HB, M2)
- First Battalion Sixth Infantry Certificate of Appreciation
- AE Form 2427, 17 May 1985
- DD Form 214 service ending 26 October 1985
- 1st Squadron, 1st Cavalry Distinguished Member certificate

- DARP Form 2496 (Statement of Service)
- DD Form 265A (Honorable Discharge Certificate)
- Page 1 of DA Form 2-1 (Personnel Qualification Record)

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 in effect, he requests the correction of his service record to reflect he was awarded the Overseas Service Ribbon, Army Achievement Medal, First Class Marksmanship Qualification Badge with .50 Caliber bar and the Army Good Conduct Medal. These awards and decorations were left out of his records during out-processing from active duty. He has made several attempts to have this corrected; however, he never received confirmation the correction was completed.

3. The awarding of the Overseas Service Ribbon, Army Achievement Medal, First Class Marksmanship Qualification Badge with .50 Caliber bar will not be considered by the Board as there is sufficient documentation to substantiate correction of the DD Form 214 without action by the Board. The Board will consider the applicant's request to be awarded the Army Good Conduct Medal.

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

a. The applicant enlisted in the U.S. Army Reserve (USAR) on 7 July 1980.

b. DA Form 2-1 shows in:

- Item 5 (Overseas Service) – served in Germany during the period of 1 July 1983 through 29 September 1985
- Item 9 (Awards, Decorations and Campaigns) – awarded Army Service Ribbon and the Army Achievement Medal
- Item 35 (Record of Assignments) – assigned in Germany on 5 July 1983 and departed Germany on 29 September 1985

c. DD Form 214 shows the applicant was ordered to active duty for training on 27 July 1981. He was released from active duty on 11 September 1981. It also shows the applicant completed 1-month and 15-days of active service.

d. On 19 September 1981, the applicant enlisted in the USAR Delayed Entry Program (DEP). He was discharged from the USAR DEP and enlisted in the Regular Army on 27 October 1981.

e. On 18 April 1983, Orders Number 74-29, issued by HQs, 197th Infantry Brigade (Separate), the applicant was assigned to the 21st Adjutant General Replacement Detachment, Germany, on or about 1 June 1983.

f. On 20 August 1985, Orders Number 232-72, issued by the 177th Personnel Service Company, the applicant was assigned to the U.S. Army Separation Transfer Point, Fort Dix, NJ, on 30 September 1985.

g. On 26 October 1985, Orders Number 299-190, issued by HQs, U.S. Army Training Center and Fort Dix, the applicant was relieved from active duty and assigned to the USAR Control Group (Reinforcement), effective 26 October 1985.

h. The applicant was honorably released from active duty on 26 October 1985 and assigned to the USAR Control Group (Reinforcement). DD Form 214 shows the applicant completed 4-years of active service. It also shows in item 13 (Decorations, Medals, Badges, Citations and Campaign Ribbons Awarded or Authorized) he was awarded the Sharpshooter Marksmanship Qualification Badge with Rifle Bar (M-16) and the Army Service Ribbon.

i. DA Form 1577 (Authorization for Issuance of Awards) shows the applicant was authorized the Army Lapel Button.

j. On 21 October 1987, Orders Number D-10-078101, issued by the USAR Personnel Center, the applicant was honorably discharged from the USAR, effective 26 October 1987.

k. The applicant's records are void of any non-judicial punishment or any documentation that would prevent award of the Army Good Conduct Medal.

5. The applicant provides:

a. Company Delta, 3rd Battalion, 5th Training Brigade Letter of Commendation presented to the applicant for meeting the demands of Basic Training.

b. USAICS Form 174 shows the applicant completed the course of instruction for Ground Surveillance Radar Crewman on 5 April 1982.

c. DA Form 4874 shows the applicant was advanced to the rank of Specialist Four, effective 1 December 1982.

d. HQs, U.S. Army Infantry Center letter of commendation with endorsements shows the applicant was recognized for scoring 100 percent on the Skill Qualification Test.

e. HQs, 21st Replacement Battalion Orders Number 181-6 shows the applicant was assigned to the 501st Adjutant General Administrative RD, effective 7 July 1983.

f. 1st Armored Division Orders Number 186-01 shows the applicant was assigned to HQs and HQs Company, 501st Military Intelligence Battalion.

g. AE Form 2427 shows on 27 September 1983 the applicant received the Certificate of Achievement for demonstrating the traits necessary to meet the challenges of a professional Army by scoring 100 percent on the Common Task Test.

h. AE Form 2427 shows on 16 May 1984 the applicant received the Certificate of Achievement for meritorious contributions to the Night Training Seminar on 9 May 1984. His dedication, comprehensive knowledge and attention to detail resulted in a successful demonstration of the Ground Surveillance Radar.

i. AE Form 2427 shows 12 September 1984 the applicant received the Certificate of Achievement for demonstrating the traits necessary to meet the challenges of a professional Army by scoring 100 percent on the Common Task Test.

j. AE Form 5274 shows on 14 November 1984 the applicant was awarded the Scroll of Appreciation for conducting the Oberdachstetten Range for incoming personnel to the Ansbach Military Community during the month of July 1984.

k. DA Form 4980-18 shows during the period of 1 through 15 November 1984 the applicant set the example that was worthy to emulate while carrying out the mission at Hohenfels Training area under arduous conditions.

l. DA Form 3867-R shows the applicant scored 128 on three tables for the First Class classification on the .50 caliber machine gun.

m. First Battalion Sixth Infantry Certificate of Appreciation shows on 18 April 1985 the applicant's initiative, enthusiasm, inspiring example and devotion to duty contributed to the efficient utilization of the Ground Surveillance Radar and its availability under varying conditions.

n. AE 2427 shows on 17 May 1985 the applicant received the Certificate of Achievement for meritorious service during the period of 29 April through 17 May 1985. He was commended for his stamina, professional competence, and dedication to the unit.

o. HQs, 1st Squadron, 1st Cavalry certificate shows the applicant was recognized for exceptional distinction along the eastern frontier of the Federal Republic of Germany on a mission of National Security during the period of June 1983 through September 1985.

p. DARP Form 2496 which shows the applicant's periods of service.

BOARD DISCUSSION:

1. After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that 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 and available military records, the Board determined there is sufficient evidence the applicant met the criteria for award of the Army Good Conduct Medal (AGCM). Evidence in the applicant's service record did not reflect he was awarded the AGCM and his record shows he received "excellent" conduct and efficiency ratings throughout his service for the period of 27 October 1981 to 26 October 1985. Based on this, the Board granted relief to award the Army Good Conduct Medal (1st Award).

2. 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.

3. 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 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 awarding him the Army Good Conduct Medal (1st Award) for exemplary service from 27 October 1981 to 26 October 1985 and adding the medal to his DD Form 214 for the period ending 26 October 1985.

3/4/2024

X [REDACTED]

CHAIRPERSON
[REDACTED]

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 subject individual to correct his DD Form 214 (Certificate of Release or Discharge from Active Duty) for the period ending October 26, 1985, by adding the following awards in Item 13 (Decorations, Medals, Badges, Citations and Campaign Ribbons Awarded or Authorized:

- Overseas Service Ribbon
- Army Achievement Medal
- First Class Marksmanship Qualification Badge with .50 caliber bar
- Army Lapel Button

2. A review of the records listed below (enclosed) is sufficient to substantiate correction of the DD Form 214 without action by the Board.

- DD Form 214 service ending October 26, 1985
- DA Form 2-1 (Personnel Qualification Record)
- HQs, 197th Infantry Brigade (Separate) Orders Number 74-29
- 177th Personnel Service Company Orders Number 232-72
- HQs, 21st Replacement Battalion Orders Number 181-6
- 1st Armored Division Orders Number 186-01
- DA Form 3867-R (Scorecard, Machine Gun (MG), Caliber .50, HB, M2)

3. Please correct the applicant's DD Form 214 by adding awards shown in paragraph 1 above. Provide the applicant a copy of the corrections, and as applicable the medals and citations. Please ensure that the corrections are recorded 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) 15-185 (ABCMR) prescribes the policies and procedures for correction of military records by the Secretary of the Army, acting through the ABCMR. The ABCMR may, in its discretion, hold a hearing or request additional evidence or opinions. Additionally, it states in paragraph 2-11 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. AR 600-8-22 (Military Awards) prescribes Department of the Army (DA) policy, criteria, and procedures for individual and unit military awards and foreign decorations and badges.

a. Paragraph 5-4 (Overseas Service Ribbon), effective 1 August 1981, all Soldiers of the Regular Army, ARNG, and USAR in an Active Reserve status are eligible for this award. The ribbon may be awarded retroactively to those personnel who were credited with successful completion of an overseas tour before 1 August 1981, provided they had a Regular Army status as defined above on or after 1 August 1981. Soldiers must be credited with a successful completion of an overseas tour.

b. Paragraph 4-1 (Army Good Conduct Medal), it is awarded for exemplary behavior, efficiency, and fidelity in active Federal military service. It is awarded on a selective basis to each Soldier who distinguishes themselves from their fellow Soldiers by exemplary conduct, efficiency, and fidelity throughout a specified period of continuous enlisted active Federal military service. There is no right or entitlement to the medal until the immediate commander has approved the award and the award has been announced in Permanent Orders. Each 3-years completed on or after 27 August 1940. For first award only, upon termination of service on or after 27 June 1950, of less than 3-years but more than 1-year. Subsequent awards must be for a completion of 3-years of continuous enlisted active Federal military service.

4. AR 672-5-1 (Military Awards) in effect at the time, prescribes Department of the Army (DA) policy, criteria, and administrative instructions concerning individual military awards.

a. Paragraph 1-23c (Badges), permanent awards of badges, except basic marksmanship qualification badges and identification badges, will be announced in permanent orders by commanders authorized to make the award or permanent orders of the DA.

b. Paragraph 5-32 (Basic marksmanship qualification badges), a basic marksmanship qualification badge is awarded to indicate the degree in which an individual, military or civilian, has qualified in a prescribed record course and an appropriate bar is furnished to denote each weapon with which he qualified. Each bar will be attached to the basic badge which indicates the qualification last attained with the respective weapon. Basic qualification badges are of three classes; Expert, sharpshooter, and marksman.

//NOTHING FOLLOWS//