

IN THE CASE OF: [REDACTED]

BOARD DATE: 9 September 2024

DOCKET NUMBER: AR20230007526

APPLICANT REQUESTS: Correction of his DD Form 214 (Certificate of Release or Discharge From Active Duty), dated 8 June 1983, to show:

- Award of the Army Commendation Medal, an Army Good Conduct Medal, and the Noncommissioned Officers (NCO) Professional Development Ribbon with numeral 1
- Completion of a General Educational Development (GED) course /testing
- Inclusion of all of his military education courses

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

- DD Form 149 (Application for Correction of Military Record) with post-it notes
- Seven post-it for supporting document outlining his request
- DA Form 1059 Service School Academic Evaluation Report
- NCO Academy Diploma
- DD Form 214 (Army – 18 June 1980 to 8 June 1983)
- Army Commendation Medal Certificate, dated 28 July 1983
- GED completion form
- [REDACTED] Army National Guard ([REDACTED] ARNG) discharge order
- ARNG Discharge Certificate (20 May 1985)
- NGB Form 22, Report of Separation and Record of Service (20 May 1985)
- U. S. Marine Corps (USMC) Field Radio Operator Course Certificate
- U.S. Army Airborne Course Diploma (26 September 1986)
- U.S. Navy (USN) Certificate of Graduation - Fire Support Man
- Navy Commendation Medal with Combat "V"
- One page of a NAVMC Form 1650/65
- DD Form 214 (USMC - 1 May 1991)
- DA Form 1577 (Authorization for Issuance of Awards) 5 March 2001
- NAVPERS Form 1650/50 (Transmittal of and/or Entitlement to Awards)

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 served his country faithfully and continued to serve after his Army active duty period in the Army National Guard (ARNG), and in the U.S. Marine Corps Reserve with active duty during Operation Desert Storm. In effect he states that all of his awards and military education coursed should be included on his 8 June 1983 DD Form 214.
3. The applicant enlisted in the Regular Army on 18 June 1980. He completed training and was awarded military occupational specialty 16D (Hawk Missile Crewmember). The highest grade he held in the Regular Army was specialist (SPC)/E-4.
4. The applicant's DA Form 2-1 (Personnel Qualification Record) shows he served in Germany from 16 January 1980 to 7 June 1983, and received overseas tour credit. He was assigned to 2nd Battalion, 62nd Air Defense Artillery. He completed the 1-week German Headstart in 1980.
5. On 4 August 1982 the applicant completed the 4-week Primary Leadership Development Course from 17 July to 13 August 1982. The Service School Academic Evaluation Report notes he was the recipient of the General Bruce C. Clark Award for the Commandant's Inspection. An associated Disposition Form shows he was authorized the NCO Professional Development Ribbon with numeral 1.
6. A Certificate, dated 28 May 1983, shows he was awarded the Army Commendation Medal for meritorious service from 12 September 1980 to 12 June 1983. There are no permanent orders listed on the certificate or filed in his service record for this award.
7. The applicant was honorably released from active duty on 8 June 1983 and was transferred to the U.S. Army Reserve Control Group (Reinforcement). His DD Form 214 shows he completed 2 year, 11 months , and 21 days of active duty service with no lost time. It also shows in:
  - Block 13 (Decorations, Medals, Badges, Citations and Campaign Ribbons Awarded or Authorized): Army Service Ribbon, Overseas Service Ribbon, Sharpshooter Qualification Badge with Rifle Bar, and Expert Qualification Badge with Grenade Bar.
  - Block 14 (Military Education) None.
  - Block 16 (High School Graduate or Equivalent), an X is placed in the No box.

8. The applicant completed the requirements for award of a GED on 24 August 1984, after his release from active duty.

9. The applicant provided several documents related to his military service post Regular Army separation. These documents show:

a. He served in the [REDACTED] ARNG from 11 July 1983 through 20 May 1985.

(1) His discharge orders indicate he was discharged from the ARNG and the Reserve of the Army.

(2) The NGB Form 22 shows he had a Reserve /Military Serve Obligation date of 16 May 1986; his characterization of service was honorable; no military education courses completed; and his awards as only the [REDACTED] Drill Attendance Ribbon.

b. The date of his entry in the USMC is not of record.

(1) He completed the USMC Field Radio Operator Course on 11 September 1985, the Airborne Course on 26 September 1983, and the Fire Support Man course on 22 June 1990.

(2) The applicant was awarded the Navy Commendation Medal with Combat "V" for his actions between 25 and 27 February 1991.

(3) The applicant was issued a DD Form 214 (as a member of the USMCR) for the period of 3 December 1990 to 1 May 1991. The form shows he participated in Operation Desert Shield/Storm from 3 December 1990 through 29 March 1991 and was released from active duty with transfer back to his Reserve unit.

c. A DA Form 1577, dated 5 March 2001 lists his awards as the Army Service Ribbon, Overseas Service Ribbon, the Expert Qualification Badge with Grenade Bar, and the Sharpshooter Qualification Badge with Automatic Rifle Bar. The form has a note stating "Good Conduct Medal requires 3 full years of active duty."

d. A NAVPERS Form 1650/65, dated 15 July 2002 shows his authorized awards as the Navy Commendation Medal with "V" Device, National Defense Service Medal, Southwest Asia Service Medal with two bronze service stars, Navy Unit Commendation Ribbon, Meritorious Unit Commendation Ribbon with one bronze service star, Naval Reserve Medal, Sea Service Ribbon Deployment Ribbon, Rifle Badge, Kuwait Liberation Medal - Kuwait, and the Kuwait Liberation Medal - Saudi Arabia

**BOARD DISCUSSION:**

After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that partial relief was warranted. The applicant's contentions, the military record, and regulatory guidance were carefully considered.

a. Army Good Conduct Medal: Grant. The Board noted that the applicant served continuously on active duty (Army) from 18 June 1980 to 8 June 1983, completing 2 years, 11 months, and 21 days of active service. His record does not reflect any lost time or any derogatory information that would have disqualified him from receiving his first award of the Army Good Conduct Medal, or a commander's disqualifying memorandum for this award. The Board determined he met the criteria to be awarded the Army Good Conduct Medal (1st Award).

b. NCO Professional Development Ribbon: Grant. The applicant successfully completed the Primary Leadership Development Course, which is the first level of NCO Education System; therefore, the Board determined he meets the criteria for this award.

c. Army Commendation Medal: Grant. Although the permanent orders for this award are not available, the wording on the certificate is consistent with the applicant's assignment, unit, and scope of responsibility. Therefore, the Board accepted this certificate as sufficient to add the Army Commendation Medal to his DD Form 214.

d. Overseas Service Ribbon: Grant. The applicant received overseas tour credit for Germany from 16 January 1980 to 7 June 1983. Therefore, he qualifies for award of the Overseas Service Ribbon.

d. Military Education: Grant. The applicant completed the 4-week Primary Leadership Course in 1982 and the 1-week German HeadStart in 1980. His DD Form 214 should reflect both training courses.

e. GED: Deny. The applicant completed his GED in 1984, after his release from active duty. The information entered on the DD Form 214 reflects the conditions as they existed at the time of separation.

BOARD VOTE:

Mbr 1      Mbr 2      Mbr 3

:            :            :            GRANT FULL RELIEF

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:            :            :            GRANT FORMAL HEARING

:            :            :            DENY APPLICATION

BOARD DETERMINATION/RECOMMENDATION:

1. 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 as follows:

- awarding the applicant the Army Good Conduct Medal (1st Award) for service during the period 18 June 1980 through 8 June 1983,
- amend the applicant’s Army DD Form 214 as follows:
  - Block 13, adding the Army Good Conduct (1st Award), Army Commendation Medal, NCO Professional Development Ribbon with Numeral 1, and Overseas Service Ribbon
  - Block 14, adding German HeadStart, 1 week, 1980, and Primary Leadership Development Course, 4 weeks, 1982.

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 his GED (General Educational Development)

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CHAIRPERSON

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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 600-8-22 (Military Awards) provides for the following awards:
  - a. The Noncommissioned Officer Professional Development Ribbon was established by the Secretary of the Army on 10 April 1981. It is awarded to Active Army, Army National Guard, and U.S. Army Reserve Soldiers for successful completion of designated NCO professional development courses.
  - b. The Overseas 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 for successful completion of overseas tours. The award may be awarded retroactively to those personnel who were credited with a normal overseas tour completion before 1 August 1981 provided they had an Active Army status on or after 1 August 1981.
  - c. The Army Commendation Medal may be awarded to any member of the Armed Forces of the United States who, while serving in any capacity with the Army after 6 December 1941, distinguishes himself or herself by heroism, meritorious achievement, or meritorious service. As with all personal decorations, formal recommendations, approval through the chain of command, and announcement in orders are required.
  - d. The Army Good Conduct Medal is awarded to individuals who distinguish themselves by their conduct, efficiency, and fidelity during a qualifying period of active duty enlisted service. This period is 3 years except in those cases when the period for the first award ends with the termination of a period of Federal military service. Although there is no automatic entitlement to the Army Good Conduct Medal, disqualification must be justified.
3. Army Regulation 635-5 (Separation Documents) prescribes the separation documents that must be prepared for Soldiers on retirement, discharge, release from active duty service, or control of the Active Army. It establishes standardized policy for preparing and distributing the DD Form 214 and states all awards and decorations for all periods of service are to be listed in priority sequence and abbreviations are not to be used.

a. Block 13, enter all awards and decorations.

b. Block 14, list in-service training courses; title, number of weeks, year successfully completed during this period of service; e.g., medical, dental, electronics, supply, administration, personnel, or heavy equipment operations. This information is to assist the member after separation in job placement and counseling; therefore, training courses for combat skills will not be listed.

c. Block 16, enter yes if the Soldier is a high school graduate or equivalent.

3. Army Regulation 15–185 (Army Board for Correction of Military Records) prescribes the policies and procedures for correction of military records by the Secretary of the Army, acting through the Army Board for Correction of Military Records (ABCMR). Paragraph 2-9 states 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.

//NOTHING FOLLOWS//