

IN THE CASE OF: [REDACTED]

BOARD DATE: 27 March 2024

DOCKET NUMBER: AR20230010252

APPLICANT REQUESTS:

- a. Correction of his DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge) to show the award of the National Defense Service Medal and any military schools or training he completed.
- b. Award of the Army Good Conduct Medal and its addition to his DD Form 214.

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

- DD Form 149 (Application for Correction of Military Record)
- DD Form 214
- National Personnel Record Center (NPRC) letter
- DD Form 215 (Correction to DD Form 214)
- DA Form 20 (Enlisted Qualification Record), second page only

FACTS:

1. The applicant did not file within the 3-year time frame provided in Title 10 (Armed Forces), United States Code (USC), section 1552 (b) (Correction of Military Records: Claims Incident Thereto). 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 would like his DD Form 214 to accurately reflect his military history.
3. The applicant's requested relief for adding the National Defense Service Medal to his DD Form 214 is supported by sufficient evidence; as a result, this portion of the requested relief will be addressed in the "ADMINISTRATIVE NOTE(S)" section and will not be further considered by the Board.
4. A review of the applicant's service record reveals the following:

a. On 14 August 1961, the applicant enlisted into the Regular Army for 3 years. On 3 January 1962, upon completion of basic combat training, orders assigned the applicant to Fort Devens, MA for advanced individual training in military occupational specialty 120.00 (Pioneer). On 25 March 1962, orders transferred the applicant to Fort Carson, CO and assigned him to an infantry battalion; his duty MOS was 111.00 (Light Weapons Infantryman).

b. In or around March/April 1963, the applicant received reassignment instructions for Korea. On 4 June 1963, he arrived in Korea and orders further assigned him to a mechanized infantry battalion within a cavalry regiment; he arrived at his new unit, on 5 June 1963. Effective 13 September 1963, the applicant's leadership promoted him to sergeant (SGT)/E-5 in MOS 111.60 (Light Weapons Infantryman – Noncommissioned Officer).

c. At some point prior to 15 June 1964, the applicant completed his tour in Korea and orders reassigned him to the U.S. Army Personnel Center at Oakland, CA for separation processing.

d. On 15 June 1964, the Army honorably released him from active duty, based on an early release policy for Soldiers returning from overseas, and reassigned him to the U.S. Army Reserve. His DD Form 214 shows he completed 2 years, 10 months, and 2 days of his 3-year enlistment contract. Item 26 (Decorations, Medals, Badges, Commendations, Citations, and Campaign Ribbons Awarded or Authorized) lists two marksmanship qualification badges.

e. On 30 July 2015, NPRC issued the applicant a DD Form 215 adding the Korea Defense Service Medal to his DD Form 214, ending 15 June 1964.

f. A review of the applicant's available service record reveals no derogatory information; in addition, DA Form 24 (Service Record) and DA Form 20 reflect the following:

(1) DA Form 24:

- Section I (Appointments, Promotions, or Reductions) – the applicant's leadership progressively promoted him until he attained the rank/grade of SGT/E-5; no reductions are indicated
- Section 4 (Chronological Record of Military Service) – the applicant's chain of command rated his conduct and efficiency as "Excellent" throughout his term of active duty service
- Section 9 (Medals, Decorations, and Citations) – only two marksmanship qualification badges are listed

(2) DA Form 20:

- Item 26 (Military Education) – this item is blank – no entries
- Item 27 (Specialized Training) – "ATP 21-114" (basic combat training)

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, and published Department of Defense guidance for liberal and clemency determinations requests for upgrade of his characterization of service. Upon review of the applicant's petition and available military records, the Board determined there is sufficient evidence to show the applicant met the criteria for award of the Army Good Conduct Medal. Evidence in the record reflects the applicant received "excellent" conduct and efficiency ratings throughout his service for the period of 14 August 1961 to 15 June 1964. 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.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

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

BOARD DETERMINATION/RECOMMENDATION:

In addition to the administrative notes annotated by the Analyst of Record (below the signature), 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 14 August 1961 to 15 June 1964 and adding the medal to his DD Form 214 for the period ending 15 June 1964.

4/8/2024

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. AR 635-5 (Separation Documents), in effect at the time, stated the DD Form 214 was to list all decorations, service medals, campaign credits, and badges awarded or authorized.
2. AR 600-8-22, currently in effect, states the National Defense Service Medal is awarded for honorable active service for any period between 1 January 1961 and 14 August 1974.
3. Based on the foregoing, amend the applicant's DD Form 214, ending 15 June 1964, by adding the National Defense Service Medal.

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. AR 672-5-1, in effect at the time, prescribed policies and procedures for military awards; it stated the Army Good Conduct Medal was awarded for each 3 years of continuous enlisted active Federal military service completed on or after 27 August 1940. For the first award only, commanders could award the Army Good Conduct Medal, upon termination of the Soldier's service on or after 27 June 1950, if he or she had served less than 3 years but more than 1 year. Additionally, the Soldier had to have had all "Excellent" conduct and efficiency ratings and no court-martial convictions.

//NOTHING FOLLOWS//