

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 3 May 2024

DOCKET NUMBER: AR20230010559

APPLICANT REQUESTS:

1. The applicant requests correction of his DD Form 214 (Certificate of Release or Discharge from Active Duty) ending on 12 June 1980 by:

a. correcting block 13 (Decorations, Medals, Badges, Citations and Campaign Ribbons Awarded or Authorized) to add the:

- Army Good Conduct Medal
- Army Commendation Medal
- Overseas Service Ribbon
- Presidential Unit Citation
- Korea Defense Service Medal

b. correcting block 14 (Military Education) to reflect all completed military education to include Jungle training and the Noncommissioned Officer Academy (NCOA).

2. The applicant also requests the issuance of all authorized medals.

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

- DD Form 149 (Application for Correction of Military Record)
- DD Form 214, 12 June 1980

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 summary, his DD Form 214 for the period ending on 12 June 1980, is incorrect as it does not accurately reflect all authorized awards and completed military education.

3. The Board will not consider the applicant's request to issue/reissue issuance of all the applicant's authorized medals and badges.

a. The ABCMR corrects records; the Board does not issue medals or badges. Any questions or concerns regarding replacement medals and badges should be referred to the appropriate agency. For Army personnel, requests for the issuance or replacement of military service medals, decorations, awards, badges, and corresponding accouterments should be directed to the National Personnel Records Center (NPRC).

b. The NPRC will verify the awards to which a veteran is entitled and forward the request with the verification to the appropriate service department for issuance of the medals. Written requests with appropriate supporting evidence may be addressed to the National Personnel Records Center, 9700 Page Avenue, St. Louis, MO 63132-5100.

c. Once verified, the replacement medals and devices are shipped to the veteran by the U.S. Army Tank Automotive and Armaments Command, Clothing and Heraldry (PSID), Post Office Box 57997, Philadelphia, PA 19111. Therefore, issuance of medals or badges will not be discussed further in this Record of Proceedings.

4. On 16 June 1977, the applicant enlisted in the Regular Army to serve as a 12B (Combat Engineer) for 3 years.

5. On or about 17 August 1977, the applicant completed the Combat Engineer course.

6. On or about 5 October 1977, the applicant proceeded on Permanent Change of Station (PCS) orders to Fort Ord, CA, and subsequently assigned to Bravo Company 13th Engineer Battalion.

7. On 1 May 1979, the applicant was advanced to the rank/grade of specialist four (SP4)/E-4.

8. On or about 1 June 1979, the applicant completed a PCS to Korea and was subsequently assigned to Alpha Company, 2nd Engineer Battalion, 2nd Infantry Division.

9. On 29 March 1980, Headquarters 2nd Infantry Division issued Orders Number 84-21 reassigning the applicant to the U.S. Army separation transfer point pending release from active duty.

10. His DA Form 2-1 (Personnel Qualification Record) includes the following entries/information:

- a. Block 5 (Oversea Service) shows he completed service in Korea from 21 June 1979 – 11 June 1980 with normal tour completion
- b. Block 9 (Awards, Decorations and Campaign Ribbons) shows he was awarded or authorized the Marksman Marksmanship Qualification Badge with Rifle Bar (M-16) and the Expert Marksmanship Qualification Badge with Grenade Bar.
- c. Block 17 (Civilian Education and Military Schools) shows he completed the 12B (Combat Engineer Course) and the Primary Noncommissioned Officer Course (PNCOC). However, this document is void of evidence reflective of the applicant's completion of the Jungle Operations Training Course or any other jungle related training.

11. On 12 June 1980, the applicant was honorably released from active duty at the rank of SP4 and transferred to the U.S. Army Reserve (USAR) Control Group (Reinforcement). The applicant completed 2 years, 11 months, and 27 days of active-duty service. His DD Form 214 includes the following entries:

- a. block 13 lists the:
 - Marksman Marksmanship Qualification Badge with Rifle Bar
 - Expert Marksmanship Qualification Badge with Grenade Bar
- b. block 14 lists the 12 week Combat Engineer Course the applicant completed in August 1978.

12. On 30 October 1982, the U.S. Army Reserve Components Personnel and Administration Center, issued Orders Number 10-1058734 honorably discharging the applicant from the USAR in the rank/grade of SP4/E-4, effective 25 November 1982.

13. There is no evidence the applicant received the first award of the Army Good Conduct Medal. His records do not show he was disqualified by his chain of command, indiscipline, lost time, or adverse information. According to Army Regulation (AR) 600-8-22 (Military Awards) he was eligible for the award of the Army Good Conduct Medal (1st Award) based on completion of qualifying service from 16 June 1977 – 12 June 1980 ending with the termination of a period of active Federal service.

BOARD DISCUSSION:

1. The applicant's contentions, the military record, and regulatory guidance were carefully considered. After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found partial relief was warranted.
2. The Board determined the applicant should be awarded the Army Good Conduct Medal as there is nothing disqualifying in his record.
3. The Board determined his DD Form 214 should be corrected to add the 4 week Primary Noncommissioned Officer Course (PNCOC) he completed in 1979.
4. The Board determined he is not eligible for the Overseas Service Ribbon because the ribbon was not established until August 1981; his tour ended in 1980.
5. The Board found insufficient justification to grant the applicant's request for the correction of his DD Form 214 to add the Jungle training course, the Army Commendation Medal, or the Presidential Unit Citation. The applicant did not provide nor did his records contain any evidence to show he completed the Jungle Operations Training course or any other jungle training, additionally, he did not provide any evidence nor did his records contain evidence to support his request for the Army Commendation Medal and Presidential Unit Citation.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

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

BOARD DETERMINATION/RECOMMENDATION:

1. The Board concurs with the corrections addressed in Administrative Note(s) below and 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 by awarding the Army Good Conduct Medal (1st Award) for the period 16 June 1977 to 12 June 1980, and amending the following blocks of his DD Form 214 (Certificate of Release or Discharge from Active Duty), ending 12 June 1980:

a. correcting block 13 (Decorations, Medals, Badges, Citations and Campaign Ribbons Awarded or Authorized) to add the Army Good Conduct Medal (1st Award).

b. correcting block 14 (Military Education) by adding the entry, "Noncommissioned Officer Academy, 4 weeks, 1979."

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 remaining portions of the applicant's requested relief.

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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.

ADMINISTRATIVE NOTE(S): administratively correct the applicant's DD Form 214, for the period ending on 12 June 1980 by adding the following awards:

- Noncommissioned Officer Professional Development Ribbon
- Korea 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 600-8-22 (Military Awards) provides the following:

a. The Army Good Conduct Medal) was established by Executive Order (EO) 8809, 28 June 1941 and was amended by EO 9323, 1943 and by EO 10444, 10 April 1953. The Army Good Conduct Medal 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 himself or herself from among his or her fellow Soldiers by exemplary conduct, efficiency, and fidelity throughout a specified period of continuous enlisted active Federal military service, as outlined in this chapter. 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. Qualifying periods of continuous enlisted active Federal military service included each 3 years completed on or after 27 August 1940. After 27 June 1950, to the present time, the current standard for award of the Army Good Conduct Medal is 3 years of qualifying service, but as little as one year is required for the first award in those cases when the period of service ends with the termination of active enlisted Federal military service.

b. Korea Defense Service Medal is authorized to members of the armed forces who have served on active duty in support of the defense of the Republic of Korea from 28 July 1954 to a date to be determined. The area of eligibility encompasses all land area of the Republic of Korea, and the contiguous water out to 12 nautical miles, and all air spaces above the land and water areas. Servicemembers must have been assigned, attached, or mobilized to units operating in the Area of Engagement for 30 consecutive or for 60 nonconsecutive days.

c. Army Commendation Medal was established by War Department Circular 377, 18 December 1945 (amended in AGO 1960 – 10, 31 March 1960) and is awarded to any Servicemember of the Armed Forces of the United States who, while serving in any

capacity with the Army after 6 December 1941, distinguishes themselves by heroism, meritorious achievement, or meritorious service. Award may be made to a member of the armed forces of a friendly foreign nation who, after 1 June 1962, distinguishes themselves by an act of heroism, extraordinary achievement, or meritorious service which has been of mutual benefit to a friendly nation and the United States.

d. Overseas Service Ribbon was established by the SECARMY on 10 April 1981 as announced in AGO 1990 – 15. It is awarded to Soldiers of the U.S. Army for successful completion of overseas tours. 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.

e. Presidential Unit Citation is awarded to units of the Armed Forces of the United States and cobelligerent nations for extraordinary heroism in action against an armed enemy occurring on or after 7 December 1941. Review of AR 672-3 (Unit Citation and Campaign Participation Credit Register) is void of evidence reflective of either the 2nd Engineer Battalion or the 13th Engineer Battalion be awarded this citation.

3. AR 672-3 (Unit Citation and Campaign Participation Credit Register) is published to assist commanders and personnel officers in determining or establishing the eligibility of individual members for campaign participation credit, assault landing credit, and unit citation badges awarded during the Vietnam Conflict, the Grenada Operation, and the period of service subsequent to the Vietnam Conflict up to the present time. Additional unit awards are included for meritorious achievement in the continental U.S. and in foreign countries.

4. AR 635-5 (Separation Documents) states that the DD Form 214 will reflect the conditions and circumstances that existed at the time the records were created. The purpose of the separation document is to provide the individual with documentary evidence of his or her military service at the time of release from active duty, retirement, or discharge. It is important that information entered on the form be complete and accurate and reflects the conditions as they existed at the time of separation. Personnel officers will prepare and authenticate DD Form 214 prior to forwarding records to the transfer facility. All available records will be used as a basis for the preparation of DD Form 214, including DA Form 2-1 (Personnel Qualification Record) and orders.

- Item 4a./b. (Grade, rate or Rank and Pay Grade) will contain the active-duty grade or rank and pay grade at time of separation from the DA Form 2-1
- Item 13 (Decorations, Medals, Badges, Commendations, Citations and Campaign Ribbons Awarded or Authorized) on the issued DD Form 214 will

contain all decorations, service medals, campaign credits and badges awarded or authorized from section 9 (Awards, Decorations and Campaigns) of the DA Form 2-1

- Item 14 (Military Education) on the issued DD Form 214 will be obtained from the DA Form 2-1 and contain a list of formal in-service (full-time attendance) training courses successfully completed during the period of service covered by the DD Form 214

5. AR 15-185 (ABCMR) paragraph 2-9 states 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//