

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 4 November 2024

DOCKET NUMBER: AR20230011443

APPLICANT REQUESTS: correction of his DD Form 214 (Certificate of Release or Discharge from Active Duty) to show in:

- Item 12b (Separation Date This Period): 19 September 1990
- item 13 (Decorations, Medals, Badges, Commendations, Citations and Campaign Ribbons Awarded or Authorized): he was authorized the Overseas Service Ribbon

APPLICANT'S SUPPORTING DOCUMENTS CONSIDERED BY THE BOARD:

- DD Form 149 (Application for Correction of Military Record)
- DD Form 214

FACTS:

1. The applicant did not file within the three-year time frame provided in Title 10, United States 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, in effect, he is entitled to the Overseas Service Ribbon due to his service in South Korea and that his discharge date on his DD Form 214 should be 19 September 1990.

3. The applicant's service record shows the following documentation:

a. DD Form 4 (Enlistment/Reenlistment Document) shows he enlisted in the Regular Army on 14 September 1988.

b. A medical document reflects the applicant's name and that he was assigned to Delta Company, 2nd Battalion 72nd Armor Battalion, APO SF 96224.

c. A Medical Board Report Cover Sheet, reflects in block 3 (Duty Station) as

“Headquarters and Headquarters Company 2nd Battalion, 72nd Armor Battalion, Korea”.

d. A Medical Board document, where the applicant was an outpatient, states, in pertinent part, “He, at the time, was in Korea and had had several bouts with serious viral illnesses” “He was medevacked to U.S. Naval Hospital, Long Beach in August 1989 and was evaluated”.

e. A Message, which states that the applicant was being separated due to a disability at 20 percent. He was to be discharged no later than 5 April 1990.

f. Orders 63-329, dated 4 April 1990, shows he was being discharged from the Regular Army on 5 April 1990, unless changed or rescinded. There were no orders in the applicant’s record to show his orders were changed or rescinded.

g. DD Form 214 shows he was honorable discharged from active duty on 5 April 1990 due to physical disability with severance pay in the amount of \$3,374.40. He completed 1 year, 6 months, and 22 days of net active service this period, with 0 foreign service time. It also shows he was awarded or authorized the Army Service Ribbon and the Army Lapel Button.

BOARD DISCUSSION:

1. After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that partial 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 was sufficient evidence to confirm that the applicant met the regulatory criteria for the Overseas Service Ribbon. However, the Board found no justification to amend the applicant’s DD Form 214 to reflect a separation date of 19 September 1990, as requested. Based on the information presented and the applicant’s contentions, the Board granted partial relief by approving the award of the Overseas Service Ribbon, while denying the request for correction of the separation date.

2. The Army has an interest in maintaining the integrity of its records for historical purposes. The information in those records must reflect the conditions and circumstances that existed at the time the records were created. In the absence of evidence that shows a material error or injustice, there is a reluctance to recommend that those records be changed.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

:	:	:	GRANT FULL RELIEF
XX	XXX	XXX	GRANT PARTIAL RELIEF
:	:	:	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 by amending the applicant's DD Form 214 to show award of the Oversea Service Ribbon.
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 correction of his DD Form 214 to show in: Item 12b (Separation Date This Period): 19 September 1990.

[REDACTED]

[REDACTED]

[REDACTED]

[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.

REFERENCES:

1. Title 10, United States 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) states in Chapter 5-4, 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.

3. Army Regulation 635-5 (Separation Documents), in effect at the time, prescribed the separation documents prepared for Soldiers upon retirement, discharge, or release from active duty service or control of the Active Army. It established standardized policy for preparing and distributing the DD Form 214. The instructions stated to list awards and decorations for all periods of service. In item 12b (Separation Date This Period): self-explanatory.

//NOTHING FOLLOWS//