

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 3 May 2024

DOCKET NUMBER: AR20230011808

APPLICANT REQUESTS: award of the:

- Army Good Conduct Medal
- Overseas Service Ribbon
- any other decorations he is entitled

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

- DD Form 149 (Application for Correction of Military Record)
- DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge), for the period ending 14 September 1964

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 there are no awards listed on is DD Form 214.
3. A review of the applicant's service records show he is entitled to an additional award not annotated on his DD Form 214. As a result, award of the National Defense Service Medal will be added administratively without Board action. The Board will consider award of the Army Good Conduct Medal and Overseas Service Ribbon.
4. On 15 September 1961, the applicant enlisted in the Regular Army.
5. His DA Form 24 (Service Record) shows:
 - Section 4 (Chronological Record of Military Service) –he received “excellent” conduct and efficiency ratings
 - Section 5 (Service Outside Continental U.S. – service in Germany from 26 April 1962 to 16 April 1964

- Section 9 (Medals, Decorations and Citations) – he was awarded the Sharpshooter Marksmanship Qualification Badge with Rifle Bar (M-14)

6. He was honorably released from active duty on 14 September 1964. His DD Form 214 shows he completed 3 years of active service. It also shows he was awarded or authorized the Sharpshooter Marksmanship Qualification Badge with Rifle Bar (M-14).

7. His records are void of any disciplinary actions or a commander's disqualification for award of the Army Good Conduct Medal for the period from 15 September 1961 to 14 September 1964.

8. 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 themselves from their fellow Soldiers by exemplary conduct, efficiency, and fidelity throughout a specified period of continuous enlisted active Federal military service.

- each 3 years completed on or after 27 August 1940
- for first award only, 1 year served entirely during the period 7 December 1941 to 2 March 1946
- for first award only, upon termination of service on or after 17 June 1950, of less than 3 years but more than 1 year
- for first award only, upon termination of service, on or after 17 June 1950, of less than 1 year when final separation was by reason of physical disability incurred in line of duty
- for first award only, for those individuals who died before completing 1 year of active Federal military service or if the death occurred in the line of duty

9. The Overseas Service Ribbon, 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.

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 evidence shows the applicant's records are void of any disciplinary actions or a commander's disqualification for award of the Army Good Conduct Medal for the period from 15 September 1961 to 14 September 1964, furthermore, he was honorably released from active duty. The Board determined the applicant should be awarded the Army Good Conduct Medal (1st Award) and his DD Form 214 should be corrected to add this award.
3. The Board did not support the applicant's request for award of the Overseas Service Ribbon. The applicant's overseas service occurred in Germany in the 1960s, the ribbon did not exist at the time of his service.

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:

a. awarding him the Army Good Conduct Medal for the period 15 September 1961 to 14 September 1964.

b. correcting block 26 (Decorations, Medals, Badges, Commendations, Citations and Campaigns Ribbons Awarded or Authorized) of his DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge), ending 14 September 1964 to add the Army Good Conduct Medal.

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 awarding him the Overseas Service Ribbon.

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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: amend the applicant's DD Form 214, ending 14 September 1964, by adding the National Defense Service Ribbon.

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 (AR) 600-8-22 (Military Awards) states:

a. 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. Numerals are used to denote the second and subsequent awards of the Overseas Service Ribbon.

b. The National Defense Service Medal is awarded for honorable active service for any period between 27 July 1950 and 27 July 1954, 1 January 1961 and 14 August 1974, 2 August 1990 and 30 November 1995, and 11 September 2001 and a date to be determined. Second and subsequent awards of the National Defense Service Medal are denoted by a bronze service star affixed to the National Defense Service Medal.

3. Army Regulation 672-5-1 (Awards), in effect at the time, 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 first award only, 1 year served entirely during the period 7 December 1941 to 2 March 1946; and, for the first award only, upon termination of service on or after 27 June 1950 of less than 3 years but more than 1 year. The enlisted person must have had all "excellent" conduct and efficiency ratings. Ratings of "Unknown" for portions of the period under consideration were not disqualifying. Service school efficiency ratings based upon academic proficiency of at least "Good" rendered subsequent to 22 November 1955 were not disqualifying. There must have been no convictions by a court-martial. However, there was no right or entitlement to the medal until the immediate commander made a positive recommendation for its award and until the awarding authority announced the award in general orders.

//NOTHING FOLLOWS//