

IN THE CASE OF: [REDACTED]

BOARD DATE: 15 August 2024

DOCKET NUMBER: AR20230014679

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

- Army Achievement Medal (5th Award)
- Overseas Service Ribbon
- German Schutzenschnur - Silver

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

- DD Form 149 (Application for Correction of Military Record)
- DD Form 214
- DA Form 5121-R (Overseas Tour Election Statement), 27 September 1993
- German Schutzenschnur - Silver, Certificate, 28 April 1994
- Page 1, DA Form 638 (Recommendation for Award), 8 August 1996
- DA Form 2-1 (Personnel Qualification Record – Part II)

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, in effect, he is missing his Overseas Service Ribbon, one of his Army Achievement Medals, and a foreign award from his DD Form 214.
3. The Board will not consider the applicant's request for the Overseas Service Ribbon; this portion of his request will be addressed through an administrative records correction without action by the Board.
4. The applicant completed 3 months and 29 days total previous active service prior to his enlistment in the Regular Army on 1 September 1993. He held military occupational specialty 51B (Carpentry and Masonry Specialist).

5. The applicant provides:

a. DA Form 2-1, Part II, Section 5 (Oversea Service), which shows he completed a 24-month overseas tour of Germany from 12 September 1993 to 11 September 1995.

b. Section 9 (Awards, Decorations & Campaigns) lists the Overseas Service Ribbon.

c. The front page of a DA Form 638 dated 8 August 1996 shows he was presumably recommended for award of the Army Achievement Medal at the expiration of his term of service for the period 3 January 1992 to 1 November 1996. Block 8 (Previous Awards) indicates four previous Army Achievement Medals.

d. A German Schutzenschnur - Silver, Certificate, in the applicant's name, dated 28 April 1994.

6. On 31 October 1996, he was honorably released from active duty upon the completion of his required active service. The DD Form 214 he was issued shows he was awarded or authorized the:

- Army Commendation Medal
- Joint Service Achievement Medal
- Army Achievement Medal (4th Award)
- Army Lapel Button
- Army Good Conduct Medal
- National Defense Service Medal
- Army Service Ribbon
- United Nations Medal
- Driver and Mechanic Badge with Driver-W Bar
- German Military Sportsman Performance Badge - Gold

7. Army Regulation 635-8 (Separation Processing and Documents) establishes the standardized policy for preparing and distributing the DD Form 214. The purpose of the separation document is to provide the individual with documentary evidence of their military service.

BOARD DISCUSSION:

After reviewing the application and all supporting documents, the Board determined partial relief was warranted. The applicant's contentions, the military record, and regulatory guidance were carefully considered. Based upon the available documentation, the Board made the following findings and recommendations related to the requested relief:

- Add Army Achievement Medal (5th Award): DENY, based upon the current entry on the applicant's DA Form 2-1 showing he earned four AAMs and the current entry on the DD Form 214 showing he earned five AAMs, the Board concluded without orders showing specifically he was submitted for an AAM with 5 OLC, the Board determined there was insufficient evidence to grant relief.
- Add Overseas Service Ribbon: GRANT, based upon the evidence in the record showing had qualifying service in Germany to be awarded this requested award. NOTE: Will be corrected by administrative notes.
- Add German Schutzenschnur – Silver: DENY, based upon the regulatory guidance stating that foreign awards are not to be annotated on DD Form 214s.

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 determined the evidence presented is sufficient to warrant a recommendation for partial relief. As noted below in the administrative notes, the Board recommends adding the Overseas Service Ribbon as noted.
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 all other requested relief.

2/5/2025

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): add the Overseas Service Ribbon to block 13 (Decorations, Medals, Badges, Citations, and Campaign Ribbons Awarded or Authorized) of his DD Form 214 for the period ending 31 October 1996.

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) prescribes Army policy, criteria, and administrative instructions concerning individual and unit military awards and states:
  - a. The Overseas Service Ribbon is awarded for successful completion of overseas tours. Numerals are used to denote the second and subsequent awards of the Overseas Service Ribbon.
  - b. The Army Achievement Medal is awarded to members of the Armed Forces of the United States, who while serving in a noncombat area on or after 1 August 1981, distinguished themselves by meritorious service or achievement. As with all personal

decorations, formal recommendations, approval through the chain of command, and announcement in orders are required.

3. Army Regulation 635-8 (Separation Processing and Documents) establishes the standardized policy for preparing and distributing the DD Form 214. The purpose of the separation document is to provide the individual with documentary evidence of their military service. Paragraph 5-6m., instructs when completing block 13 of the DD Form 214 to list all federally recognized awards and decorations for all periods of service. Do not use abbreviations and do not enter foreign or State level awards on the DD Form 214.

4. Army Regulation 15-185 (ABCMR) prescribes the policies and procedures for correction of military records by the Secretary of the Army, acting through the ABCMR. The ABCMR considers individual applications that are properly brought before it. The ABCMR will decide cases on the evidence of record. It is not an investigative body. 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//