

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 24 September 2024

DOCKET NUMBER: AR20230015198

APPLICANT REQUESTS:

1. Correction of DD Form 214 (Armed Forces of the U.S. Report of Transfer or Discharge) for the period ending on 12 June 1970 to reflect the following:
 - Meritorious Service Medal
 - Basic Training Battalion Award
2. Verification of an eye injury.

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

- DD Form 149 (Application for Correction of Military Record)
- SF 180 (Request Pertaining to Military Records)

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 pertinent part that his DD Form 214 is incorrect because it does not accurately reflect all of his authorized awards to include the Meritorious Service Medal. He also requests verification of an eye injury sustained while serving in Frankfurt, Germany. He notes that this correction will assist with obtaining his benefits as a veteran.
3. The applicant requests verification of an eye injury which occurred while stationed in Frankfurt Germany. The ABCMR corrects records and is not a records repository. The applicant can obtain his medical records from the National Personnel Records Center for submission to the Veterans Affairs. Therefore, this issue will not be considered by the Board. The Board will consider his request for the Meritorious Service Medal and the Basic Training Battalion Award.

4. A review of the applicant's available service records reflects the following:

a. On 13 June 1966, the applicant enlisted in the Regular Army. He completed basic combat training at Fort Leonard Wood, MO and advanced individual training at Fort Devens, MA. He was awarded military occupational specialty 33D (Intercept Recording Systems Repairman).

b. DA Form 20 (Enlisted Qualification Record) shows in item 31 (Foreign Service) the applicant served Korea from May 1967 to June 1968 and was credited with normal tour completion. He also served in Germany from June 1968 to June 1970.

c. On 12 June 1970, the applicant was honorably released from active duty, after completing 4 years of active service. His DD Form 21 shows in item 24 (Decorations, Medals, Badges, Commendations, Citations and Campaign Ribbons Awarded or Authorized):

- National Defense Service Medal
- Army Good Conduct Medal
- Armed Forces Expeditionary Medal
- Sharpshooter Marksmanship Badge

d. On 9 July 1970, the U.S. Army Security Agency issued General Orders Number 54 retroactively awarding the Army Commendation Medal to the applicant for meritorious achievement while serving in the European theater from 10 August 1968 – 12 June 1970.

5. The applicant provides SF 180 reflective of his submitted request for release of his service records for the period of June 1966 - June 1970.

6. Review of the Awards and Decorations Computer-Assisted Retrieval System (ADCARS), an index of general orders issued during the Vietnam era between 1965 and 1973 maintained by the Awards and Decorations Branch of the U.S. Army Human Resources Command, failed to reveal any orders for the Meritorious Service Medal.

7. Army Regulation (AR) 600-8-22 (Military Awards) provides Department of the Army (DA) policy, criteria, and administrative instructions concerning individual and unit military awards. Army Regulation 672-5-1 (Awards) then in effect, provides policy, criteria and administrative instructions concerning individual military awards. Neither of the governing regulations reflect evidence of a Basic Training Battalion Award in the U.S. Army inventory.

8. Title 38, United States Code (U.S.C.), permits the Department of Veterans Affairs (DVA) to award compensation for disabilities which were incurred in or aggravated by

active military service. The DVA can evaluate a veteran throughout his or her lifetime, adjusting the percentage of disability based upon that agency's examinations and findings. The DVA provides benefits for separated personnel, their dependents and survivors. The DVA sets forth the eligibility requirements for these benefits in accordance with Title 38 U.S.C and their rules and regulations. The ABCMR does not have jurisdiction over these requirements.

BOARD DISCUSSION:

After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that relief was not warranted. The applicant's contentions, the military record, and regulatory guidance were carefully considered.

a. Meritorious Service Medal: Deny. The Board did not find orders or evidence the applicant was recommended for or awarded the Meritorious Service Medal. As with all personal decorations, award of the Meritorious Service Medal requires a formal recommendation, approval through the chain of command, and announcement in order.

b. Basic Training Battalion Award: Deny. The Board did not find, and the applicant does not provide evidence of an award he earned during basic combat training. Additionally, there is no such award as Basic Training Battalion Award in Army Regulation 600-8-22 which governs military awards.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

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

BOARD DETERMINATION/RECOMMENDATION:

Except for the correction addressed in Administrative Note(s) below, the evidence presented does not demonstrate the existence of a probable error or injustice. Therefore, the Board determined the overall merits of this case are insufficient as a basis for correction of the records of the individual concerned.

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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):

1. Reference the enclosed request for correction of military records, correct the applicant's DD Form 214, for the period ending 12 June 1970 by adding the following:

- Army Commendation Medal
- Korea Defense Service Medal
- Basic Marksmanship Badge (w/ Bayonet bar)
- Sharpshooter Marksmanship Qualification Badge with Rifle Bar (M-14)

2. The following documents are sufficient to justify correction of the DD Form 214 without action by the Board.

- Orders Number 6-20-3 issued by Headquarters, 7th Infantry Division, dated 20 June 1968
- General Orders Number 54 issued by the U.S. Army Security Agency, dated 9 July 1970
- DD Form 214
- DA Form 20 (Enlisted Qualification Record)
- Army Regulation 600-8-22 (Military Awards)

3. Correct the applicant's DD Form 214 to add the awards shown in paragraph 1 above. Provide the applicant with a copy of the corrections and the medals and citations, as applicable. Please record the corrections in the applicant's official military personnel record.

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):

a. The Meritorious Service Medal was established by EO 11448, 16 January 1969 as amended by EO 12312, 2 July 1981, as amended by EO 13286, 28 March 2003. It is awarded to any Servicemember of the Armed Forces of the United States or to any member of the armed forces of a friendly foreign nation who has distinguished himself or herself by outstanding meritorious achievement or service. After 16 January 1969 but prior to 11 September 2001, the Meritorious Service Medal is authorized to be awarded only for meritorious service or achievement while serving in a noncombat area.

b. There is no provision in this regulation for the Basic Training Battalion Award.

3. 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 the DA Form 20 (Enlisted Qualification Record) and orders. Item 24

(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 item 41 (Awards and Decorations) DA Form 20. The DD Form 214 contains spaces for items deemed appropriate. No additional entries will be made unless specifically authorized by Headquarters, Department of the Army.

//NOTHING FOLLOWS//