

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 20 September 2024

DOCKET NUMBER: AR20240000997

APPLICANT REQUESTS: correction of DD Form 214 (Report of Separation from Active Duty) to reflect he was awarded/authorized the following:

- Army Good Conduct Medal
- Overseas Service Ribbon
- Army Service Ribbon

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

- DD Form 149 (Application for Correction of Military Record)
- DD Form 214, 21 May 1974

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 as it does not accurately reflect all of his authorized awards or decorations. He contests that during his military service from May 1971 – May 1974, he served overseas in Germany from 1971 until he was discharged, had no disciplinary issues and maintained exemplary efficiency ratings.

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

a. On 28 May 1971, the applicant enlisted in the U.S. Army for 3 years with duty as an 11E (Armor Crewman) and 71B (Clerk).

b. On or about 24 December 1971, the applicant was reassigned to Headquarters and Headquarters Company, 3rd Battalion, 64th Armored Regiment, 3rd Infantry Division with subsequent reassignment to B Company, 3rd Battalion, 64th Armored Regiment, 3rd Infantry Division in Germany.

c. On 7 May 1972, the applicant was advanced to the rank/grade of specialist four class (SP4/E-4).

d. On 21 May 1974, the applicant was honorably released from active duty and transferred to the U.S. Army Reserve Control Group (Reinforcement). DD Form 214 shows he completed 2 years, 11 months, and 24 days of net active service, and item 18f (Foreign and or Sea Service this Period) reflects 2 years, 4 months, and 28 days. Item 26 (Decorations, Medals, Badges, Commendations, Citations and Campaign Ribbons Awarded or Authorized) reflects the National Defense Service Medal

4. There is no evidence that the applicant received the first award of the Army Good Conduct Medal. There is also no evidence that the applicant was disqualified by his chain of command from receiving the Army Good Conduct Medal. Records do not reflect any disciplinary actions or lost time. Further, his records do not contain any adverse information. DA Form 20 (Enlisted Qualification Record), item 38 (Record of Assignments) shows he had all "excellent" for conduct and efficiency with the exception of an "unknown" when he completed a permanent change of station to Germany.

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 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, including his service from 28 May 1971 to 21 May 1974, a period of 2 years, 11 months, and 24 days. Based on this, the Board granted relief to correct the applicant's record to reflect award of the Army Good Conduct Medal (First Award).

2. Upon review of the applicant's petition and available military records, the Board determined there was insufficient evidence to grant award of the Overseas Service Ribbon and Army Service Ribbon. The Board determined the applicant did not meet the criteria necessary for the awards requested.

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 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, for the period ending 21 May 1974 by:

- awarding him the Army Good Conduct Medal (First Award) for the qualifying period 28 May 1971 to 21 May 1974
- adding the Army Good Conduct Medal (First Award) to his DD Form 214

2. The Board further determined that 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 award of the Overseas Service Ribbon and Army 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.

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. Army Regulation 600-8-22 (Military Awards) provides the following:

a. Paragraph 5-4 (Overseas Service Ribbon) was established by the Secretary of the Army (SECARMY) on 10 April 1981. The regulation stated, in pertinent part, that effective 1 August 1981, all members of the Active Army, Army National Guard, and Army Reserve in an active Reserve status were 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 and the overseas service was not recognized with another U.S. service medal. Numerals are used to denote the second and subsequent awards of the Overseas Service Ribbon.

b. Paragraph 5-5 (Army Service Ribbon) was established by the SECARMY on 10 April 1981 as announced in Department of the Army General Orders 1990–15. It is awarded to Servicemembers of the U.S. Army for successful completion of initial entry training. Effective 1 August 1981, all members of the Active Army, ARNG, and USAR in an active Reserve status are eligible for this award. The ribbon may be awarded retroactively to those personnel who completed the required training before 1 August 1981, provided they had an Active Army status as defined above on or after 1 August 1981.

c. Chapter 4 (Army Good Conduct Medal) was established by EO 8809, 28 June 1941 and was amended by EO 9323, 1943 and by EO 10444, 10 April 1953. is awarded to individuals who distinguish themselves by their conduct, efficiency, and fidelity during a qualifying period of active-duty enlisted service. 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. While any record of nonjudicial punishment could be in conflict with recognizing the Soldier's service as exemplary, such record should not be viewed as automatically disqualifying. Although there is no automatic entitlement to the Army Good Conduct Medal, disqualification must be justified.

//NOTHING FOLLOWS//