

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 14 May 2024

DOCKET NUMBER: AR20230010875

APPLICANT REQUESTS: correction of his DD Form 214 (Certificate of Release or Discharge from Active Duty) to reflect he was awarded the Army Good Conduct Medal.

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

- DD Form 149 (Application for Correction of Military Record)
- DD Form 214 for service ending 30 September 1983

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, he served his required 3-years on active duty without any disciplinary actions.

3. The applicant's service record shows:

a. On 2 October 1980, the applicant enlisted in the Regular Army for a period of 3-years. His DA Form 2-1 (Personnel Qualification Record) shows he:

- advanced to private /E-2 on 2 April 1981
- advanced to private first class/E-3 on 1 August 1981
- advanced to specialist four/E-4 on 1 March 1982
- did not have any reported lost time
- served in Germany during the period of 7 September 1982 through 19 September 1983

b. On 2 October 1980, Orders Number 203-15, issued by Armed Forces Examining and Entrance Station, Milwaukee, the applicant was ordered to active duty, effective 3 October 1980.

c. On 29 June 1982, Permanent Orders Number 180-4, issued by Headquarters (HQs), 3rd Armored Cavalry Regiment, awarded the applicant the Army Achievement Medal for meritorious service during the period of 27 March 1981 through 20 July 1982.

d. On 9 July 1982, Orders Number 132-78, issued by HQs, U.S. Army Air Defense Center and Fort Bliss, assigned the applicant to the 21st Adjutant General Replacement Battalion, Germany, to proceed on 2 August 1982.

e. On 30 September 1983, Orders Number 273-211, issued by HQs, U.S. Army Training Center and Fort Dix, released the applicant from active duty, effective 30 September 1983 and assigned to a USAR Troop Program Unit (TPU).

f. On 30 September 1983, the applicant was honorably released from active duty and assigned to a USAR TPU. DD Form 214 shows the applicant completed 2-years, 11-months, and 29-days of active service. His DD Form 214 shows he was awarded or authorized: Marksman Badge with Rifle bar (M-16), Army Service Ribbon, and Army Achievement Medal.

g. On 10 May 1984, Orders Number 93-5 issued by HQs, 84th Division (Training), assigned the applicant to the USAR Control Group (Reinforcement), effective 10 May 1984.

h. On 26 June 1986, the applicant enlisted in the U.S. Air Force Reserve.

i. On 29 July 1986, Orders Number D-07-908549, issued by the USAR Personnel Center, the applicant was honorably discharged from the USAR, effective 25 June 1986.

j. The applicant's records are void of any derogatory information, non-judicial punishment, or any other unfavorable information that would preclude him from award of the Army Good Conduct Medal.

BOARD DISCUSSION:

After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that relief was warranted. The applicant's contentions, the military record, and regulatory guidance were carefully considered. The applicant served on active duty from 2 October 1980 to 30 September 1983, completing 2 years, 11 months, and 29 days of active service. His record does not reflect any lost time or any derogatory information that would have disqualified him from receiving his first award of the Army Good Conduct Medal, or a commander's disqualifying memorandum for this award. The Board determined he met the criteria to be awarded the Army Good Conduct Medal (1st Award).

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

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

BOARD DETERMINATION/RECOMMENDATION:

The Board determined the evidence presented is sufficient to warrant a recommendation for relief. As a result, the Board recommends that all Department of the Army records of the individual concerned be corrected by:

- awarding the applicant the Army Conduct Medal for the period 2 October 1980 through 30 September 1983
- adding the Army Good Conduct Medal (1st Award) to his DD Form 214

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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 (AR) 600-8-22 (Military Awards) prescribes Department of the Army (DA) policy, criteria, and procedures for individual and unit military awards and foreign decorations and badges.

a. Chapter 4 (Army Good Conduct Medal) states It 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. There is no right or entitlement to the medal until the immediate commander has approved the award and the award has been announced in permanent orders. Regular component enlisted Soldiers are eligible for the Army Good Conduct Medal.

b. Paragraph 4-5 (Qualifying periods of service for the Army Good Conduct Medal), any one of the following periods of continuous enlisted active Federal military service qualifies for award of the Army Good Conduct Medal or an Army Good Conduct Medal Clasp:

- 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 27 June 1950, of less than 3-years but more than 1-year, subsequent awards must be for a completion of 3-years of continuous enlisted active Federal military service
- for first award only, upon termination of service, on or after 27 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

c. Paragraph 4-6 (Qualifying eligibility criteria for the Army Good Conduct Medal), throughout a qualifying period, each enlisted Soldier must meet all the following criteria for an award:

- immediate commander evaluates the Soldier's character as above reproach
- record of service indicates that the Soldier has:
 - willingly complied with the demands of the military environment
 - been loyal and obedient to their superiors
 - faithfully supported the goals of their organization and the Army
 - conducted themselves in an exemplary manner as to distinguish them from fellow Soldiers
- while any record of non-judicial punishment or unfavorable action could be in conflict with recognizing the Soldier's service as exemplary, such record should not be viewed as automatically disqualifying; commander will analyze the record, considering the nature of the infraction and the circumstances under which it occurred and when
- suspension of favorable personnel action does not automatically terminate the eligibility period, the reason for suspension must be considered by the unit commander
- Soldier's efficiency must be evaluated and must meet all requirements and expectations for that Soldier's grade, MOS, and experience

//NOTHING FOLLOWS//