

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 28 May 2024

DOCKET NUMBER: AR20230011270

APPLICANT REQUESTS: to be awarded the Army Good Conduct Medal.

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

- DD Form 149 (Application for Correction of Military Record)
- Certificate of Achievement, 19 January 1973
- Certificate of Achievement, 3 October 1975
- Certificate of Achievement, First Indorsement
- Certificate of Achievement, Second Indorsement, 14 October 1975
- Letter of Appreciation, 8 July 1975
- DA Form 87 (Certificate of Training), 9 September 1975

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 requests he be awarded an Army Good Conduct Medal. He has provided certificates of achievements and certificates of training that reflect his honorable service.

3. A review of the applicant's service records shows:

a. He enlisted in the Regular Army on 12 October 1972.

b. His DA Form 2-1 (Personnel Qualification Record) shows in:

- Item 5 (Oversea Service) – Korea from 27 June 1974 to 26 July 1975
- Item 9 (Awards, Decorations & Campaigns) – National Defense Service Medal

- Item 18 (Appointments and Reductions) – promoted to SP4 on 1 March 1974 and no reductions in grade

c. He was honorably released from active duty on 11 December 1975. His DD Form 214 shows he completed 3 years and 2 months of active service.

6. His service record does not contain orders awarding him the Army Good Conduct Medal. It also does not contain derogatory information that would have disqualified him from receiving this award.

7. By regulation (AR 672-5-1), the Army Good Conduct Medal was awarded for each 3 years of continuous enlisted active Federal military service, 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. There must have been no convictions by a court-martial.

BOARD DISCUSSION:

1. After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that relief was warranted. The Board carefully considered the applicant's record of service, documents submitted in support of the petition and executed a comprehensive and standard review based on law, policy and regulation. Upon review of the applicant's petition and available military records, the Board determined there is sufficient evidence showing the applicant is eligible for award of the Army Good Conduct Medal (1st Award). The applicant's record shows he received "excellent" conduct and efficiency ratings throughout his service for the period of 12 October 1972 to 11 December 1975. Based on this the Board determined relief was warranted and granted relief for correction of the applicant's record to award of the Army Good Conduct Medal.

2. Prior to closing the case, the Board did note the analyst of record administrative notes below, and recommended the correction be completed to more accurately depict the military service of the applicant.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

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

BOARD DETERMINATION/RECOMMENDATION:

In addition to the administrative notes annotated by the Analyst of Record (below the signature), the Board determined the evidence presented is sufficient to warrant a recommendation for relief. As a result, the Board recommends that all Department of Army records of the individual concerned be corrected by awarding him the Army Good Conduct Medal (1st Award) for exemplary service from 12 October 1972 to 11 December 1975 and adding the medal to his DD Form 214 for the period ending 11 December 1975.

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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):

A review of the applicant's records shows he is authorized an additional award not listed on his DD Form 214. As a result, amend his DD Form 214 by adding the Korea Defense Service Medal.

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), in effect at the time, stated the Korea Defense Service Medal is retroactive to the end of the Korean War and is granted to any service performed after July 28, 1954. The National Personnel Records Center is responsible for verifying entitlement of the KDSM to discharged members of the military who served in South Korea prior to the creation of the KDSM.
3. AR 672-5-1 (Military 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 after 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//