

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 13 February 2025

DOCKET NUMBER: AR20230011706

APPLICANT REQUESTS: in effect, correction of his DD Form 214 (Certificate of Release or Discharge from Active Duty) for the period ending 18 March 1988 to show 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

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, he received an Army Good Conduct Medal when he was discharged in 1988, but the award is not listed on his DD Form 214.
3. The applicant's service record shows:
 - a. DA Form 2-1 (Personnel Qualification Record – Part II), shows he enlisted in the Regular Army on 21 May 1985 for a period of 3 years.
 - b. His Official Military Personnel File does not show or contain orders awarding him the Army Good Conduct Medal and is void of any derogatory or adverse information or a disqualification statement from his commander that would have precluded award of the Army Good Conduct Medal.
 - c. He was honorably released from active duty and transferred to the Army National Guard by reason of reduction in authorized strength on 18 May 1988. He completed 2 years, 9 months, and 28 days of net active service during this period. His DD Form 214 does not show award of the Army Good Conduct Medal. Section 9 (Decorations, Medals, Badges, Citations and Campaign Ribbons Awarded or

Authorized), shows he was awarded the Sharpshooter Marksmanship Qualification Badge with Carbine Bar

BOARD DISCUSSION:

1. After reviewing the application, all supporting documents, the evidence found within the military record, and the applicable policy, the Board found that relief was warranted.

2. The Board carefully considered the applicant's contentions, his record and length of service, the reason for his separation and the Honorable character of service he received upon discharge. The Board found no evidence of any derogatory or adverse information or a disqualification statement from his commander that would have precluded award of the Army Good Conduct Medal. Due to the reason for his separation, the Board found that he met the criteria for award of the AGCM. Based on a preponderance of evidence, the Board determined that the applicant should be awarded the ACGM and that it should be added to his DD Form 214.

BOARD VOTE:

| <u>Mbr 1</u> | <u>Mbr 2</u> | <u>Mbr 3</u> | |
|--------------|--------------|--------------|----------------------|
| XX: | XX: | XX: | 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 18 May 1988 by:

- awarding him the Army Good Conduct Medal (First Award) for the qualifying period 21 May 1985 to 18 May 1988
- adding the Army Good Conduct Medal (First Award) to his DD Form 214


X //SIGNED//

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.

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 Department of the Army policy, criteria, and administrative instructions concerning individual and unit military awards. The Army Good Conduct Medal is awarded on a selective basis to Active Component and Active Guard Reserve enlisted Soldiers who distinguish themselves from among 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.

a. The periods of qualifying service are:

- each 3 years completed on or after 27 August 1940

- for the first award only, 1 year served entirely during the period 7 December 1941 to 2 March 1946
- 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
- for the 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 the line of duty
- for the 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

b. Throughout a qualifying period of service, the enlisted Soldier's character must have been above reproach and must meet all of the following criteria for award of the Army Good Conduct Medal as indicated in the Soldier's record:

- willingly complied with the demands of the military environment
- been loyal and obedient to his or her superiors
- faithfully supported the goals of his or her organization and the Army
- conducted himself or herself in an exemplary manner as to distinguish him or her from fellow Soldiers

c. 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. The commander will analyze the record, giving consideration to the nature of the infraction, the circumstances under which it occurred and when. Conviction by court-martial terminates a period of qualifying service; a new period begins following the completion of sentence imposed by court-martial.

d. In terms of job performance, the Soldier's efficiency must be evaluated and must meet all requirements and expectations for that Soldier's grade, military occupational specialty, and experience.

e. Individuals whose retention is not warranted under standards prescribed in Army Regulation 380-67 (Personal Security Program), or for whom a bar to reenlistment has been approved under the provisions of Army Regulation 601-280 (Army Retention Program), are not eligible for award of the Army Good Conduct Medal.

//NOTHING FOLLOWS//