

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

+ IN THE CASE OF: [REDACTED]

BOARD DATE: 15 October 2024

DOCKET NUMBER: AR20240001660

APPLICANT REQUESTS: correction of his DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge), for the period ending on 19 May 1959, to show award of 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 the period ending on 19 May 1959

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 never received his Army Good Conduct Medal that he is due, for his 16 months of service in Germany.

3. A review of the applicant's service record confirms an administrative entry was omitted from his DD Form 214. The entry will be added to his DD Form 214 as an administrative correction and will not be considered by the Board. The Board will consider his request for the award of the Army Good Conduct Medal.

4. A review of the applicant's official record shows the following:

a. He was inducted into the Army of the United States on 29 July 1957.

b. On DA Form 24 (Service Record) the below conduct and efficiency ratings were received during his service:

- 9 August 1957 – 24 October 1957, Excellent Conduct/Excellent Efficiency
- 25 October 1957 – 20 December 1957, Excellent Conduct/Good Efficiency
- 20 January 1958 – 9 June 1958, Excellent Conduct

- 10 June 1958 – 10 April 1959, Excellent Conduct/Excellent Efficiency

c. DD Form 214 for the period ending 19 May 1959, shows he was honorably released from active duty and transferred to the U.S. Army Reserve II Army Corps (Reserve), and he completed 1 year, 9 months, and 21 days of total active service this period. He was assigned separation code 411 and the narrative reason for separation was listed as "Early Separation of Overseas Returnee."

d. The available service record is void of any documentation awarding the applicant the Army Good Conduct Medal.

#### 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 applicant's contentions, the military record, and regulatory guidance were carefully considered. The Board noted the applicant served on active duty from 29 July 1957 to 19 May 1959. Completing 1 year, 9 months, and 21 days of active service. He received excellent conduct and efficiency ratings. 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).

2. Prior to closing the case, the Board did note the analyst of record administrative notes below, and recommended the correction is 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 correction addressed in Administrative Note(s) below, 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 Good Conduct Medal (1st Award) for service during the period 29 July 1957 through 19 May 1959
- adding award of the Army Good Conduct (1st Award) to his DD Form 214

█

█ █

█  
█

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. A review of the applicant's service record shows his DD Form 214 omitted an administrative entry in item 26 (Decorations, Medals, Badges, Commendations, Citations and Campaign Ribbons Awarded or Authorized). As a result, amend the DD Form 214 by adding in item 26:

- Two overseas service bars

- Marksman Marksmanship Qualification Badge with Rifle Bar (Carbine)
- Sharpshooter Marksmanship Qualification Badge with Automatic Rifle Bar (Browning Automatic Rifle)

2. A review of the records listed below (enclosed) is sufficient to substantiate correction of the DD Form 214 without action by the Board.

- DA Form 24
- Army Regulation 600-8-22 (Military Awards)
- DD Form 214

3. Please correct the applicant's DD Form 214 by adding the awards/decorations shown in paragraph 1 above. Provide the applicant a copy of the correction, and as applicable the medals. Please ensure that the correction is recorded 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. Army Regulation (AR) 600-8-22 (Military Awards) states:

a. The Army Good Conduct Medal is awarded to individuals who distinguish themselves by their conduct, efficiency, and fidelity. Although there is no automatic entitlement to the Army Good Conduct Medal, disqualification must be justified. Any one of the following periods of continuous enlisted active Federal military service qualifies for award:

- 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
- 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 service if the death occurred in the line of duty

b. The requirements for award of basic marksmanship qualification badges. The qualification badge is awarded to indicate the degree – Expert, Sharpshooter, and Marksman -- in which an individual has qualified in a prescribed record course. An appropriate bar is furnished to denote each weapon with which the individual has qualified. (Examples: Expert Marksmanship Qualification Badge with Rifle Bar or Sharpshooter Marksmanship Qualification Badge with Pistol Bar or Marksman Marksmanship Qualification Badge with Automatic Rifle Bar). The award of marksmanship badges is not permanent. An award for previous marksmanship weapons qualification is revoked automatically whenever an individual, upon completion of firing a record course for which the previous award was made, has not attained the same qualification. In the event a badge is authorized for firing a limited or sub-caliber course, it is automatically revoked if a record service course is subsequently fired.

3. AR 635-5 (Separation Documents) in effect at the time states to list awards and decorations for all periods of service in the priority sequence specified in AR 600-8-22. AR 600-8-22 gives the order of precedence for awards and decorations. Only decorations, medals, and ribbons are listed. Certificates of achievement, letters of appreciation, and similar documents are not listed.

//NOTHING FOLLOWS//