

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 13 September 2024

DOCKET NUMBER: AR20240002941

APPLICANT REQUESTS: 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), 18 December 2023.

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 completed his term of service with no disciplinary actions and no negative time served. He was told at Fort Riley his Army Good Conduct Medal would be mailed to his residence. A service member should receive this medal if they complete their tour without any disciplinary actions.
3. A review of the applicant's service records show:
 - a. On 22 November 1983, he enlisted in the Regular Army for a period of 3 years.
 - b. He completed basic combat training, he completed advanced individual training, and he was awarded military occupational specialty C13 (Tactical Automated Fire Control System (TAFCS) TACFIRE Operations Specialist).
 - c. His DA Form 2-1 (Personnel Qualification Record – Part II) shows in:
 - (1) Item 18 (Appointments and Reductions) – he received no reductions, and he was promoted to:
 - private 2 on 22 May 1984
 - private first class on 1 September 1984
 - specialist 4 on 1 June 1985

(2) Item 21 (Time Lost (Section 972, Title 10, USC) – no entries.

(3) Item 27 (Remarks) – no entries showing nonjudicial punishment or court-martial actions taken.

d. On 21 November 1986, he was honorably released from active duty and transferred to control of the U.S. Army Reserve Control Group (Reinforcement). His DD Form 214 (Certificate of Release or Discharge from Active Duty) shows in:

(1) item 4a (Grade, Rate, or Rank) and item 4b (Pay Grade) – specialist/E-4;

(2) item 12a (Date Entered Active Duty this Period) – 22 November 1983;

(3) item 12b (Separation Date this Period) – 21 November 1986;

(4) item 12c (Net Active Service this Period) – 3 years;

(5) item 13 (Decorations, Medals, Badges, Citations, and Campaign Ribbons Awarded or Authorized) –

- Army Service Ribbon
- Overseas Service Ribbon
- Sharpshooter Marksman Marksmanship Qualification Badge with Rifle Bar (M-16)
- Army Achievement Medal with one Oak Leaf Cluster

(6) item 29 (Dates of Time Lost During this Period) – none.

e. On 10 June 1987, he was issued a DD Form 215 (Correction to DD Form 214) showing he was awarded the Army Commendation Medal.

4. His records are void of any disciplinary actions or a commander's disqualification for award of the Army Good Conduct Medal (First Award) for the period 22 November 1983 to 21 November 1986.

5. His records are void of a recommendation or orders for award of the Army Good Conduct Medal (First Award) 22 November 1983 to 21 November 1986.

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 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 22 November 1983 to 21 November 1986, a period of 3 years with no lost time or derogatory information to conclude he met the criteria for award of the Army Good Conduct Medal. Based on this, the Board granted relief to correct the applicant's record to reflect award of the Army Good Conduct Medal (First Award).

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

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| ■ | ■ | ■ | GRANT FULL RELIEF |
| : | : | : | GRANT PARTIAL RELIEF |
| : | : | : | GRANT FORMAL HEARING |
| : | : | : | DENY APPLICATION |

BOARD DETERMINATION/RECOMMENDATION:

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 November 1986 by:

- awarding him the Army Good Conduct Medal (First Award) for the qualifying period 22 November 1983 to 21 November 1986
- adding the Army Good Conduct Medal (First 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, 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.

a. The Army Good Conduct Medal is awarded to on a selective basis to each Soldier who distinguishes himself or herself from among his or her 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.

(1) The periods of service of qualifying service are: (1) each 3 years completed on or after 27 August 1940; (2) for the first award only, 1 year served entirely during the period 7 December 1941 to 2 March 1946; (3) 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; (4) 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 line of duty; or (5) 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.

(2) 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, and conducted himself or herself in an exemplary manner as to distinguish him or her from fellow Soldiers.

3. Army Regulation 635-8 (Personnel Separations – Separation Processing and Documents), currently in effect, provides for the preparation and distribution of the DD Form 214 (Certificate of Release or Discharge from Active Duty).

a. Block 12a: Date Entered Active Duty This Period. Data sources are enlistment contract(s), initial order to active duty, active duty order, previously issued DD Forms 214, DA Form 1506 (Statement of Service – For Computation of Length of

Service for Pay Purposes), and a complete review of the Soldier's official record. Enter the beginning date of the continuous period of active duty for issuance of this DD Form 214, for which a DD Form 214 was not previously issued. Do not depend on basic active service date for this data item. The basic active service date can be an adjusted date.

b. Block 12b: Separation Date This Period. List the Soldier's transition date. This date may not be the contractual date if the Soldier was separated early, voluntarily extends, is extended to make up lost time, or is retained on active duty for the convenience of the Government.

c. In block 13 (Decorations, Medals, Badges, Citations, and Campaign Ribbons Awarded or Authorized). List all federally recognized awards and decorations for all periods of service. Do not use abbreviations.

//NOTHING FOLLOWS//