

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 15 November 2024

DOCKET NUMBER: AR20240003851

APPLICANT REQUESTS: correction of his DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge) 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 12 April 1972

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. A review of the applicant's service record shows:

a. He enlisted in the Regular Army on 4 September 1969.

b. His DA Form 20 (Enlisted Qualification Record) shows, in pertinent part:

(1) Item 31 (Foreign Service): 12 February 1970 to 25 December 1970; USARPAC – Vietnam (through three campaigns);

(2) Item 38 (Record of Assignments):

- 6 April 1970 – 14 November 1970; Security Guard; 981st Military Police
- 15 November 1970 – 24 December 1970; Senior Dog Handler; 66th Military Police Company
- He earned all excellent conduct and efficiency ratings throughout his assignments

(3) Item 41 (Awards and Decorations):

- National Defense Service Medal
- Vietnam Service Medal
- Vietnam Campaign Medal
- 2 Overseas Service Bars
- Expert Marksmanship Qualification Badge with Rifle Bar (M-16)

c. The applicant was honorably released from active duty and transferred to the U.S. Army Reserve on 12 April 1972. He completed 2 years, 7 months, and 9 days of active service. His DD Form 214 also shows he was awarded or authorized:

- National Defense Service Medal
- Vietnam Service Medal
- Vietnam Campaign Medal with Device 1960
- 2 overseas service bars
- Expert Marksmanship Qualification Badge with Rifle Bar (M-16)

5. The applicant's record does not contain orders for award of the Army Good Conduct Medal, nor does it contain evidence his commander disqualified him for award of the Army Good Conduct Medal. Additionally, it does not contain evidence of a court-martial conviction nor any other derogatory information that would disqualify 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 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 4 September 1969 to 12 April 1972, a period of 2 years, 7 months, and 9 days. Based on this, the Board granted relief to correct the applicant's record to reflect award of the Army Good Conduct Medal (First Award). Additionally, the Board reviewed and concurred with the analyst of record's administrative notes below.

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 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 12 April 1972 by:

- awarding him the Army Good Conduct Medal (First Award) for the qualifying period 4 September 1969 to 12 April 1972
- adding to his DD Form 214:
 - Army Good Conduct Medal (First Award)
 - Expert Marksmanship Qualification Badge with Grenade Bar
 - Republic of Vietnam Civil Actions Honor Medal, First Class
 - Republic of Vietnam Gallantry Cross with Palm Unit Citation
 - three bronze service stars to his previously awarded Vietnam Service Medal

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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):

The applicant's records contain sufficient evidence to support corrections not shown on his DD Form 214. As a result, amend the applicant's DD Form 214, for the period ending 12 April 1972 by adding the following awards in item 24 (Decorations, Medals, Badges, Commendations, Citations and Campaign Ribbons Awarded or Authorized):

- Expert Marksmanship Qualification Badge with Grenade Bar
- Republic of Vietnam Civil Actions Honor Medal, First Class
- Republic of Vietnam Gallantry Cross with Palm Unit Citation
- three bronze service stars to his previously awarded Vietnam 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 672-5-1 (Awards), in effect at the time, states 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 subsequent to 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//