

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 17 December 2024

DOCKET NUMBER: AR20240003948

APPLICANT REQUESTS:

- award of the Army Good Conduct Medal
- personal appearance before the Board via video/telephone

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

- DD Form 149 (Application for Correction of Military Record)
- DD Form 214 (Certificate of Release or Discharge from Active Duty)

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 the Army Good Conduct Medal is given to any enlisted U.S. Army personnel who carry out three consecutive years of honorable and faithful service. Such service insinuates that a standard enlistment was achieved without any non-judicial punishments, disciplinary infractions, or court martial offenses. It was not until his father passed away (World War II Combat Veteran) that he started considering that he should have received the Army Good Conduct Medal for his 3 years of continuous service without nonjudicial punishments, disciplinary infractions or court martial offenses.
3. A review of the applicant's service records show:
 - a. He enlisted in the Regular Army on 20 October 1975.
 - b. His DA Form 2-1 (Personnel Qualification Record) shows in:
 - (1) Item 31 (Foreign Service) – service in Germany from 7 May 1976 to 6 February 1979.

(2) Item 18 (Appointments and Reductions) – no noted reductions.

c. On 19 November 1979, he was honorably released from active duty. His DD Form 214 shows he completed 4 years, and 1 month of active service this period. Item 13 (Decorations, Medals, Badges, Commendations, Citations, and Campaign Ribbons Awarded or Authorized) shows “none”.

4. His records are void of any disciplinary actions or a commander's disqualification statement for award of the Army Good Conduct Medal for the period from 20 October 1975 through 19 October 1978.

5. By regulation, the Army Good Conduct Medal is awarded for exemplary behavior, efficiency, and fidelity in active Federal military service. It is awarded on a selective basis to each Soldier who distinguishes themselves from their fellow Soldiers by exemplary conduct, efficiency, and fidelity throughout a specified period of continuous enlisted active Federal military service.

- 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 17 June 1950, of less than 3 years but more than 1 year
- for first award only, upon termination of service, on or after 17 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 military service or if the death occurred in the line of duty

BOARD DISCUSSION:

1. The Board determined the evidence of record was sufficient to render a fair and equitable decision. As a result, a personal appearance hearing is not necessary to serve the interest of equity and justice in this case.

2. 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 that the applicant served continuously on active duty from 20 October 1975 through 19 November 1979. He was honorably released from active duty after completing 4 years, and 1 month of active service. 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. Therefore, the Board determined he met the criteria to be awarded the Army Good Conduct Medal (1st Award).

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 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 for service during the period 20 October 1975 through 19 October 1978
- Adding award of the Army Good Conduct (1st 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 635-5 (Separation Documents), prescribed the separation documents that would be furnished each individual who was separated from the Army including Active-Duty Training personnel and established standardized procedures for the preparation and distribution of these documents. All available records would be used as a basis for the preparation of the DD Form 214, including DA Form 20, DA Form 66, and orders. In item 24, enter from item 21, all decorations, service medals, campaign credits, and badges awarded or authorized, omitting authorities cited therein.

3. Army Regulation 672-5-1 (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 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//