

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 24 February 2025

DOCKET NUMBER: AR20240005309

APPLICANT REQUESTS: correction of her father's, the service member (SM), DD Form 214 (Report of Separation from the Armed Forces of the U.S.) to show award of the following:

- National Defense Service Medal
- Army Good Conduct Medal

APPLICANT'S SUPPORTING DOCUMENT(S) CONSIDERED BY THE BOARD:
DD Form 149 (Application for Correction of Military Record)

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 SM was eligible for the award of the National Defense Service Medal and the Army Good Conduct Medal. The SM was discharged prior to the authorization for the award of the National Defense Service Medal for his service during the Korean Conflict, 27 June 1950 to 27 July 1954. He also served honorably for almost two years and the requirements for award of the Army Good Conduct Medal was one year during periods of war per Executive Order 10444 dated 10 April 1953.
3. The SM's service records are not available for review. An exhaustive search was conducted to locate the service records, but they could not be found. The only documents available were the documents provided by the applicant. These documents are sufficient for the Board to conduct a fair and impartial review of this case. This case is being considered using reconstructed records, which primarily consist of a DD Form 214 which shows the following:
 - a. The SM was inducted into the Army of the U.S. on or about 1 March 1951.

b. The SM was honorably released from active duty on 11 February 1953. His DD Form 214 shows he completed 1 year, 11 months and 11 days with no time lost. It also shows he was awarded the Army Occupational Medal (Japan).

5. A review of the applicant's record confirms he is eligible for an award that are not recorded on 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.

6. 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. After reviewing the application and all supporting documents, the Board determined relief was warranted. The applicant's contentions, the military record, and regulatory guidance were carefully considered. Although the applicant's military record was not available, the Board found he was honorably discharged after serving in the Korean conflict. As a result, the Board concluded there was sufficient evidence to warranting awarding the Army Good Conduct Medal for the applicant's service

2. Additionally, prior to closing the case, the Board noted the administrative note below from the analyst of record and recommended that change also be completed to more accurately reflect the military service of the applicant.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

:XXX :XXX :XXX 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 a recommendation for relief. As a result, the Board recommends that all Department of Army records of the individual concerned be corrected by amending the applicant's DD Form 214 by awarding and adding the Army Good Conduct Medal.

2. Prior to closing the case, the Board noted the administrative note below from the analyst of record and recommended that change also be completed to more accurately reflect the military service of the applicant.

//SIGNED//

X

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.

ADMINISTRATIVE NOTE(S):

A review of the applicant's records show the SM was awarded or authorized the following award not reflected on his DD Form 214 for the service period ending 11 February 1953. As a result, amend the DD Form 214 to show award of the National Defense 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 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//