

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 23 January 2025

DOCKET NUMBER: AR20240007080

APPLICANT REQUESTS: in effect, correction of his DD Form 214 (Report of Separation from Active Duty) for the period ending 22 June 1978 to show:

- Army Commendation Medal (ARCOM)
- Army Good Conduct Medal (AGCM) (1st Award)
- National Defense Service Medal (NDSM)

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

- DD Form 149 (Application for Correction of Military Record)
- Helicopter Repair Course Diploma, 21 November 1975
- Letter of Appreciation from Brigadier General (BG) S_, 28 April 1978
- Letter of Appreciation from BG P_, 12 May 1978
- Letter of Appreciation from Major (MAJ) Q_, 19 May 1978
- DA Form 2496 (Disposition Form), 13 July 1978
- DA Form 638 (Recommendation for Award), 14 July 1978
- ARCOM Certificate, 30 August 1978
- Enlisted Evaluation Report (2)

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 never received medals and they are not visible on his DD Form 214.
3. The Board will not consider the applicant's request for award of the NDSM, as this will be addressed through an administrative correction.
4. The applicant provides:

a. A diploma, which shows he graduated from the OH-58 Helicopter Repair Course on 21 November 1975.

b. A letter of appreciation from BG S_, dated 28 April 1978, expressing his appreciation for the outstanding aviation support provided by the applicant and other members of the command during the Joint Readiness Exercise. BG P_ endorsed the complimentary remarks from BG S_ and MAJ Q_ forwarded the letter of appreciation to the applicant, extended his appreciation, and wished him continued success in all future tasks assigned to him.

c. A Disposition Form dated 13 July 1978, which shows the applicant's commander routed the recommendation for award of the ARCOM and stated it was submitted late due to delayed recommendations by the applicant's immediate supervisor.

d. DA Form 638 dated 14 July 1978, which shows the applicant was recommended for award of the ARCOM for exceptionally meritorious service in the performance of his duties while assigned to the 155th Aviation Company (Attack Helicopter), Fort Ord, CA from March 1977 to June 1978. This form also shows in block 12 (All Previous Awards to Individual): the AGCM (1st Award) and the NDSM.

e. An ARCOM certificate, dated 30 August 1978, which shows the applicant was awarded the ARCOM for meritorious service from 2 March 1977 to 30 June 1978 while serving as a crew chief in the 155th Aviation Company (Attack Helicopter), Fort Ord, CA.

f. Two enlisted evaluation reports.

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

a. He enlisted in the Regular Army on 23 June 1975.

b. His DA Form 2-1 (Personnel Qualification Record) contains the following information:

- Item 5 (Oversea Service): shows he served in Korea from 28 December 1975 to 26 January 1977
- Item 9 (Awards): Sharpshooter Marksmanship Qualification Badge (M-16 rifle) and the Aircraft Crewman Badge
- Item 18 (Appointments and Reductions): does not show any reductions.

c. He was honorably discharged from Active Duty on 22 June 1978. His DD Form 214 shows he completed 3 years of net active service this period, and he was awarded

or authorized the Sharpshooter Marksmanship Qualification Badge (rifle) and the Aircraft Crewman Badge.

6. The applicant's record does not contain evidence that his commander disqualified him for award of the AGCM (1st Award). His record does not contain evidence of a court-martial conviction nor any other derogatory information that would disqualify him from the first award of the AGCM.

7. The applicant's records indicate he was awarded or authorized additional awards that are not shown on his DD Form 214 and will be listed in the administrative notes.

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 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. The Board was convinced by a preponderance of the evidence, specifically the DA Form 638 and Army Commendation Medal Certificate provided meritorious service from 2 March 1977 to 30 June 1978 while serving as a crew chief in the 155th Aviation Company (Attack Helicopter), Fort Ord, CA.

2. The Board determined there was sufficient evidence, including his service from 23 June 1975 to 22 June 1978, a period of 3 years. Based on this, the Board granted relief to correct the applicant's record to reflect award of the Army Good Conduct Medal (First Award).

3. Prior to closing the discussion, the Board noted and concurred with the 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 a recommendation for relief. As a result, the Board recommends that all Department of Army records of the individual concerned be corrected by:

- awarding him the Army Good Conduct Medal (First Award) for the qualifying period 23 June 1975 to 22 June 1978
- adding the Army Good Conduct Medal (First Award) to his DD Form 214
- amending to his DD Form 214, for the period ending 22 June 1978 to show award of the Army Commendation Medal

[Redacted]

[Redacted]

[Redacted]

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): Administratively correct the applicant's DD Form 214 for the period ending 22 June 1978 without action by the Board by adding the National Defense Service Medal and the Korea Defense Service Medal to item 26.

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 Commendation Medal is awarded to any service member of the Armed Forces of the United States who, while serving in any capacity with the Army after 6 December 1941, distinguishes himself or herself by heroism, meritorious achievement, or meritorious service. Award may be made to a member of the armed forces of a friendly foreign nation who, after 1 June 1962, distinguishes himself or herself by an act of heroism, extraordinary achievement, or meritorious service, which has been of mutual benefit to a friendly nation and the United States. As with all personal decorations, formal recommendations, approval through the chain of command, and announcement in orders are required.

b. The Army Good Conduct Medal (AGCM) 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 AGCM 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.

c. The National Defense Service Medal is awarded for honorable active service for any period between 27 July 1950 and 27 July 1954, 1 January 1961 and 14 August 1974, 2 August 1990 and 30 November 1995, and 11 September 2001 and a date to be determined.

d. Korea Defense Service Medal is awarded to Servicemembers of the Armed Forces of the United States who have served on active duty in support of the defense of the Republic of Korea. The period of eligibility is 28 July 1954 to a date to be determined by the Secretary of Defense. Servicemembers must have been assigned, attached, or mobilized to units operating in the area of eligibility for 30 consecutive or for 60 nonconsecutive days.

//NOTHING FOLLOWS//