

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 14 April 2025

DOCKET NUMBER: AR20240009094

APPLICANT REQUESTS: correction of his DD Form 214 (Report of Separation from Active Duty) for the period ending 26 November 1976, to show award of the Army Good Conduct Medal and any additional awards, not previously listed.

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

- DD Form 149 (Application for Correction of Military Record)
- DA Form 2-1 Personnel Qualification Record – Part II, (Pages 1-2)
- Letter of Appreciation
- DA Form 2166-5 (Enlisted Evaluation Report)
- Certificate of Training
- Duty Appointment
- Unit Orders Number 2
- Unit Orders Number 56
- DD Form 214 period ending 26 November 1976
- Honorable Discharge Certificate

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 served honorably from 29 November 1973 to 28 November 1979 and believes he is eligible for the Army Good Conduct Medal. He received letters of appreciation, awards and had no reprimands or disciplinary actions during his service. He received his U.S. Army Reserves (USAR) record and found he had been awarded three ribbons. He served in the USAR from 27 April 1991 to 27 April 1997.
3. The applicant provides:

- Extract DA Form 2-1 shows military occupational specialty 12C (Combat Engineer) in addition to awards for National Defense Service Medal, Army Service Ribbon, and the Army Reserve Component Achievement Medal
- Letter of Appreciation, 7 January 1975 – complementary remarks for guard duty
- DA Form 2166-5 - evaluation as a Bridge Specialist, average
- Certificate of Training for Basic Leadership Class – 24-28 February 1975
- Appointment Letter, 5 March 1975 - appointed as team leaders of the survey radio monitoring team number two, effective 16 December 1974
- Unit Orders 2, 23 September 1975 – appointed as acting Sergeant/E-5
- Unit Orders 56, 25 October 1976 – appointed as acting Sergeant/E-5
- Honorably Discharge Certificate from the USAR effective 28 November 1979

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

a. The applicant's military records are not available to the Board for review. However, this case is being considered using documents provided by the applicant, which primarily consist of a DD Form 214 and above listed records.

b. His DD Form 214 shows he enlisted in the Regular Army on 29 November 1973.

c. On 26 November 1976, he was honorably released and transferred to the USAR. His DD Form 214 shows he completed 2 years, 11 months, and 28 days of active service with no lost time. Item 26 (Decorations, Medals, Badges, Commendations, Citations and Campaign Ribbons Awarded or Authorized) of his DD Form 214 shows the following:

- National Defense Service Medal
- Marksman Marksmanship Qualification Rifle Badge (M-16)

5. By regulation, 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, 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.

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 29 November 1973 to 26 November 1976, a period of 2 years, 11 months, and 28 days of active service with no lost time. 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:

<u>Mbr 1</u>	<u>Mbr 2</u>	<u>Mbr 3</u>	
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XX	XX	XX	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 26 November 1976 by:

- Awarding him the Army Good Conduct Medal (First Award) for the qualifying period 29 November 1973 to 26 November 1976
- Adding the Army Good Conduct Medal (First Award) to his DD Form 214


X //SIGNED//

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.

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, 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//