

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 8 May 2025

DOCKET NUMBER: AR20240009173

APPLICANT REQUESTS: correction of his DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge) to show the Army Good Conduct Medal.

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

- DD Form 149 (Application for Correction of Military Record)
- Self-Authored Statement
- DD Form 214, 27 Feb 71
- DD Form 20, (Enlisted Qualification Record)
- Executive Order 10444 Article

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 in the United States Army from 7 March 1969 to 27 February 1971, with 1 year, 5 months, and 20 days in Germany. He believes he is eligible for the Army Good Conduct Medal (AGCM, 1st Award) but did not receive the award. After providing his DD Form 214 to his daughter in June 2024 for her American Legion auxiliary membership, her boyfriend and his father, both Army veterans, highlighted that he might qualify based on his service and provided supporting documents. According to Army regulations, the AGCM is awarded for excellent conduct and efficiency ratings during service, with eligibility for the first award granted for more than one year of service after 27 June 1950, or specific periods during World War II. The applicant believes there may be an oversight in his military records and seeks correction.
3. A review of the applicant's service record shows:
 - a. He was inducted into the Army of the United States on 7 March 1969.

b. His DA Form 20 shows:

- Item 31 (Foreign Service) – Germany from 5 September 1969 to 26 February 1971
- Item 33 (Appointments and Reductions) – no reductions
- Item 38 (Record of Assignments) – excellent conduct and efficiency ratings
- item 41 (Awards and Decorations): National Defense Service Medal
- Item 44 (Time Lost Under Section 972, Title 10, U.S.C.) – 2 days, AWOL

c. The applicant accepted nonjudicial punishment for the following:

- 28 July 1969 – absent without leave (AWOL) from 22 July 1969 to 24 July 1969
- 9 February 1970 – AWOL on or about 2 January 1970; his punishment included vacation of suspension of reduction to private (PV2), E-2
- 4 August 1970 – failure to be at his appointed place of duty

f. On 27 February 1971, he was honorably released from active duty. His DD Form 214 shows he completed 1 year, 11 months and 18 days of active service with 2 days lost time. It shows he was awarded or authorized:

- National Defense Service Medal
- Marksman Marksmanship Qualification Badge with Rifle Bar (M-14)

BOARD DISCUSSION:

After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that relief was not warranted. The Board carefully considered the applicant's request, supporting documents, and evidence in the records. The Board considered the applicant's statement and record of service, the frequency and nature of the applicant's misconduct. The Board noted that applicant received three nonjudicial punishments for being absent without leave (AWOL) on two occasions, and one for failing to be at his appointed place of duty. Therefore, the Board found insufficient evidence to show he was recommended for, awarded or met the criteria for the award of the Army Good Conduct Medal. Based on a preponderance of the evidence, the Board concluded that the applicant was not entitled to the Army Good Conduct Medal and denied relief.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

:	:	:	GRANT FULL RELIEF
:	:	:	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
XXX	XXX	XXX	DENY APPLICATION

BOARD DETERMINATION/RECOMMENDATION:

The evidence presented does not demonstrate the existence of a probable error or injustice. Therefore, the Board determined the overall merits of this case are insufficient as a basis for correction of the records of the individual concerned.

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, stated the AGCM was awarded for each 3 years of continuous enlisted active Federal military service completed on or after 27 August 1940; for the 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//