

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 14 April 2025

DOCKET NUMBER: AR20240010351

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)

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 should be awarded the Army Good Conduct Medal for serving one year in Vietnam. He never had an Article 15 or anything negative on his record. The book of American medals states anyone in a war zone can receive the award with less than two years.
3. A review of the applicant's service records shows:
 - a. He was inducted into the Army of the United States on 14 September 1966.
 - b. His DA Form 20 (Enlisted Qualification Record) shows:
 - Item 31 (Foreign Service) – Germany from 10 February 1978 to 8 January 1980
 - Item 33 (Appointments and Reductions) – no reductions
 - Item 38 (Record of Assignments) – all excellent conduct and efficiency ratings
 - Item 44 (Time Lost Under Section 972, Title 10, U.S.C.) – none
 - c. On 13 July 1968, he was honorably released from active duty. His DD Form 214 shows he completed 1 year and 10 months of active service with no lost time. It also shows he was awarded or authorized:

- Vietnam Campaign Medal
- Vietnam Service Medal
- Two Overseas Service Bars
- Marksman Marksmanship Qualification Badge with Rifle Bar (M-14)
- Marksman Marksmanship Qualification Badge with Rifle Bar (M-16)

5. A review of the applicant's record confirms he is eligible for an award and campaign credits that are not recorded on his DD Form 214. The entries will be added to his DD Form 214 as administrative corrections and will not be considered by the Board.

6. His records are void of disciplinary actions or a commander's disqualification statement, a recommendation, and/or orders for award of the Army Good Conduct Medal.

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. Upon review of the applicant's petition and available military records, the Board determined there was sufficient evidence, including his service from 14 September 1966 to 13 July 1968, a period of 1 year and 10 months 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).

2. A review of the applicant's service records show he is authorized additional awards not annotated on his DD Form 214 for the service period ending 13 July 1968. As a result, correct his DD Form 214 to show:

- Republic of Vietnam Gallantry Cross with Palm Unit Citation
- Four bronze service stars to his previously issued Vietnam Service Medal

BOARD VOTE:Mbr 1 Mbr 2 Mbr 3

XX	XX	XX	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 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 13 July 1968 by adding the following awards:

- Awarding him the Army Good Conduct Medal (First Award) for the qualifying period 14 September 1966 to 13 July 1968
- Adding the Army Good Conduct Medal (First Award) to his DD Form 214
- Republic of Vietnam Gallantry Cross with Palm Unit Citation
- Four bronze service stars to his previously issued Vietnam Service Medal


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.

ADMINISTRATIVE NOTE(S):

A review of the applicant's service records show he is authorized additional awards not annotated on his DD Form 214 for the service period ending 13 July 1968. As a result, correct his DD Form 214 to show:

- Republic of Vietnam Gallantry Cross with Palm Unit Citation
- four bronze service stars to his previously issued Vietnam 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 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.
3. Department of the Army Pamphlet 672-3 (Unit Citations and Campaign Participation Credit Register) assist commanders and personnel officers in determining or establishing the eligibility of individual members for campaign participation credit, assault landing credit, and unit citation badges awarded during the Vietnam Conflict. Department of the Army General Orders (DAGO) Number 8, dated 1974, awarded the Republic of Vietnam Gallantry Cross Unit Citation with Palm to Headquarters, United States Army Vietnam, for service in Vietnam for the period of 20 July 1965 to 28 March 1973.

//NOTHING FOLLOWS//