

IN THE CASE OF: [REDACTED]

BOARD DATE: 29 March 2024

DOCKET NUMBER: AR20230009655

APPLICANT REQUESTS: in effect:

- update to his DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge) for his enlisted service, to show he was awarded the Army Good Conduct Medal (AGCM).
- update to his DD Form 214 for the period ending 14 February 1970, to reflect his prior service (enlisted) and to show he was awarded the AGCM

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

- DD Form 149 (Application for Correction of Military Record)
- DA Form 66 (Officer Qualification Record) partial record provided
- Medical entry form
- DD Form 214 for the period ending 14 February 1970

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, in effect:
  - he wants to have the AGCM added to his DD Form 214 of his enlisted service.
  - update to his DD Form 214 for the period ending 14 February 1970, to reflect his prior service (enlisted) and to show he was awarded the AGCM.
3. The applicant's record shows he completed previous enlisted service from 18 August 1966 to 14 February 1968; a period of 1 year, 5 months, and 27 days. This service is properly annotated in block 22a.(2) (Other Service) of his DD Form 214, ending 14 February 1970, which shows he previously completed 1 year, 5 months, and 27 days

of service. Since there is no error or injustice, this matter will not be considered by the Board or further discussed in this record of proceedings.

4. The applicant provides a medical entry form, which is dated 11 October 1966); however, this document does not list the applicant's name.

5. The applicant's service record is incomplete. However, the applicant's service record does reflect the following:

a. His DA Form 20 (Enlisted Qualification Record) does not show the AGCM, however it does reflect excellent and blank conduct and efficiency ratings.

b. His DA Form 66 (Officer Qualification Record) reflects:

- item 21 (Awards and Decorations): lists the AGCM; however, it does not list the orders for the award
- Item 18 (Record of Assignments) Enlisted Service 18 August 1966 to 14 February 1968

f. DD Form 214 for the period ending 14 February 1970 reflects he was honorably relieved from active duty due to the expiration of his active-duty commitment for a direct commission on 15 February 1968. He completed two years of net service during this period. This document does not reflect the AGCM, however it does reflect the following:

- Item 22a.(1) (Net Active Service This Period) - 2 years
- item 22a.(2) (Other Service) - 1 year, 5 months, 27 days
- item 22b (total active service) - 3 years, 5 months, 27 days

g. His service record does not reflect, and the applicant does not provide orders that show he was recommended for and/or awarded the AGCM during any time during his military service.

#### 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 applicant's contentions, the military record, and regulatory guidance were carefully considered.

2. The applicant served as an enlisted Soldier from 18 August 1966 to 14 February 1968; a period of 1 year, 5 months, and 27 days, he received all excellent conduct and efficiency ratings, with the exception of 1 good rating in efficiency during a period he

was in a military school, which is not disqualifying. His record does not include information that would preclude him from the Army Good Conduct Medal 1st award.

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 the Army records of the individual concerned be corrected by:

- awarding him the Army Good Conduct Medal (1st Award) for the period 18 August 1966 to 14 February 1968
- correcting his DD Form 214 to add this award to block 24 (Decorations, Medals, Badges, Commendations, Citations and Campaign Ribbons Awarded or Authorized)

6/6/2024

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CHAIRPERSON

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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, 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. 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. Army Regulation 635-5 (Separation Documents) in effect at the time, states that the DD Form 214 will reflect the conditions and circumstances that existed at the time the records were created. The purpose of the separation document is to provide the individual with documentary evidence of his or her military service at the time of release from active duty, retirement, or discharge. It is important that information entered on the form be complete and accurate and reflects the conditions as they existed at the time of separation.
4. Army Regulation 15-185 (Army Board for Correction of Military Records) prescribes the policies and procedures for correction of military records by the Secretary of the Army acting through the ABCMR. The ABCMR begins its consideration of each case with the presumption of administrative regularity. The applicant has the burden of proving an error or injustice by a preponderance of the evidence.

//NOTHING FOLLOWS//