

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 4 June 2024

DOCKET NUMBER: AR20230011468

APPLICANT REQUESTS: The spouse of a deceased former service member (SM) requests, in effect, that she receive her husband's already awarded Army Good Conduct Medal and that the medal be reflected on the SM's DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge).

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

- DD Form 149 (Application for Correction of Military Record)
- SM's letter to the U.S. Total Army Personnel Command (PERSCOM)
- Death Certificate
- DD Form 214

FACTS:

1. The applicant did not file within the 3-year time frame provided in Title 10 (Armed Forces), United States Code (USC), section 1552 (b) (Correction of Military Records: Claims Incident Thereto). 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, General Orders Number 51, dated 9 April 1969, awarded her husband the Army Good Conduct Medal, but he never received the medal; as a result, the SM was not allowed to wear an award that he had earned. In support of her request, the applicant submits a copy of a letter sent by the SM to PERSCOM. In the letter, the SM asked PERSCOM to send him the medal, and he provided copies of the authorizing GO as well as his commander's letter; (the applicant did not include the GO with her application).
3. A review of the SM's service record reveals the following:
 - a. On 17 January 1966, the SM enlisted into the Regular Army for 3 years; upon completion of initial entry training and the award of military occupational specialty 62B (Engineer Equipment Repairman), orders assigned him to an engineer detachment in Germany, and he arrived at his unit, on 6 December 1967.

b. On 17 December 1968, the SM completed his tour in Germany, and orders reassigned him to Fort Dix, NJ for separation processing.

c. On 18 December 1968, the Army honorably released the SM from active duty and transferred him to the U.S. Army Reserve for the remainder of his military service obligation. His DD Form 214 shows he completed 2 years, 11 months, and 2 days of his 3-year enlistment contract. Item 24 (Decorations, Medals, Badges, Commendations, Citations, and Campaign Ribbons Awarded or Authorized) shows the National Defense Service Medal and a marksmanship qualification badge.

d. The SM's available service record contains no derogatory information; the GO authorizing the SM's Army Good Conduct Medal is unavailable for review. In addition, his DA Form 20 (Enlisted Qualification Record) reflects the following:

- Item 33 (Appointments and Reductions) – SM's leadership progressively promoted him, and he attained the rank/grade of staff sergeant (SSG)/E-6; no entries show a reduction in rank
- Item 38 (Record of Assignments – Conduct/Efficiency) – the SM received "Excellent" rating throughout his term of active duty
- Item 41 (Awards and Decorations) – Army Good Conduct Medal is not listed

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 applicant's contentions, the military record, and regulatory guidance were carefully considered. The SM served on active duty from 17 January 1966 to 18 December 1968. He completed 2 years, 11 months, and 2 days of active service. His available service record contains no derogatory information. In addition, his DA Form 20 shows his command progressively promoted him and he attained the rank/grade of SSG/E-6. He also received "excellent" rating throughout his term of active duty. The Board determined he meets the criteria for award of 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 the applicant the Army Good Conduct Medal for service during the period 17 January 1966 through 18 December 1968
- Adding awards of the Army Good Conduct (1st Award) to his DD Form 214

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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, USC, 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. AR 672-5-1, in effect at the time, prescribed policies and procedures for military awards; it stated 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 the first award only, commanders could award the Army Good Conduct Medal, upon termination of the Soldier's service on or after 27 June 1950, if he or she had served less than 3 years but more than 1 year. Additionally, the Soldier had to have had all "Excellent" conduct and efficiency ratings and no court-martial convictions.

//NOTHING FOLLOWS//