

IN THE CASE OF: ██████████

BOARD DATE: 1 February 2024

DOCKET NUMBER: AR20230006591

APPLICANT REQUESTS: award of the Army Good Conduct Medal (AGCM).

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

- DD Form 149 (Application for Correction of Military Record)
- DD Form 215 (Correction to DD Form 214)

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 is requesting award of the AGCM for three years of active military service with exemplary behavior. He was never awarded the AGCM while others were. He was successful with three years of active military service with exemplary behavior, efficiency, and fidelity with no convictions by court-martial or formal discipline. Although it has been quite some time, he believes he should be given this award and have his DD Form 214 (Certificate of Release or Discharge from Active Duty) modified because he fulfilled the requirement for the AGCM. He asks the Board to consider his request and if granted, have the requested medal and commendation mailed to him at his address.
3. The applicant provides a DD Form 215, wherein he is requesting the AGCM be added to his DD Form 214.
4. The applicant's service record contains the following documents:
 - a. A DD Form 4 (Enlistment/Reenlistment Document Armed Forces of the United States), dated 5 March 2014, shows the applicant enlisted in the U.S. Army Reserve for a period of 8 years.

b. A DD Form 214 shows the applicant, as a member of the USAR, entered active duty on 18 March 2014 and was honorably released on 7 August 2014 for completion of required active service. He had completed 4 months and 20 days of active duty service.

c. A DD Form 214 shows the applicant, as a member of the USAR, entered active duty on 3 July 2015 and was honorably released on 24 June 2016 for completion of required active service. He had completed 11 months and 22 days of active duty service. The DD Form 214 was void of the AGCM.

d. Orders 19-231-00057, published by Headquarters, 88th Readiness Division, dated 19 August 2019, shows the applicant was discharged from the USAR effective 19 August 2019 and he received an under honorable conditions (general) discharge.

e. There are no orders in the applicant’s service record that shows he was issued the AGCM.

BOARD DISCUSSION:

1. After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found relief is not warranted.
2. To be eligible for the first award of the AGCM, an enlisted Soldier must complete a minimum of one consecutive year of active duty service. The Board noted the applicant did not meet this requirement and determined he is not eligible for the AGCM.

BOARD VOTE:

<u>Mbr 1</u>	<u>Mbr 2</u>	<u>Mbr 3</u>	
:	:	:	GRANT FULL RELIEF
:	:	:	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
■	■	■	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.

5/6/2024

X [REDACTED]

CHAIRPERSON
[REDACTED]

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 600-8-22 (Military Awards) states the Army Good Conduct Medal is awarded to individuals who distinguish themselves by their conduct, efficiency, and fidelity.

a. Personnel eligible for the AGCM are regular component enlisted Soldiers and enlisted Active Guard Reserve personnel serving on extended periods of active duty (other than training) Title 10 U.S. Code (USC) and Title 32 USC are eligible for award of the AGCM for qualifying service beginning on or after 1 September 1982, provided no period of the service has been duplicated by the same period of service for which the Soldier has been awarded the Army Reserve Components Achievement Medal.

b. Although there is no automatic entitlement to the Army Good Conduct Medal, disqualification must be justified. Any one of the following periods of continuous enlisted active Federal military service qualifies for award:

- Each 3 years 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

- For first award only, upon termination of service on or after 27 June 1950 of less than 3 years but more than 1 year
- For first award only, upon termination of service, on or after 27 June 1950, of less than 1 year when final separation was by reason of physical disability incurred in line of duty

//NOTHING FOLLOWS//