

IN THE CASE OF: [REDACTED]

BOARD DATE: 25 April 2024

DOCKET NUMBER: AR20230009636

APPLICANT REQUESTS: correction of his DD Form 214 (Certificate of Release or Discharge from Active Duty) to show award of the Army Good Conduct Medal (AGCM) (Second Award).

APPLICANT'S SUPPORTING DOCUMENT(S) CONSIDERED BY THE BOARD:  
DD Form 149 (Application for Correction of Military Record), 13 June 2023.

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 served honorably from 14 September 1983 to 15 October 1989, and he was awarded just one AGCM. He received no reprimands while he was on active duty, and he is not aware of any disqualification in his records.
3. A review of the applicant's service records shows:
  - a. He served in the [REDACTED] Army National Guard ([REDACTED] ARNG), however the service records for this period of service are not available for review.
  - b. His records contain A DD Form 214 for the period ending 20 May 1982, showing he was honorably released from Active Duty Training (ADT). He completed One Station Unit Training (OSUT) of a period of 7 months and 16 days, he was released from OSUT and returned to control of 240th Military Police Company, [REDACTED] ARNG.
  - c. His records are void of a NGB Form 22 (National Guard Report of Separation and Record of Service) showing his service dates in the [REDACTED] ARNG.
  - d. A DD Form 4 (Enlistment/Reenlistment Document – Armed Forces of the United States), dated 14 September 1983, shows he enlisted in the Regular Army (RA) for

3 years and 3 days. This form further shows he completed previous military service of 7 months and 16 days of total active military service; and 1 year, 7 months, and 20 days of total inactive military service.

e. A DA Form 1635 (Oath of Extension of Enlistment), dated 16 April 1984, shows he extended his RA enlistment by 4 months.

f. Permanent Orders (PO) Number 12-15, issued by 2D Battalion, 4th Infantry, dated 26 February 1986, awarded him the AGCM (First Award) for the period of service 29 January 1983 to 28 January 1986. This order shows 7 months and 16 days were backdated on his RA enlistment to account for his AD OSUT and as credit towards his AGCM (First Award) service dates.

g. On 16 October 1986, he immediately reenlisted in the RA for 3 years. This DD Form 4 shows 3 years, 8 months, and 17 days of total prior AD service, and 1 year, 7 months, and 22 days of total prior inactive military service.

h. Permanent Orders 19-302, issued by Headquarters (HQ), 7th Infantry Division, Fort Ord, dated 30 January 1989, awarded him the AGCM (First Award) for the period 14 September 1983 to 13 September 1986.

i. Orders 136-747, issued by HQ, 7th Infantry Division, Fort Ord, dated 18 July 1989, transferred him to separation processing at Fort Ord with a discharge date of 15 October 1989.

j. His DA Form 2-1 (Personnel Qualification Record -Part II) shows:

- he was awarded or authorized, in part, the AGCM (First Award) on 13 September 1986
- no reductions and he attained the grade/pay grade sergeant/E-5
- no time lost

k. On 15 October 1989, he was honorably discharged. His DD Form 214 for this period shows in:

- (1) item 12a (Date Entered Active Duty this Period) – 14 September 1983;
- (2) item 12b (Separation Date this Period) – 15 October 1989;
- (3) item 12c (Net Active Service this Period) – 6 years, 1 month, and 2 days;
- (4) item 12d (Total Prior Active Service) – 7 months and 16 days;

(5) item 13 (Decorations, Medals, Badges, Citations, and Campaign Ribbons Awarded or Authorized) – in part, AGCM (First Award); and

(6) item 29 (Dates of Time Lost During this Period) none.

I. His records are void of evidence of nonjudicial punishment or convictions by court-martial.

BOARD DISCUSSION:

1. After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found relief is warranted.

2. The Board found the applicant met the criteria for the Army Good Conduct Medak (2nd Award). The Board determined he should be awarded this medal and it should be added to his DD Form 214.

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 (2nd Award) for the period 14 September 1986 through 13 September 1989
- adding the Army Good Conduct Medal (2nd Award) to his DD Form 214 for the period ending 15 October 1989

9/18/2024

X

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. 3. Army Regulation 600-8-22 (Military Awards) prescribes Department of the Army policy, criteria, and administrative instructions concerning individual and unit military awards.

a. The Army Good Conduct Medal is awarded to on a selective basis to each Soldier who distinguishes himself or herself from among his or her fellow Soldiers by exemplary conduct, efficiency, and fidelity throughout a specified period of continuous enlisted active Federal military service. There is no right or entitlement to the medal until the immediate commander has approved the award and the award has been announced in permanent orders.

(1) The periods of service of qualifying service are: (1) each 3 years completed on or after 27 August 1940; (2) for the first award only, 1 year served entirely during the period 7 December 1941 to 2 March 1946; (3) 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; (4) for the 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; or (5) for the first award only, for those individuals who died before completing 1 year of active Federal military service or if the death occurred in the line of duty.

(2) Throughout a qualifying period of service, the enlisted Soldier's character must have been above reproach and must meet all of the following criteria for award of the Army Good Conduct Medal as indicated in the Soldier's record: willingly complied with the demands of the military environment, been loyal and obedient to his or her superiors, faithfully supported the goals of his or her organization and the Army, and conducted himself or herself in an exemplary manner as to distinguish him or her from fellow Soldiers.

b. Personnel eligible for the AGCM are Regular Component Enlisted Soldiers.

c. A clasp is authorized for second and subsequent award of the AGCM.

//NOTHING FOLLOWS//