

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 27 September 2024

DOCKET NUMBER: AR20230014453

APPLICANT REQUESTS: removal of memorandum for record, subject: Denial of Army Good Conduct Medal for [Applicant], dated 12 February 2014 from his Army Military Human Resource Record (AMHRR).

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

- DD Form 149 (Application for Correction of Military Record)
- Memorandum, subject: Denial of Army Good Conduct Medal for [Applicant], 12 February 2014

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 was denied his first Army Good Conduct Medal on 12 February 2014; 12 days after arriving at his first duty station. He has no recollection of signing the document. He has never received nonjudicial punishment, punitive action, a bar to reenlistment, failed an Army Physical Fitness Test or height and weight or received any disciplinary action. He first noticed this denial in his AMHRR in June 2021. He currently has his first Army Good Conduct Medal despite the denial of it.
3. A review of the applicant's service records show:
 - a. He enlisted in the Regular Army on 17 June 2012.
 - b. On 30 January 2014, he was assigned to B Company, 615th Aviation Support Battalion at Fort Hood, TX.
 - c. His AMHRR contains a memorandum, subject: Denial of Army Good Conduct Medal for [Applicant], dated 12 February 2014. The memorandum states:

(1) You are disapproved for the award of the Army Good Conduct Medal for the period of active duty service from 16 June 2013 to 16 January 2016.

(2) Your new eligibility period begins immediately after the end date listed in paragraph 1 of this memorandum. This battalion S-1 award clerk will record this date in your enlisted record brief.

(3) A rebuttal in writing may be submitted for reconsideration of my decision. Failure to submit a rebuttal will finalize this action as stated.

(4) This memorandum will be forwarded to your official military personnel file (OMPF) (now AMHRR) for permanent filing in accordance with Army Regulation 600-8-22 (Military Awards), paragraph 4-8c.

(5) The battalion commander authenticated the memorandum with his signature.

(6) The applicant, after selected both options that he understood the unfavorable information presented against him and elected no to submit a statement and also to submit a statement, authenticated the memorandum with his signature on 12 February 2014

d. On 23 June 2016, by Permanent Order 175-021, the applicant was awarded the Army Good Conduct Medal (1st Award) for the period of service 17 June 2013 to 16 June 2016.

e. On 11 July 2019, by Permanent Order 230-11, the applicant was awarded the Army Good Conduct Medal (2nd Award) for the period of service 17 June 2016 to 16 June 2019.

f. On 1 December 2023, by Permanent Order 335-001, the applicant was awarded the Army Good Conduct Medal (3rd Award) for the period of service 16 June 2019 to 16 June 2022.

g. The applicant remains on active duty.

4. By regulation, disqualification for an award of the Army Good Conduct Medal can occur at any time during a qualifying period. The staff personnel officer will establish the new beginning date for the Soldier's eligibility for award of the Army Good Conduct Medal and enter the new date and code on the Soldier's AMHRR.

BOARD DISCUSSION:

After reviewing the application and all supporting documents, 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 military records, the Board determined that the memorandum for record, subject: Denial of Army Good Conduct Medal for [Applicant], dated 12 February 2014 filed in his Army Military Human Resource Record (AMHRR) was later awarded by Permanent Order 175-021 on 23 June 2016 for the period 17 June 2013 to 16 June 2016 by the applicant's command. The Board concluded that the evidence supports removal of the memorandum from the applicant's AMHRR.

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 relief. As a result, the Board recommends that all Department of the Army records of the individual concerned be corrected by removing the memorandum for record, subject: Denial of Army Good Conduct Medal for [Applicant], dated 12 February 2014 from his Army Military Human Resource Record (AMHRR).

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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 600-8-22 (Military Awards) states disqualification for an award of the Army Good Conduct Medal can occur at any time during a qualifying period. The staff personnel officer will establish the new beginning date for the Soldier's eligibility for award of the Army Good Conduct Medal and enter the new date and code on the Soldier's AMHRR.

//NOTHING FOLLOWS//