

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 24 July 2024

DOCKET NUMBER: AR20240000488

APPLICANT REQUESTS: in effect, correction of his DD Form 214 (Certificate of Release or Discharge from Active Duty) to show award of the:

- Army Good Conduct Medal
- Army Achievement Medal (2nd Award)
- Korea Defense Service Medal
- Global War on Terrorism Service Medal

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

- DD Form 149 (Application for Correction of Military Record)
- Photograph, Permanent Order Number 031-31, 1 February 2001, Army Achievement Medal
- Photograph, Permanent Order Number 344-6, 10 December 2001, Army Achievement Medal
- Partial Honorable Discharge Certificate
- Letter, National Personnel Record Center, 29 November 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 completed his contract honorably, but his commander failed to put him in for the Army Good Conduct Medal, the Army Achievement Medal (2nd Award), or the Global War on Terrorism Service Medal.
3. The Board will only consider the applicant's request for award of the Army Good Conduct Medal. There is sufficient evidence to justify the administrative correction the remaining portion of the applicant's request without action by the Board.

a. Evidence shows the applicant served in Korea for a period of 1 year which authorizes him award of the Korea Defense Service Medal.

b. Permanent Orders verifies his entitlement to award of the Army Achievement Medal (2nd Award).

c. His DA Form 2-1 (Personnel Qualification Record) shows he qualified for award of the Sharpshooter Marksmanship Qualification Badge with Rifle Bar (M-16) and the Expert Marksmanship Qualification Badge with Grenade Bar.

d. Evidence further shows his period of active service authorizes him award of the Global War on Terrorism Service Medal.

4. The applicant enlisted in the Regular Army on 14 September 1999. He served in military occupational specialty 63W (Wheeled Vehicle Repairer).

5. On 20 December 2003, he was honorably released from active duty in the rank/grade of specialist/E-4 upon the completion of his required active service. The DD Form 214 he received shows he was awarded or authorized the:

- Army Lapel Button
- National Defense Service Medal
- Army Service Ribbon
- Overseas Service Ribbon

6. There is no evidence in the available records that shows he was awarded the Army Good Conduct Medal nor evidence of a commander's disqualification for the award. Additionally, there is no evidence of any convictions by courts-martial or receipt of nonjudicial punishment under Article 15, Uniform Code of Military Justice.

7. There is no right or entitlement to the Army Good Conduct Medal until the immediate commander approves the award and the award is announced in permanent orders, however, although there is no automatic entitlement to the Army Good Conduct Medal, disqualification must be justified.

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 Board carefully considered the applicant's record of service, documents submitted in support of the petition and executed a comprehensive and standard review based on law, policy and regulation. Upon review of the applicant's petition and available military record, the Board determined the applicant's service record did not reflect he was awarded the Army Good Conduct Medal (1st Award) and his record shows he received "excellent" conduct and efficiency ratings throughout his service for the period of 14 September 1999 to 20 December 2003. Based on this the Board granted relief for correction of the applicant's record to show award of the Army Good Conduct Medal.

2. Prior to closing the case, the Board did note the analyst of record administrative notes below, and recommended the correction is completed to more accurately depict the military service of the applicant.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

■	■	■	GRANT FULL RELIEF
:	:	:	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
:	:	:	DENY APPLICATION

BOARD DETERMINATION/RECOMMENDATION:

In addition to the administrative notes annotated by the Analyst of Record (below the signature), the Board determined the evidence presented is sufficient to warrant a recommendation for relief. As a result, the Board recommends that all Department of Army records of the individual concerned be corrected by awarding him the Army Good Conduct Medal (1st Award) for exemplary service from 14 September 1999 to 20 December 2003 and adding the medal to his DD Form 214 for the period ending 20 December 2003.

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.

ADMINISTRATIVE NOTE(S):

Make the following administrative corrections to the applicant's DD Form 214 for the period ending on 20 December 2003 without action by the Board:

- Korea Defense Service Medal
- Army Achievement Medal (2nd Award)
- Sharpshooter Marksmanship Qualification Badge with Rifle Bar (M-16)
- Expert Marksmanship Qualification Badge with Grenade Bar
- Global War on Terrorism Service Medal

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) prescribes Army policy, criteria, and administrative instructions concerning individual and unit military awards and states:

a. The Army Good Conduct Medal is awarded to individuals who distinguish themselves by their conduct, efficiency, and fidelity. This period is 3 years except in those cases when the period for the first award ends with the termination of a period of 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. Although there is no automatic entitlement to the Army Good Conduct Medal, disqualification must be justified.

b. The Korea Defense Service Medal is authorized for award to members of the Armed Forces of the United States who have served on active duty in support of the defense of the Republic of Korea. The period of eligibility is 28 July 1954 to a date to be determined by the Secretary of Defense.

c. The Army Achievement Medal is awarded to members of the Armed Forces of the United States, who while serving in a noncombat area on or after 1 August 1981, distinguished themselves by meritorious service or achievement. As with all personal decorations, formal recommendations, approval through the chain of command, and announcement in orders are required.

d. A Basic Marksmanship Qualification Badge is awarded to indicate the degree in which an individual, military, or civilian has qualified in a prescribed record course, and an appropriate bar is furnished to denote each weapon with which he or she qualified. Each bar will be attached to the basic badge that indicates the qualification last attained with the respective weapon. Basic qualification badges are of three classes: Expert, Sharpshooter, and Marksman. The only weapons for which component bars are authorized are in Table 8–3 (Weapons for Which Component Bars are Authorized). Basic Marksmanship Qualification Badges are awarded to U.S. military and civilian personnel, and to foreign military personnel who qualify as prescribed.

e. The Global War on Terrorism Service Medal is authorized for award to members of the Armed Forces of the United States who have participated in Global War on Terrorism operations outside of the areas of eligibility (AOE) designated for award of the Global War on Terrorism Expeditionary Medal, Afghanistan Campaign Medal, or Iraq Campaign Medal. All Soldiers on active duty, including Reserve Component Soldiers mobilized or National Guard Soldiers activated, on or after 11 September 2001 to a date to be determined having served 30 consecutive days or 60 nonconsecutive days are authorized the Global War on Terrorism Service Medal. The Global War on Terrorism Service Medal may be awarded posthumously. Only one award of the Global War on Terrorism Service Medal may be authorized to any individual; second and subsequent awards will not be awarded.

3. Army Regulation 15-185 (ABCMR) prescribes the policies and procedures for correction of military records by the Secretary of the Army, acting through the ABCMR. The ABCMR considers individual applications that are properly brought before it. The ABCMR will decide cases on the evidence of record. It is not an investigative body. 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//