

IN THE CASE OF: [REDACTED]

BOARD DATE: 5 September 2024

DOCKET NUMBER: AR20240001089

APPLICANT REQUESTS:

- award of the Army Good Conduct Medal (AGCM)
- award of the Kuwait Liberation Medal – Saudi Arabia (KLM-SA)

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

- DD Form 149 (Application for Correction of Military Record)
- Copy of Awards Information Sheet
- DD Form 214 (Certificate of Release or Discharge from Active Duty) for the period ending 31 July 1992

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 his DD Form 214 should reflect the KLM – SA he received for serving with the 101st Military Intelligence Battalion, 1st Infantry Division, in theater during Desert Storm. His DD Form 214 correctly shows that he received the Southwest Asia Service Medal with three bronze stars. He also deserves the AGCM because he met all the requirements and believes it was an oversight due to him meeting his expiration term of service (ETS) less than 30 days after his three years of active duty service ended. He would like to be retroactively awarded the Army Good Conduct Medal.
3. The applicant provides an information sheet detailing the description of the "Saudi Arabian Medal for the Liberation of Kuwait."
4. A review of the applicant's service record shows:

a. He enlisted in the Regular Army 6 July 1989.

b. A DA Form 2A (Personnel Qualification Record – Part I) shows in Section IV (Service Data) item 11 (Date Elig GCMDL), he was eligible for the Good Conduct Medal in July 1992.

c. His DA Form 2-1 (Personnel Qualification Record – Part II) shows in section 9 (Awards, Decorations & Campaigns) that he was awarded or authorized:

- Army Service Ribbon
- National Defense Service Medal
- Southwest Asia Service Medal 2 bronze stars
- KLM – SA
- KLM – Kuwait
- Sharpshooter Marksmanship Qualification Badge with Rifle Bar (M16)
- First Class Qualification with Hand Grenade

d. On 31 July 1992, he was honorably released from active duty. His DD Form 214 shows he completed 3 years and 26 days of net active service. It also shows he was awarded or authorized:

- Army Service Ribbon
- National Defense Service Medal
- Army Lapel Button
- First Class Qualification with Hand Grenade
- Sharpshooter Marksmanship Qualification Badge with Rifle Bar (M16)
- Southwest Asia Service Medal 3 bronze stars
- Kuwait Liberation Medal
- Drivers Badge (Track)
- Army Commendation Medal
- Army Achievement Medal

e. The available service record is void of further documentation awarding or authorizing the Army Good Conduct Medal.

5. The applicant's name is listed on the Persian Gulf War roster with service from 13 January 1991 to 13 May 1991; the Persian Gulf War roster is a compilation of most of those who were deployed to Southwest Asia.

6. A review of the applicant's service record confirms an administrative entry and awards were omitted from his DD Form 214. The entries will be added to his DD Form

214 as administrative corrections and will not be considered by the Board. The Board will consider his request to be awarded the AGCM.

7. By regulation (AR 635-5), the DD Form 214 is a summary of the Soldier's most recent period of continuous active duty. It provides a brief, clear-cut record of all current active, prior active, and prior inactive duty service at the time of release from active duty, retirement, or discharge. The information entered thereon reflects the conditions as they existed at the time of separation.

8. By regulation (AR 600-8-22), the Army Good Conduct Medal is awarded to individuals who distinguish themselves by their conduct, efficiency, and fidelity. 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 relief is warranted.

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

3. The Board concurred with the corrections described in Administrative Note(s) below.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	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 for the period 6 July 1989 through 5 July 1992
- Adding the Army Good Conduct Medal to his DD Form 214
- Making the corrections described in Administrative Note(s) below

2/26/2025

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.

ADMINISTRATIVE NOTE(S):

A review of the applicant's service record shows his DD Form 214 is missing authorized awards and an administrative entry, As a result, amend the DD Form 214 as follows:

- Delete from Block 13 -- Kuwait Liberation Medal
- Add to Block 13 -- Kuwait Liberation Medal – Saudi Arabia and Kuwait Liberation Medal – Kuwait
- Add to Block 18 – “Service in Southwest Asia from 19910113 through 19910513”

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 635-5 (Separation Documents) states the DD Form 214 is a summary of the Soldier's most recent period of continuous active duty. It provides a

brief, clear-cut record of all current active, prior active, and prior inactive duty service at the time of release from active duty, retirement, or discharge. The information entered thereon reflects the conditions as they existed at the time of separation. The information entered thereon reflects the conditions as they existed at the time of separation.

3. 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. 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
- for first award only, for those individuals who died before completing 1 year of active Federal service if the death occurred in the line of duty

//NOTHING FOLLOWS//