

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 2 October 2024

DOCKET NUMBER: AR20240001219

APPLICANT REQUESTS: correction of his DD Form 214 (Certificate of Release or Discharge from Active Duty) to show award of the Military Outstanding Volunteer Service Medal.

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

- DD Form 149 (Application for Correction of Military Record)
- Military Outstanding Volunteer Service Medal certificate
- 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. Having had prior service in the U.S. marine Corps, the applicant enlisted in the Regular Army on 23 December 2008. He served in military occupational specialty 25B (IT Specialist).
3. Permanent Order 140-11 issued by 102nd Signal Battalion on 25 August 2011 awarded him the Military Outstanding Volunteer Service Medal from 1 September 2010 to 25 May 2011.
4. On 29 June 2011, he was retired honorably in the rank/grade of specialist E-4 due to permanent disability. He completed 2 years, 6 months and 7 days net active service this period. The DD Form 214 he was issued shows in:
 - a. Item 12f, (Foreign Service), the entry "0002 00 13"
 - b. Item 13, (Decorations, Medals, Badges, Citations and Campaign Ribbons Awarded or Authorized): Army Achievement Medal, National Defense Service Medal,

Global War on Terrorism Service Medal, Army Service Ribbon, Overseas Service Ribbon

5. His record does not contain orders awarding him the Army Good Conduct Medal. His record also does not contain a disqualifying memorandum or any derogatory information that would have disqualified him from receiving this award.

BOARD DISCUSSION:

After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that relief was warranted. The applicant's contentions, the military record, and regulatory guidance were carefully considered.

a. Permanent Order issued by 102nd Signal Battalion on 25 August 2011 awarded him the Military Outstanding Volunteer Service Medal from 1 September 2010 to 25 May 2011. This award should be listed on the applicant's DD Form 214.

b. As a related award, although not specifically requested, the Board noted that the applicant served continuously on active duty from 23 December 2008 to 29 June 2011, completed of 2 years, 6 months and 7 days net active service during this period, and attained the rank/grade of specialist four/E-4. His record does not reflect any lost time or any derogatory information that would have disqualified him from receiving his first award of the Army Good Conduct Medal, or a commander's disqualifying memorandum for this award. The Board determined he met the criteria to be awarded the Army Good Conduct Medal (1st Award).

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 the applicant the Army Good Conduct Medal (1st Award) for service during the period 23 December 2008 through 29 June 2011
- adding to the applicant's DD Form 214 the Military Outstanding Volunteer Service Medal and the Army Good Conduct (1st Award)

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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) prescribes Army policy, criteria, and administrative instructions concerning individual and unit military awards and states the Military Outstanding Volunteer Service Medal was established by EO 12830, 9 January 1993, as amended by EO 13286, 28 February 2003. It may be awarded to Servicemembers of the Armed Forces of the United States and their Reserve Components who, subsequent to 31 December 1992, perform outstanding volunteer community service of a sustained, direct, and consequential nature. To qualify for award of the Military Outstanding Volunteer Service Medal a Servicemember's service must meet the following requirements:

- (1) Be voluntary.
- (2) Be to the civilian community, to include the military Family community.
- (3) Be significant in nature and produce tangible results.
- (4) Reflect favorably on the Army and DOD.
- (5) Be of a sustained and direct nature.

3. Army Regulation 600-8-22 also states 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.

//NOTHING FOLLOWS//