

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 8 October 2024

DOCKET NUMBER: AR20240002053

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; and
- in item 14 (Military Education), RAID (Rapid Aerostat Initial Deployment) 17M Aerostat Training, 3 weeks, 2009

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

- DD Form 149 (Application for Correction of Military Record)
- Certificate of Training
- 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. The applicant states, in effect, he was not awarded the Army Good Conduct Medal because his unit was unavailable to process the paperwork since they were conducting field training and at the time, he was in the rear detachment.
3. The applicant enlisted in the Regular Army on 27 February 2008. He served in military occupational specialty 13B (Cannon Crewmember).
4. On 2 May 2011, he was honorably released from active duty in the rank/grade of specialist E-4 due to a reduction in force. He completed 3 years, 2 months and 6 days net active service this period. The DD Form 214 he was issued shows in:
 - Item 12f, (Foreign Service), the entry "0002 08 22"
 - Item 13, (Decorations, Medals, Badges, Citations and Campaign Ribbons Awarded or Authorized): Iraq Campaign Medal with 2 bronze service stars, Army

Achievement Medal (3rd Award), National Defense Service Medal, Global War on Terrorism Service Medal, Army Service Ribbon, Overseas Service Ribbon (2nd Award)

- Item 14, does not list the requested training
- Item 18 (Remarks) "Service in Iraq 20081201-20091117"

5. The applicant provides a copy of a Certificate of Training presented to him for his successful completion of RAID 17M Aerostat Training from 1 to 29 May 2009, for 3 weeks/120 hours.

6. There is no evidence in the available records that shows he was awarded the Army Good Conduct Medal nor is there 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:

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. Army Good Conduct Medal: Grant. The applicant served in active duty from 27 February 2008 to 2 May 2011, completing 3 years, 2 months, and 6 days of active service. There is no evidence in the available records that shows he was awarded the Army Good Conduct Medal. There is also no evidence of a commander's disqualification for the award and no evidence of any convictions by courts-martial or receipt of nonjudicial punishment under Article 15, Uniform Code of Military Justice. Therefore, the Board determined he meets the criteria for award of the Army Good Conduct Medal (1st Award).

b. Military Training: Grant. The applicant provides a copy of a Certificate of Training presented to him for his successful completion of RAID 17M Aerostat Training from 1 to 29 May 2009, for 3 weeks/120 hours. The Board determined this training should be listed on 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 the applicant, the Army Good Conduct Medal for service during the period 27 February 2008 through 26 February 211
- Amending his DD Form 214 as follows:
 - Block 13, add the Army Good Conduct Medal (1st Award)
 - Block 14, add RAID 17M Aerostat Training, 3 weeks, May 2009

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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 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.
3. Army Regulation 635-5 (Separation Documents), then in effect, provides detailed instructions for completing separation documents, including the DD Form 214. It provides that the DD Form 214 is a summary of a Soldier's most recent period of continuous active duty. It provides a brief, clear-cut record of active duty service at the time of release from active duty, retirement, or discharge. It also establishes standardized policy for preparing and distributing the DD Form 214. The regulation stipulates to enter (course title, number of weeks, and month and year completed) in item 14 to show formal in-service (full-time attendance) training courses successfully completed during the period covered by the DD Form 214. This information is intended to assist the Soldier in job placement and counseling; therefore, training course for combat skills are not to be listed.
4. 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//