

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 30 July 2025

DOCKET NUMBER: AR20240009552

APPLICANT REQUESTS: correction of his DD Form 214 (Certificate of Release or Discharge from Active Duty), ending on 27 July 2009 to show he was awarded the following:

- Army Good Conduct 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)

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 pertinent part:

- He was medically retired for injuries received before reaching 3 years
- He believes he should have been awarded the Army Good Conduct Medal based on the following:
 - A service member who medically retires from the military prior to completing three years of service may still be eligible for the Army Good Conduct Medal
 - A service member's record must show that they completed their standard enlistment without any non-judicial punishment, disciplinary infractions, or court martial offenses
 - Additionally, during wartime, a service member may be awarded the Army Good Conduct Medal after one year of continuous service

- While assigned to 34th Aviation Battalion, 4th Infantry Division was awarded the Global War on Terrorism Service Medal for support to designated Global War on Terrorism operations

3. The applicant requests to be awarded the Global War on Terrorism Service Medal. This award is presented to all service members who have participated in Global War on Terrorism operations outside of the areas of eligibility on or after 11 September 2001 to a date to be determined. This award will be administratively added to his DD Form 214 ending on 27 July 2009 and does not require an action by the Board. The Board will consider his request to be awarded the Army Good Conduct Medal.

4. A review of the applicant's service record shows the following:

- On 15 March 2007, he enlisted in the Regular Army
- On 17 April 2009, a Physical Evaluation Board convened finding him physically unfit with a recommended rating of 40 percent and permanent disability retirement
- Orders Number 131-0138, dated 11 May 2009 was issued for release from assignment and duty because of physical disability incurred while entitled to basic pay and under conditions that permit his retirement for permanent physical disability, effective 27 July 2009
- DD Form 214, ending 27 July 2009 reflects an honorable retirement, permanent disability with service from 15 March 2007 to 27 July 2009 for a net service of 2 years, 4 months, and 13 days. Item 13 (Decorations, Medals, Badges, Citations and Campaign Ribbons Awarded or Authorized) shows he was awarded the following:
 - National Defense Service Medal
 - Army Service Ribbon

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 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 regulations. Upon review of the applicant's petition and available military records the Board determined the applicant was honorably retired due to permanent physical disability, completing 2 years, 4 months, and 13 days of net active service from 15 March 2007 to 27 July 2009. The Board determined the applicant received excellent conduct and efficiency ratings and found no evidence of disciplinary action, misconduct, or other disqualifying factors during the period of active duty. Based on the applicant's honorable service and in accordance with regulatory guidance, the Board determined

the applicant met the criteria for award of the AGCM, (1st Award). As such, the Board granted relief to award the Army Good Conduct Medal (1st Award)

BOARD VOTE:

<u>Mbr 1</u>	<u>Mbr 2</u>	<u>Mbr 3</u>	
XXX	XXX	XXX	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 15 March 2007 to 27 July 2009 and adding the medal to his DD Form 214 for the period ending 27 July 2009.

//SIGNED//
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):

1. Reference the enclosed request for correction of military records, correct the applicant's DD Form 214 (Certificate of Release or Discharge from Active Duty), for the period ending 27 July 2009 by adding the award of the Global War on Terrorism Service Medal.
2. The following documents are sufficient to justify correction of the DD Form 214 without action by the Board.
 - DD Form 214
 - Enlisted Record Brief, dated 5 May 2009
 - Army Regulation (AR) 600-8-22 (Military Awards)
3. Correct the applicant's DD Form 214 to add the award shown in paragraph 1 above. Provide the applicant with a copy of the correction and the medal, as applicable. Please record the corrections in the applicant's official military personnel record.

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. AR 600-8-22 (Military Awards) prescribes Department of the Army (DA) policy, criteria, and procedures for individual and unit military awards and foreign decorations and badges. Chapter 4 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

//NOTHING FOLLOWS//