

IN THE CASE OF: ██████████

BOARD DATE: 7 February 2024

DOCKET NUMBER: AR20230006283

APPLICANT REQUESTS: correction of his DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge) to show award of the:

- Army Commendation Medal
- Army Good Conduct Medal

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

- DD Form 149 (Application for Correction of Military Record)
- Army Commendation Medal Certificate and Citation, dated 17 October 1972
- DD Form 214, for the period ending 17 October 1972

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 he would like to have his award of the Army Commendation Medal and the Army Good Conduct Medal added to his DD Form 214. His award for the Army Good Conduct Medal was stolen and he never knew how to go about requesting the corrections.
3. The applicant provides a copy of the Army Commendation Medal and the accommodating citation, effective 17 October 1972, awarded to the applicant for meritorious service during the period 14 September 1971 to 17 October 1972.
4. A review of the applicant's service record shows:
  - a. He was inducted into the Army of the United States on 18 January 1971.
  - b. He served in ██████████ from 8 April 1971 to 17 October 1972.

c. His DA Form 20 (Enlisted Qualification Record) shows he received all "excellent" conduct and efficiency ratings in the units he was assigned.

d. On 17 October 1972, he was honorably released from active duty. His DD Form 214 shows he completed 1 year and 9 months of active service. It also shows he was awarded or authorized the National Defense Service Medal.

5. By regulation,

a. The Army Good Conduct Medal was awarded for each 3 years of continuous enlisted active Federal military service completed on or after 27 August 1940. The enlisted person must have had all "excellent" conduct and efficiency ratings. Ratings of "Unknown" for portions of the period under consideration were not disqualifying. There must have been no convictions by a court-martial. However, there was no right or entitlement to the medal until the immediate commander made a positive recommendation for its award and until the awarding authority announced the award in General Orders.

b. The Army Commendation Medal was awarded to any member of the Armed Forces of the United States who, while serving in any capacity with the Army after 6 December 1941, distinguished himself by heroism, meritorious achievement, or meritorious service. The meritorious service while of lesser degree than that required for the award of the Legion of Merit must nevertheless have been accomplished with distinction and must have been of the same degree required for the award of the Bronze Star Medal or Air Medal. Exceptional performance of duty is not in itself an adequate basis for an award. An award may be made when the operational requirements for the award of the Bronze Star Medal have not been fully met. An award for meritorious service normally will not be made for a period of service of less than 6 months duration.

#### 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. One potential outcome was to grant partial relief based on insufficient evidence to support award of the Army Commendation Medal (ARCOM). However, upon further review of the applicant's petition and available military records, the Board determined the copy of the Army Commendation Medal and the accommodating citation, effective 17 October 1972, awarded to the applicant for meritorious service during the period 14 September 1971 to 17 October 1972 was sufficient to correct the applicant's DD Form 214.

2. Furthermore, 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 18 January 1971 to 17 October 1972. As such, the Board granted relief to annotate his DD Form 214 to show award of the Army Commendation Medal and awarding him the Army Good Conduct Medal.

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 Army records of the individual concerned be corrected by amending the applicant's DD Form 214 for the period ending 17 October 1972 to award the Army Commendation Medal and awarding him the Army Good Conduct Medal (1st Award) for exemplary service from 18 January 1971 to 17 October 1972 and adding the medal to his DD Form 214 for the period ending 17 October 1972.

2/22/2024

**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.

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 672-5-1 (Awards), in effect at the time, states:

a. The Army Good Conduct Medal was awarded for each 3 years of continuous enlisted active Federal military service 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; and, for the first award only, upon termination of service on or after 27 June 1950 of less than 3 years but more than 1 year. The enlisted person must have had all "excellent" conduct and efficiency ratings. Ratings of "Unknown" for portions of the period under consideration were not disqualifying. Service school efficiency ratings based upon academic proficiency of at least "Good" rendered subsequent to 22 November 1955 were not disqualifying. There must have been no convictions by a court-martial. However, there was no right or entitlement to the medal until the immediate commander made a positive recommendation for its award and until the awarding authority announced the award in General Orders.

b. The Army Commendation Medal was awarded to any member of the Armed Forces of the United States who, while serving in any capacity with the Army after 6 December 1941, distinguished himself by heroism, meritorious achievement, or meritorious service. The meritorious service while of lesser degree than that required for the award of the Legion of Merit must nevertheless have been accomplished with distinction and must have been of the same degree required for the award of the Bronze Star Medal or Air Medal. Exceptional performance of duty is not in itself an adequate basis for an award. An award may be made when the operational requirements for the award of the Bronze Star Medal have not been fully met. An award for meritorious service normally will not be made for a period of service of less than 6 months duration.

//NOTHING FOLLOWS//