

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 12 March 2024

DOCKET NUMBER: AR20230008345

APPLICANT REQUESTS: correction of his DD Form 214 (Certificate of Release or Discharge from Active Duty) to show the Army Commendation Medal (ARCOM).

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

- DD Form 149 (Application for Correction of Military Record)
- ARCOM Certificate, issued on 26 August 1991

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 that upon reviewing his DD Form 214, he discovered that the ARCOM was not included.
3. The applicant enlisted in the Regular Army on 27 January 1988. He served in Southwest Asia from August 1990 to April 1991 and attained the rank of specialist/E-4
4. The applicant's DA Form 2-1 (Personnel Qualification Record – Part II) does not show the ARCOM in item 9 (Awards, Decorations, and Campaigns).
5. The applicant's available records are devoid of orders awarding him the ARCOM.
6. The applicant was released from active duty on 10 June 1991. His DD Form 214, as amended by a DD Form 215 (Correction to DD Form 214), dated 14 April 1992, does not show the ARCOM.
7. The applicant provided an ARCOM Certificate, issued on 26 August 1991, showing he was awarded the ARCOM for meritorious service while assigned to Company D, 313th Military Intelligence Battalion, 82nd Airborne Division from 22 September 1988 to 4 June 1991.

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. The applicant's records do not contain, and the applicant does not provide permanent orders confirming his award of the Army Commendation Medal. However, he provides a certificate citing him for service from September 1988 to June 1991. The cited service is consistent with his period of service on active duty, unit assignment, and scope of responsibility. The Board accepted this certificate as sufficient evidence to show he was awarded the Army Commendation Medal.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

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:	:	:	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 adding the Army Commendation Medal to his DD Form 214.

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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) states the ARCOM may be 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, distinguishes himself or herself by heroism, meritorious achievement, or meritorious service. As with all personal decorations, formal recommendations, approval through the chain of command, and announcement in orders are required.

//NOTHING FOLLOWS//