

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: ██████████

BOARD DATE: 8 March 2024

DOCKET NUMBER: AR20230008838

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

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

- DD Form 149 (Application for Correction of Military Record)
- Certificate, Army Commendation Medal
- DD Form 214, for the period ending 26 May 1981

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 recently discovered that his award of the Army Commendation Medal was not listed on his DD Form 214 and he would like to have his record updated.
3. The applicant provides a certificate of the Army Commendation Medal issued on 20 October 1980 for distinguishing himself by meritorious achievement as a Squad Leader, Advanced Individual Training Program, while assigned to Company C, 3d Battalion, 11th Infantry, 5th Infantry Division (Mechanized), Fort Polk, Louisiana, from 1 June 1980 to 1 August 1980.
4. The applicant's records contain sufficient evidence to support an additional amendment not shown on his DD Form 214, for the period ending on 26 May 1981 and will be listed in the administrative notes. The Board will consider the applicant's request for correction of his DD Form 214 to show award of the Army Commendation Medal.
5. A review of the applicant's service record shows:
 - a. He enlisted in the Regular Army on 27 May 1977.

b. DA Form 2-1 (Personnel Qualification Record – Part II) shows:

(1) He was assigned to Company C, 3d Battalion, 11th Infantry Regiment at Fort Polk, Louisiana from 16 August 1979 to 26 May 1981.

(2) He completed the Basic Noncommissioned Officer Course in 1979.

c. DA Form 1059 (Service School Academic Evaluation Report) shows he successfully completed the Primary Noncommissioned Officer Course – Class 80-1 from 18 October 1979 to 16 November 1979.

d. His military record contains neither the Certificate of Award nor corresponding orders for the Army Commendation Medal.

e. On 26 May 1981, he was released from active duty with an honorable characterization of service. His DD Form 214 shows he completed 4 years of active service. It also shows in:

- item 13 (Decorations, Medals, Badges, Citations and Campaign Ribbons Awarded or Authorized): Rifle M-16 (Expert), Hand Grenade (Expert), Good Conduct Medal, and the Humanitarian Service Medal
- item 14 (Military Education): None

6. The Army Commendation Medal 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.

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 applicant's contentions, the military record, and regulatory guidance were carefully considered.

2. The Board determined the certificate the applicant provided for the Army Commendation Medal was sufficient to warrant a correction to his record.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

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:	:	:	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
:	:	:	DENY APPLICATION

BOARD DETERMINATION/RECOMMENDATION:

In addition to the correction addressed in the Administrative Note below, 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.

ADMINISTRATIVE NOTE:

A review of the applicant's records shows he is authorized an additional amendment not listed on his DD Form 214, for the period ending 26 May 1981. As a result, amend his DD Form 214 to show in Item 14 (Military Education): "Primary Noncommissioned Officer Course, 4 weeks, Nov 1979."

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 (AR) 600-8-22 (Military Awards) states the Army Commendation Medal 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.
3. AR 635-5 (Personnel Separations – Separation Documents), in effect at the time, prescribes the policy and procedures for preparing the DD Form 214 (Certificate of Release or Discharge from Active Duty). It states for item 14 (Military Education) of the DD Form 214, list formal inservice (full-time attendance) training courses successfully completed during the period of service covered by title, length in weeks, and month and year completed. This information is to assist the soldier after separation in job placement and counseling; therefore, training courses for combat skills will not be listed.

//NOTHING FOLLOWS//