

IN THE CASE OF: [REDACTED]

BOARD DATE: 17 April 2024

DOCKET NUMBER: AR20230009583

APPLICANT REQUESTS: correction of his DD Form 214 (Certificate of Release or Discharge from Active Duty) to show award of 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
- DD Form 214

FACTS:

1. Incorporated herein by reference are military records which were summarized in the previous consideration of the applicant's case by the Army Board for Correction of Military Records (ABCMR) in Docket Number AR20180011359 on 13 November 2018.
2. The applicant states his ARCOM, dated 2 June 1990 was not listed on his DD Form 214. He previously filed to have his medal included years ago; however, his request was never resolved.
3. The applicant provides:
  - a. A copy of his ARCOM certificate, dated 2 June 1990.
  - b. A copy of his DD Form 214, which is void of his ARCOM.
4. A review of the applicant's service record shows:
  - a. He enlisted in the Regular Army on 14 January 1986.
  - b. His DA Form 2-1 (Personnel Qualification Record) item 9 (Awards, Decorations and Campaigns) is void of an ARCOM.

c. He was honorably discharged on 13 January 1990. He completed 4 years and 5 months of net service this period. His DD Form 214 shows he was awarded/authorized the:

- Army Good Conduct Medal
- Army Service Ribbon
- Overseas Service Ribbon
- Driver Mechanic Badge
- Expert Marksmanship Qualification Badge (with Rifle Bar)

d. His service record does not contain orders or other documentary evidence showing he received an ARCOM.

5. On 13 November 2018, the Army Review Boards Agency (ARBA) responded to the applicant stating that he had not exhausted all available administrative remedies. The Board referred his request to the U.S. Army Human Resources Command (AHRC).

6. The ARBA analyst of record reached out to AHRC on 18 March 2024, and was informed that a letter was sent to the applicant in 2019. AHRC requested a legible copy of his DD Form 214 and a copy of the ARCOM award order. As of to date, no documents have been received.

7. Army Regulation 635-5 (Separation Documents), in effect at the time, prescribed policies and procedures regarding separation documents. The DD Form 214 is a summary of a Soldier's most recent period of continuous active service. It provides a brief, clear-cut record of active service at the time of release from active duty, retirement, or discharge. The DD Form 214 is not intended to have any legal effect on termination of a Soldier's service.

#### 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 regulation. Upon review of the applicant's petition and available military records, the Board determined there was sufficient evidence to show the applicant was awarded the Army Commendation Medal (ARCOM) for meritorious service while serving as the Brigade Commander's driver, 3rd Brigade, 1st: Armored Division. Based on this, the Board granted relief to correct the applicant's record to reflect award of the Army Commendation Medal (ARCOM).

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 her DD Form 214 for the period ending 13 January 1990 to show award of the Army Commendation Medal.

4/19/2024

X

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CHAIRPERSON

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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), in effect at the time, prescribes the policies and procedures for military awards and decorations. Paragraph 3-16b, the

ARCOM is 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. Award may be made to a member of the Armed Forces of a friendly foreign nation who, after 1 June 1962, distinguishes himself or herself by an act of heroism, extraordinary achievement, or meritorious service which has been of mutual benefit to a friendly nation and the United States.

3. Army Regulation 635-5 (Separation Documents), in effect at the time, prescribed policies and procedures regarding separation documents. The DD Form 214 is a summary of a Soldier's most recent period of continuous active service. It provides a brief, clear-cut record of active service at the time of release from active duty, retirement, or discharge. The DD Form 214 is not intended to have any legal effect on termination of a Soldier's service.

//NOTHING FOLLOWS//