

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 30 April 2024

DOCKET NUMBER: AR20230010701

APPLICANT REQUESTS: Army Commendation Medal (ARCOM) be added to his DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge).

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

- DD Form 149 (Application for Correction of Military Record)
- ARCOM Certificate dated 1 July 1971
- DD Form 214

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 he was awarded the Army Commendation Medal and request the medal be listed on his DD Form 214
3. A review of the applicant's service records shows:
 - a. On 7 August 1969, he was inducted into the Army of the United States.
 - b. He served in Vietnam, through 2 campaigns, from 2 September 1970 to on or about 25 July 1971 and received foreign service credit of 10 months and 29 days.
 - c. His DA Form 20 (Enlisted Qualification Record) shows in:
 - (1) Item 38 (Record of Assignment) he was assigned to Company C, 14th Engineer Battalion, 1st Armored Division. He also received excellent conduct and efficiency ratings throughout his service.
 - (2) Item 41 (Awards and Decorations) he was awarded the National Defense Service Medal, Vietnam Service Medal, Vietnam Campaign Medal, overseas service

bar, Marksman Marksmanship Qualification Badge with Pistol Bar, and Expert Marksmanship Qualification Badge with Rifle Bar.

d. On 30 July 1971, he was honorably released from active duty and transferred to the U.S. Army Reserve to complete his remaining service obligations. His DD Form 214 shows he completed 1 year, 11 months, and 24 days of active service. He was awarded or authorized:

- Vietnam Service Medal
- Republic of Vietnam Campaign Medal
- National Defense Service Medal
- Overseas Service Bar
- Expert Marksmanship Qualification Badge with Rifle Bar (M-16)
- Expert Marksmanship Qualification Badge with Rifle Bar (M-14)

4. The applicant provides a certificate, reflective of his award of the Army Commendation Medal for meritorious service in the Republic of Vietnam from September 1970 to July 1971.

5. His service record does not contain general orders awarding him the Army Commendation Medal.

6. A review of the Awards and Decorations Computer-Assisted Retrieval System, an index of general orders issued during the Vietnam era between 1965 and 1973 maintained by the U.S. Army Human Resources Command, failed to reveal any orders for the Army Commendation Medal pertaining to the applicant.

7. A review of the applicant's record confirms he is eligible for awards that are not recorded on his DD Form 214. These awards will be added to his DD Form 214 as administrative corrections and will not be considered by the Board.

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.

a. Although no orders were provided for the Army Commendation Medal, the Board noted that the applicant provides a certificate, reflective of his award of the Army Commendation Medal for meritorious service in Vietnam from September 1970 to July 1971. The period of service and level of award are consistent with his service in Vietnam and scope of responsibilities. The Board accepted the certificate as sufficient evidence to add the Army Commendation Medal to his DD Form 214.

b. As a related award, although not specifically requested by the applicant, the Board noted that the applicant served on active duty from 7 August 1969 to 30 July 1971, completing 1 year, 11 months, and 24 days of active service. He received all "Excellent" conduct and efficiency ratings throughout his service. His record is void of any disqualifying factor that prevents him from receiving his first award of the Army Good Conduct Medal. The Board determined he meets the criteria for award of the Army Good Conduct Medal (1st Award).

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

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

BOARD DETERMINATION/RECOMMENDATION:

In addition to the correction addressed in Administrative Note(s) 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:

- awarding him the Army Good Conduct Medal for service during the period 7 August 1969 through 30 July 1971
- adding to his DD Form 214 the Army Commendation Medal and Army Good Conduct Medal (1st Award)

■

■ ■

■

■

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 service records show he is authorized additional awards not annotated on his DD Form 214 for the service period ending 10 June 1970. As a result, correct his DD Form 214 to show:

- Republic of Vietnam Gallantry Cross Unit Citation with Palm
- two bronze service stars with his previously awarded Vietnam Service Medal
- Expert Marksmanship Qualification Badge with Grenade Bar
- Marksman Marksmanship Qualification Badge with Pistol Bar (.45)

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. Department of the Army Pamphlet 672-3 (Unit Citation and Campaign Participation Credit Register) lists the awards received by units serving in Vietnam. This pamphlet shows the unit to which the applicant was assigned was cited for award of the Republic of Vietnam Gallantry Cross with Palm Unit Citation for the period 8 February 1962 to 28 March 1973, by Department of the Army General Order Number 8, dated 1974.

//NOTHING FOLLOWS//