

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 16 August 2024

DOCKET NUMBER: AR20230014875

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

- Army Good Conduct Medal (AGCM)
- Certificate of Achievement (COA)

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

- DD Form 149 (Application for Correction of Military Record)
- COA for the period 20 August 1964 to 15 October 1965
- DD Form 214
- A letter issued by the National Personnel Records Center (NPRC), dated 27 October 2023

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 is requesting his COA and AGCM medals, and for both awards to be added to his DD Form 214.
3. Once a COA is awarded, it can be filed in the local military personnel records jacket (MPRJ) or placed on the Official Military Personnel File (OMPF). Pursuant to Army Regulation, there is no distinguishing device authorized for wear to indicate receipt of a COA and there is no provision to list the COA on the DD Form 214. Therefore, this issue will no longer be discussed in these proceedings.
4. The applicant provides a letter issued by NPRC, dated 27 October 2023 that shows based on documents he provided, he was authorized the following awards:
  - National Defense Service Medal (NDSM)

- Markman Badge with Rifle Bar

5. A review of the applicant's service records show:

- a. He enlisted in the Regular Army on 30 August 1963.
- b. The applicant's DA Form 20 (Enlisted Qualification Record) shows in:
  - item 31 (Foreign Service): 16 August 1964 through 11 February 1966 U.S. Army Alaska (USARAL)
  - item 33 (Appointments and Reductions): consecutive promotions and does not reflect any reductions in rank
  - item 38 (Record of Assignments): he received all excellent ratings in conduct and efficiency
  - item 41 (Awards and Decorations): Markman Badge with Rifle (M-14)
  - item 44 (Lost Time): None
- c. His DD Form 214 shows he was honorably released from active duty on 29 August 1966 and was transferred to the U.S. Army Reserve (USAR). He completed 3 years of active service. It also shows in:
  - item 24c (Foreign and/or Sea Service): 1 year, 5 months, 26 days
  - item 26 (Awards): Marksman (Rifle), NDSM

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 Military Awards Branch, failed to reveal any orders for the AGCM pertaining to the applicant.

#### BOARD DISCUSSION:

1. After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that partial relief was warranted. The Board carefully considered the applicant's record of service, documents submitted in support of the petition and executed a comprehensive 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, including his service from 30 August 1963 to 29 August 1966, a period of 3 years. Based on this, the Board granted relief to correct the applicant's record to award the Army Good Conduct Medal (First Award).

2. As it relates to the applicant's request to add his Certificate of Achievement, the Board does not doubt the legitimacy of the certificate and commends the applicant on

his achievement; however, notes there is not regulatory provision to allow such placement of this document on the DD Form 214 and therefore denied relief.

BOARD VOTE:

Mbr 1      Mbr 2      Mbr 3

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

BOARD DETERMINATION/RECOMMENDATION:

1. The Board determined the evidence presented is sufficient to warrant a recommendation for partial relief. As a result, the Board recommends that all Department of Army records of the individual concerned be corrected by awarding him the Army Good Conduct Medal (First Award) for exemplary service from 30 August 1963 to 29 August 1966 and adding the medal to his DD Form 214 for the period ending 29 August 1966.

2. The Board further determined that the evidence presented is insufficient to warrant a portion of the requested relief. As a result, the Board recommends denial of so much of the application that pertains to adding the applicant's Certificate of Achievement 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) prescribes Army policy, criteria, and administrative instructions concerning individual and unit military awards. This regulation further states commanders may recognize acts, achievements, or periods of faithful service which do not meet the standards required for decorations by issuing a DA Form 2442 (Certificate of Achievement) or a certificate of achievement of local design. Although copies of Certificates of Achievement (COA), Letters of Appreciation (LOA) (appreciation for outstanding performance), or Letters of Commendations (LOC) stating that a certificate of achievement has been awarded and filed in the local military personnel records jacket (MPRJ) or placed on the Official Military Personnel File (OMPF), there is no distinguishing device authorized for wear to indicate receipt of a LOA or LOC and there is no provision to list the LOA or LOC on the DD Form 214.
  
3. Army Regulation 672-15 (Decorations and Awards Service Medals), in effect at the time, states 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. 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.
  
4. Army Regulation 635-5 (Personnel Separations Separation Documents) in effect at the time, states that the DD Form 214 will reflect the conditions and circumstances that existed at the time the records were created. The purpose of the separation document is to provide the individual with documentary evidence of his or her military service at the time of release from active duty, retirement, or discharge. It is important that information entered on the form be complete and accurate and reflects the conditions as they existed at the time of separation.
  
5. Army Regulation 15-185 (Army Board for Correction of Military Records) prescribes the policies and procedures for correction of military records by the Secretary of the Army acting through the ABCMR. The ABCMR begins its consideration of each case

with the presumption of administrative regularity. The applicant has the burden of proving an error or injustice by a preponderance of the evidence.

//NOTHING FOLLOWS//