

IN THE CASE OF: [REDACTED]

BOARD DATE: 27 January 2025

DOCKET NUMBER: AR20240004901

APPLICANT REQUESTS:

- Adding an ARCOM to his DD Form 214
- Receive copies of all DA Form 214s

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

- DD Form 149 (Application for Correction of Military Record)
- Army Commendation Medal Certificate (ARCOM)

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 was awarded the ARCOM and it was not added to his DD Form 214 (Certificate of Release or Discharge from Active Duty).
3. The applicant provides a ARCOM certificate awarded on 22 August 1980.
4. A review of the applicant's service record shows:
 - a. He enlisted in the Regular Army on 19 October 1971.
 - b. Orders 014-105 dated 14 January 1981 shows the applicant will be discharge on 27 February 1981.
 - c. He was discharged from active duty on 27 February 1981. His DD Form 214 shows he completed 4 years and 26 days of total active service. It also shows he was awarded or authorized:

- Expert Marksmanship Qualification Badge with Rifle Bar (M-16)
- Expert Marksmanship Qualification Badge with Hand Grenade
- Army Good Conduct Medal
- National Defense Service Medal
- Expert Field Medical Badge

d. The record is void of documentation awarding the applicant the ARCOM.

5. There is no evidence the applicant has applied to the Army Discharge Review Board for review of his discharge within that board's 15-year statute of limitations.

6. Army Regulation 600-8-22 (Military Awards) states there is no automatic entitlement to an award upon departure either from an assignment or from the service.

BOARD DISCUSSION:

After reviewing the application and all supporting documents, the Board determined relief was warranted. The applicant's contentions, the military record, and regulatory guidance were carefully considered. Based upon the provided award certificate and the dates annotated on the award certificate following within the dates covered by the applicant's DD Form 214, the Board concluded there was sufficient evidence of an error or injustice warranting adding the ARCOM to the applicant's DD 214.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	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 the applicant's DD Form 214 by awarding and adding the Army Commendation Medal.

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CHAIRPERSON

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 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. Army Regulation 635-5 (Separation Documents) states to list awards and decorations for all periods of service in the priority sequence specified in Army Regulation 600-8-22. Army Regulation 600-8-22 gives the order of precedence for awards and decorations. Only decorations, medals, and ribbons are listed. Certificates of achievement, letters of appreciation, and similar documents are not listed.

//NOTHING FOLLOWS//