

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 5 January 2024

DOCKET NUMBER: AR20230002836

APPLICANT REQUESTS: correction of his DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge) ending 8 October 1969 to show he was awarded:

- Combat Medical Badge (CMB)
- Bronze Star Medal (BSM) with “V” device (2nd Award)
- Army Commendation Medal (ARCOM) with “V” device (2nd Award)

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

- DD Form 149 (Application for Correction of Military Record)
- General Orders Number 12729, 4 December 1968 (ARCOM with V Device)
- General Orders Number 8354, 9 August 1969 (BSM with V Device)
- General Orders Number 9027, 22 August 1969 (ARCOM)
- ARCOM Citation, September 1968 to September 1969
- DD Form 214, 8 October 1969
- Decree of Adoption, 9 February 1970
- U.S. Senator Privacy Act Release Form, 13 February 2023
- Email from the National Personnel Record Center, 1 March 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, in effect, he served as a combat medic with the 2d Battalion, 16th Infantry Regiment, 1st Infantry Division, Lai Khe Base Camp. While serving in the field he received two ARCOMs (one with “V” device), two BSMs (one with “V” device), and the CMB. He did not receive the paperwork for the CMB. The second BSM was awarded just prior to him leaving the country but due to the timing, he did not receive the paperwork or a copy of the orders. He would like his records to accurately reflect his service.

3. The applicant provides the following:

a. General Orders Number 12729, issued by Headquarters (HQ), 1st Infantry Division, APO San Francisco, dated 4 December 1968, which shows he was awarded the ARCOM with "V" device on 24 October 1968 for his heroism in connection with military operations against a hostile force in the Republic of Vietnam. The citation reads, in part:

"For heroism in connection with military operations against a hostile force in the Republic of Vietnam: On this date, [Applicant] was serving as a medical aidman with his company during counterinsurgency operations northwest of Lai Khe Base Camp. The tow-company force made contact with a North Vietnamese platoon employing intense automatic weapons and rocket fire. With complete disregard for his personal safety, [Applicant] immediately advanced through the hail of hostile rounds and administered first aid to several wounded comrades. As he assisted the wounded to the evacuation point, the security force again made enemy contact. [Applicant] quickly treated the additional casualties and then helped organize the injured personnel for aerial evacuation to medical facilities. His courageous initiative and professionalism significantly contributed to saving the lives of seven seriously wounded individuals.

b. General Orders Number 8354, issued by HQ, 1st Infantry Division, APO San Francisco, dated 9 August 1969, which shows he was awarded the BSM with "V" device on 15 May 1969 for his heroism not involving participation in aerial flight, in connection with the military operations against a hostile force in the Republic of Vietnam. The citation reads, in part:

"For heroism not involving participation in aerial flight, in connection with military operations against a hostile force in the Republic of Vietnam: On this date, [Applicant] was serving as a medical aidman with his unit on a counterinsurgency operation in an area of known activity. As the friendly force proceeded into a woodline, the lead element was suddenly subjected to intense small arms fire from an undetermined size insurgent force. With complete disregard for his personal safety, [Applicant] unhesitatingly advanced through the aggressor fusillade to administer first aid to the wounded Soldiers. Providing his own covering fire, he removed two severely wounded casualties by carrying them individually to the medical evacuation zone. His courageous initiative and exemplary professionalism was instrumental in saving several friendly lives.

c. General Orders Number 9027 and citation, issued by HQ, 1st Infantry Division, APO San Francisco, dated 22 August 1969, which shows he was awarded the ARCOM for meritorious service in the Republic of Vietnam from September 1968 to September 1969.

d. A Decree of Adoption, dated 9 February 1970, which ordered, adjudged, and decreed that the applicant's name be changed to "MXXXXXX BXXXXX."

e. U.S. Senator Privacy Act Release Form dated 13 February 2023, which authorized the Senator and her staff to receive information pertinent to the applicant's request for assistance from all government agencies.

f. Email from the NPRC to the U.S. Senator's Office, dated 1 March 2023, recommending the applicant complete either a DD Form 149 or DD Form 293 (Application for Review of Discharge from the Armed Forces of the United States).

4. The applicant's request to show he was awarded the BSM with "V" device and the ARCOM with "V" device (2nd Award) will be addressed through an administrative correction without Board action. The Board will consider the applicant's request for award of the CMB.

5. A review of the applicant's service record reflects the following:

- a. He was inducted into the Army of the United States (AUS) on 7 March 1968.
- b. He was honorably released from the AUS on

and transferred to the United States Army Reserve. His DD Form 214 shows he completed 1 year, 7 months, and 2 days of net service this period. It also shows in:

- Item 12 (Last Duty Assignment and Major Command): 1st Infantry Division, APO 96345, United States Army Vietnam
- Item 22c (Foreign and/or Sea Service): 1 year, 23 days
- Item 23a (Specialty Number & Title): 91B20/Medical Specialist
- Item 24 (Decorations, Medals, Badges, Commendations, Citations and Campaign Ribbons Awarded or Authorized): Does not list the CMB
 - National Defense Service Medal
 - Vietnam Service Medal
 - Vietnam Campaign Medal
 - ARCOM
 - BSM

- Item 25 (Education and Training Completed): Medical Corpsman

6. There is no documentation in the applicant's record to show he was recommended for or awarded the CMB.

7. The U.S. Army Human Resources Command was unable to verify the applicant's entitlement to the CMB.

8. The Combat Medical Badge is not intended to recognize an individual for unit battle participation or deployment to a combat zone. The Combat Medical Badge is designed to recognize medical personnel, whose daily mission is to perform medical duties while assigned to a unit that is actively engaged in actual ground combat, provided they are personally present and under fire.

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 Board carefully considered the applicant's contentions, the military record, and regulatory guidance. The Board considered the applicant's period of service, awards and recognitions received attesting to his exemplary professional, courage and devotion to duty while engaged in actual ground combat. After due consideration of the applicant's request, the Board determined the evidence presented sufficient to warrant a recommendation for relief.

2. Prior to closing the case, the Board did note the analyst of record administrative notes below, and recommended the correction is completed to more accurately depict the military service of the applicant.

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 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 Combat Medic Badge for exceptional meritorious service from 7 March 1968 to 8 October 1969 and adding the medal to his DD Form 214 for the period ending it to his DD214



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(S): A review of the applicant's records show he is authorized additional awards not listed on his DD Form 214 for the period ending 8 October 1969. As a result, his DD Form 214 should be amended in item 24 (Awards) as follows:

a. Delete:

- Bronze Star Medal
- Army Commendation Medal

b. Add:

- Bronze Star Medal with "V" device
- Army Commendation Medal with "V" device (2nd Award)
- 4 bronze service stars to his previously issued Vietnam Service Medal
- Republic of Vietnam Gallantry Cross with Palm Unit Citation
- Republic of Vietnam Civil Actions Honor Medal

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) provides special provisions for award of the Combat Medical Badge during the Vietnam conflict. These provisions permitted award of the Combat Medical Badge to Soldiers assigned to a Vietnamese unit engaged in actual ground combat or as a member of a U.S. Army infantry unit of brigade or smaller size including Special Forces Detachments serving with the Republic of Vietnam units engaged in actual ground combat. The special provisions required the Soldier to be personally present and under hostile fire while assigned as specified.

3. Army Regulation 600-8-22 (Military Awards), now in effect, prescribes Department of the Army policy, criteria, and administrative instructions concerning individual and unit military awards.

a. The Army Commendation Medal is awarded to any service 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. As with all personal decorations, formal recommendations, approval through the chain of command, and announcement in orders are required.

b. The Bronze Star Medal is awarded to any person who, while serving in any capacity in or with the Armed Forces of the United States, or a friendly foreign nation, after 6 December 1941, distinguished himself or herself by heroic or meritorious achievement or service, not involving participation in aerial flight, in connection with military operations against an armed enemy; or while engaged in military operations involving conflict with an opposing armed force in which the United States is not a belligerent party. As with all personal decorations, formal recommendations, approval through the chain of command, and announcement in orders are required.

c. The bronze "V" device indicates acts of heroism involving conflict with an armed enemy and authorizes the device in conjunction with awards of the Army Commendation Medal, the Air Medal, and the Bronze Star Medal. Although more than one award of the Army Commendation Medal, the Air Medal, or the Bronze Star Medal may be made for heroism to the same person, only one "V" device may be worn on awards of these medals.

d. A bronze or silver twig of four oak leaves with three acorns on the stem, 13/32 inch long for the suspension ribbon, and 5/16 inch long for the service ribbon bar and the unit award emblem is issued to denote award of second and succeeding awards of decorations.

e. The Vietnam Service Medal was awarded to all service members of the Armed Forces of the United States for qualifying service in Vietnam after 3 July 1965 through 28 March 1973. Qualifying service included attachment to or assignment for 1 or more days with an organization participating in or directly supporting military operations. One bronze service star is authorized with the Vietnam Service Medal for each campaign during which a member was assigned or attached to and present for duty with a unit during the period in which it participated in combat or was under orders in the combat zone and served at a normal post of duty. One silver service star is worn to denote five bronze service stars. The applicant participated in four campaigns during his service in Vietnam.

4. Department of the Army Pamphlet 672-3 (Unit Citation and Campaign Participation Credit Register) lists the unit awards received by units serving in Vietnam. This pamphlet shows 2d Battalion, 16th Infantry, was cited for the following unit awards:

a. Department of the Army General Order (DAGO) Number 32, dated 1969, awarded 2d Battalion 16th Infantry, the Republic of Vietnam Gallantry Cross with Palm Unit Citation for the period 12 July 1965 to 16 October 1968.

b. DAGO Number 53, dated 1970, awarded 2d Battalion, 16th Infantry, the Republic of Vietnam Civil Actions Honor Medal for the period 12 July 1965 to 7 April 1970.

//NOTHING FOLLOWS//