

IN THE CASE OF: ██████████

BOARD DATE: 11 January 2024

DOCKET NUMBER: AR20230006393

APPLICANT REQUESTS: correction of DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge) for the period ending 4 June 1969 by adding the Bronze Star Medal (BSM).

APPLICANT'S SUPPORTING DOCUMENTS CONSIDERED BY THE BOARD:

- DD Form 149 (Application for Correction of Military Record)
- BSM Certificate
- DD Form 214 for the period ending 4 June 1969

FACTS:

1. The applicant did not file within the three-year time frame provided in Title 10, United States Code, section 1552(b); however, the 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 would like his BSM to be listed on his DD Form 214. He did not realize that it was not on his DD Form 214 until he met with a Veteran Service Officer.

3. The applicant provides a BSM Certificate, dated 22 October 1968, showing he received the medal for meritorious achievement in ground operations against hostile forces in the Republic of Vietnam during the period 1 January 1968 to 31 August 1968.

4. A review of the applicant's service record shows the following:

a. On 1 November 1966, he enlisted in the Regular Army.

b. A DA Form 20 (Enlisted Qualification Record) shows in:

- Item 31 (Foreign Service): "23Nov67 through 3Jun69 USARPAC Vietnam"
- Item 38 (Record of Assignments): he was assigned to the following units:

- 25 November 1976 to 30 June 1968: Company A, 501st Battalion (Airborne) USARPAC
- 1 July 1968 to 30 July 1968: Company A, 501st Signal Battalion, (Air Cavalry), USARPAC
- 1 August 1968 to 20 January 1969: Company A, 501st Signal Battalion, (Airborne), USARPAC
- 21 January 1969 to 16 March 1969: Headquarters and Headquarters Command, 160th Aviation Group, USARPAC
- 17 March 1969 to 29 May 1969: Company B, 101st Aviation Battalion, USARPAC

- Item 41 (Awards and Decorations): does not reflect the BSM

c. His DD Form 214 for the period ending 4 June 1969 shows he was released from active duty and transferred to the U.S. Army Reserve. He completed 2 years, 7 months, and 1 day of net service this period. It also shows in:

- Item 22c (Foreign and/or Sea Service): 1 year, 6 months and 11 days of foreign service
- item 24 (Decorations, Medals, Badges, Commendations, Citations and Campaign Ribbons Awarded or Authorized): does not reflect he was awarded the BSM

5. His service record is void of orders showing he was awarded a BSM.

6. The Awards and Decorations Branch, U.S. Army Human Resources Command, was unable to locate orders announcing award of the BSM to the applicant.

BOARD DISCUSSION:

1. After reviewing the application and all supporting documents, the Board found relief is warranted.

2. The Board found the BSM Certificate provided by the applicant sufficient evidence to confirm he received this medal. The Board determined the BSM should be added to his DD Form 214.

3. The Board concurred with the corrections described in Administrative Note(s) below.

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 the Army records of the individual concerned be corrected by adding the BSM to his DD Form 214 and by making the corrections described in Administrative Note(s) below.

4/1/2024

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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.

ADMINISTRATIVE NOTE(S):

A review of the applicant's records shows he is authorized additional awards not listed on his DD Form 214 for the period ending 4 June 1969. As a result, amend his DD Form 214 by adding the following awards:

- Republic of Vietnam Gallantry Cross with Palm Unit Citation
- one silver service star and one bronze service star with the Vietnam Service 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 Army Board for Correction of Military Records (ABCMR) determines it would be in the interest of justice to do so.
2. Army Regulation 600-8-22 (Military Awards) provides policy, criteria, and administrative instructions concerning individual military decorations. Chapter 3-16 (BSM) states the BSM 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.
3. Army Regulation 635-5, in effect at the time, prescribed the separation documents prepared for Soldiers upon retirement, discharge, or release from active duty service or control of the Active Army. It established standardized policy for preparing and distributing the DD Form 214.

//NOTHING FOLLOWS//