

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 20 February 2024

DOCKET NUMBER: AR20230007023

APPLICANT REQUESTS: correction of his DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge), ending on 20 May 1968, to show the Army Commendation Medal.

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

- DD Form 149 (Application for Correction of Military Record)
- Army Commendation Medal Citation
- Army Commendation Medal Certificate
- DD Form 214, ending 20 May 1968
- Honorable Discharge Certificate

FACTS:

1. The applicant did not file within the 3-year time frame provided in Title 10, U.S. Code (USC, 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 pertinent part, he was awarded and received the Army Commendation Medal after he was discharged from active duty. It is not reflected on his DD Form 214.

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

a. On 18 May 1966, he was inducted into the Army of the United States. He held an infantry military occupational specialty.

b. His DA Form 20 (Enlisted Qualification Record) shows he served in Vietnam from 13 October 1967 to on or about 24 May 1968. He was assigned to the 2nd Battalion, 327th Infantry. It also shows in item 41 (Decorations and Awards) the following awards:

- Vietnam Service Medal
- National Defense Service Medal

- Parachutist Badge
- Vietnam Campaign Medal
- Combat Infantryman Badge
- Army Good Conduct Medal
- Expert Marksmanship Qualification Badge M-14 with Rifle Bar

c. He was honorably released from active duty on 20 May 1968. His DD Form 214, shows in Item 24 (Decorations, Medals, Badges, Commendations, Citations and Campaign Ribbons Awarded or Authorized) shows:

- National Defense Service Medal
- Vietnam Campaign Medal
- Army Good Conduct Medal
- Parachutist Badge
- Vietnam Service Medal
- Combat Infantryman Badge
- Expert Marksmanship Qualification Badge with Rifle Bar (M-14)

d. On 13 July 1970, the Office of the Adjutant General, U.S. Army Administration Center issued Letter Orders Number 07-1029540 honorably discharging him from the USAR Control Group (Standby), effective 31 July 1970.

4. His record is void of the orders awarding him the Army Commendation Medal. However, the applicant provides the following:

a. The Army Commendation Medal Citation showing he was cited for exceptionally meritorious service in support of the United States objectives in the counter insurgency effort in the Republic of Vietnam during the period of 25 October 1967 to 24 May 1968.

b. The Army Commendation Medal Certificate showing the awarded was presented to him for exceptionally meritorious service in support of the United States objectives in the counter insurgency effort in the Republic of Vietnam during the period of 25 October 1967 to 24 May 1968.

c. Honorable Discharge Certificate showing he was discharged from the USAR on 31 July 1970.

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.

Award of the Army Commendation Medal requires a formal recommendation, approval through the chain of command, and announcement in orders. There are no orders provided for the award. However, the applicant provides a certificate and a citation, showing he was cited for exceptionally meritorious service in support of the United States objectives in the counter insurgency effort in the Republic of Vietnam during the period of 25 October 1967 to 24 May 1968. The Board noted that the period of service and level of responsibility on the certificate are consistent with his grade, scope of responsibilities, and service in Vietnam and therefore accepted the certificate and citation as sufficient evidence to add this award to his DD Form 214.

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 corrections addressed in Administrative Note(s) below, 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 the Army records of the individual concerned be corrected by adding the Army Commendation Medal 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.

ADMINISTRATIVE NOTE(S):

1. Reference the enclosed request for correction of military records from the subject individual to correct his DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge) for the period ending 20 May 1968, by amending it as follows:

a. Delete the Vietnam Service Medal.

b. Adding the following awards:

- Vietnam Service Medal with three bronze service stars
- Republic of Vietnam Gallantry Cross with Palm Unit Citation
- Republic of Vietnam Civil Actions Honor Medal First Class Unit Citation

2. A review of the records listed below (enclosed) is sufficient to substantiate correction of the DD Form 214 without action by the Board.

- DD Form 214
- DA Form 20 (Enlisted Qualification Record)
- Department of the Army General Orders Number 8, dated 1974
- DAGO Number 48, dated 1971
- AR 600-8-22

3. Please correct the applicant's DD Form 214 by amending it as shown in paragraph 1a and b above. Provide the applicant a copy of the corrections, and as applicable the medals and citations. Please ensure that the corrections are recorded in the applicant's official military personnel record.

REFERENCES:

1. Title 10, USC, 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. Department of the Army Pamphlet 672-3 (Unit Citation and Campaign Participation Credit Register) shows the applicant participated in the following named campaigns during his service in Vietnam:

- the Vietnam Counteroffensive, Phase III, 1 June 1967-29 January 1968

- the Tet Counteroffensive, 30 January 1968-1 April 1968
- the Vietnam Counteroffensive, Phase IV, 2 April 1968-30 June 1968

3. Army Regulation 635-5 (Separation Documents) in effect at the time, prescribes the separation documents that will be furnished each individual who is separated from the Army, and establishes standardized procedures for the preparation and distribution of these documents. Source documents will consist of all available records to include DA Form 20. Item 24; enter from item 41, DA Form 20 all decorations, service medals, campaign credits, and badges awarded or authorized, omitting authorities cited therein.

//NOTHING FOLLOWS//