

IN THE CASE OF: [REDACTED]

BOARD DATE: 19 September 2024

DOCKET NUMBER: AR20230011017

APPLICANT REQUESTS: in effect, to be awarded the –

- Army Good Conduct Medal
- Bronze Star Medal (2nd Award)
- Vietnam Service Medal with four bronze service stars
- Expert Marksmanship Qualification Badge with Rifle Bar (M-16)

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

- DD Form 149 (Application for Correction of Military Record)
- Accelerated Advancement letter to private/E-2, 16 December 1966
- Letter of Commendation, 4 March 1967
- Memorandum - Subject: Republic of Vietnam Training, 20 September 1967
- Special Orders Number 148, 27 May 1968
- General Orders Number 692, 27 August 1968
- Bronze Star Medal citation, September 1968
- Bronze Star Medal certificate w/medal, September 1968

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 we must remember 1968 was a very active year in Vietnam. Commanding officers were very busy. He did not receive an Army Good Conduct Medal and a second Bronze Star Medal noted on DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge). He received an accelerated promotion to the pay grade of E-2 while in basic training demonstrating exemplary conduct. He received a commendation in advanced individual training and the highest grade in March 1967. He was promoted to pay grade E-4 on 27 May 1968 and received a Bronze Star Medal on 27 August 1968.

3. This case contains administrative corrections. Please see administrative notes section. The Board should only consider the applicant's contentions related to awarding him the Army Good Conduct Medal and a second Bronze Star Medal.
4. A review of the applicant's official military records show the following:
  - a. He was inducted into the Army of the United States on 6 October 1966.
  - b. DA Form 20 (Enlisted Qualification Record) shows in:
    - item 29 (Qualification in Arms) – he qualified expert with the M-14 rifle
    - item 31 (Foreign Service) – he served in Vietnam from 23 January to 28 September 1968
    - item 38 (Record of Assignments) – while serving in Vietnam he was assigned to Headquarters and Headquarters Detachment, 124th Transportation Battalion; and he had excellent conduct and efficiency ratings while serving on active duty
    - item 41 (Awards and Decorations), he was awarded and authorized the –
      - National Defense Service Medal
      - Vietnam Service Medal
      - Vietnam Campaign Medal
      - Bronze Star Medal; and the authority of General Orders Number 692, 1968
  - c. On 12 December 1966, Headquarters, 2d Armored Division, Fort Hood, published Special Orders Number 346, which awarded the applicant the Sharpshooter Marksmanship Qualification Badge with Rifle Bar (M-14), date qualified 21 November 1966.
  - d. On 27 August 1968, Headquarters, U.S. Army Support Command (Qui Nhon), published General Orders Number 692, which awarded the applicant the Bronze Star Medal for the period of January 1968 to September 1968.
  - e. His records do not contain orders awarding him the Army Good Conduct Medal, or a second Bronze Star Medal. Additionally, his records are void of derogatory information such as non-judicial punishment, court-martials, and a commander's disqualification that would disqualify him for the first award of the Army Good Conduct Medal. Furthermore, the applicant's DA Form 20, item 38 shows he received excellent conduct and efficiency ratings throughout his military service.
  - f. On 28 September 1968, he was honorably released from active duty and was transferred to the U.S. Army Reserve (USAR) Control Group (Annual Training). His DD

Form 214 shows he completed 1 year, 11 months, and 23 days net active service this period with no lost time. Item 24 (Decorations, Medals, Badges, Commendations, Citations and Campaign Ribbons Awarded or Authorized) shows he was awarded or authorized the:

- National Defense Service
- Vietnam Service Medal
- Vietnam Campaign Medal
- Expert Marksmanship Qualification Badge with Rifle Bar (M-14)
- One Overseas Service Bar
- Bronze Star Medal

g. Letter Orders Number 09-1385038, published by the Office of the Adjutant General, USAR Components Personnel and Administration Center, honorably discharged the applicant from the Ready Reserve, effective 5 October 1972.

h. A review of the Awards and Decorations Computer Assisted Retrieval System maintained by the U.S. Army Human Resources Command, which is an index of general orders issued during the Vietnam era between 1965 and 1973, failed to reveal any orders for the Bronze Star Medal (2nd Award) pertaining to him.

5. In support of his case the applicant provides:

a. Accelerated Advancement letter to private/E-2 dated 16 December 1966, wherein, his commander states, the applicant was advanced from private E-1 to E-2, effective on the date of the letter.

b. Letter of Commendation dated 4 March 1967, which shows his commander commended him for his outstanding performance of duty. The commander also highlighted his military appearance and high grades.

c. Memorandum - Subject: Republic of Vietnam Training, dated 20 September 1967, which documented his M-16 rifle expert marksmanship qualification score of 61.

d. Special Orders Number 148 dated 27 May 1968, which promoted him to the temporary rank/grade of sergeant/E-5.

e. Bronze Star Medal citation and certificate dated September 1968, which shows he was awarded the Bronze Star Medal.

BOARD DISCUSSION:

1. After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found partial relief is warranted.
2. The Board found the applicant met the criteria for the Army Good Conduct Medal. The Board determined he should be awarded this medal, and it should be added to his DD Form 214.
3. The Board found no evidence indicating the applicant was recommended for or awarded a second Bronze Star Medal. The Board determined the evidence does not support correction of his record to show he received a second Bronze Star Medal.
4. The Board concurred with the corrections described in Administrative Note(s) below.

BOARD VOTE:

<u>Mbr 1</u>	<u>Mbr 2</u>	<u>Mbr 3</u>	
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:	:	:	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 the Army records of the individual concerned be corrected by:

- Awarding him the Army Good Conduct Medal (1st Award) for the period 6 October 1966 through 28 September 1968
- Adding the Army Good Conduct Medal (1st Award) to his DD Form 214
- Making the corrections described in Administrative Note(s) below

2. The Board further determined 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 the Bronze Star Medal (2nd Award).

3/6/2025

X 

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.

ADMINISTRATIVE NOTE(S): The applicant is authorized decorations that were not listed on his DD Form 214. Correct the DD Form 214 by adding the following:

- four bronze service stars with the Vietnam Service Medal
- Republic of Vietnam Gallantry Cross with Palm Unit Citation
- Meritorious Unit Commendation
- Expert Marksmanship Qualification Badge with Rifle Bar (M-16)

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. Army Regulation (AR) 672-5-1 (Awards), in effect at the time, stated the Army Good Conduct Medal was awarded, 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.

a. 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.

b. 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.

3. AR 600-8-22 (Military Awards), currently in effect, implements a part of the Army Awards Program. It prescribes Department of the Army policy, criteria, and procedures for individual and unit military awards and foreign decorations and badges.

a. Paragraph 1-27 (Announcement of awards) states, the award of all decorations, except for the Medal of Honor, will be announced in Permanent Orders by the appropriate awards approval authority before recording information in the Soldier's Army Military Human Resource Record. Additionally, awards made by the President, the Secretary of Defense, and the Secretary of the Army will be announced in Department of the Army General Orders.

b. Chapter 4 provides that the Army Good Conduct Medal is awarded on a selective basis to each Soldier who distinguishes themselves from their fellow Soldiers by exemplary conduct, efficiency, and fidelity throughout a specified period of continuous enlisted active Federal military service, as outlined in this chapter. There is no right or entitlement to the medal until the immediate commander has approved the award and the award has been announced in Permanent Orders. This period is 3 years except for first award only, upon termination of service on or after 27 June 1950, of less than 3 years but more than 1 year. Subsequent awards must be for a completion of 3 years of continuous enlisted active Federal military service. Although there is no automatic entitlement to the Army Good Conduct Medal, disqualification must be justified.

c. Paragraph 3-16 (Bronze Star Medal) states, executive Order 11046, 24 August 1962, as amended by Executive Order 13286, 28 February 2003, specifies that the Bronze Star Medal is awarded to any person who, while serving in any capacity in or with the Army of the United States after 6 December 1941, distinguished himself or herself by heroic or meritorious achievement or service, not involving participation in aerial flight, and (1) While engaged in an action against an enemy of the United States; (2) While engaged in military operations involving conflict with an opposing foreign

force; and (3) While serving with friendly foreign forces engaged in an armed conflict against an opposing armed force in which the United States is not a belligerent party.

4. AR 635-5 (Separation Documents), in effect at that 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. The specific instructions for item 24 state to enter from DA Form 20, all decorations, service medals, campaign credits, and badges awarded or authorized, omitting authorities cited therein.

//NOTHING FOLLOWS//