

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 22 May 2024

DOCKET NUMBER: AR20230011392

APPLICANT REQUESTS:

- correction of his Bronze Star Medal Certificate to reflect his social security number (SSN) as shown on his DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge)
- correction of his DD Form 214 to reflect:
 - in item 8 (Place of Birth) to show the town as Mixxxx, in lieu of Maxxxx
 - in item 24 (Decorations, Medals, Badges, Commendations, Citations and Campaign Ribbons Awarded or Authorized) award of the Bronze Star Medal

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

- DD Form 149 (Application for Correction of Military Record)
- Bronze Star Medal Certificate, dated 21 February 1971
- DD Form 214, covering the period ending 26 March 1971

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:

a. His Bronze Star Medal Certificate has the incorrect SSN. Additionally, his awarded Bronze Star Medal is not on his DD Form 214 and needs to be added. [Note: SSNs are no longer entered on certificates of award.]

b. His Home of Record in item 8 of his DD Form 214 shows Maxxxx and it should be Mixxxx.

3. A DD Form 47 (Record of Induction) shows the applicant was inducted into the Army of the United States on 22 August 1969. Item 3 (Home of Record) on the form shows his home of records as something other than what is currently reflected or requested.
4. The applicant's DA Form 20 (Enlisted Qualification Record) shows:
 - a. His SSN as requested.
 - b. Item 31 (Foreign Service) shows he served in Vietnam from 22 January 1970 through 25 March 1971, which is reflective of his participation in three campaigns.
 - c. Item 38 (Record of Assignments) shows:
 - (1) While in Vietnam, he was assigned to:
 - the 233rd Transportation Company from 25 January 1970 through 5 April 1970, and
 - the 261st Transportation Company from 6 April 1970 through 21 March 1971
 - (2) His conduct and efficiency were rated "Excellent" during all assignments.
 - d. Item 41 (Awards and Decorations) reflects award of the National Defense Service Medal and the Vietnam Service Medal.
5. The applicant provided a copy of a Bronze Star Medal Certificate, which does not contain a Permanent Orders Number, reflecting:
 - a. He was awarded the Bronze Star Medal on 21 February 1971, for meritorious achievement in ground operations against hostile forces from January 1970 to February 1971, in the Republic of Vietnam.
 - b. His SSN is shown as the contested SSN.
6. The applicant's available service records do not contain orders for the Bronze Star Medal.
7. A Standard Form 88 (Report of Medical Examination) shows the applicant underwent medical examination on 26 March 1971, for the purpose of separation. Item 13 (Place of Birth) shows Mixxxx, XX.
8. The applicant's DD Form 214 shows he was honorably released from active duty as an overseas returnee on 15 May 1970, and transferred to the U.S. Army Reserve

(USAR) Control Group. He was credited with 1 year, 7 months, and 5 days of net active service, including 1 year, 2 months, and 5 days of foreign service in Vietnam. It additionally shows:

- a. Item 3 (Social Security Number) shows his requested Social Security Number.
- b. Item 8 shows his place of birth is shown as Maxxxx.
- c. Item 21 shows his home of record is shown as Maxxxx, Mxxxxx, XX.
- d. Item 24 shows

(1) He was awarded or authorized the:

- National Defense Service Medal
- Vietnam Service Medal
- Republic of Vietnam Campaign Medal with Device (1960)

(2) It does not show he was awarded or authorized the:

- Bronze Star Medal
- any service stars with his Vietnam Service Medal
- Army Good Conduct Medal
- Republic of Vietnam Gallantry Cross with Palm Unit Citation

9. U.S. Army Reserve Components Personnel and Administration Center Letter Orders Number 07-1216074, undated, honorably discharged the applicant from the USAR Control Group (Standby) due to expiration term of service.

10. A review of the Awards and Decorations Computer Assisted Retrieval System (ADCARS) maintained by the U.S. Army Human Resources Command (AHRC) Military Awards Branch, an index of general orders issued during the Vietnam era between 1965 and 1973, failed to reveal any orders for the Bronze Star Medal pertaining to the applicant.

11. The applicant received all excellent conduct and efficiency ratings, he was honorably separated, and there is nothing in his record that would preclude or disqualify him from award of the Army Good Conduct Medal (1st Award).

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 record of service, documents submitted in support of the petition and executed a comprehensive and standard review based on law, policy and regulation. Upon review of the applicant's petition and available military records, the Board determined there is sufficient evidence to support the applicant was the Bronze Star Medal on 21 February 1971, for meritorious achievement in ground operations against hostile forces from January 1970 to February 1971, in the Republic of Vietnam. The Board agreed there was an administrative error that warrants correction of his place of birth and his home of record. The Board noted the incorrect social security number on his BSM citation and determined it should reflect his social security number (SSN) as shown on his DD Form 214.

2. Furthermore, during deliberation, the Board determined the applicant's service record did not reflect he was awarded the Army Good Conduct Medal (1st Award) and his record shows he received "excellent" conduct and efficiency ratings throughout his service for the period of 22 August 1969 to 26 March 1971. Based on this the Board granted relief to correct the applicant's record and award him the Bronze Star Medal and the Army Good Conduct Medal (1st Award).

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 administrative notes annotated by the Analyst of Record (below the signature), 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 adding in:

- Item 8 (Place of Birth) Midway, ALA
- Item 21(Home of Record): Midway, Monroe, ALA
- Item 24 (Decorations, Medals, Badges, Commendations, Citations and Campaign Ribbons Awarded or Authorized):
 - Bronze Star Medal
 - Award the Army Good Conduct Medal (1st Award) for exemplary service from 22 August 1969 to 26 March 1971 and adding the medal to his DD Form 214 for the period ending 26 March 1971

[REDACTED]

[REDACTED]

[REDACTED]

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 his DD Form 214 covering the period ending 26 March 1971, should be amended by deleting the Vietnam Service Medal from item 24 (Decorations, Medals, Badges, Commendations, Citations, and Campaign Ribbons Awarded or Authorized) and adding the following to item 24:

- Vietnam Service Medal with three bronze service stars
- Republic of Vietnam Gallantry Cross with Palm Unit Citation

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) prescribes Army policy, criteria, and administrative instructions concerning individual and unit military awards.

a. The Bronze Star Medal is awarded in time of war for heroism and for 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.

b. A bronze service star is authorized with the Vietnam Service Medal for participation in each credited campaign.

c. The Army Good Conduct Medal is awarded to individuals who distinguish themselves by their conduct, efficiency, and fidelity during a qualifying period of active duty enlisted service. This period is 3 years except in those cases when the period for the first award ends with the termination of a period of Federal military service. Although there is no automatic entitlement to the Army Good Conduct Medal, disqualification must be justified.

3. Department of the Army Pamphlet 672-3 (Unit Citation and Campaign Participation Credit Register) lists the awards received by units serving in Vietnam.

a. This pamphlet shows the applicant's companies of assignment were awarded the Republic of Vietnam Gallantry Cross with Palm Unit Citation for the period 8 February 1962 through 28 March 1963 in Department of the Army General Orders Number 8, dated 1974.

b. He participated in the following 3 campaigns while serving in Vietnam:

- Winter-Spring 1970, 1 November 1969 to 30 April 1970
- Sanctuary Counteroffensive, 1 May 1970 to 30 June 1970
- Counteroffensive Phase VII, 1 July 1970 to 30 June 1971

4. Army Regulation 635-5 (Separation Documents), in effect at the time, prescribes policies and procedures regarding separation documents, including the standardized preparation of the DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge). The specific guidance for the numbered items on the DD Form 214 shows:

a. In item 8 (Place of Birth) self-explanatory.

b. In item 21 (Home of Record at Time of Entry into Active Service) for enlisted personnel, enter home of record at time of entry into active duty as shown on enlistment or induction record, regardless of place physically located at time of entry on active duty.

c. In item 24 (Decorations, Medals, Badges, Commendations, Citations, and Campaign Ribbons Awarded or Authorized) enter from item 21, DA Form 66 (Officer Qualification Record) or section 9, DA Form 20 (Enlisted Qualification Record) all decorations, service medals, campaign credits, and badges awarded or authorized.

//NOTHING FOLLOWS//