

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 22 May 2024

DOCKET NUMBER: AR20230011603

APPLICANT REQUESTS: correction of his DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge) to add to item 24 (Decorations, Medals, Badges, Commendations, Citations, and Campaign Ribbons Awarded or Authorized:

- Air Medal
- Bronze Star Medal
- Certificate of Appreciation

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

- DD Form 149 (Application for Correction of Military Record)
- Bronze Star Medal Certificate, dated 26 January 1971
- Air Medal Certificate, dated 28 January 1971
- Certificate of Appreciation, dated 1 February 1971
- DD Form 214, covering the period ending 1 February 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 he was issued two medals and one Certificate of Appreciation which are not entered on his DD Form 214. He is requesting that the medals and Certificate of Appreciation be entered on his DD Form 214 and to be issued a final, accurate DD Form 214.
3. A DD Form 47 (Induction Record) shows the applicant was inducted into the Army of the United States on 9 April 1969.
4. The only available DA Form 20 (Enlisted Qualification Record) in the applicant's service records shows:

a. In item 31 (Foreign Service), he served in Vietnam from 9 March 1970 through 8 March 1971.

b. In item 38 (Record of Assignments), he served on active duty from 9 April 1969 through 28 January 1971. His organizations and stations or theaters for this period of active duty service in the Regular Army are not listed; therefore, his unit(s) of assignment in Vietnam are unknown. The only listed units of assignment pertain to his subsequent Army National Guard (ARNG) service from 17 July 1973 through 25 March 1974.

c. In item 41 (Awards and Decorations), the Air Medal and Bronze Star Medal are not listed.

5. The applicant provided copies of the following certificates:

a. A Bronze Star Medal Certificate, dated 26 January 1971, without a Permanent Order Number, shows the applicant was awarded the Bronze Star Medal for meritorious achievement in ground operations against hostile forces during the period March 1970 to March 1971, in the Republic of Vietnam. Major General [REDACTED], who signed this certificate, served as the commanding general of the 1st Cavalry Division, in Vietnam, from 1970 – 1971.

b. An Air Medal Certificate, dated 28 January 1971, without a Permanent Order Number, shows the applicant was awarded the Air Medal for meritorious achievement while participating in aerial flight during the period March 1970 to January 1971, in the Republic of Vietnam. Major General [REDACTED], who signed this certificate, served as the commanding general of the 1st Cavalry Division, in Vietnam, from 1970 – 1971.

c. A Certificate of Appreciation, dated 1 February 1971, shows the applicant was awarded a Certificate of Appreciation in recognition of his active service and faithful performance of duty.

6. The applicant's available service records do not contain orders awarding him the Bronze Star Medal or the Air Medal.

7. The applicant's DD Form 214 shows:

a. The applicant was honorably released from active duty on 1 February 1971 as an overseas returnee and transferred to the U.S. Army Reserve (USAR) Control Group (Annual).

b. He was credited with 1 year, 9 months, and 23 days of net active service this period, including 10 months and 23 days of foreign service in Vietnam from 9 March 1970 through 31 January 1971.

c. Item 24 (Decorations, Medals, Badges, Commendations, Citations, and Campaign Ribbons Awarded or Authorized) shows.

- National Defense Service Medal
- Vietnam Service Medal
- Vietnam Campaign Medal
- Combat Infantryman Badge

8. A DD Form 4 (Enlistment contract – Armed Forces of the United States) shows the applicant enlisted in the ARNG on 17 July 1973.

9. A National Guard Bureau (NGB) Form 22 shows the applicant was given a general discharge from the ARNG on 25 March 1974, due to completion of Ready Reserve obligation. He was credited with 8 months and 9 days of service this period. Item 24 (Decorations, Citations, Medals, Badges Commendations, and Campaign Ribbons Awarded or Authorized) shows none.

10. U.S. Army Reserve Components Personnel and Administration Center Letter Orders Number 07-1207656, honorably discharged the applicant from the USAR Control Group (Standby) on 8 April 1975, due to expiration term of service.

11. 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 or the Air Medal pertaining to the applicant.

BOARD DISCUSSION:

1. After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that partial 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 was sufficient evidence to support the applicant was awarded the Bronze Star Medal for meritorious achievement in ground operations against hostile forces during the period March 1970 to March 1971, in the Republic of Vietnam. Furthermore, the Board noted the applicant was awarded the Air Medal for meritorious

achievement while participating in aerial flight during the period March 1970 to January 1971, in the Republic of Vietnam.

2. However, the Board noted that per regulatory guidance, certificate of achievements is not an authorized citation that is annotated on the DD Form 214. Furthermore, the Board agreed correction to the applicant record is warranted to annotate awards omitted from his DD Form 2214. Therefore, the board granted partial relief.

3. 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:

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 amending the applicant's DD Form 214 for the period ending 1 February 1971, by adding the

- Air Medal
- Bronze Star Medal

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 adding the applicant's Certificate of Appreciation to his DD Form 214.

[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 1 February 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 Air Medal is awarded in time of war for heroism and for meritorious achievement or service while participating in aerial flight. This award is primarily intended for personnel on flying status, but may also be awarded to those personnel whose combat duties require them to fly; for example, personnel in the attack elements of units involved in air-land assaults against an armed enemy. 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 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.

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

3. Department of the Army Pamphlet 672-3 (Unit Citation and Campaign Participation Credit Register) lists the awards received by units serving in Vietnam. This pamphlet shows Headquarters, U.S. Army Military Assistance Command and its subordinate units were awarded the Republic of Vietnam Gallantry Cross with Palm Unit Citation for the period 8 February 1962 through 28 March 1973 in Department of the Army General Orders Number 8, dated 1974.

4. Army Regulation 635-5 (Separation Documents), in effect at the time, states to list awards and decorations for all periods of service in the priority sequence specified in Army Regulation 600-8-22. Army Regulation 600-8-22 provides the order of precedence for awards and decorations. Only decorations, medals, and ribbons are listed. Certificates of achievement, letters of appreciation, and similar documents are not listed.

//NOTHING FOLLOWS//