

IN THE CASE OF: [REDACTED]

BOARD DATE: 27 June 2024

DOCKET NUMBER: AR20230013370

APPLICANT REQUESTS:

- correction of his DD Form 214 (Armed Forces of United States Report of Transfer or Discharge) to show award of the Bronze Star Medal
- a personal appearance before the Board

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

- DD Form 149 (Application for Correction of Military Record)
- Standard Form 88 (Report of Medical Examination), 9 January 1969
- Memorandum, subject: Follow-up Examination for Communicable Disease, 19 May 1969
- Department of Veterans Affairs (VA) Form 07-3101 (Request for Information), 2 December 1970
- Standard Form 600 (Health Record), for the period 1960-1970
- VA Rating Decision Letter, 26 March 1993
- Bronze Star Medal Citation, 1 September 1969 to 30 June 1970
- Bronze Star Medal Certificate, 7 July 1970
- Army Commendation Citation
- Army Commendation Certificate, 9 February 1970
- Optional Form 306 (Declaration for Federal Employment)
- Honorable Discharge Certificate, 1 January 1975

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 his DD Form 214 is missing the Bronze Star Medal, and he has a copy of the award.

3. The applicant provides:

a. A report of medical examination, which shows his enlistment medical exam on 9 January 1969.

b. Memorandum, subject: Follow-up Examination for Communicable Disease, dated 19 May 1969, showing his scheduled re-examination.

c. A VA request for information requesting his entire medical records and discharge examinations.

d. His health record for medical care received between 7 December 1969 and 7 July 1970, detailing the applicant's injuries and appointments.

e. His declaration for Federal employment indicating his honorable service in the Army.

f. A certificate and citation which shows he was awarded the Bronze Star Medal for meritorious achievement in ground operations against hostile forces in Vietnam during the period 1 September 1969 to 30 June 1970.

g. A certificate and citation which shows he was awarded the Army Commendation Medal for exceptionally meritorious achievement in Vietnam during the period 1 September 1969 to 31 January 1970.

h. An Honorable Discharge Certificate, dated 1 January 1975.

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

a. On 16 January 1969, the applicant enlisted in the Regular Army.

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

(1) item 31 (Foreign Service) – Vietnam, from 4 August 1969 to 19 August 1970.

(2) item 38 (Record of Assignments) – he received "excellent" conduct and efficiency ratings, and was assigned to the following units:

- Company B, 1st Battalion (Ambl) 327th Infantry, Vietnam, from 4 August 1969 to 27 February 1970
- Headquarters and Headquarters Company, 1st Brigade, 101st Airborne Division, Vietnam, from 28 February 1970 to 15 August 1970

(3) item 41 (Awards, Decorations and Campaigns) – National Defense Service Medal, Vietnam Service Medal, Combat Infantryman Badge, Republic of Vietnam Campaign Medal with Device (1960), two overseas service bar, Sharpshooter Marksmanship Qualification Badge with Rifle Bar (M-16), and the Sharpshooter Marksmanship Qualification Badge with Rifle Bar (M-60).

6. On 19 August 1970, he was honorably released from active duty. His DD Form 214 shows he completed 1 year, 7 months, and 4 days of active service. It also shows in:

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

- National Defense Service Medal
- Vietnam Service Medal
- Combat Infantryman Badge
- Republic of Vietnam Campaign Medal with Device (1960)
- Sharpshooter Marksmanship Qualification Badge with Rifle Bar (M-16)
- Marksman Marksmanship Qualification Badge with Rifle Bar (M-16)

b. item 18 (Remarks) – service in Vietnam from 4 August 1969 to 19 August 1970.

7. The applicant's records are void of orders awarding him the Bronze Star Medal.

8. His records are void of commander's disqualification for award of the Army Good Conduct Medal for the period 16 January 1969 through 19 August 1970, additionally, there is no evidence of a court-martial conviction or any other factors in his record that would preclude 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 relief is warranted.

2. The Board found the Bronze Star Medal Certificate and Citation provided by the applicant sufficient to confirm he received the award. The Board determined the Bronze Star Medal should be added to his DD Form 214.

3. The Board found the applicant met the criteria for the Army Good Conduct Medal (1st Award). The Board determined he should be awarded this medal and it should be added to his DD Form 214.

4. 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:

- Awarding him the Army Good Conduct Medal (1st Award) for the period 16 January 1969 through 19 August 1970
- Adding the Bronze Star Medal and Army Good Conduct Medal (1st Award) to his DD Form 214
- Making the corrections described in Administrative Note(s) below

12/19/2024

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):

A review of the applicant's records show he was awarded or authorized additional awards not annotated on his DD Form 214. As a result, amend his DD Form 214 by adding:

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

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 prescribes Army policy, criteria, and administrative instructions concerning individual and unit military awards. 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.
3. Army Regulation 672-5-1 (Awards), in effect at the time, stated the Army Good Conduct Medal was awarded for each 3 years of continuous enlisted active Federal military service completed on or after 27 August 1940; for first award only, 1 year served entirely during the period 7 December 1941 to 2 March 1946; and, 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. 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. Service school efficiency ratings based upon academic proficiency of at least "Good" rendered subsequent to 22 November 1955 were not disqualifying. There must have been no convictions by a court-martial. However, there was no right or entitlement to the medal until immediate commander made a positive recommendation for its award and until the awarding authority announced the award in general orders.

4. A bronze service star is worn on the appropriate service ribbon, to include the Vietnam Service Medal, for each credited campaign.

5. Department of the Army (DA) Pamphlet 672-3 (Unit Citation and Campaign Participation Credit Register) shows the applicant's unit(s) was cited for the following awards.

a. The 327th Infantry, was cited for:

- Republic of Vietnam Gallantry Cross with Palm Unit Citation, 19 July 1968 to 14 May 1969, Department of the Army General Orders Number (DAGO) 43, dated 1970
- Republic of Vietnam Civil Actions Honor Medal First Class Unit Citation, 18 March 1968 to 2 May 1970, DAGO 48, dated 1971

b. 101st Airborne Division, was cited for:

- Meritorious Unit Commendation, 1 November 1968 to 30 June 1970, DAGO 51, 1971
- Republic of Vietnam Civil Actions Honor Medal First Class Unit Citation, 30 August 1968 to 2 May 1970, DAGO 48, dated 1971

6. Army Regulation 15-185 (Army Board for Correction of Military Records), paragraph 2-11, shows applicant's do not have a right to a hearing before the ABCMR. The Director or the ABCMR may grant a formal hearing whenever justice requires.

//NOTHING FOLLOWS//