

IN THE CASE OF: [REDACTED]

BOARD DATE: 22 August 2024

DOCKET NUMBER: AR20230013665

APPLICANT REQUESTS: his two Bronze Star Medal(s) (BSM) be added to his DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge).

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

- DD Form 149 (Application for Correction of Military Record)
- General Orders Number 14518
- BSM Certificate, 11 August 1969
- Citation
- BSM Certificate, 30 November 1969

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 during his tour in Vietnam, he was awarded two Bronze Star Medals, one with a "V" device. For some reason they were never added to his DD Form 214. He assumed every document he possessed were included in his service records. Approximately 3-4 years ago, he applied for these medals. He received a letter dated 25 August 2023, denying his request. It has been 54 years since he was awarded these medals. He enclosed photocopies of both awards which were sent to him in United States of America War office green binders. In his younger years the actual medals did not mean much as he was glad to have made it home from a war zone. Now as his life is winding down, he would like to receive the medal to pass to his sons.
3. The applicant was inducted into the Army of the United States on 1 February 1968.
4. DA Form 20 (Enlisted Qualification Record) shows he served in Vietnam from 4 January 1969 – 3 January 1970 (4 campaigns), with Company D, 1st Battalion (Air

Mobile) 327th Infantry. It also shows in item 38 (Record of Assignments) his conduct and efficiency were excellent throughout his service.

5. He was honorably released from active duty on 4 January 1970. His DD Form 214 shows he completed 1 year, 11 months, and 4 days net service this period. He was awarded or authorized:

- National Defense Service Medal
- Combat Infantryman Badge
- Vietnam Campaign Medal
- Vietnam Service Medal
- Air Medal
- 2 overseas bars

6. Department of the Army Pamphlet 672-3 (Unit Citation and Campaign Participation Credit Register) shows his unit of assignment 1st Battalion, 327th Infantry was awarded Republic of Vietnam Gallantry Cross with Palm Unit Citation by Department of the Army General Orders (DAGO) 43, 1970 and Republic of Vietnam Civil Actions Honor Medal First Class Unit Citation by DAGO 48, 1971.

7. The applicant provided:

- General Orders Number 14518 awarding him the Bronze Star Medal with "V" Device on 11 August 1969
- BSM Certificate, for heroism in ground combat in the Republic of Vietnam on 11 August 1969
- Citation stating in part for distinguishing himself by outstanding meritorious service in connection with ground operations against a hostile force; in the Republic of Vietnam during the period: 1 February 1969 to 30 November 1969
- BSM Certificate, for meritorious achievement in ground operations against hostile forces in the Republic of Vietnam during the period of 1 February 1969 – 30 November 1969, issued on 30 November 1969

8. Review of the Awards and Decorations Computer-Assisted Retrieval System (ADCARS), an index of general orders issued during the Vietnam era between 1965 and 1973 maintained by the Awards and Decorations Branch of the U.S. Army Human Resources Command, failed to reveal any orders for a second BSM.

9. By regulation, (AR 600-8-22) 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.

10. By regulation (AR 672-5-1), in effect at the time, the Army Good Conduct Medal was awarded for each 3 years of continuous enlisted active Federal military service, 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. There must have been no convictions by a court-martial.

BOARD DISCUSSION:

After reviewing the application and all supporting documents, the Board determined relief was warranted. The applicant's contentions, the military record, and regulatory guidance were carefully considered. Based upon the BSM certificate included in the record, the Board concluded there was sufficient evidence to add the BSM to the applicant's 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:

1. 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 amending the applicant's DD Form 214 by adding the Bronze Star Medal.
2. Prior to closing the case, the Board noted the administrative notes below from the analyst of record and recommended those changes be completed to more accurately reflect the military service of the applicant.

2/13/2025

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's records contain sufficient evidence to support additional awards not shown on his DD Form 214. His DD Form 214 for the period ending 4 January 1970, will be administratively corrected without Board action to show award of the:

- Bronze Star Medal with "V" Device
- Republic of Vietnam Gallantry Cross with Palm Unit Citation
- Republic of Vietnam Civil Actions Honor Medal First Class Unit Citation
- [ADD] Four bronze service stars to previously awarded Vietnam Service Medal

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 (AR) 600-8-22 (Military Awards) states 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. AR 672-5-1 (Awards), in effect at the time, the Army Good Conduct Medal was awarded for each 3 years of continuous enlisted active Federal military service, 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. There must have been no convictions by a court-martial.

4. Department of the Army General Orders (DAGO) 43, 1970, awarded the Republic of Vietnam Gallantry Cross with Palm Unit Citation, to 1st Battalion, 327th Infantry. DAGO 48, 1971 awarded Republic of Vietnam Civil Actions Honor Medal First Class Unit Citation, to 1st Battalion, 327th Infantry.

//NOTHING FOLLOWS//