

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 20 November 2024

DOCKET NUMBER: AR20240002672

APPLICANT REQUESTS: for correction of his DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge) to show the following awards:

- Bronze Star Medal
- Purple Heart

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

- DD Form 149 (Application for Correction of Military Record)
- Bronze Star Medal Citation and Certificate, 12 August 1970
- General Orders #108, Purple Heart, 1 May 1970
- DD Form 214

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 received a Purple Heart on 1 May 1970 and the Bronze Star Medal on 12 August 1970. He is requesting addition of the awards to his DD Form 214.
3. The applicant provides:
 - a. The Bronze Star Medal citation and certificate for distinguishing himself by meritorious service in connection with military operations against an enemy hostile force during the period of September 1969 to August 1970.
 - b. General Orders #108 dated 1 May 1970, award the applicant the Purple Heart for wounds received in action on 30 April 1970 while serving in Vietnam.
4. A review of the applicant's service record shows:

a. He was appointed as a Reserve commissioned and executed his oath of office on 1 August 1968.

b. His DA Form 66 (Officer Qualification Record) shows he served in Vietnam from 22 September 1969 to 10 September 1970. He was assigned to United States Military Assistance Command, Vietnam and served through four campaigns. It also shows in Block 21 (Awards and Decorations):

- National Defense Service Medal
- Two Overseas Service Bars
- Vietnam Service Medal
- Republic of Vietnam Campaign Medal

c. General Orders #108 dated 1 May 1970, awarded the applicant the Purple Heart.

d. He was honorably released from active duty on 8 September 1970. His DD Form 214 shows he completed 1 year, 11 months, and 18 days of active service. It also shows he was awarded or authorized:

- National Defense Service Medal
- Overseas Service Bars (two)
- Vietnam Service Medal
- Vietnam Campaign Medal

5. A review of the applicant's record confirms he is eligible for awards that are not recorded on his DD Form 214. These awards will be added to his DD Form 214 as administrative corrections and will not be considered by the Board.

6. 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.

7. Department of the Army General Orders (DAGO) Number 8, dated 1974, awarded the Republic of Vietnam Gallantry Cross with Palm to Headquarters, United States Military Assistance Command, for service in Vietnam for the period of 8 February 1962 to 28 March 1973.

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 request and executed a comprehensive and standard review based on law, policy and regulation. Upon review of the applicant's request and available military records, the Board determined there is sufficient evidence to warrant awarding the applicant the Bronze Star Medal based upon the Bronze Star Medal Certificate and narrative citation provided by the applicant. Therefore, relief was granted to correct the applicant's record and award him the Bronze Star Medal.
2. 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:

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 amending his DD Form 214 to award him the Bronze Star Medal.

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:

A review of the applicant's service records show he is authorized additional awards not annotated on his DD Form 214 for the service period ending 8 September 1970. As a result, correct his DD Form 214 as follows:

- Purple Heart
- Republic of Vietnam Gallantry Cross Unit Citation with Palm
- four bronze service stars for his previously issued 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 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. Department of the Army Pamphlet 672-3 (Unit Citations and Campaign Participation Credit Register) assist commanders and personnel officers in determining or establishing the eligibility of individual members for campaign participation credit, assault landing credit, and unit citation badges awarded during the Vietnam Conflict. Department of the Army General Orders (DAGO) Number 8, dated 1974, awarded the Republic of Vietnam Gallantry Cross Unit Citation with Palm to Headquarters, United States Army Vietnam, for service in Vietnam for the period of 20 July 1965 to 28 March 1973.

//NOTHING FOLLOWS//