

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 25 November 2024

DOCKET NUMBER: AR20240003603

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

- Bronze Star Medal
- Army Commendation Medal

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

- DD Form 149 (Application for Correction of Military Record)
- DD Form 214
- Army Commendation Medal Citation
- Bronze Star Medal Citation
- Photos and Article

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 would like to get his DD Form 214 updated to reflect the award of the Bronze Star Medal and Army Commendation Medal. He is concerned that it may affect health benefits eligibility in the future.
3. The applicant provides:
 - a. The Army Commendation Medal Citation presented to the applicant for distinguishing himself by meritorious achievement in ground operation at the Republic of Vietnam during the period of 1 March 1968 to 31 July 1968.

b. The Bronze Star Medal Citation shows the applicant distinguished himself by outstanding meritorious service in connection with ground operations against a hostile force in the Republic of Vietnam during the period 1 January 1968 to 31 August 1968.

c. Three images wherein the applicant states he was conducting operations in Vietnam.

d. An article dated 8 April 2018, War History Online provides an account of Mr. P___ Bu___ whose company fought off an entire North Vietnam Army (NVA) Battalion. His actions earned the Medal of Honor.

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

a. He enlisted in the U.S. Army Reserve for six years on 3 February 1966.

b. His DA Form 20 (Enlisted Qualification Record) shows he served in Vietnam from 1 December 1967 through 18 April 1968. He was assigned to the Company D, 3rd Battalion (Airborne), 187th Infantry. It also shows in Block 41 (Awards and Decorations):

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

d. He was released from active duty on 24 April 1968. His DD Form 214 shows he completed 1 year, 11 months, and 23 days of total active service. It also shows he was awarded or authorized:

- National Defense Service Medal
- Parachute Badge
- Vietnam Service Medal
- Combat Infantryman Badge
- Sharpshooter Marksmanship Qualification Badge with Rifle Bar (M-14)

5. A review of the applicant's record confirms he is eligible for awards and campaign credits that are not recorded on his DD Form 214. The entries 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):

a. The Army Commendation Medal may be awarded to any member of the Armed Forces of the United States who, while serving in any capacity with the Army after 6 December 1941, distinguishes himself or herself by heroism, meritorious achievement,

or meritorious service. 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.

7. Department of the Army General Orders (DAGO) Number 22, dated 1976, awarded the Valorous Unit Award to 3rd Battalion (Airborne), 187th Infantry for service in Vietnam for the period of 16 to 22 March 1968.

8. DAGO Number 22, dated 1976, awarded the Meritorious Unit Commendation to 3rd Battalion (Airborne), 187th Infantry, for service in Vietnam for the period of 14 March 1968 to 3 October 1968.

9. DAGO Number 8, dated 1974, awarded the Republic of Vietnam Gallantry Cross with Palm for Headquarters, US Army Vietnam, and its subordinate units during the period of 20 July 1965 to 28 March 1973.

BOARD DISCUSSION:

After reviewing the application and all supporting documents, the Board determined relief was not warranted. The applicant's contentions, the military record, and regulatory guidance were carefully considered. Based upon the period of the citations for the requested awards having an end date well past the end date of the period of military service covered by the applicant's DD Form 214, the Board concluded there was insufficient evidence to show the applicant earned the two awards during the period of military service covered by 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 evidence presented does not demonstrate the existence of a probable error or injustice. Therefore, the Board determined the overall merits of this case are insufficient as a basis for correction of the records of the individual concerned.
2. Prior to closing the case, the Board did note the administrative notes below from the analyst of record and recommended those changes be completed to more accurately reflect the applicant's military service.

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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 service records show he is authorized additional campaign credit and awards not annotated on his DD Form 214. As a result, amend his DD Form 214 to show:

- Valorous Unit Award
- Meritorious Unit Commendation
- Republic of Vietnam Gallantry Cross with Palm Unit Citation
- three bronze service stars with his 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 600-8-22 (Military Awards) prescribes Department of the Army policy, criteria, and administrative instructions concerning individual and unit military awards.

a. The Army Commendation Medal may be awarded to any member of the Armed Forces of the United States who, while serving in any capacity with the Army after 6 December 1941, distinguishes himself or herself by heroism, meritorious achievement, or meritorious service. 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.

3. U. S. Army Vietnam Regulation 672-1 (Decorations and Awards) governed the military awards program in Vietnam during the Vietnam War. This regulation stated the Bronze Star Medal may have been awarded for heroism or for meritorious achievement or service which did not involve aerial flight but which was performed in connection with military operations against an armed enemy including combat, support, and supply operations. The approval authority for award of the Bronze Star Medal was generally delegated no lower than brigadier generals in command of separate brigades. However, the records of the Awards Branch of the U.S. Army Human Resources Command show that authority for award of the Bronze Star Medal for service had been delegated to colonels in command of the U.S. Army Support Commands located at Saigon, Cam Ranh Bay, and Qui Nhon and in command of separate engineer brigades in Vietnam assigned to the U.S. Army Engineer Troops (Provisional).

4. Department of the Army Pamphlet 672-3 (Unit Citation 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.

a. Department of the Army General Order (DAGO) Number 22, dated 1976, awarded the Valorous Unit Award to 3rd Battalion (Airborne), 187th Infantry for service in Vietnam for the period of 16 to 22 March 1968.

b. DAGO Number 8, dated 1974, awarded the Republic of Vietnam Gallantry Cross with Palm for Headquarters, US Army Vietnam, and its subordinate units during the period of 20 July 1965 to 28 March 1973.

c. DAGO Number 22, dated 1976, awarded the Meritorious Unit Commendation to 3rd Battalion (Airborne), 187th Infantry, for service in Vietnam for the period of 14 March 1968 to 3 October 1968.

//NOTHING FOLLOWS//