

IN THE CASE OF: [REDACTED]

BOARD DATE: 20 December 2024

DOCKET NUMBER: AR20240003950

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

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

- DD Form 149 (Application for Correction of Military Record)
- Army Commendation Medal Citation
- 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 is requesting the Army Commendation Medal be added to his service record because it is the right thing to do.
3. The applicant provides an Army Commendation Medal Citation, for meritorious service in support of allied counterinsurgency operations in the Republic of Vietnam (RVN) during the period of February 1969 to September 1969. The applicant astutely surmounted extremely adverse conditions to obtain consistently superior results. Through diligence and determination, he invariably accomplished every task with dispatch and efficiency. His unrelenting loyalty, initiative and perseverance brought him wide acclaim and inspired others to strive for maximum achievement. Selflessly working long and arduous hours, he contributed significantly to the success of the allied effort.
4. A review of the applicant's service record shows:
 - a. He was inducted into the Army of the United States on 13 November 1967.

b. His DA Form 20 (Enlisted Qualification Record) shows he served in Vietnam from 13 October 1968 to 4 September 1969. He was assigned to 28th Infantry, 2nd Battalion through four campaigns. It also shows in Block 41 (Awards and Decorations):

- National Defense Service Medal
- Vietnam Service Medal
- Vietnam Campaign Medal
- Combat Infantry Badge
- 2 Overseas Service Bars
- Marksman Marksmanship Qualification Badge with Rifle Bar (M-14)
- Republic of Vietnam Gallantry Cross Unit Citation with Palm

c. He was honorably released from active duty on 6 September 1969. His DD Form 214 shows he completed 1 year, 9 months and 24 days of active service. It also shows he was awarded or authorized the following:

- National Defense Service Medal
- Vietnam Service Medal
- Vietnam Campaign Medal
- Good Conduct Medal
- Combat Infantry Badge

d. His record is void of orders or documentation awarding him the Army Commendation Medal.

5. A review of the applicant's record confirms he is eligible for awards and campaign credit 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), 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.

7. By regulation (DA Pam 672-3):

a. Department of the Army General Orders (DAGO) Number 21, dated 1969, awarded the Republic of Vietnam Gallantry Cross with Palm to 2nd Battalion, 28th Infantry for service in Vietnam for the period of 12 July 1965 to 16 October 1968.

b. DAGO Number 53, dated 1970, awarded the Republic of Vietnam Civil Actions Honor Medal to 2nd Battalion, 28th Infantry, for service in Vietnam for the period of October 1965 to 7 April 1970.

BOARD DISCUSSION:

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 petition, and executed a comprehensive review based on law, policy, and regulation. The Board was convinced by a preponderance of the evidence, specifically the Army Commendation Medal citation provided by the applicant for meritorious service in support of allied counterinsurgency operations in the Republic of Vietnam. The Board concluded the Army Commendation Medal was awarded to the applicant and will be added to his 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:

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, for the period ending 6 September 1969 to show award of the Army Commendation Medal.

3/26/2025

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):

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 6 September 1969. As a result, correct his DD Form 214 as follows:

- Overseas Service Bars (2)
- Marksman Marksmanship Qualification Badge with Rifle Bar
- Republic of Vietnam Gallantry Cross Unit Citation with Palm
- Republic of Vietnam Civil Actions Honor Medal, First Class
- four bronze service stars with 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 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.
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.
 - a. Department of the Army General Orders (DAGO) Number 21, dated 1969, awarded the Republic of Vietnam Gallantry Cross with Palm to 2nd Battalion, 28th Infantry for service in Vietnam for the period of 12 July 1965 to 16 October 1968.
 - b. DAGO Number 53, dated 1970, awarded the Republic of Vietnam Civil Actions Honor Medal to 2nd Battalion, 28th Infantry, for service in Vietnam for the period of October 1965 to 7 April 1970.

//NOTHING FOLLOWS//