

IN THE CASE OF: [REDACTED]

BOARD DATE: 18 November 2024

DOCKET NUMBER: AR20240004035

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

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

- DD Form 149 (Application for Correction of Military Record)
- Bronze Star Medal Citation and Certificate
- Transmittal of Award Letter
- DD Form 214 ending on 27 May 1972

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 was awarded the Bronze Star Medal and likes to have it added.
3. A review of the applicant's service records show:
 - a. On 16 June 1970, the applicant was inducted into the Army of the United States. He was trained in and held military occupational specialty 76A, Supply man.
 - b. Special Orders Number 216, issued by Headquarters, U.S. Army Training Center, Fort Campbell, KY on 5 August 1970, awarded him the Marksman Marksmanship Qualification Badge with Rifle Bar (M-16).
 - c. He served in Vietnam from 12 November 1970 to 26 May 1972, through 4 campaigns. His DA Form 20 (Enlisted Qualification Record) shows:

(1) He was assigned to: 378th Maintenance Support Company from 21 November 1970 to 22 December 1971 and Headquarters and Main Support Company, 185th Maintenance Battalion from 23 December 1971 to 23 May 1972.

(2) He received excellent conduct and efficiency ratings throughout his military service.

(3) He was awarded or authorized: National Defense Service Medal, Vietnam Service Medal, Vietnam Campaign Medal.

d. General Orders Number 386, issued by Headquarters, U.S. Army Support Center, Saigon on 28 March 1972, awarded him the Bronze Star Medal for service from November 1970 to May 1972. [He provides the citation and certificate].

e. On 17 May 1972, he was honorably released from active duty in the rank/grade of specialist four/E-4, after completing 1 year, 11 months and 12 days of active service with no lost time. His DD Form 214 for this period shows he was awarded or authorized:

- National Defense Service Medal
- Vietnam Service Medal
- Vietnam Campaign Medal

4. As a related award, the applicant's service record does not contain orders awarding him the Army Good Conduct Medal (1st Award). His record is also void of any derogatory information that would have disqualified him from receiving this award.

5. Also related, the applicant is eligible for additional awards that are not listed on his DD Form 214 and would be corrected without Board action via the Administrative Notes section below.

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 applicant's contentions, the military record, and regulatory guidance were carefully considered.

a. Bronze Star Medal: Grant. General orders awarded the applicant the Bronze Star Medal. This award is not listed on his DD Form 214.

b. Army Good Conduct Medal: Grant. As a related award, although not specifically requested, the Board noted that the applicant served continuously on active duty from 16 June 1970 to 17 May 1972. He completed 1 year, 11 months, and 12 days of net active service. He received excellent conduct and efficiency ratings. His record does not

reflect any lost time or any derogatory information that would have disqualified him from receiving his first award of the Army Good Conduct Medal, or a commander's disqualifying memorandum for this award. The Board determined he met the criteria to be awarded the Army Good Conduct Medal (1st Award).

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 correction addressed in Administrative Note(s) below, 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 the applicant the Army Good Conduct Medal (1st Award) for service during the period 16 June 1970 through 17 May 1972.
- adding awards of the Bronze Star Medal and Army Good Conduct (1st Award) to his DD Form 214

11/18/2024

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 the following awards not reflected on his DD Form 214. As a result, amend his DD Form 214 to show:

- 4 bronze service stars to his already-awarded Vietnam Service Medal
- Republic of Vietnam Gallantry Cross with Palm Unit Citation
- Marksman Marksmanship Qualification Badge with Rifle Bar (M-16))

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 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 the immediate commander made a positive recommendation for its award and until the awarding authority announced the award in general orders.

3. Army Regulation 600-8-22 (Military Awards) states a bronze service star is worn on the appropriate service ribbon, to include the Vietnam Service Medal, for each credited campaign. DA Pamphlet 672-3 (Department of the Army Pamphlet 672-3 (Unit Citation and Campaign Participation Credit Register (January 1960 – February 1986)) shows the applicant completed service in Vietnam during the following campaigns:

- Vietnam Counteroffensive Phase VII, 1 July 1970 - 30 June 1971
- Consolidation I, 1 July - 30 November 1971
- Consolidation II, 1 December 1971 - 29 March 1972
- Vietnam Ceasefire Campaign, 30 March 1972 - 28 January 1973

4. Department of the Army General Orders Number 8, dated 1974, announced award of the Republic of Vietnam Gallantry Cross with Palm Unit Citation to Headquarters, U.S. Military Assistance Command and its subordinate units during the period 8 February 1962 to 28 March 1973 and to Headquarters, U.S. Army Vietnam and its subordinate units during the period 20 July 1965 to 28 March 1973.

//NOTHING FOLLOWS//