

IN THE CASE OF: [REDACTED]

BOARD DATE: 11 June 2025

DOCKET NUMBER: AR20240004448

APPLICANT REQUESTS: correction of his DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge) for the period ending 10 September 1970 to show he was awarded the Air Medal and the Army Commendation Medal and the replacement of those medals.

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

- DD Form 149 (Application for Correction of Military Record under the Provisions of Title 10, U.S. Code, Section 1552)
- The Army Commendation Medal Certificate, 8 July 1970
- The Air Medal Certificate, 14 October 1970

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 his records do not show his award of the Air Medal or the Army Commendation Medal. He further would like replacement medals.
3. He was inducted into the Army of the United States on 6 February 1969. He completed his initial entry training and was awarded military occupational specialty 11B (Light Weapons Infantryman).
4. His DA Form 20 (Enlisted Qualification Record) shows in:
 - a. item 31 (Foreign Service), he received overseas tour credit for service in U.S. Army Pacific – Vietnam from 16 July 1969 through 9 September 1970;
 - b. item 38 (Record of Assignments), he served with Company B, 1st Battalion, 50th Infantry Regiment, IFFV [I Field Force Vietnam] from 19 July 1969 through 9 September 1970;

- c. item 38, he received "Excellent" conduct and efficiency ratings, where rated;
 - d. item 41 (Awards and Decorations), no entry showing he was awarded the Air Medal or Army Commendation Medal.
5. He was honorably released from active duty and transferred to the United States Army Reserve (Annual Training) on 10 September 1970. He completed 1 year, 7 months, and 5 days of total active service. His DD Form 214 shows in:
- item 22c (Foreign and/or Sea Service) – U.S. Army Pacific – 1 year, 1 month, and 23 days
 - item 24 (Decorations, Medals, Badges, Commendations, Citations and Campaign Ribbons Awarded or Authorized) – does not show award of the Air Medal or Army Commendation Medal
 - item 30 (Remarks) – Vietnam Service: 16 July 1969 to 9 September 1970
6. His military records do not contain orders awarding him the Army Good Conduct Medal (AGCM). His military records also do not contain a commander's disqualification for award of the AGCM (1st Award).
7. His records are void of orders awarding him the Air Medal or Army Commendation Medal.
8. The applicant provides an Air Medal Certificate and Army Commendation Certificate, both showing he received the awards for his service in the Republic of Vietnam.

BOARD DISCUSSION:

1. After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that partial relief was warranted. The Board carefully considered the applicant's record of service, documents submitted in support of the petition and executed a comprehensive and standard review based on law, policy and regulation. Upon review of the applicant's petition and available military records, the Board determined based on the award citations for his Air Medal and Army Commendation Medal, there is sufficient evidence to support correction of the applicant's DD Form 214 to add these awards. However, the Board noted that the replacement of awards falls outside the purview of the Army Board for Correction of Military Records (ABCMR).
2. During deliberation, the Board determined the applicant's service record did not reflect he was awarded the Army Good Conduct Medal (1st award) and his record shows he received "excellent" conduct and efficiency ratings throughout his service for

the period of 6 February 1969 – 10 September 1970. Based on this the Board partial granted relief for correction of the applicant’s record to show award of the Air Medal, Army Commendation Medal and the Army Good Conduct Medal.

3. 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:

1. 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 partial relief. As a result, the Board recommends that all Department of the Army records of the individual concerned be corrected by amending the applicant's DD Form 214 for the period ending 10 September 1970 by adding in Item 24 (Decorations, Medals, Badges, Commendations, Citations and Campaign Ribbons Awarded or Authorized):

- Air Medal
- Army Commendation Medal
- Army Good Conduct Medal (1st Award) for exemplary service for the period 6 February 1969 – 10 September 1970

2. The Board further determined the evidence presented is insufficient to warrant a portion of the requested relief. As a result, the Board recommends denial of so much of the application that pertains to the issuance of replacement of medals.



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 is authorized administrative correction of his DD Form 214 for the period ending 10 September 1970 without Board action to show:

- four bronze service stars with his previous awarded Vietnam Service Medal
- Republic of Vietnam Gallantry Cross with Silver Star Unit Citation
- Republic of Vietnam Gallantry Cross with Palm Unit Citation
- Republic of Vietnam Civil Actions Honor Medal First Class Unit Citation

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 Army policy, criteria, and administrative instructions concerning individual and unit military awards.

a. The Air Medal is awarded in time of war for heroism and for meritorious achievement or service while participating in aerial flight. This award is primarily intended for personnel on flying status but may also be awarded to those personnel whose combat duties require them to fly; for example, personnel in the attack elements of units involved in air-land assaults against an armed enemy. As with all personal decorations, formal recommendations, approval through the chain of command, and announcement in orders are required.

b. The Army Commendation Medal is awarded to any service 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. Award may be made to a member of the armed forces of a friendly foreign nation who, after 1 June 1962, distinguishes himself or herself by an act of heroism, extraordinary achievement, or meritorious service, which has been of mutual benefit to a friendly nation and the United States. It may be awarded for combat-related service or achievement after 29 February 1964.

c. A bronze service star is authorized with the Vietnam Service Medal for each Vietnam campaign a member is credited with participating in. Appendix B shows that during the applicant's service in Vietnam, participation credit was awarded for the following campaigns:

- Vietnam Summer-Fall 1969 – 9 June 1969 - 31 October 1969
- Vietnam Winter-Spring 1970 – 1 November 1969 - 30 April 1970
- DA Sanctuary Counteroffensive – 1 May 1970 - 30 June 1970
- Vietnam Counteroffensive – 1 July 1970 - 30 June 1971

3. 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 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. There must have been no convictions by court-martial.

4. Department of the Army Pamphlet 672-3 (Unit Citation and Campaign Participation Credit Register) lists the awards received by units serving in Vietnam. This pamphlet shows Headquarters and Headquarters Company, 1st Transportation Battalion, was cited for award of the:

- Republic of Vietnam Gallantry Cross with Silver Star Unit Citation for the period 1 September 1969 through 15 December 1970 in Department of the Army General Orders (DAGO) Number 52, 1971
- Republic of Vietnam Gallantry Cross with Palm Unit Citation for the period 7 October 1969 through February 1970 in DAGO Number 11, 1973
- Republic of Vietnam Civil Actions Honor Medal First Class Unit Citation for the period 7 October 1969 through 1 February 1970 in DAGO Number 42, 1972

//NOTHING FOLLOWS//