

IN THE CASE OF: [REDACTED]

BOARD DATE: 20 December 2024

DOCKET NUMBER: AR20240004493

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

- Bronze Star Medal
- Certificate of Achievement
- Certificate of Appreciation

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)
- Headquarters, U.S. Army Vietnam, Certificate of Achievement
- Headquarters Battery, 2d Battalion, 13th Artillery Regiment, Memorandum (Recommendation for Award), 13 October 1969
- Bronze Star Medal Certificate, 16 October 1969
- Bronze Star Medal Citation
- Department of the Army Certificate of Appreciation, 31 October 1969
- 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 departed Vietnam on 3 November 1969 and out-processed from the Army within 24 hours. A month later, the rest of his decorations and awards arrived in the mail and were not added to his DD Form 214. Texas passed a law that grants veterans benefits based on certain decorations and awards. He would like to make use of those benefits.
3. He was inducted into the Army of the United States on 17 October 1967.

4. The Headquarters Battery, 2d Battalion, 13th Artillery Regiment, memorandum (Recommendation for Award), 13 October 1969, shows his acting battalion commander recommended him for award of the U.S. Army Vietnam Certificate of Achievement for meritorious achievement as the battery reenlistment noncommissioned officer from 1 August 1969 to 30 September 1969.

5. Headquarters, U.S. Army Vietnam, awarded him a Certificate of Achievement for meritorious service in support of the military effort in the Republic of Vietnam during the period 1 August 1969 to 30 September 1969.

6. The Bronze Star Medal Certificate, 18 October 1969, shows he was awarded the Bronze Star Medal for meritorious achievement in ground operations against hostile forces in the Republic of Vietnam during the period November 1968 to November 1969.

7. The accompanying Bronze Star Medal Citation shows he was awarded the Bronze Star Medal for meritorious service in connection with military operations against a hostile force in the Republic of Vietnam during the period November 1968 to November 1969.

8. He was awarded a Department of the Army Certificate of Appreciation in recognition of his active service on 31 October 1969.

9. His DA Form 20 (Enlisted Qualification Record) shows in:

a. item 31 (Foreign Service), he received overseas tour credit for service in Vietnam from 4 November 1968 through 3 November 1969;

b. item 38 (Record of Assignments), he was assigned to the following units/locations during the periods indicated:

- Headquarters and Headquarters Battery, 2d Battalion, 13th Artillery Regiment, Vietnam, from 7 November 1968 through 10 July 1969 as a fire direction computer
- Headquarters and Headquarters Battery, 2d Battalion, 13th Artillery Regiment, Vietnam, from 11 July 1969 through 28 October 1969 as an assistant chief fire direction computer

c. item 41 (Awards and Decorations), he was awarded or authorized the:

- National Defense Service Medal
- Vietnam Service Medal
- Republic of Vietnam Campaign Medal with Device (1960)
- Army Commendation Medal

- Expert Marksmanship Qualification Badge with Rifle Bar (M-14)
- Marksman Marksmanship Qualification Badge with Rifle Bar (M-16)

10. He was honorably released from active duty in the rank/grade of staff sergeant/E-6 on 31 October 1969. He completed 2 years and 14 days of net active service during this period. Item 24 (Decorations, Medals, Badges, Commendations, Citations, and Campaign Ribbons Awarded or Authorized) of his DD Form 214 shows he was awarded or authorized the:

- National Defense Service Medal
- Republic of Vietnam Campaign Medal with Device (1960)
- Army Good Conduct Medal
- Vietnam Service Medal
- Army Commendation Medal

11. Department of the Army General Orders Number 8, 19 March 1974, confirmed 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.

12. A review of the Awards and Decorations Computer-Assisted Retrieval System, an index of general orders issued during the Vietnam-era between 1965 and 1973 maintained by the U.S. Army Human Resources Command Awards and Decorations Branch, failed to reveal orders awarding him the Bronze Star Medal.

#### BOARD DISCUSSION:

1. After reviewing the application and all supporting documents, 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 review based on law, policy, and regulation.

a. Bronze Star Medal. Grant. The Board determined the evidence, including the Bronze Star Medal Certificate and citation were sufficient to add award of the Bronze Star Medal to the applicant's DD Form 214.

b. Certificate of Achievement. Deny. The Board noted the applicant's provided Certificate of Achievement; however, found no provision to add such certificate to the DD Form 214. The Board denied relief.

c. Certificate of Appreciation. Deny. The Board noted the applicant's provided Certificate of Appreciation; however, found no provision to add such certificate to the DD Form 214. The Board denied relief.

2. Prior to closing the discussion, the Board noted and concurred with the administrative notes below.

BOARD VOTE:

Mbr 1      Mbr 2      Mbr 3

:	:	:	GRANT FULL RELIEF
■	■	■	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
:	:	:	DENY APPLICATION

BOARD DETERMINATION/RECOMMENDATION:

1. The Board determined the evidence presented is sufficient to warrant 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 31 October 1969 to show award of the Bronze Star Medal.

2. The Board further determined that 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 adding the applicant's Certificate of Appreciation and Certificate of Achievement to his DD Form 214.

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): The applicant is authorized administrative correction of his DD Form 214 to show the following entries without Board action:

- item 24 –
  - four bronze service stars with his Vietnam Service Medal
  - Meritorious Unit Commendation
  - Republic of Vietnam Gallantry Cross with Palm Unit Citation
  - Republic of Vietnam Civil Actions Honor Medal First Class Unit Citation
  - Expert Marksmanship Qualification Badge with Rifle Bar (M-14)
  - Marksman Marksmanship Qualification Badge with Rifle Bar (M-16)
- item 30 (Remarks) – "Vietnam – 4 Nov 68 through 3 Nov 69, Indochina – Yes, Korea – No"

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 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 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.

b. One bronze service star is authorized with the Vietnam Service Medal for each campaign during which a member was assigned or attached to and present for duty with a unit during the period in which it participated in combat. During the applicant's service in Vietnam, participation credit was awarded for the following campaigns:

- Vietnam Counteroffensive Phase V – 1 July 1968-1 November 1968
- Vietnam Counteroffensive Phase VI – 2 November 1968-22 February 1969
- Tet 69 Counteroffensive – 23 February 1969-8 June 1969
- Vietnam Summer-Fall 1969 – 9 June 1969-31 October 1969

3. Department of the Army Pamphlet 672-3 (Unit Citation and Campaign Participation Credit Register), in effect at the time, listed the unit awards received by units serving in Vietnam. The 2d Battalion, 13th Artillery Regiment, was awarded the:

- Meritorious Unit Commendation for the period 1 January 1968 to 31 January 1969 in Department of the Army General Orders Number 36, 8 July 1970
- Republic of Vietnam Civil Actions Honor Medal First Class Unit Citation for the period 1 August 1967 to 15 March 1970 in Department of the Army General Orders Number 51, 10 November 1971

4. Army Regulation 635-5 (Separation Documents), effective 1 February 1967 and in effect at the time, prescribed the separation documents that must be prepared for Soldiers upon retirement, discharge, or release from active duty service or control of the Active Army. It established standardized policy for preparing and distributing the DD Form 214. The specific instructions for item 24 stated to enter all decorations,

service medals, campaign credits, and badges awarded or authorized from section 9 of the DA Form 20. There was no provision for entering certificates of achievement or commendation.

5. Army Regulation 635-5 (Separation Documents), effective 23 May 1972, stated to indicate Indochina and Korea service performed on or after 5 August 1964 in item 30 of the DD Form 214 by entering the inclusive dates of service for Vietnam and indicating "Yes" or "No" for service in Indochina and Korea. To show Vietnam service only, for example, enter "Vietnam – 25 Apr 70 through 28 May 71, Indochina – Yes, Korea – No."

//NOTHING FOLLOWS//