

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 30 January 2025

DOCKET NUMBER: AR20240004989

APPLICANT REQUESTS: correction of his DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge) for the period ending 24 August 1969, to show in item 24 (Decorations, Medals, Badges, Commendation, Citations and Campaign Ribbons Awarded or Authorized):

- Air Medal
- Army Commendation Medal

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

- DD Form 149 (Application for Correction of Military Record)
- Air Medal Citation
- Air Medal Certificate
- Army Commendation Medal Citation
- Army Commendation Medal Certificate
- DD Form 214 for the period ending 24 August 1969
- Honorable Discharge Certificate
- Army Review Board Agency (ARBA) Letter to Applicant, 27 January 2004
- Permanent Orders Number 027-01, 27 January 2004
- Permanent Orders Number 027-02, 27 January 2004
- DD Form 215 (Correction to DD Form 214, Armed Forces of the United States Report of Transfer or Discharge), 27 January 2004

FACTS:

1. The applicant did not file within the 3-year time frame provided in Title 10, U.S. Code (USC), 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 requests the addition of the Air Medal and Army Commendation Medal on his DD Form 215 and issuance of said physical medals. He says the DD Form 215 dated 27 January 2004 omitted the Air Medal award that was on

his DD Form 214 and the Army Commendation Medal that was not on his DD Form 214.

3. The applicant's DD Form 214 issued on 24 August 1969 shows the Air Medal. The DD Form 215 issued on 27 January 2004 only captures corrections requested by the applicant or identified by the Board at the time. There is no error as it pertains to the Air Medal and the Board will not address that portion of the applicant's request. The Board will address his request for the Army Commendation Medal.

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

a. He was inducted into the Army of the United States on 12 September 1967.

b. DA Form 20 (Enlisted Qualification Record) indicates in block 31 (Foreign Service) he served in The Republic of Vietnam from 28 August 1968 to 27 August 1969 and also shows in block 41 (Awards and Decorations) that he was awarded or authorized:

- National Defense Service Medal
- Vietnam Service Medal
- Combat Infantryman Badge
- Republic of Vietnam Gallantry Cross w/Palm Unit Citation
- Republic of Vietnam Campaign Medal
- Air Medal
- Two overseas service bars
- Sharpshooter Marksmanship Qualification Badge with Rifle Bar

c. The Air Medal Citation that indicates he distinguished himself by meritorious achievement, while participating in sustained aerial flight, in support of combat ground forces in the Republic of Vietnam, during the period 5 September 1968 to 28 February 1969.

d. The Air Medal Certificate given to him on 5 July 1969 for meritorious achievement, while participating in aerial flight in the Republic of Vietnam during the period of 5 September 1968 to 28 February 1969. The certificate is void of an order number.

e. General Orders Number 6164 dated 29 June 1969, issued by Headquarters, 1st Infantry Division, awarded the applicant the Air Medal.

f. The Army Commendation Medal Citation that indicates he distinguished himself by exceptionally meritorious service in support of allied counterinsurgency operations in the Republic of Vietnam, during the period August 1968 to July 1969.

g. The Army Commendation Medal certificate given to him for meritorious service in the Republic of Vietnam during the period between August 1968 to July 1969. The certificate is void of an order number.

h. On 24 August 1969, he was honorably released from active duty and transferred to U.S. Army Reserve (USAR) Control Group to complete the remainder of his service agreement. DD Form 214 shows he completed 1 year, 11 months, and 13 days of total active service this period. It also shows he was awarded or authorized:

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

i. Letter Orders Number 08-1219810 dated 15 August 1973, issued by the Department of the Army, discharged the applicant from the USAR Control Group (Standby), effective 1 September 1973.

j. DD Form 215 dated 27 January 2004, shows in item 5 (Original DD Form 214, is Corrected as indicated):

- item 3 – 51 879 8XX
- item 24 –
  - Delete: Vietnam Service Medal
  - Add: Bronze Star Medal/ Army Good Conduct Medal/Vietnam Service Medal w/4 bronze service stars/Combat Infantryman Badge/Sharpshooter Qualification Badge w/Rifle Bar (M-14)/Expert Qualification Badge w/mortar Bar (81 mm Mortar)/Republic of Vietnam Gallantry Cross w/Palm Unit Citation Badge/Republic of Vietnam Civil Actions Honor Medal First Class Unit Citation Badge
- item 25 (Education and Training Completed) – Infantry Noncommissioned Officer Candidate Course Fort Benning GA May 69//NOTHING FOLLOWS

k. The available service record is void of any further documentation showing the applicant was awarded the Army Commendation Medal.

5. The applicant provides:

a. Letter from ARBA dated 27 January 2004, informing the applicant of approved findings and corrections to his record.

b. Permanent Orders (PO) Number 027-01 dated 27 January 2004, issued by Department of the Army, Review Board Agency announced the award of the Bronze Star Medal and PO Number 027-02 issued by Department of the Army, Review Board Agency announced the award of the Army Good Conduct Medal.

6. A review of the Awards and Decorations Computer Assisted Retrieval System maintained by the U.S. Army Human Resources Command, failed to reveal any orders for the Army Commendation Medal pertaining to the applicant.

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 Air Medal and the Army Commendation Medal certificate and citation in the applicant's military record, the Board concluded there was an error or injustice warranting a change to the applicant's DD Form 214.

BOARD VOTE:

<u>Mbr 1</u>	<u>Mbr 2</u>	<u>Mbr 3</u>	
:XXX	:XXX	:XXX	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 the applicant's DD Form 214 by adding the Air Medal and the Army Commendation Medal.

//SIGNED//

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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.

REFERENCES:

1. Title 10, USC, 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 (AR) 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. AR 635-5 (Separation Documents – Personnel Separations) in effect at the time prescribes the separation documents that will be furnished each individual who is separated from the Army. Source documents consist of all available records, including DA Form 20, and orders. Item 24; enter from DA Form 20 all decorations, service medals, campaign credits, and badges awarded or authorized, omitting authorities therein.

//NOTHING FOLLOWS//