

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 12 February 2025

DOCKET NUMBER: AR20240005682

APPLICANT REQUESTS: in effect, correction of his DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge) to show the Air Medal (8th oak leaf cluster) and the citations and medals for each.

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

- DD Form 149 (Application for Correction of Military Record)
- General Orders Number 6635, U.S. Army Vietnam, 2 December 1966
- Air Medal certificate, 12 September – 26 October 1966
- Air Medal citation, 12 September – 26 October 1966
- Special Order Number 293, Headquarters, U.S. Army Vietnam, 22 October 1966
- General Orders Number 761, U.S. Army Vietnam, 21 February 1967
- General Orders Number 1817, Headquarters, 9th Infantry Division, 16 June 1967
- General Orders Number 3958, Headquarters, 9th Infantry Division, 10 August 1967
- DA Form 20 (Enlisted Qualification Record)
- Letter, National Personnel Records Center, 5 April 2024

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, in effect, he only received a citation and medal for his first Air Medal. He wants to receive the citations and medals for the additional Air Medals he earned. The applicant wants to wear the medals on his uniform at the Memorial Day Ceremony and have the paperwork and citations to show the awards are legitimate.
3. The applicant's record will be administratively corrected to add additional awards and unit awards without action by the Board. The Board will consider the applicant's requests pertaining to his citations and the Army Good Conduct Medal.

4. The applicant was inducted into the Army of the United States on 5 August 1965. He served in military occupational specialty 67N (Turbine Utility Helicopter Mechanic).

5. Evidence shows he served in the Republic of Vietnam from 20 August 1966 to 27 July 1967, with Headquarters Troop, 2nd Squadron, 11th Armored Cavalry Regiment.

6. General Orders Number 6635, published by United States Army Vietnam, on 2 December 1966, awarded him the Air Medal.

7. General Orders Number 761, published by United States Army Vietnam, on 21 February 1967, awarded him the Air Medal (1st Oak Leaf Cluster)

8. General Orders Number 1817, published by Headquarters, 9th Infantry Division, on 16 June 1967, awarded him the Air Medal (2nd - 7th Oak Leaf Cluster)

9. General Orders Number 3958, published by Headquarters, 9th Infantry Division, on 10 August 1967 awarded him the Air Medal (8th Oak Leaf Cluster)

10. He was honorably released from active duty as an overseas returnee on 27 July 1967. The applicant's DD Form 214 shows he was awarded or authorized the:

- National Defense Service Medal
- Republic of Vietnam Campaign Medal with Device (1960)
- Sharpshooter Marksmanship Qualification Badge with Rifle Bar (M-14)
- Vietnam Service Medal
- Aircraft Crewman Badge
- Air Medal

11. Item 38 (Record of Assignments) of his DA Form 20 shows he received all "excellent" conduct and efficiency ratings throughout his entire period of active military service.

12. There is no evidence in the available records that shows he was awarded the Army Good Conduct Medal; neither is there evidence of a commander's disqualification for the award. Additionally, there is no evidence of any convictions by courts-martial or receipt of nonjudicial punishment under Article 15, Uniform Code of Military Justice.

13. Veterans, Retirees, and Reserve Component Soldiers awarded U.S. military decorations to whom an appropriate certificate has not been issued or lost may apply for such certificate by writing to Commander, U.S. Army Human Resources Command (AHRC-PDP-A), 1600 Spearhead Division Avenue, Fort Knox, KY 40122-5408.

14. In accordance with 10 USC 1135, 3747, and 3751 all U.S. Army medals are presented at no cost to an awardee. Replacement medals will be issued on a one-time basis and without charge to the recipient of the military decoration or the immediate primary next of kin of a deceased recipient. Subsequent replacement medals or service ribbons for individuals not on active duty may be made at cost price. No money should be mailed until instructions are received from AHRC or the National Personnel Records Center. Requests for medals on behalf of individuals having no current U.S. Army status or deceased prior to 1 October 2002, should submit their request to the National Personnel Records Center, 1 Archives Drive, St. Louis, MO 63138-1002, <http://www.archives.gov>.

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 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 request and available military records, the Board noted his contention that he received only a citation and medal for his initial Air Medal. He now seeks recognition for the additional awards so that he may wear them on his uniform during Memorial Day ceremonies and affirm his service. The Board acknowledged the applicant's honorable service in Vietnam and confirmed, through official general orders, his receipt of multiple Air Medals. The administrative notes have already corrected this portion of the request; therefore, it will not be further addressed by the Board.
2. The Board determined there is sufficient evidence to support the applicant's entitlement to the Army Good Conduct Medal (AGCM) (1st Award). His DA Form 20 reflects all "excellent" conduct and efficiency ratings throughout his period of active service, and there is no evidence of disqualifying misconduct, nonjudicial punishment, or court-martial. Therefore, the Board granted relief for correction of the applicant's DD Form 214 to add 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:

<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:

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 relief. As a result, the Board recommends that all Department of the Army records of the individual concerned be corrected by awarding him the Army Good Conduct Medal (1st Award) for exemplary service from 5 August 1965 – 27 July 1967 and adding the medal to his DD Form 214 for the period ending 27 July 1967.

X //SIGNED//

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):

Add the following awards to block 24 (Decorations, Medals, Badges, Commendations, Citations and Campaign Ribbons Awarded or Authorized) of the applicant's DD Form 214 for the period ending on 27 July 1967 without action by the Board:

- Air Medal with numeral 9
- Republic of Vietnam Gallantry Cross with Palm Unit Citation
- Vietnam Service Medal with 2 bronze service stars

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. 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. Numerals, starting with 2, will be used to denote second and subsequent awards of the Air Medal.

b. Paragraph 2-13, contains the regulatory guidance on the Vietnam Service Medal and states that a bronze service star is authorized with this award for each Republic of Vietnam campaign a member is credited with participating in. Table K-1 shows that during his service in the Republic of Vietnam, participation credit was awarded for the following two campaigns:

- Vietnam Counteroffensive, Phase II
- Vietnam Counteroffensive, Phase III

4. Department of the Army Pamphlet 672-3 (Unit Citation and Campaign Participation Credit Register) lists the awards received by units serving in the Republic of Vietnam. During the period in which the applicant was assigned to Headquarters Troop, 2nd Squadron, 11th Armored Cavalry Regiment, his unit was cited for award of the Republic of Vietnam Gallantry Cross with Palm Unit Citation, for the period 7 September 1966 to 10 August 1968, by DAGO 60, dated 1969.

5. Army Regulation 15-185 (ABCMR) prescribes the policies and procedures for correction of military records by the Secretary of the Army acting through the ABCMR. The ABCMR considers individual applications that are properly brought before it. The ABCMR will decide cases on the evidence of record. It is not an investigative body. The ABCMR begins its consideration of each case with the presumption of administrative regularity. The applicant has the burden of proving an error or injustice by a preponderance of the evidence.

//NOTHING FOLLOWS//