

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 2 December 2024

DOCKET NUMBER: AR20240005865

APPLICANT REQUESTS: in effect to add his Bronze Star Medal (BSM) to his DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge)

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

- DD Form 149 (Application for Correction of Military Record)
- BSM Certificate
- BSM Citation
- 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 received a BSM; however, it is not listed on his DD Form 214. He discovered it when he found his DD Form 214, certificate, and the BSM citation.
3. The applicant provided the following documents:
  - a. The BSM Certificate, which shows for meritorious achievement in ground operations against hostile forces from September 1968 to September 1969.
  - b. The BSM Citation shows for meritorious service in the Republic of Vietnam during the period from September 1968 to September 1969. His rapid assessment and solution of numerous problems inherent in a combat environment greatly enhanced the allied effectiveness against a determined and aggressive enemy.
  - c. His DD Form 214 shows his record of service.
4. A review of the applicant's service record shows:

- a. He was inducted into the Army of the United States on 12 April 1968.
  - b. His DA Form 20 shows he served in Vietnam from 9 September through 18 November 1969. He was assigned in Vietnam to Headquarters and Headquarters Company and Band, 25th Infantry Division Support Command.
  - c. His record does not contain orders awarding him the Bronze Star Medal.
  - d. He was honorably released from active duty on 19 November 1969. His DD Form 214 shows he completed 1 year, 7 months, and 3 days of total active service with no lost time. His character of service shows "Honorable" with reentry code 1. He was awarded or authorized the:
    - National Defense Service Medal
    - Vietnam Service Medal
    - Republic of Vietnam Campaign Medal
5. By regulation (AR 672-5-1) the Bronze Star Medal may have been awarded for heroism or for meritorious achievement or service which did not involve aerial flight, but which was performed in connection with military operations against an armed enemy including combat, support, and supply operations.
6. Department of the Army General Orders (DAGO) Number 5, dated 1973 awarded the Republic of Vietnam Gallantry Cross with Palm to Headquarters and Headquarters Company and Band, 25th Infantry Division Support Command for service in Vietnam for the period 1 September 1968-September 1970
7. DAGO Number 51, dated 1971 awarded the Republic of Vietnam Civil Actions Honor Medal, Foreign Citation (FC) to Headquarters and Headquarters Company and Band, 25th Infantry Division Support Command for service in Vietnam for the period 1 April 1966 - 21 January 1970.

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. One potential outcome discussed was to grant relief based upon the provided BSM certificate. However, based upon the provided BSM certificate failing to reflect a signature of the commander, the service period covered on the certificate being shorter than the period annotated on the applicant's 2-1, and without other evidence such as orders awarding the BSM, the Board concluded there was insufficient evidence of an error or injustice warranting adding the BSM to the applicant's record.

BOARD VOTE:

Mbr 1      Mbr 2      Mbr 3

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

BOARD DETERMINATION/RECOMMENDATION:

1. The evidence presented does not demonstrate the existence of a probable error or injustice. Therefore, the Board determined the overall merits of this case are insufficient as a basis for correction of the records of the individual concerned.
2. Prior to closing the case, the Board noted the administrative note below from the analyst of record and recommended those changes be completed to more accurately reflect the military service of the applicant.

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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 service records show he is authorized additional award not annotated on his DD Form 214. As a result, amend his DD Form 214 to:

- Republic of Vietnam Gallantry Cross with Palm
- Republic of Vietnam Civil Actions Honor Medal

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 (Decorations and Awards) governed the military awards program in Vietnam during the Vietnam War. It stated the Bronze Star Medal may have been awarded for heroism or for meritorious achievement or service which did not involve aerial flight, but which was performed in connection with military operations against an armed enemy including combat, support, and supply operations. The approval authority for award of the Bronze Star Medal was generally delegated no lower than brigadier generals in command of separate brigades. However, the records of the Awards Branch of the U.S. Army Human Resources Command show that authority for award of the Bronze Star Medal for service had been delegated to colonels in command of the U.S. Army Support Commands located at Saigon, Cam Ranh Bay, and Qui Nhon and in command of separate engineer brigades in Vietnam assigned to the U.S. Army Engineer Troops (Provisional).

3. Department of the Army General Orders (DAGO) Number 5, dated 1973 awarded the Republic of Vietnam Gallantry Cross with Palm to Headquarters and Headquarters Company and Band, 25th Infantry Division Support Command for service in Vietnam for the period 1 September 1968-September 1970

4. DAGO Number 51, dated 1971 awarded the Republic of Vietnam Civil Actions Honor Medal, Foreign Citation (FC) to Headquarters and Headquarters Company and Band, 25th Infantry Division Support Command for service in Vietnam for the period 1 April 1966 - 21 January 1970.

//NOTHING FOLLOWS//