

IN THE CASE OF: [REDACTED]

BOARD DATE: 6 December 2024

DOCKET NUMBER: AR20240005909

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

- Combat Infantryman Badge (CIB)
- Bronze Star Medal (BSM)
- Air Medal (AM) with Numeral 3
- Army Commendation Medal (ARCOM) with "V" device (3rd Award)
- Army Good Conduct Medal (AGCM) (1st Award)
- Expert Marksmanship Qualification Badge with rifle bar (M-14)
- Expert Marksmanship Qualification Badge with mortar bar (81mm)
- four bronze service stars with the Vietnam Service Medal (VSM)
- any awards authorized for his service in Vietnam
- Blood Group: "A" positive instead of "O" positive

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

- DD Form 149 (Application for Correction of Military Record)
- Applicant Letter
- Special Orders Number 129, 26 June 1969
- General Orders Number 2092, 13 February 1970
- General Orders Number 8853, 29 May 1970
- General Orders Number 8807, 29 May 1970
- Special Orders Number 149, 29 May 1970
- General Orders Number 12462, 13 July 1970
- General Orders Number 14394, 6 August 1970
- General Orders Number 15088, 16 August 1970
- DD Form 214, 22 November 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, in effect, he wishes to have this information updated for his records. It is important to him for family records. He is a Vietnam veteran who is quite proud of his service. The awards and decorations portion of his DD Form 214 is incomplete. This matter means a lot to him. His blood type is incorrect on his DD Form 214. His father, brother, and he are all A positive.
3. The Board will not consider the applicant's request to show he was awarded the CIB, BSM, AM with Numeral 3, ARCOM with "V" device (3rd Award), Expert Marksmanship Qualification Badge with rifle bar (M-14), Expert Marksmanship Qualification Badge with mortar bar (81mm), four bronze service stars with the Vietnam Service Medal, any awards authorized for his service in Vietnam, and correction of his Blood Group to show A positive, as these will be addressed through an administrative correction.
4. The Board will only consider the applicant's request for award of the AGCM (1st Award).
5. A review of the applicant's service record shows:
 - a. He was inducted into the Army of the United States on 14 May 1969.
 - b. His DA Form 20 (Enlisted Qualification Record) contains the following information:
 - Item 31 (Foreign Service) shows he served in U.S. Army Pacific (USARPAC), Vietnam from 6 October 1969 to 16 December 1970
 - Item 38 (Record of Assignments) shows during his service in Vietnam he was assigned to:
 - Headquarters and Headquarters Company (HHC), 2nd Brigade, 1st Infantry Division from 16 October 1969 to 13 March 1970
 - Company B, 2nd Battalion, 7th Cavalry, 1st Cavalry Division (Air Mobile (AM)) from 14 March 1970 to 14 March 1970
 - HHC, 1st Battalion, 8th Cavalry, 1st Cavalry Division (AM) from 14 March 1970 to 16 March 1970
 - Company B, 1st Battalion, 8th Cavalry, 1st Cavalry Division (AM) from 17 March 1970 to 13 August 1970

- HHC, 1st Battalion, 1st Battalion, 8th Cavalry, 1st Cavalry Division (AM) from 14 August 1967 to 17 November 1970
- Item 41 (Awards and Decorations) shows:
 - National Defense Service Medal (NDSM)
 - VSM
 - ARCOM
 - CIB
 - AM
 - AM (1st oak leaf cluster (OLC))
 - AM (2nd OLC)
 - ARCOM with "V" device
 - ARCOM
 - BSM
 - Republic of Vietnam Campaign Medal (VCM) with device (1960)
 - two overseas service bars
 - Expert Marksmanship Qualification Badge with mortar bar (81mm)
 - Expert Marksmanship Qualification Badge with rifle bar

c. General Orders Number 2092, dated 13 February 1970, awarded the applicant the ARCOM for meritorious achievement from 1 November 1969 to 1 February 1970.

d. Special Orders Number 149, dated 29 May 1970, awarded the applicant the CIB.

e. General Orders Number 8853, dated 29 May 1970, awarded him the AM for meritorious achievement while participating in aerial flight in the Republic of Vietnam from November 1969 to May 1970.

f. General Orders Number 8807, dated 29 May 1970, awarded the applicant the AM (1st and 2nd OLC) for meritorious achievement while participating in aerial flight in the Republic of Vietnam from November 1969 to February 1970.

g. General Orders Number 12462, dated 13 July 1970, awarded him the ARCOM with "V" device for heroism in sustained combat operations against a hostile enemy force in the Republic of Vietnam from 15 March 1970 to 17 March 1970.

h. General Orders Number 14394, dated 6 August 1970, awarded the applicant the ARCOM for meritorious achievement in connection with military operations in the Republic of Vietnam from May 1970 to June 1970.

i. General Orders Number 15088, dated 16 August 1970, awarded him the BSM for meritorious service, not involving participation in aerial flight, in connection with ground

operations against a hostile enemy force in the Republic of Vietnam from October 1969 to October 1970.

j. SF 601 (Immunization Record), dated 21 May 1969, reflects the applicant's blood type as A positive.

k. He was honorably released from active duty and transferred to the U.S. Army Reserve Control Group on 22 November 1970. His DD Form 214 shows he completed 1 year, 6 months, and 9 days of active service. It shows in:

- Item 22c (Foreign and/or Sea Service): USARPAC, 1 year, 1 month, and 17 days
- Item 24 (Decorations, Medals, Badges, Commendations, Citations and Campaign Ribbons Awarded or Authorized): NDSM, VSM, and the VCM
- Item 30 (Remarks):
 - Blood Group: O positive
 - Republic of Vietnam: 8 October 1969 – 22 November 1970

6. The applicant's record does not contain evidence his commander disqualified him for award of the AGCM (1st Award). He received all excellent conduct and efficiency ratings. His record does not contain evidence of a court-martial conviction nor any other derogatory information that would disqualify him from the first award of the AGCM.

BOARD DISCUSSION:

After reviewing the application and all supporting documents, the Board determined relief was warranted. The applicant's contentions, the military record, and regulatory guidance were carefully considered. Based upon the available documentation, the Board made the following findings and recommendations:

- Combat Infantryman Badge (CIB) – Based upon the administrative notes below by the analyst of record, no board action was taken
- Bronze Star Medal (BSM) – Based upon the administrative notes below by the analyst of record, no board action was taken
- Air Medal (AM) with Numeral 3 – Based upon the administrative notes below by the analyst of record, no board action was taken
- Army Commendation Medal (ARCOM) with "V" device (3rd Award) – Based upon the administrative notes below by the analyst of record, no board action was taken

- Expert Marksmanship Qualification Badge with rifle bar (M-14) – Based upon the administrative notes below by the analyst of record, no board action was taken
- Expert Marksmanship Qualification Badge with mortar bar (81mm) – Based upon the administrative notes below by the analyst of record, no board action was taken
- four bronze service stars with the Vietnam Service Medal (VSM) – Based upon the administrative notes below by the analyst of record, no board action was taken
- any awards authorized for his service in Vietnam – Based upon the administrative notes below by the analyst of record, no board action was taken
- Blood Group: “A” positive instead of “O” positive – Based upon the administrative notes below by the analyst of record, no board action was taken
- Army Good Conduct Medal (AGCM) (1st Award) – GRANT, based upon the applicant's record not containing evidence his commander disqualified him for award of the AGCM (1st Award) and he received all excellent conduct and efficiency ratings.

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 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 awarding and adding the Army Good Conduct Medal.
2. Prior to closing the case, the Board noted the administrative notes below from the analyst of record and recommended those changes also be completed to more accurately reflect the military service of the applicant.

12/27/2024

XCHAIRPERSON


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): administratively correct the applicant's DD Form 214 for the period ending 22 November 1970 without action by the Board to add:

a. Item 24 (Decorations, Medals, Badges, Citations and Campaign Ribbons Awarded or Authorized):

- four bronze service stars to his previously issued Vietnam Service Medal
- Meritorious Unit Commendation
- Republic of Vietnam Gallantry Cross with Palm Unit Citation
- Valorous Unit Award
- Republic of Vietnam Civil Actions Honor Medal, First Class Unit Citation
- Combat Infantryman Badge
- Bronze Star Medal
- Air Medal with Numeral 3
- Army Commendation Medal with "V" device (3rd Award)
- two overseas service bars
- Expert Marksmanship Qualification Badge with rifle bar (M-14)
- Expert Marksmanship Qualification Badge with mortar bar (81mm)

b. Item 30 (Remarks): Blood Group – A positive

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:

a. 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.

b. To be eligible for the Combat Infantryman Badge, an individual must have been an infantry officer in the grade of colonel or below, or an enlisted man or a warrant officer with an infantry MOS, who subsequent to 6 December 1941 satisfactorily performed duty while assigned or attached as a member of an infantry unit of brigade, regimental or smaller size during any period such unit was engaged in active ground combat. Battle participating credit alone was not sufficient; the unit must have been in active ground combat with the enemy during the period. Awards may be made to assigned members of ranger infantry companies as signed or attached to tactical infantry organizations. They may also be made to members of the U.S. Army who are colonels or below and were assigned under appropriate orders for service in Republic of Vietnam.

3. Army Regulation 600-8-22 (Military Awards), now in effect, prescribes Department of the Army policy, criteria, and administrative instructions concerning individual and unit military awards.

a. 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. As with all personal decorations, formal recommendations, approval through the chain of command, and announcement in orders are required.

b. The Bronze Star Medal is awarded to any person who, while serving in any capacity in or with the Armed Forces of the United States, or a friendly foreign nation, after 6 December 1941, distinguished himself or herself by heroic or meritorious achievement or service, not involving participation in aerial flight, in connection with military operations against an armed enemy; or while engaged in 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.

c. The bronze "V" device indicates acts of heroism involving conflict with an armed enemy and authorizes the device in conjunction with awards of the Army Commendation Medal, the Air Medal, and the Bronze Star Medal. Although more than one award of the Army Commendation Medal, the Air Medal, or the Bronze Star Medal may be made for heroism to the same person, only one "V" device may be worn on awards of these medals.

d. The Vietnam Service Medal was awarded to all service members of the Armed Forces of the United States for qualifying service in Vietnam after 3 July 1965 through 28 March 1973. Qualifying service included attachment to or assignment for 1 or more days with an organization participating in or directly supporting military operations. 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 or was under orders in the combat zone and served at a normal post of duty. One silver service star is worn to denote five bronze service stars. The applicant participated in four campaigns during his service in Vietnam.

f. 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. Arabic numerals are now used instead of oak leaf clusters for the second and succeeding awards of the Air Medal.

4. Department of the Army Pamphlet 672-3 (Unit Citation and Campaign Participation Credit Register) lists the unit awards received by units serving in Vietnam. This pamphlet shows 1st Cavalry Division and 1st Battalion, 8th Cavalry, was cited for the following unit awards:

a. Department of the Army General Order (DAGO) Number 51, dated 1971, awarded 1st Cavalry Division, the Meritorious Unit Commendation for the period 1 November 1968 to 30 June 1970.

b. DAGO Number 42, dated 1972, awarded 1st Cavalry Division, the Republic of Vietnam Gallantry Cross with Palm Unit Citation for the period 21 February 1970 to 28 February 1971.

c. DAGO Number 43, dated 1972, awarded 1st Battalion, 8th Cavalry, the Valorous Unit Award for the period 1 May 1970 to 29 June 1970.

d. DAGO Number 42, dated 1972, awarded 1st Battalion, 8th Cavalry, the Republic of Vietnam Civil Actions Honor Medal for the period 1 January 1969 to 1 February 1970.

//NOTHING FOLLOWS//