

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 4 April 2025

DOCKET NUMBER: AR20240006374

APPLICANT REQUESTS: reconsideration of his earlier request for award of the:

- Meritorious Unit Commendation (Third Award)
- Republic of Vietnam Gallantry Cross with Palm Unit Citations (Third Award)
- Vietnamese Staff Service Medal Class I

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

- Privacy Act Release Form in lieu of DD Form 149 (Application for Correction of Military Record)
- Self-authored statement, 19 March 2024
- Headquarters (HQ), 504th Military Police (MP) Battalion, Unit Orders Number 12, 12 April 1969
- DA Form 66 (Officer Qualification Record), page 2 only (previously provided to and considered by the Board)
- extracts from DA PAM 672-3 (previously provided to and considered by the Board)
- Department of the Army General Orders Number 2 (DAGO), 13 January 1971
- DA Form 67-6 (Officer Evaluation Reports (OER)), 7 April 1969 to 18 July 1969, 19 July 1969 to 11 January 1970, and 12 January 1970 to 17 March 1970
- USARV Form 157-R (Recommendation for Decoration for Valor or Merit), October 1969 to March 1970 (previously provided and considered by the Board)
- DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge), 20 April 1972
- DD Form 215 (Correction to DD Form 214), 8 July 2005
- 146th MP Platoon Vietnam Timeline, 2018
- 146th MP Platoon 1969 and 1970 Roster, 2018
- Reading Room case, 2020

FACTS:

1. Incorporated herein by reference are military records which were summarized in the previous consideration of the applicant's case by the Army Board for Correction of

Military Records (ABCMR) in Dockets Number AR2003099188 and AR20190006619, on 3 June 2004 and 7 May 2020, respectively.

2. The applicant states:

a. He was assigned to the 504th MP Battalion from 7 April 1969 to 18 March 1970. He served as Battalion Adjutant, S1 and Headquarters and Headquarters Detachment (HHD) Commander from 7 April 1969 to 23 September 1969; Platoon Leader, 146th MP Platoon, which was attached to the 23rd MP Company, 100 miles South of Battalion HQ; Commander, 146th MP Battalion from 4 October 1969 to 27 February 1970.

b. All three units were awarded the Meritorious Unit Commendation in DAGO Number 2, dated 15 January 1971.

c. He understands that only one Republic of Vietnam Gallantry Cross with Palm Unit Citation will be worn by any individual. Although wear of multiple records is not authorized, records will indicate all awards received.

d. Just before leaving Quang Ngai, he was pinned with the Vietnamese Staff Service Medal Class I by Dai Uy, Ha-Thuyen, Quan Can (MP Commander) Quan Ngai, Vietnam. This award was never sent to him.

3. The applicant provides service records consisting of a page of his DA Form 66, showing units to which he was assigned; three OERs, an USARV Form 157-R previously considered by the Board, and DD Form 214 and DD Form 215; a 146th MP Platoon Timeline; a 720th MP Battalion History Project Newsletter; a copy of his case from the Reading Room, dated 2019.

4. A review of the applicant's service records show the following:

a. On 4 April 1967, he was appointed as a Reserve commissioned officer in the MP Corps, following a period of enlisted service.

b. He served in Vietnam from 29 March 1969 to 18 March 1970.

c. Three OERs covering his service in Vietnam reflect:

(1) he was assigned as the Battalion Adjutant, and the HHD Commanding Officer, at 504th MP Battalion from 7 April 1969 to 18 July 1969;

(2) he was assigned the Platoon Leader of a separate MP Platoon, 146th MP Platoon, 504th MP Battalion (A) (Airborne), operating in the Republic of Vietnam, from 19 July 1969 to 11 January 1970; and

(3) he was assigned as a sub area Provost Marshall and Platoon Leader at HHD, 504th MP Battalion in a military police company serving in Vietnam, from 12 January 1970 to 17 March 1970.

d. His DA Form 66 reflects, while he was in Vietnam, he was assigned to:

- HQ, 504th MP Battalion, 7 April 1969 to 30 August in duty role of an Adjutant
- HQ, 504th MP Battalion, 1 September 1969 to 22 September 1969 in duty roll of Investigating Officer
- HHD, 504th MP Battalion, 23 September 1969 to 29 September 1969 in duty roll of Platoon Leader
- HHD, 504th MP Battalion, 30 September 1969 to 3 October 1969 in duty roll of Investigating Officer
- 146th MP Platoon, 504th MP Battalion, 4 October 1969 to 26 February 1970 in duty roll of Platoon Leader
- HHD, 504th MP Battalion, 27 February 1970 to 18 March 1970 in duty roll of sub area Provost Marshall/Platoon Leader

e. On 20 April 1972, he was honorably released from active duty. His DD Form 214 shows he was awarded the:

- National Defense Service Medal
- Army Good Conduct Medal
- Vietnam Service Medal
- Republic of Vietnam Campaign Medal with Device (1960)
- Bronze Star Medal
- Army Commendation Medal
- two Overseas Service Bars

5. In ABCMR Docket Number AR2003099188, dated 3 June 2004, the Board denied that part of his request for the award of the Vietnamese Staff Service Medal First Class I. A DD Form 215 was subsequently issued to him, granting part of his request by adding to his DD Form 214 for the period ending 20 April 1972 the:

- Meritorious Unit Commendation Medal for his service while assigned to the 504th MP Battalion
- three bronze service stars to his previously issued Vietnam Service Medal
- Republic of Vietnam Gallantry Cross with Palm Unit Citation

6. In ABCMR Docket Number AR20190006619, dated 7 May 2020, the Board denied his request for the Meritorious Unit Commendation (Third Award) and denied his request for award of the Vietnam Staff Service Medal Class I. The Board determined his record was missing entries for three Marksmanship qualification badges. A new

DD Form 215 was subsequently issued to him, voiding a DD Form 215 previously issued to him dated 8 July 2005. The new DD Form 215 reflects he was authorized the following awards:

- Republic of Vietnam Gallantry Cross with Palm Unit Citation (Second Award)
- Expert Marksmanship Qualification Badge with Rifle Bar (M-16)
- Sharpshooter Marksmanship Qualification Badge with Pistol Bar (.45 caliber) and Submachine Gun Bar (M-3)
- Vietnam Service Medal with three bronze service stars
- Meritorious Unit Commendation Medal

BOARD DISCUSSION:

1. After reviewing the application, all supporting documents, and the evidence found within the military record, 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. Upon review of the applicant's petition and available military records the Board agreed there is sufficient evidence for award of the Meritorious Unit Commendation (Third Award), based on the DAGO Number 2, dated 15 January 1971, which approved the award for service while assigned to the 504th MP Battalion.
2. The Board determined that the applicant was not, based on policy, entitled to the Vietnamese Staff Service Medal Class I. As stated in the previous consideration, the USARV Form 157-R appears incomplete, as the final determination regarding the disposition of the recommendation is unavailable.
3. The Board further determined the applicant was not entitled to the Republic of Vietnam Gallantry Cross with Palm Unit Citations (Third Award). Regulatory guidance provides that only one award will be recorded in the official military record for duplicate awards covering the same period of time.

BOARD VOTE:

<u>Mbr 1</u>	<u>Mbr 2</u>	<u>Mbr 3</u>	
:	:	:	GRANT FULL RELIEF
XXX	XXX	XXX	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 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 of service ending 20 April 1972, to show in item 24 (Decorations Medals, Badges, Commendations, Citations and Campaign Ribbons Awarded or Authorized) the Meritorious Unit Commendation (Third Award).
2. The Board further determined 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 any other requested relief not mentioned above.

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.

REFERENCES:

1. 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 begins its consideration of each case with the presumption of administrative regularity, which is that what the Army did was correct. The ABCMR is not an investigative body and decides cases based on the evidence that is presented in the military records provided and the independent evidence submitted with the application. The applicant has the burden of proving an error or injustice by a preponderance of the evidence.
2. The Department of the Army Pamphlet 672-3 (Unit Citation and Campaign Participation Credit Register) states not more than one Republic of Vietnam Gallantry Cross Unit Citation will be worn by any individual. Although multiple awards of this unit citation are not authorized for wear, official military and historical records will indicate all awards received. However, in the case of duplicate awards covering the same period of time only one award will be recorded in official military and historical records. As an illustration, Battery D, 5th Battalion, 2d Artillery, was awarded the Republic of Vietnam Gallantry Cross with Palm Unit Citation during the following periods: 1 September 1968 to 15 March 1969 and 1 September 1968 to 30 September 1970. Members of this unit, who were assigned during either of these two periods, are eligible for only one award.
3. DAGO 2, dated 13 January 1971, specifically awarded the Meritorious Unit Commendation to the 504th Military Police Battalion and the following assigned units, in part, for the period 1 January 1968 to 31 March 1970 as announced in U.S. Army Vietnam General Orders 4403, dated 1970:
 - Company C, 504th Military Police Battalion
 - Headquarters and Headquarters Detachment, 504th Military Police Battalion
 - 146th Military Police Platoon, 504th Military Police Battalion (for the period 1 May 1968 to 20 February 1970)
4. Headquarters, U.S. Army Vietnam Regulation 672-2 (Foreign Awards and Decorations), in effect at the time, provided policies, procedures, and criteria for insuring prompt processing of foreign awards and decorations presented to individual and units assigned or attached to United States Army, Vietnam. Instruction stated all decorations and awards presented by the Government of the Republic of Vietnam or other Free World Forces will be processed and reviewed by this headquarters to insure that the act, achievement, or service merits the recognition inherent in the decoration or award, Foreign awards offered to U.S. personnel will be approved only when the awarding nation's standards for the award have been equaled or surpassed. When a request is approved by this Headquarters, a letter will be issued which authorizes the members of the unit(s) cited to wear the unit citation emblem on a temporary basis and to have the

award entered on their personnel records in pencil, if they are entitled to the award. Under no circumstances is the award to be worn nor entries made in the individuals' personnel records until the letter of authorization has been received by the unit from this Headquarters. After authorization, this Headquarters will forward the award to The Adjutant General for confirmation in DAGO.

5. Army Regulation 600-8-22 (Military Awards) prescribes the eligibility requirements and authority for accepting and wearing of foreign awards and badges. It states that qualification and special skill badges may be accepted if awarded in recognition of meeting the criteria, as established by the foreign government concerned, for the specific award. Only those badges which are awarded in recognition of military activities and by the military department of the host country are authorized for acceptance and permanent wear. Badges which do not meet these criteria may be authorized for acceptance but not for wear, and will not be entered in the official military records of the recipient. Of particular importance are the criteria established by the military department of the host country; for example, if a particular badge is authorized for award only to enlisted personnel of host country, then badge may be accepted and worn by U.S. Army enlisted personnel. Commanders serving in the rank of brigadier general or higher and colonel-level commanders who exercise general court-martial authority are delegated authority to approve the acceptance, retention, and permanent wear of those foreign badges. This authority may not be further delegated.

a. The Republic of Vietnam Staff Service Medal was a military award of South Vietnam established in 1964. The medal was awarded in two classes and was awarded for outstanding initiative and devotion to individuals assigned staff duty. To be awarded the Staff Service Medal, a service member must have performed military duty, while serving on a military staff, of the Republic of Vietnam. The Staff Service Medal was presented in two classes, the first class for officers, and the second class for non-commissioned officers and enlisted personnel.

b. Table E-2 (Foreign Decorations) shows the Vietnam Staff Service Medal as an approved foreign decoration.

//NOTHING FOLLOWS//