

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 30 January 2025

DOCKET NUMBER: AR20240006382

APPLICANT REQUESTS: correction of his DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge) to show award of the Bronze Star Medal (BSM).

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

- DD Form 149 (Application for Correction of Military Record)
- DD Form 214, 30 August 1968

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 the BSM needs to be added to his DD Form 214. Every veteran in his unit should have been awarded the BSM.
3. A review of the applicant's service record shows:
 - a. He was appointed and took his oath of office as a Reserve Commissioned Officer on 4 June 1966, in the rank of second lieutenant.
 - b. DA Form 66 (Officer Qualification Record) shows in:
 - Item 17 (Foreign Service): he served in Vietnam from 3 October 1967 to 25 August 1968
 - Item 18 (Record of Assignments): he was assigned to Headquarters and Headquarters Battery, I Field Force, Vietnam Artillery, U.S. Army Pacific (USARPAC) – Vietnam from 7 October 1967 to 29 February 1968 and U.S. Military Assistance Command from 24 March 1968 to 24 August 1968
 - Item 21 (Awards and Decorations): does not list the award of the BSM.

c. He was honorably relieved from active duty and reverted to the U.S. Army Reserve Control Group on 30 August 1968. His DD Form 214 shows he completed 1 year, 11 months, and 21 days of net service this period. Item 24 (Decorations, Medals, Badges, Commendations, Citations and Campaign Ribbons Awarded or Authorized) does not show he was awarded the BSM. It shows the:

- National Defense Service Medal
- Vietnam Service Medal
- Vietnam Campaign Medal
- 1 overseas service bar

4. The applicant's service record does not contain, and the applicant does not provide orders awarding him the BSM.

5. His record indicates he is entitled to additional awards that are not shown on his DD Form 214.

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 applicant's statement that all Soldiers in the unit should have received the requested award, the regulatory guidance on the issue stating it's a command's decision to submit award for individuals and the lack of evidence the applicant was submitted for and approved for the requested award.

BOARD VOTE:

<u>Mbr 1</u>	<u>Mbr 2</u>	<u>Mbr 3</u>	
:	:	:	GRANT FULL RELIEF
:	:	:	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
:XXX	:XXX	:XXX	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 notes below and recommended those changes be completed to more accurately reflect the military service of the applicant.

//SIGNED//

X

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 of the applicant's DD Form 214:

- Republic of Vietnam Gallantry Cross with Palm Unit Citation
- 4 bronze service stars to his already awarded Vietnam Service 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 600-8-22 (Military Awards) states:
 - a. 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.

b. 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.

3. Department of the Army General Order Number 8, dated 1974, awarded Headquarters, United States Military Assistance Command and its subordinate units, the Republic of Vietnam Gallantry Cross with Palm Unit Citation for the period 8 February 1962 to 28 March 1973.

//NOTHING FOLLOWS//