

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 31 March 2025

DOCKET NUMBER: AR20240006610

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

- Army Commendation Medal (2nd Award)
- Vietnam Service Medal with four bronze service stars
- Republic of Vietnam (RVN) Gallantry Cross with Palm Unit Citation
- Overseas Service Ribbon with Numeral 2
- RVN Campaign Medal with Device (1960)
- RVN Civil Actions Honor Medal, First Class Unit Citation
- Meritorious Unit Commendation

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

- DD Form 149 (Application for Correction of Military Record)
- DD Form 214
- Two Operational Reports
- General Orders 3984, Headquarters United States Army Vietnam, page 1
- General Orders 1860, Headquarters, 3rd Brigade, 82nd Airborne Division and Citation
- General Orders 2187, Headquarters, 2nd Field Force Vietnam and Citation
- Department of the Army General Orders (DAGO) 51
- DAGO 55
- 1st Battalion, 27th Field Artillery Lineage
- DA Form 1577 (Authorization for Issuance of Awards)
- DA Form 20 (Enlisted Qualification Record), 1 page

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 believes he earned the awards above.

3. The applicant's record contains sufficient evidence to administratively correct his DD Form 214, without action by the Board to add the below awards. These awards will be addressed in the Administrative Notes Section of this record of Proceedings.

- Vietnam Service Medal with four bronze stars
- RVN Gallantry Cross with Palm Unit Citation
- Overseas Service Bars with Numeral 2
- RVN Campaign Medal with Device (1960)
- RVN Civil Actions Honor Medal, First Class Unit Citation

4. The applicant enlisted in the Regular Army on 18 November 1968. He held specialty number and title 13A10 (Gunner).

5. His DA Form 20 (Enlisted Qualification Record) includes the following entries and information:

a. Items 31 (Foreign Service) shows he serve in Vietnam from 6 June 1969 through 21 June 1970.

b. Item 38 (Record of Assignments) shows:

- from 17 June 1969 to 10 November 1969, he was assigned to Battery A, 2nd Battalion, 321st Artillery, 3rd Brigade, 82nd Airborne Division, Vietnam
- from 11 November 1969 to 17 June 1970 he was assigned to Battery B, 1st Battalion, 27th Artillery, Vietnam

c. Item 41 (Awards and Decorations) does not list the requested awards.

6. On 28 May 1971, he was honorably released from active duty due to early separation of an overseas returnee, and he was transferred to the United States Army Reserve (Control Group). His DD Form 214 shows he completed 1 year, 7 months, and 4 days of net active service during the covered period, of which 1 year, and 13 days were credited as foreign service in Vietnam. His DD Form 214 also shows:

a. Item 24 (Decorations, Medals, Badges, Commendations, Citations and Campaign Ribbons Awarded or Authorized) does not list the requested awards, however, it does show the:

- National Defense Service Medal
- Vietnam Service Medal
- Vietnam Campaign Medal

- Army Commendation Medal
- Good Conduct Medal

b. Item 30 (Remarks) shows service in Vietnam from 6 June 1969 through 21 June 1970.

7. The applicant provided in part:

a. General Orders 3984 showing 27th Artillery was awarded the Meritorious Unit Commendation for the period of service from 1 August 1968 to 31 January 1969, which was prior to the applicant's arrival in Vietnam, he served in Vietnam from 6 June 1969 through 21 June 1970.

b. General Orders 1860 awarding the applicant the Army Commendation Medal (1st Award) for the period of service from 28 June 1969 through 10 November 1969.

c. General Orders 2187 awarding the applicant the Army Commendation Medal (2nd Award) for the period of service from June 1969 through May 1970 is for overlapping service.

d. DAGO 51 and 55 awarding the applicant the Republic of Vietnam Civil Actions Honor Medal, First Class Republic of Vietnam Gallantry Cross with Palm.

8. The applicant's submissions were provided to the Board in their entirety.

9. The Board may take into consideration that the above orders awarding the Army Commendation Medal (2nd Award) are for overlapping periods of service and that orders awarding 27th Artillery the MUC was for a period prior to the applicant's arrival in Vietnam.

BOARD DISCUSSION:

1. After reviewing the application and all supporting documents, the Board determined partial relief was warranted. The applicant's contentions, the military record, and regulatory guidance were carefully considered. Based upon the available documentation showing the applicant was previously awarded two ARCOMs during the period of military service annotated on his DD Form 214 and only one is noted, the Board concluded there was sufficient evidence of an error warranting adding the second ARCOM.

2. The Board, however, also notated that the qualifying period of service for awarding the MUC was 1 August 1968 to 31 January 1969. Based upon the applicant's DA Form 20 showing the applicant served in Vietnam from 6 June 1969 through 21 June 1970, the Board concluded there was insufficient evidence to show the applicant qualified for awarding the MUC.

3. All other requested relief is approved based upon the administrative notes below from the analyst of record.

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 Army records of the individual concerned be corrected by amending the applicant's DD Form 214 by replacing ARCOM with ARCOM w/oak leaf cluster.
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 awarding and adding them MUC.
3. Prior to closing the case, the Board noted the administrative notes below from the analyst of record and recommended those changes be made 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): a review of the applicant's record found evidence sufficient to amend, item 24, of his DD Form 214 for the period ending 21 June 1970 by:

- a. deleting the Vietnam Service Medal
- b. adding the following awards to item 24:
 - Vietnam Service Medal with 4 bronze service stars
 - Republic of Vietnam Gallantry Cross with Palm Unit Citation
 - Overseas Service Bars with Numeral 2
 - Republic of Vietnam Campaign Medal with Device 1960
 - Republic of Vietnam Civil Actions Honor Medal-First Class

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 provides, in pertinent part, that the:

a. Army Commendation Medal may be awarded to any 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. As with all personal decorations, formal recommendations, approval through the chain of command, and announcement in orders are required.

b. A bronze service star is awarded based on qualifying service, for each campaign listed in Appendix B of this regulation and states that authorized bronze service stars will be worn on the appropriate service medal. He is entitled to four bronze service stars to be worn on the Vietnam Service Medal. The applicant served during the following four campaigns:

- Tet 69 Counteroffensive, 23 February 1969-8 June 1969
- Vietnam Summer-Fall 1969, 9 June 1969-31 October 1969
- Vietnam Winter-Spring 1970, November 1969-30 April 1970
- DA Sanctuary Counteroffensive, 1 May 1970-30 June 1970

c. Overseas Service Ribbon was established by the Secretary of the Army on 10 April 1981. Effective 1 August 1981, all members of the Active Army, Army National Guard, and Army Reserve in an active Reserve status are eligible for the award for successful completion of overseas tours. The award may be awarded retroactively to those personnel who were credited with a normal overseas tour completion before 1 August 1981 provided they had an Active Army status on or after 1 August 1981. Numerals are used to denote the second and subsequent awards of the Overseas Service Ribbon.

d. Republic of Vietnam Campaign Medal with Device (1960) was awarded by the Government of Vietnam to all members of the Armed Forces of the United States for qualifying service in Vietnam during the period 1 March 1961 through 28 March 1973. Qualifying service included assignment in Vietnam for 6 months or more. Qualifying service outside the geographical limits of the Republic of Vietnam required the individual to provide direct combat support to the Republic of Vietnam and Armed Forces. Individuals who had qualified for award of the Vietnam Service Medal or the Armed

Forces Expeditionary Medal and were evacuated prior to completing six months of service due to wounds resulting from hostile action were entitled to award of the Vietnam Campaign Medal.

e. The Meritorious Unit Commendation is awarded to units for exceptionally meritorious conduct in the performance of outstanding services for at least 6 continuous months during the period of military operations against an armed enemy occurring on or after 1 January 1944. Units based in the continental United States are excluded from this award, as are other units outside the area of operation. The degree of achievement required is the same as that which would warrant award of the Legion of Merit to an individual.

3. Department of the Army Pamphlet 672-3 (Unit Citation and Campaign Participation Credit Register) lists the unit awards received by units serving in Vietnam. The applicant served with Battery B, 1st Battalion, 27th Artillery, Vietnam from 11 November 1969 to 17 June 1970. This pamphlet confirms this unit was awarded the:

- Republic of Vietnam Civil Actions Honor Medal, First Class for the period 12 April 1967–21 January 1970 in DAGO 51, in 1971
- Republic of Vietnam Gallantry Cross with Palm for the period 1 May–28 June 1970, in DAGO 55 in 1971

//NOTHING FOLLOWS//