

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 5 March 2025

DOCKET NUMBER: AR20240008086

APPLICANT REQUESTS: the DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge) of her deceased husband, a former Service Member (SM), be corrected to show the Bronze Star Medal.

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

- DD Form 149 (Application for Correction of Military Record)
- Newspaper Article, undated
- Marriage License, 18 May 2003
- DD Form 214, 6 June 1967
- DD Form 215 (Correction to DD Form 214), 4 August 2011
- Certification of Death, 1 April 2024
- National Personnel Records Center (NPRC) Memorandum, 17 May 2024

FACTS:

1. The applicant did not file within the three-year time frame provided in Title 10, United States Code (USC), section 1552 (b); however, the Army Board for Correction of Military Records 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 her husband, the SM received a Bronze Star Medal for heroic action as a combat photographer, taking over for the radioman while under attack, saving lives and getting help. She provided a copy of a newspaper article that shows he was awarded the Bronze Star Medal. In addition, there was another article that verifies he received the medal.

3. The applicant provides:

a. The below listed documents as proof of identify and relationship to the SM.

- Certification of Death, dated 3 November 2022
- Marriage License from the State of New Jersey, dated 20 May 2003

- DD Form 214

b. A memorandum from the NPRC dated 17 May 2024 indicated there was no record of the SM receiving the Bronze Star Medal.

4. A review of the SM's available records shows:

a. He was inducted into the Army of the United States on 15 June 1965.

b. His DA Form 20 shows he served in Vietnam from 8 September 1966 through 7 June 1967. He was assigned in Vietnam to the following units:

- 8 September 1966 – Company C, 124th Signal Battalion, 4th Infantry Division
- 29 November 1966 – Company B, 124th Signal Battalion, 4th Infantry Division
- 23 January 1967 – Headquarters and Headquarters Company, 3rd Brigade, 4th Infantry Division

c. His DA Form 20 also shows in Block 41 (Awards and Decorations):

- National Defense Service Medal
- Vietnam Service Medal
- Vietnam Campaign Medal
- Overseas Service Bar
- Army Good Conduct Medal

d. He was released from active duty on 6 June 1967. His DD Form 214 shows he completed 1 years, 11 months, and 21 days of total active service. It also shows he was awarded or authorized:

- Army Good Conduct Medal
- National Defense Service Medal
- Vietnam Service Medal
- Overseas Service Bar

5. The former service member's available service record is void of orders or a recommendation for award showing he was awarded the Bronze Star.

6. A review of the applicant's record shows he is authorized additional awards not annotated on his DD Form 214. The entry will be added to his DD Form 214 as an administrative correction and will not be considered by the Board.

7. By regulation (AR 600-8-22) the Bronze Star Medal is awarded to any person who distinguished himself or herself by heroic or meritorious achievement or service after 6

December 1941, 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. Only one decoration will be awarded to an individual or unit for the same act, achievement, or period of meritorious service.

8. By regulation (USARV 672-1) 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. 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

BOARD DISCUSSION:

1. After reviewing the application, all supporting documents, and the evidence found within the SM's military record, the Board found that relief was not warranted. The Board carefully considered the SM's record of service, documents submitted in support of the petition and executed a comprehensive and standard review based on law, policy and regulation. Upon review of the applicant's request and the SM's available military records, the Board noted the applicant's assertions that her husband received the Bronze Star Medal for heroic actions performed as a combat photographer in Vietnam, including assuming the role of radioman under enemy attack and helping save lives. In support of her claim, she submitted newspaper articles that reference the SM's receipt of the Bronze Star Medal.

2. The Board found the SM served honorably in Vietnam from 8 September 1966 to 7 June 1967 with multiple units of the 4th Infantry Division. His DA Form 20 and DD Form 214 list several authorized awards however, neither document reflects award of the Bronze Star Medal. Furthermore, the available service record is void of any official orders, recommendations, or documentation confirming that the SM was awarded the Bronze Star Medal. A memorandum from the National Personnel Records Center (NPRC), dated 17 May 2024, also indicates no record of such an award.

3. The Board acknowledged the applicant's sincere desire to honor her husband's service and the compelling nature of the newspaper articles, unofficial sources alone are insufficient to support a correction to the DD Form 214. In accordance with Army

regulations (AR 600-8-22 and USARV 672-1), award of the Bronze Star Medal requires formal documentation and approval by authorized command channels. In the absence of verifiable evidence, the Board determined that the request does not meet the criteria for correction. Therefore, the applicant's request to amend the SM's DD Form 214 to reflect award of the Bronze Star Medal is denied.

4. Prior to closing the case, the Board did note the analyst of record administrative notes below, and recommended the correction is completed to more accurately depict the military service of the applicant.

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:

Except for the correction addressed in Administrative Note(s) below, the Board found 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.

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.

ADMINISTRATIVE NOTE(S):

A review of the applicant's service records show he is authorized additional awards not annotated on his DD Form 214 for the service period ending 6 June 1967. As a result, correct his DD Form 214 to show:

- Presidential Unit Citation
- Republic of Vietnam Gallantry Cross Unit Citation with Palm
- Republic of Vietnam Civil Actions Honor Medal, First Class
- two bronze service stars with his previously awarded Vietnam Service Medal

REFERENCES:

1. Title 10, USC, section 1552(b), provides that applications for correction of military records must be filed within three years after discovery of the alleged error or injustice. This provision of law also allows the Army Board for Correction of Military Records (ABCMR) to excuse an applicant's failure to timely file within the three-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 the Bronze Star Medal is awarded in time of war for heroism and for 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.

3. U. S. Army Vietnam Regulation 672-1 (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 Pamphlet 672-3 (Unit Citation and Campaign Participation Credit Register) assist commanders and personnel officers in determining or

establishing the eligibility of individual members for campaign participation credit, assault landing credit, and unit citation badges awarded during the Vietnam Conflict.

a. Department of the Army General Orders (DAGO) Number 59, dated 1968, awarded the Presidential Unit Citation to 3d Brigade, 4th Infantry Division, for extraordinary heroism while engaged in military operations in Suoi Tre, Republic of Vietnam on 21 March 1967.

b. DAGO Number 3, dated 70, Republic of Vietnam Gallantry Cross with Palm has been awarded by the Government of the Republic of Vietnam to the 4th Infantry Division for outstanding service during the periods October 1966 to 28 July 1969.

d. DAGO Number 53, dated 1970, awarded the Civil Action Honor Medal, First Class to the 4th Infantry Division and its assigned and attached units: 124th Signal Battalion from 1 October 1966 through 21 October 1969.

//NOTHING FOLLOWS//