

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 26 March 2025

DOCKET NUMBER: AR20240009522

APPLICANT REQUESTS: correction of his DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge), ending on 4 June 1970, to add the Army Commendation Medal with 1 Oak Leaf Cluster.

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

- DD Form 149 (Application for Correction of Military Record)
- DD Form 214, ending 4 June 1970 that shows he was awarded the National Defense Service Medal, Republic of Vietnam Service Medal and Republic of Vietnam Campaign Medal
- Certificate, Army Commendation Medal (First Oak Leaf Cluster) issued to the applicant for meritorious achievement from 1 November 1969 to 31 March 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 his award of the Army Commendation Medal with oak leaf cluster is not listed on his DD Form 214 and he did not know until recently that it could be corrected.
3. A review of the applicant's service record shows:
 - He was inducted into the Army of the United States on 24 September 1968
 - His DA Form 20 (Enlisted Qualification Record) shows in item 41 (Awards and Decorations) he was awarded the National Defense Service Medal, Republic of Vietnam Service Medal, Republic of Vietnam Campaign Medal with Device 1960, and one Overseas Service Bar
 - On 4 June 1970 he was honorably released from active duty and transferred to the U.S. Army Reserve (USAR) Control Group Annual Training) and his DD Form 214 is void of an entry for the Army Commendation Medal

4. The applicant does not provide nor does his record contain orders for award of the Army Commendation Medal with 1 Oak Leaf Cluster.

BOARD DISCUSSION:

1. After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that 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. The evidence of record shows the applicant was inducted into the Army of the United States on 24 September 1968. He served in Vietnam from 3 June 1969 through 2 June 1970. The Board reviewed and accepted the Army Commendation Medal (First Oak Leaf Cluster) certificate presented to the applicant for his service for the period 1 November 1969 through 31 March 1970. Therefore, the Board granted relief.

2. Prior to the closing of the Board it was noted the applicant's DA Form 20 showed he had all excellent conduct and efficiency ratings and his record is void of any disciplinary actions that would preclude him from award of the Army Good Conduct Medal. Additionally, his service in Vietnam authorized him additional awards not listed on his DD Form 214, ending on 4 June 1970. These awards will be administratively added to his DD Form 214.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

XXX	XXX	XXX	GRANT FULL RELIEF
:	:	:	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
:	:	:	DENY APPLICATION

BOARD DETERMINATION/RECOMMENDATION:

In addition to the administrative notes annotated by the Analyst of Record (below the signature), the Board determined the evidence presented is sufficient to warrant relief. As a result, the Board recommends that all Department of the Army records of the individual concerned be corrected by awarding him the Purple Heart for injuries sustained in action on 14 July 1970.

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 NOTES:

The applicant's DA Form 20 showed he had all excellent conduct and efficiency ratings and was not awarded the Army Good Conduct Medal. Additionally, his service in Vietnam authorized him additional awards not listed on his DD Form 214, ending on 4 June 1970. Amend the applicant's DD Form 214 by adding:

- Army Good Conduct Medal (First Award) for the period 24 September 1968 through 4 June 1970
- Republic of Vietnam Gallantry Cross with Palm Unit Citation
- Four bronze service stars to his already awarded Vietnam Service Medal

REFERENCES:

1. Title 10, USC, 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 (AR) 600-8-22 (Military Awards) states the 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.

3. AR 635-5 (Separation Documents – Personnel Separations) in effect at the time prescribes the separation documents that will be furnished each individual who is separated from the Army. Source documents consist of all available records, including DA Form 20, and orders. Item 24; enter from DA Form 20 all decorations, service medals, campaign credits, and badges awarded or authorized, omitting authorities therein.

//NOTHING FOLLOWS//