

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 14 April 2025

DOCKET NUMBER: AR20240009939

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

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

- DD Form 149 (Application for Correction of Military Record)
- DD Form 214 for the service period ending 23 May 1968
- DD Form 214 for the service period ending 10 December 1970
- Bronze Star Medal Certificate
- Bronze Star Medal Citation

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 that he was awarded a Bronze Star Medal, and it was not listed on his DD Form 214. He was awarded the Bronze Star Medal due to distinguished meritorious service in connection with military operations against a hostile force in the Republic of Vietnam.

3. A review of the applicant's service record shows:

a. He was inducted into the Army of the United States on 21 May 1968. He was honorably discharged 26 May 1968 for immediate reenlistment on 27 May 1968.

b. His DA Form 20 (Enlisted Qualification Record) shows in:

(1) item 31 (Foreign Service) –

- a. Germany, from 11 January 1969 to 27 December 1969
- b. Vietnam, from 17 January 1970 to 9 December 1970

(2) item 38 (Record of Assignments) – he received "excellent" conduct and efficiency ratings, and was assigned to 174th AVM Co 14th AVN BN in Vietnam

(3) item 41 (Awards, Decorations and Campaigns) – National Defense Service Medal, Vietnam Service Medal, Republic of Vietnam Campaign Medal with Device (1960), Army Commendation Medal, and Sharpshooter Marksmanship Qualification Badge with Rifle Bar.

c. He was honorably released from active duty on 10 December 1970. His DD Form 214 shows he completed 2 years, 6 months, 20 days of active service with 1 year, 9 months and 19 days of foreign service. It also shows he was awarded or authorized:

- Army Commendation Medal
- National Defense Service Medal
- Overseas Service Bar
- Vietnam Service Medal
- Vietnam Campaign Medal

4. A review of the Awards and Decorations Computer-Assisted Retrieval System, an index of general orders issued during the Vietnam era between 1965 and 1973 maintained by the U.S. Army Human Resources Command Military Awards Branch, failed to reveal any orders for the Bronze Star Medal pertaining to the applicant.

BOARD DISCUSSION:

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 majority Board members determined that the applicant's Bronze Star Medal Certificate was sufficient evidence to show he was authorized and awarded the Bronze Star Medal. In addition, the applicant is authorized the Army Good Conduct Medal based upon his honorable service for over 1 year of service without any disciplinary actions. On the other hand, although the minority Board member agreed that the applicant is authorize the Army Good Conduct Medal, they found insufficient evidence to show the applicant was authorized the Bronze Star Medal. The minority Board determined that the Certificate alone was not enough and that orders were needed in order to authorize the award. Since the applicant did not receive orders for the BSM, the minority Board member determined relief was not warranted and denied relief.

BOARD VOTE:

<u>Mbr 1</u>	<u>Mbr 2</u>	<u>Mbr 3</u>	
XX	XX	:	GRANT FULL RELIEF
:	:	:	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
:	:	XX	DENY APPLICATION

BOARD DETERMINATION/RECOMMENDATION:

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 his DD Form 214 for the period ending 10 December 1970 by:

- Adding the Bronze Star Medal
- Awarding him the Army Good Conduct Medal (First Award) for the qualifying period 27 May 1968 to 10 December 1970
- Adding the Army Good Conduct Medal (First Award) to his DD Form 214

//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. 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) prescribes Army policy, criteria, and administrative instructions concerning individual and unit military awards. 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.

//NOTHING FOLLOWS//