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### **Affidavit Attesting to Service in the Republic of Vietnam**

I was under the assumption that the VA would have access to my military records that would show my service in Vietnam. I have requested a copy of those records from the National Personnel Record Center on March 19, 2020, Service Request Number: 2-23966823995. My understanding is that the request could take anywhere from 15 to 90 days to complete. I will forward the appropriate records once I receive them from NPRC.

In the interim, I submit the following affidavit.

I was stationed in the Republic of Vietnam from on or about September 15, 1967 to October 15, 1968.

From September 1967 to July 1968 I was with Delta Company and H&S Company, 1<sup>st</sup> Battalion, 3<sup>rd</sup> Marine Regiment, 3<sup>rd</sup> Marine Division. From September 1967 through December 1967 the unit was detached from the 3<sup>rd</sup> Division and assigned as 1/3 Battalion Landing Team. The unit operated in the northern half of I Corps TAOR for that entire period.

From August 1968 to October 1968 I was with H&S Company, 2<sup>nd</sup> Battalion, 7th Marine Regiment, 1st Marine Division. The unit also operated in the northern half of I Corps TAOR for that entire period.

During my entire tour there were occasions when we were in the vicinity of defoliant spraying operations.

My most significant exposure to Agent Orange occurred while with the 1<sup>st</sup> Battalion, 3<sup>rd</sup> Marine Regiment (BLT 1/3) and operating along the southern edge of the DMZ in support of the establishment of Fire Support Base A-3 during December 1967. During this period the area around the base, within 100 meters of the perimeter, was sprayed numerous times with defoliants over a 3 week period.

Attached is my DD-214, Report of Transfer or Discharge, indicating Service and Campaign awards for service in Vietnam.

### ***Vietnamese Service Medal with 3 Campaign Stars***

The Vietnam Service Medal (VSM) was awarded to all members of the U.S. Armed Forces who served in Vietnam and its contiguous waters or airspace, after 3 July 1965 through 28 March 1973. Members of the U.S. Armed Forces in Thailand, Laos, Cambodia, or airspace thereover, during the same period and serving in direct support of operations in Vietnam are also eligible for the award.

The U.S. Department of Defense established thirty military campaigns during the Vietnam War which covered all U.S. service branches. In 2010, the Department of Defense consolidated the

original list of campaigns from the original thirty to a list of eighteen. The  $\frac{3}{16}$ " bronze service stars (also known as campaign stars; 3 silver stars and 2 bronze stars) on the Vietnam Service campaign streamer are awarded for service in support of the following campaigns. My 3 Stars are for participation in three campaigns noted in red.

Name of campaign	Start date	End date
<a href="#">Vietnam Advisory Campaign[a]</a>	15-Mar-62	7-Mar-65
<a href="#">Vietnam Defense Campaign[a]</a>	8-Mar-65	24-Dec-65
<a href="#">Vietnam Counteroffensive.[a]</a>	25-Dec-65	30-Jun-66
<a href="#">Vietnam Counteroffensive Phase II[a]</a>	1-Jul-66	31-May-67
<a href="#">Vietnam Counteroffensive Phase III[a]</a>	1-Jun-67	29-Jan-68
<a href="#">Tet Counteroffensive[a]</a>	30-Jan-68	1-Apr-68
<a href="#">Vietnam Counteroffensive Phase IV[a]</a>	2-Apr-68	30-Jun-68
<a href="#">Vietnam Counteroffensive Phase V[a]</a>	1-Jul-68	1-Nov-68
<a href="#">Vietnam Counteroffensive Phase VI[a]</a>	2-Nov-68	22-Feb-69
Tet 69 Counteroffensive <sup>[b][a]</sup>	23-Feb-69	8-Jun-69
Vietnam Summer–Fall 1969 <sup>[b][a]</sup>	9-Jun-69	31-Oct-69
Vietnam Winter–Spring 1970 <sup>[b][a]</sup>	1-Nov-69	30-Apr-70
Sanctuary Counteroffensive <sup>[b][a]</sup>	1-May-70	30-Jun-70
<a href="#">Vietnam Counteroffensive Phase VII[a]</a>	1-Jul-70	30-Jun-71
<a href="#">Consolidation I[a]</a>	1-Jul-71	30-Nov-71
<a href="#">Consolidation II[a]</a>	1-Dec-71	29-Mar-72
<a href="#">Vietnam Cease-fire[a]</a>	30-Mar-72	28-Jan-73
Operation Frequent Wind <sup>[b][a]</sup> (USN, USMC, and USAF only)	29-Apr-75	30-Apr-75

### ***Vietnamese Campaign Medal***

Public Law 88–257 permits U.S. military personnel to accept the medal for service performed in Vietnam from 1 March 1961 to 28 March 1973, inclusive.<sup>[1]</sup> Since March 1966, the medal may also be awarded to any service member who, while serving outside the geographical limits of the Republic of Vietnam, contributed direct combat support to the Republic of Vietnam Armed Forces for six months. This stipulation most often applies to members who performed Vietnam War support from the 7th Fleet (all members of the fleet serving off the coast of Vietnam), Thailand and Guam (air crews if aircraft out of Thailand and Guam; no ground support staff),<sup>[2]:5–6, 17–18</sup> and Japan. In such cases, a U.S. service member must meet the criteria established for the Armed Forces Expeditionary Medal (Vietnam) or Vietnam Service Medal during the period of service required to qualify for the Republic of Vietnam Campaign Medal.

### ***Combat Action Ribbon***

A Combat Action Ribbon is not automatic; after consideration of specified criteria the member's service may AWARD the CAR. For a military member to be awarded a Combat Action Ribbon evidence must establish the member engaged the enemy, was under hostile fire, or was physically attacked by the enemy. The service member's enemy engagement must have been with honor to the United States and to the satisfaction of the Service.

Evidence must show a service member was in actual combat, not merely present in the area where combat is occurring; the mere presence in a combat zone does not qualify a service member for the award.

The Combat Action Ribbon is awarded only to individual service members. The CAR cannot be awarded to a military unit, station, or group, although multiple individual service members may be nominated for the award stemming from the same combat action(s).

### ***Purple Heart with 1 Cluster.***

The Purple Heart is awarded in the name of the President of the United States to any member of the Armed Forces of the United States who, while serving under competent authority in any capacity with one of the U.S. Armed Services after April 5, 1917, has been wounded or killed. Specific examples of services which warrant the Purple Heart includes:

- a) any action against an enemy of the United States;
- b) any action with an opposing armed force of a foreign country in which the Armed Forces of the United States are or have been engaged;
- c) while serving with friendly foreign forces engaged in an armed conflict against an opposing armed force in which the United States is not a belligerent party;
- d) as a result of an act of any such enemy or opposing armed forces; or
- e) as a result of an act of any hostile foreign force.

The Purple Heart differs from most other decorations in that an individual is not "recommended" for the decoration; rather he or she is entitled to it upon meeting specific criteria. A Purple Heart is awarded for the first wound suffered under conditions indicated above, but for each subsequent award an oak leaf cluster or 5/16 inch star is worn in lieu of another medal. Not more than one award will be made for more than one wound or injury received at the same instant.

A "wound" is defined as an injury to any part of the body from an outside force or agent sustained under one or more of the conditions listed above. A physical lesion is not required; however, the wound for which the award is made must have required treatment by a medical officer and records of medical treatment for wounds or injuries received in action must have been made a matter of official record. When contemplating an award of this decoration, the key issue that commanders must take into consideration is the degree to which the enemy caused the injury. The fact that the proposed recipient was participating in direct or indirect combat

operations is a necessary prerequisite, but is not sole justification for award. The Purple Heart is not awarded for non-combat injuries.

Enemy-related injuries which justify the award of the Purple Heart include: injury caused by enemy bullet, shrapnel, or other projectile created by enemy action; injury caused by enemy placed land mine, naval mine, or trap; injury caused by enemy released chemical, biological, or nuclear agent; injury caused by vehicle or aircraft accident resulting from enemy fire; and, concussion injuries caused as a result of enemy generated explosions.

Note: all of the above definitions were copied from Wikipedia.

For purposes of this affidavit, the importance of these Awards is that the combination of these can only be earned while serving in combat action in Vietnam during the period of my service.

The DD214 also shows my term of active duty was from March 17, 1966 through August 8, 1969. This entire period is within the time frame defined by the VA that troops were potentially exposed to Agent Orange, January 9, 1962 through May 7, 1975.

I therefore submit that my DD214 is sufficient evidence that I physically served within the Republic of Vietnam.

Attached are the "Command Chronology" documents for the 1<sup>st</sup> BN 3<sup>rd</sup> Marines for the period of September 1967 through July 1968 and 2<sup>nd</sup> BN 7<sup>th</sup> Marines for the period August 1968 through October 1968. These documents were obtained from

<http://www.recordsofwar.com/vietnam/usmc/1stBn3rdMarines.htm> and  
<http://www.recordsofwar.com/vietnam/usmc/2ndBn7thMarines.htm>

Sincerely,

Eugene G. Maurice