

CHAPTER 10**NEW JERSEY VIETNAM 25TH ANNIVERSARY
COMMEMORATIVE MEDAL****Authority**

N.J.S.A. 38A:3-6(o) and (u) and 35A:15-3; and P.L. 2000 c. 154.

Source and Effective Date

R.2007 d.45, effective January 8, 2007.
See: 38 N.J.R. 4532(a), 39 N.J.R. 381(a).

Chapter Expiration Date

In accordance with N.J.S.A. 52:14B-5.1b, Chapter 10, New Jersey Vietnam 25th Anniversary Commemorative Medal, expires on January 8, 2014. See: 43 N.J.R. 1203(a).

Chapter Historical Note

Chapter 10, New Jersey Vietnam 25th Anniversary Commemorative Medal, was adopted as new rules by R.2001 d.353, effective October 1, 2001. See: 33 N.J.R. 2368(a), 33 N.J.R. 3444(b).

Chapter 10, New Jersey Vietnam 25th Anniversary Commemorative Medal, was readopted as R.2007 d.45, effective January 8, 2007. See: Source and Effective Date.

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SUBCHAPTER 1. GENERAL PROVISIONS**5A:10-1.1 Purpose**

This chapter establishes the procedures for the State to recognize and honor those among its residents who served proudly and those who died bravely through the awarding of the New Jersey Vietnam 25th Anniversary Commemorative Medal.

**5A:10-1.2 Definitions of types of discharges from the
service**

The following words and terms, as used in this subchapter to describe characterization of a service member's service at separation, shall have the following meanings, unless the context clearly indicates otherwise.

"Discharged under other than honorable conditions" means that discharge specified when the reason for separation is

based upon a pattern of behavior or one or more acts or omissions that are not acceptable military conduct.

"General discharge (under honorable conditions)" means the discharge specified when significant negative aspects of the soldier's conduct or performance outweigh positive aspects of the soldier's military record. If a soldier's service has been honest and faithful, it is appropriate to characterize that service as under honorable conditions.

"Honorable discharge" means that discharge specified when the quality of service generally has met the standards of acceptable conduct and performance of duty for military personnel, or is otherwise so meritorious that any other characterization would be clearly inappropriate.

**SUBCHAPTER 2. AWARD CRITERIA, APPLICATION
PROCEDURES AND ISSUANCE****5A:10-2.1 Criteria for award**

(a) Any current resident of the State of New Jersey shall be eligible for the award of the New Jersey Vietnam 25th Anniversary Commemorative Medal upon:

1. Proof of residency in the State of New Jersey. In the case of a deceased person, evidence that the deceased was a resident of New Jersey at the time of death;
2. Presentation of a Department of Defense (DD) Form 214 indicating an honorable discharge from any branch of the armed forces of the United States; and
3. A demonstration that the individual was on active duty in any branch of the armed forces of the United States in Vietnam, Thailand, Laos or Cambodia or the contiguous waters or air space thereof on or after December 31, 1960 and on or before May 7, 1975, and:
 - i. Was attached to or served for one or more days with an organization participating in or directly supporting military operations;
 - ii. Was attached to or served for one or more days aboard United States Naval vessel directly supporting military operations;
 - iii. Participated as a crew member in one or more aerial flights into airspace above Vietnam and contiguous waters directly supporting military operations; or
 - iv. Served on temporary duty for 30 consecutive days or 60 nonconsecutive days in Vietnam or contiguous areas, except that this time limit may be waived for persons participating in actual combat operations.

(b) Applicants who received either a general discharge (under honorable conditions) or a discharge under other than honorable conditions shall not be considered for this award.

5A:10-2.2 Procedures for requesting award

(a) Eligible individuals shall submit a written request for the awarding of the New Jersey Vietnam 25th Anniversary Commemorative Medal along with the documentation specified in N.J.A.C. 5A:10-2.1(b) to:

The Adjutant General
New Jersey Department of Military and Veterans'
Affairs
Attn: DCVA-DVS-VBB
PO Box 340
Trenton, New Jersey 08625-0340

(b) The New Jersey Vietnam 25th Anniversary Commemorative Medal for a deceased person may be requested by and shall be issued to a surviving spouse or immediate family member who submits all of the required forms and documentation on behalf of that person.

Administrative change.
See: 38 N.J.R. 4411(b).

5A:10-2.3 Issuance of the award

(a) Upon verification of eligibility for the award, the Department of Military and Veterans' Affairs will issue, at no cost to the applicant, the New Jersey Vietnam 25th Anniversary Commemorative Medal with the service ribbon and appropriate certificate.

(b) No person shall be entitled to more than one award of the medal and ribbon.