

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 11 October 2024

DOCKET NUMBER: AR20230007874

APPLICANT REQUESTS: correction of his records to show a military occupational specialty to include the sniper designation and remove the duty status as an ammo bearer and gunner from his DA Form 20 (Enlisted Qualification Record).

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

- DD Form 149 (Application for Correction of Military Record)
- 3rd party statement

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 records show he served in Vietnam as an ammo bearer and a gunner, he never served in either of these capacities. However, he was taken out of his Vietnam unit to train as and serve as a sniper. He is requesting correction of his records to show assignment as a sniper.
3. The applicant was inducted into the Army of the United States on 21 July 1965 with a 2-year active duty obligation. He completed basic combat, advanced individual, and basic parachute training with award of the military occupational specialty code (MOSC) of 11B1P. The highest grade he held was E-4.
4. The applicant's DA Form 20 shows:
 - service in Vietnam from 30 January 1966 through 6 February 1967
 - service with first Headquarters and Headquarters Company, 1st Battalion (Airborne), 327th Infantry and Company A, 1st Battalion, 327th Infantry
 - service in Vietnam during one campaign period
 - conduct and efficiency ratings of excellent

- service in the duty MOSC of 11C1P and 11C2P with principal duty of either ammo bearer or gunner
- Award of the:
 - National Defense Service Medal
 - Vietnam Service Medal
 - Republic of Vietnam Campaign Medal with Device (60)
 - Combat Infantryman's Badge
 - Parachutist Badge
 - an illegible weapons qualification badge

5. The applicant was released from active duty and transferred to the U.S. Army Reserve on 20 July 1967. The DD Form 214 shows:

- his grade as E-4
- his MOSC is shown as 11aC2P
- an honorable characterization of service
- 2 years of creditable active-duty service
- no lost time
- award of the:
 - National Defense Service Medal
 - Vietnam Service Medal
 - Vietnam Campaign Medal
 - Combat Infantryman's Badge
 - Parachutist Badge

6. The applicant provided a third-party statement from a fellow service member who served with the applicant in Vietnam. In his statement the Soldier states he knows that the applicant was selected for additional training while in Vietnam. He was present when the applicant was ordered to board Huey to attend undisclosed training and his return to the unit after 2 and 1/2 weeks. With his return the applicant was armed with a bolt action 30.06 caliber Winchester rifle, Model 70 with a black Bushnell 3X9 variable scope mounted on it. Before the applicant had a chance to tell him he had gone for sniper training, he told the applicant that everyone in A Company already knew what kind of training he had gone for. D___ was completely surprised that everyone already knew. He was confused, but ultimately let it go and joined in on all the excitement and passed the big gun around. The applicant talked about the kind of training he had had and said that he wasn't the only one there for sniper training, he said he was just one out of about 12 other guys, one from several units.

7. Department of the Army Pamphlet 672–3 (Decorations, Awards, and Honors, Unit Citation and Campaign Participation Credit Register shows that during the period the applicant served with the 327th Infantry it was awarded the:

- Presidential Unit Citation
- Valorous Unit Award
- Meritorious Unit Commendation
- Republic of Vietnam Gallantry Cross with Palm Unit Citation

8. The applicant's MOSC is incorrect as shown on his DD Form 214. There is no 11aB MOS and an 11A is the code for an infantry officer. Additionally, there is no documentation to show the applicant was given the Additional Skill Identifier (ASI) of "B4" for a sniper.

9. The applicant has provided no official corroborating documentation to show he trained and served as a sniper in Vietnam.

10. There is no evidence in the available records that shows he was awarded the Army Good Conduct Medal nor is there evidence of a commander's disqualification for the award. Additionally, there is no evidence of any convictions by courts-martial or receipt of nonjudicial punishment under Article 15, Uniform Code of Military Justice.

BOARD DISCUSSION:

1. After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that partial relief was warranted. The Board carefully considered the applicant'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 petition, available military records, the Board determined there is insufficient evidence to support the applicant's contention for correction to his records showing he was trained and awarded the additional skill identifier (ASI) of B4 (Sniper) Furthermore, the applicant's DA Form 20 (Enlisted Qualification Record) is not in the purview of the ABCMR Board to correct.

2. However, during deliberation, the Board determined the applicant's service record did not reflect he was awarded the Army Good Conduct Medal (1st Award) and his record shows he received "excellent" conduct and efficiency ratings throughout his service for the period of 21 July 1965 to 20 July 1967. Based on this the Board granted partial relief for correction of the applicant's record to show award of the Army Good Conduct Medal.

3. 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:

Mbr 1 Mbr 2 Mbr 3

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

BOARD DETERMINATION/RECOMMENDATION:

1. 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 a recommendation for partial relief. As a result, the Board recommends that all Department of the Army records of the individual concerned be corrected by awarding him the Army Good Conduct Medal (1st Award) for exemplary service from 21 July 1965 to 20 July 1967 and adding the medal to his DD Form 214 for the period ending 20 July 1967.

2. The Board further determined the evidence presented is insufficient to warrant a portion of the requested relief. As a result, the Board recommends denial of so much of the application that pertains to correction of the applicant's records to show a military occupational specialty to include the sniper designation and remove the duty status as an ammo bearer and gunner from his DA Form 20 (Enlisted Qualification Record).

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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 record shows his DD Form 214, for the period ending 20 July 1967 is missing an entries that do not require Board action. As a result, amend the DD Form 214 by:

a. deleting the Vietnam Service Medal from the entry at item 24 (Decoration, Medals, Badges, Citations, and Campaign Ribbons).

b. adding the following entries to item 24:

- Vietnam Service Medal with one bronze campaign star
- Presidential Unit Citation
- Meritorious Unit Commendation
- Valorous Unit Award
- Republic of Vietnam Gallantry Cross with Palm Unit Citation

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. Department of the Army Pamphlet 611-21 (Personnel Selection and Classification Military Occupational Classification and Structure) provides the procedures and prescribes the method of developing, changing, and controlling officer, warrant officer, and enlisted military occupational classification structure. It indicates that snipers are given the Additional Skill Identifier (ASI) of "B4".

3. Army Regulation 600-8-22 (Military Awards) states the Good Conduct Medal is awarded to individuals who distinguish themselves by their conduct, efficiency, and fidelity during a qualifying period of active duty enlisted service. This period is 3 years except in those cases when the period for the first award ends with the termination of a period of active Federal military service. Although there is no automatic entitlement to the Good Conduct Medal, disqualification must be justified. Current practice requires that the commander provide written notice of non-favorable consideration and permits the individual to respond. At that time, a disqualification was normally noted on the DA Form 20.

//NOTHING FOLLOWS//