

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 2 April 2024

DOCKET NUMBER: AR20230010040

APPLICANT REQUESTS: the addition of the Vietnam Service Medal and any other awards not currently listed on his DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge)

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

- DD Form 149 (Application for Correction of Military Record)
- DD Form 214

FACTS:

1. The applicant did not file within the 3-year time frame provided in Title 10 (Armed Forces), United States Code (USC), section 1552 (b) (Correction of Military Records: Claims Incident Thereto). 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, in effect, the remarks section of his DD Form 214 indicates he served in Vietnam, but it does not show the Vietnam Service Medal or any other service awards. He completed his tour honorably as a Helicopter Repairman/Crew Chief, and he asks that the Board validate, confirm, and verify his combat service due to the severity, intensity, and frequency of his post-traumatic stress disorder symptoms.

3. The applicant's requested relief for adding the Vietnam Service Medal to his DD Form 214 is supported by sufficient evidence; as a result, this portion of the requested relief will be addressed in the "ADMINISTRATIVE NOTE(S)" section and will not be further considered by the Board.

4. A review of the applicant's service record reveals the following:

a. On 15 November 1967, the Army of the United States (AUS) inducted the applicant; on 19 November 1967, the AUS honorably discharged him so he could enlist into the Regular Army; his DD Form 214 shows he completed 5 days of net active duty service.

b. On 20 November 1967, the applicant enlisted in the Regular Army for 3 years. Upon completion of initial entry training and the award of military occupational specialty 67N (UH-1 Helicopter Repairman), orders transferred him to Vietnam.

c. He arrived in Vietnam, on 27 May 1968. Effective 7 June 1968, orders assigned him to the 4th Aviation Battalion, 4th Infantry Division; however, on 27 July 1968, intratheater orders moved him to the 704th Maintenance Battalion.

d. Headquarters, 4th Infantry Division General Orders (GO) awarded the applicant the Air Medal (1st Award) for the period 16 December 1968 to 5 January 1969.

e. On 14 March 1969, Headquarters, 4th Infantry Division GO awarded the applicant the Air Medal (2nd Award) for the period 6 January to 5 February 1969.

f. On 26 May 1969, the applicant completed his tour in Vietnam, and reassignment orders transferred him to Fort Bragg, NC (now renamed Fort Liberty).

g. On 19 November 1970, the Army honorably released the applicant from active duty and transferred him to the U.S. Army Reserve; his DD Form 214 shows he completed his 3-year enlistment contract. The report additionally reflects the following:

(1) Item 24 (Decorations, Medals, Badges, Commendations, Citations, and Campaign Ribbons Awarded or Authorized): National Defense Service Medal, Aircraft Crewman Badge, and "Unit Citation Medal"

(2) Item 30 (Remarks): USARPAC (U.S. Army, Pacific) – Vietnam – 27 May 1968 – 26 May 1969

e. The applicant's available service record contains no derogatory information; in addition, DA Form 20 (Enlisted Qualification Record) reflects the following:

- Item 33 (Appointments and Reductions) – applicant's leadership progressively promoted him, and he attained the rank/grade of specialist four (SP4/E-4); no entries show a reduction in rank
- Item 38 (Record of Assignments – Conduct/Efficiency) – the applicant received "Excellent" rating throughout his term of active duty

#### 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 applicant's contentions, the military record, and regulatory guidance were carefully considered. The applicant served in Vietnam from 27 May 1968 to 26 May 1969 through four campaigns.

Therefore, he is eligible for award of the Vietnam Service Medal with 4 bronze services tars. Additionally, the applicant served on active duty from 20 November 1967 to 19 November 1970, attaining the rank/grade of SP4/E-4 and completing 3 years of continuous active service. His conduct and efficiency ratings were excellent, and there is no derogatory information on file to disqualify him from receiving the first award of the Army Good Conduct Medal. The Board determined he meets the criteria for this award.

BOARD VOTE:

Mbr 1      Mbr 2      Mbr 3

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

BOARD DETERMINATION/RECOMMENDATION:

The Board determined the evidence presented is sufficient to warrant a recommendation for relief. As a result, the Board recommends that all Department of the Army records of the individual concerned be corrected, in addition to the corrections addressed in Administrative Note(s) below, by:

- awarding him the Army Good Conduct Medal (1st Award) for service during the period 20 November 1967 through 19 November 1970,
- adding award of the Vietnam Service Medal with 4 bronze service stars and Army Good Conduct Medal (1st Award) to his DD Form 214

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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):

1. Army Regulation (AR) 635-5 (Separation Documents), in effect at the time, stated the DD Form 214 was to list all authorized awards and decorations.

2. AR 600-8-22, currently in effect, states the Vietnam Service Medal is awarded to all members of the Armed Forces of the United States based on their qualifying service in Vietnam after 3 July 1965 through 28 March 1973. Soldiers are authorized only one Vietnam Service Medal. A bronze service star will be awarded for wear on the Vietnam Service Medal for the Soldier's participation in each recognized campaign; Vietnam campaigns include the following:

- Counteroffensive, Phase VI (2 April 1968 to 30 June 1968)
- Counteroffensive, Phase V (1 July 1968 to 1 November 1968)
- Counteroffensive, Phase VI (2 November 1968 to 22 February 1969)
- Tet 69/Counteroffensive (23 February 1969 to 8 June 1969)

3. GO awarded the applicant the Air Medal (2nd Award).

4. Department of the Army Pamphlet (DA PAM) 672-3 (Unit Citation and Campaign Participation Credit Register) shows:

a. Department of the Army General Order (DAGO) Number 56, dated 1969, awarded the 704th Maintenance Battalion the Meritorious Unit Commendation, for the period 1 November 1967 to 30 November 1968.

b. DAGO Number 53, dated 1970, awarded the 4th Aviation Battalion the Republic of Vietnam Civil Actions Honor Medal, First Class Unit Citation, for the period 1 October 1966 to 31 October 1969.

c. DAGO Number 8, dated 1974, awarded all units that served in Vietnam the Republic of Vietnam Gallantry Cross with Palm Unit Citation.

5. Based on the foregoing, amend the applicant's DD Form 214, ending 19 November 1970, by deleting the "Unit Citation Medal" and adding:

- Air Medal (2nd Award)
- Vietnam Service Medal with four bronze service stars
- Meritorious Unit Award
- Republic of Vietnam Civil Actions Honor Medal, First Class Unit Citation
- Republic of Vietnam Gallantry Cross with Palm Unit Citation

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. AR 672-5-1, in effect at the time, prescribed policies and procedures for military awards; it stated the Army Good Conduct Medal was awarded for each 3 years of continuous enlisted active Federal military service completed on or after 27 August 1940. For the first award only, commanders could award the Army Good Conduct Medal, upon termination of the Soldier's service on or after 27 June 1950, if he or she had served less than 3 years but more than 1 year. Additionally, the Soldier had to have had all "Excellent" conduct and efficiency ratings and no court-martial convictions.

//NOTHING FOLLOWS//