

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 7 May 2024

DOCKET NUMBER: AR20230010422

APPLICANT REQUESTS: correction of his DD Form 214 (Certificate of Release or Discharge from Active Duty) for the period ending 28 February 1978 by:

- changing his primary military occupational specialty (PMOS) to 39224 Special Forces/Explosive Ordnance Disposal (EOD) Officer
- updating the number of Meritorious Unit Commendation (MUC) awards he received

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

- DD Form 149 (Application for Correction of Military Record)
- Self-Authored Letter
- Self-Authored Letter to National Personnel Records Center (NPRC)
- Request Pertaining to Military Records
- DD Form 214
- DA Form 66 (Officer Qualification Record)
- MUC Awards Authorized
- Email from U.S. Army Human Resources Command (AHRC)

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 he is requesting an update of his DD form 214 to list his PMOS as 39224 Special Forces/EOD Officer and to update the total number of MUCs awarded he received. He does not list how many MUC's he believes he is authorized or was awarded. As a retired and current member of the Special Forces Association, he routinely attends various military and civilian functions requiring the display of military decorations and awards; therefore, he considers the reason for approval of his request as valid due to various incidents involving military and/or civilians impersonating military

and/or wearing unauthorized decorations/awards/insignia. In order to validate authorized award/decorations/specialty, an accurate DD Form 214 is required.

3. The applicant provides the following documents:

a. Letter to NPRC, dated 2 June 2022 wherein the applicant requests correction of his DD Form 214 stating his PMOS of 39224 was awarded by Headquarters, 5th Special Forces Group Airborne on 25 April 1967. He served as a Special Forces Officer from 1 January 1967 through 2 February 1968. The applicant also requested correction of the number of MUCs he was awarded.

b. Document entitled MUC Awards Authorized, which the applicant created using DA Pamphlet 672-3 (Unit Citation and Campaign Register) from Department of the Army General Orders (DAGO), which listed the unit awarded the MUC, period of the award, and unit assignment dates. The applicant used his DA Form 66 (Officer Qualification Record) for the dates.

- Headquarters, Headquarters Company (HHC), 2nd Logistics Command, received a MUC under DAGO 56, 25 November 1970. The applicant's DA Form 66 shows he received this award
- HHC, 19th Ordnance Battalion received a MUC under DAGO 40, 27 October 1972. The applicant's DA Form 66 shows he received this award.
- Military Assistance Command, Vietnam, received a MUC under DAGO 10, 20 March 1968. The applicant did not receive this award
- 1st Cavalry Division received a MUC under DAGO 10, 20 March 1968. The applicant did not receive this award
- Military Assistance Command, Vietnam, Advisory Team 8 received a MUC under DAGO 13, 22 May 1974. The applicant's DA Form 66 shows he received this award
- Company C, 5th Special Forces Group (Airborne) received a MUC under DAGO 70, 13 November 1969. The applicant did not receive this award.
- Company B, 5th Special Forces Group (Airborne) received a MUC under DAGO 48, 13 September 1968. The applicant's DA Form 66 shows he received this award
- Advisory Team 8, U.S.A. Element Military Assistance Command, received a MUC under DAGO 13, 13 May 1974. The applicant's DA form 66 shows he received this award

c. Email from AHRC, dated 29 June 2023 which states they could not process the applicant's request for correction of his DD Form 214. AHRC stated the applicant could apply to the Board for consideration.

4. The applicant's service record contains the following document:

a. The applicant was appointed as a Reserve commissioned officer of the Army, Chemical Corps, and executed an oath of office on 31 May 1957. He entered active duty on 26 February 1958.

b. Special Orders Number 10, published by 5th Special Forces Group (Airborne), 1st Special Forces, dated 10 January 1967 assigned the applicant as the S-5 of Company C effective 1 January 1967.

c. Special Orders Number 272, published by 5th Special Forces Group (Airborne), 1st Special Forces, dated 30 September 1967 reassigned the applicant to Company B, 5th Special Forces Group (Airborne) effective 23 August 1967.

d. DA Form 66, dated 19 December 1971 shows in item:

(1) 9 (Military Occupational Specialty (MOS) his MOSs were:

- 9224 EOD Officer, 5 November 1962
- 79224 Parachutist, 8 June 1965
- (P) 39224 Special Forces Officer, 25 April 1967
- 7315 Chemical Support Service Support Officer, 1 October 1970

(2) 17 (Foreign Service): Vietnam, 7 July 1966 through 2 February 1968 and again Vietnam, 16 November 1971 through 15 November 1972.

(3) 18 (Record of Assignment):

- 25 July 1966 through 31 December 1966, Brigade CML Officer, Headquarters and Headquarters Company (HHC) 1st Brigade, 1st Cavalry Division
- 1 January 1967 through 10 May 1967, S-5, Company C, 5th Special Forces Group
- 7 July 1967 through 22 August 1967, S-5, Company C, 5th Special Forces Group
- 23 August 1967 through 2 February 1968, Executive Officer, Company B, 5th Special Forces Group
- 3 February 1968 through 8 April 1968, Operations Officer, Headquarters, 2d Logistics Command
- 10 August 1970 through 15 November 1971, Executive Officer, HHC, 196th Ordnance Battalion
- 20 December 1971 through 7 November 1972, Ammunition Advisor, Area Logistics Command

(4) Insert Sheet 1 continuation of item 21 (Awards and Decorations) shows he was awarded the following MUC's:

- MUC, issued by the Department of the Army General Orders (DAGO) 56, 25 November 1970
- MUC, issued by DAGO 48, 13 September 1968
- MUC, issued by DAGO 40, 27 October 1972
- MUC, issued by DAGO 13, 22 May 1974

e. Special Orders 232, dated 1 December 1975 transferred the applicant to the Ordnance Branch, effective 1 December 1975. Special Orders 345, published by Headquarters, United States Army, Europe and Seventh Army, dated 11 December 1975 relieved the applicant from the Chemical Corps to the Ordnance Corps effective 1 December 1975.

f. DA Form 2-1 (Personnel Qualification Record), dated 5 July 1977 shows in item:

(1) 6 (MOS) his MOSs were:

- 01415 Chemical Combat Support Unit Commander, 27 February 1958
- 09224, EOD Officer, 5 November 1962
- 79224 Parachutist, 8 June 1965
- 39224 Special Forces Officer, 25 April 1967
- 0415 MSL and Munitions Officer, 1 October 1970
- 07315 Chemical Combat Service Support Officer, 1 October 1970
- 04514 Convectional Ammunitions Officer, 8 November 1978
- 04514 Advisor, 8 November 1978

(2) Item 9 (Awards, Decorations and Citations) reflects he was awarded two MUCs.

g. Officer Record Brief, February 1977, shows the applicant's PMOS was 7405G (Chemical) he had additional MOSs of 39224, 01415, G4514, 07315, and 04515. He was awarded four MUCs.

h. DD Form 214, shows the applicant's PMOS as 7405G Chemical. It does not list his additional MOSs. It also shows he was awarded one MUC.

i. Permanent Orders 24-4, published by United States Army John F. Kennedy Special Warfare Center and School, dated 25 February 1988 awarded the applicant the Special Forces Tab.

j. Certificate showing the applicant is a member of the 1st Special Forces Regiment, effective 15 January 1996.

5. The DAGOs referenced in the applicant's MUC Awards Authorized document are available for the Board's review.

**BOARD DISCUSSION:**

1. After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that relief was not warranted. The applicant's contentions, the military record, and regulatory guidance were carefully considered. The applicant served on active duty from February 1958 to February 1978. He performed in various specialties throughout his military career. The regulation governing the DD Form 214 at the time required an entry of the Soldier's MOS/specialty at the time of separation. At the time of the applicant's retirement, he held the primary specialty of 7405G Chemical Officer. His DD Form 214 correctly reflects the specialty he held at the time of separation and there is no reason to change it.

2. 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:

Except for the correction addressed in Administrative Note(s) below, the Board found the evidence presented does not demonstrate the existence of a probable error or injustice. Therefore, the Board determined the overall merits of this case are insufficient as a basis for correction of the records of the individual concerned.2.



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 NOTES:

The applicant participated in six Vietnam campaigns. As a result, correct the applicant's DD Form 214, for the period ending 28 February 1978 by:

- deleting the: Meritorious Unit Commendation and Vietnam Service Medal
- adding the: Meritorious Unit Commendation (4th Award) and Vietnam Service Medal one silver service star and one bronze service star

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 (AR) 635-5 (Personnel Separations – Separation Forms), in effect at the time, prescribed the separation documents that must be prepared for Soldiers upon retirement, discharge, or release from active duty service or control of the Active Army. The DD Form 214 is a summary of the Soldier's most recent period of continuous active duty. It provides a brief, clear-cut record of all current active, prior active, and prior inactive duty service at the time of release from active duty, retirement, or discharge. The information entered thereon reflects the conditions as they existed at the time of separation.

a. Chapter 1. Preparation of DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge), (1) All available records will be used as a basis for the preparation of DD Form 214, including DA Form 24 (Service Record), DA Form 20 (Enlisted Qualification Record), DA Form 66 (Officer Qualification Record), and orders.

b. Chapter 2-8, paragraph (1q). Item 11 (Last duty assignment and major command). Enter last assignment, major command, and the corresponding 2-character assignment code shown in paragraph 2-6, AR 680-29. There were no provisions for listing additional areas of concentrations/specialties.

3. AR 600-8-22 (Military Awards) states the MUC is awarded to units for exceptionally meritorious conduct in the performance of outstanding services for at least six continuous months in support of military operations. Service(s) as used in this paragraph is interpreted to relate to combat service support type activities and not to the type of activities performed by senior headquarters, combat, or combat support units.

4. DA Pam 672-3 (Unit Citation and Campaign Participation Credit Register) lists the following Vietnam campaigns:

- the Vietnam Advisory, 15 March 1962 - 7 March 1965
- the Vietnam Defense, 8 March 1965 - 24 December 1965
- the Vietnam Counteroffensive, 25 December 1965-30 June 1966
- the Vietnam Counteroffensive, Phase II, 1 July 1966 - 31 May 1967
- the Vietnam Counteroffensive, Phase III, 1 June 1967 - 29 January 1968
- the Tet Counteroffensive, 30 January 68 - 1 April 1968
- the Vietnam Counteroffensive, Phase IV, 2 April 1968 - 30 June 1968

- the Vietnam Counteroffensive, Phase V, 1 July 1968 - 1 November 1968
- the Vietnam Counteroffensive, Phase VI, 2 November 1968 - 22 February 1969
- the Tet 69 Counteroffensive, 23 February 1969 - 8 June 1969
- the Vietnam Summer-Fall 1969, 9 June 1969 - 31 October 1969
- the Vietnam Winter-Spring, 1 November 1969 - 30 April 1970
- the DA Sanctuary Counteroffensive, 1 May 1970 - 30 June 1970
- the Vietnam Counteroffensive, Phase VII, 1 July 1970 - 30 June 1971
- the Consolidation I, 1 July 1971 - 30 November 1971
- the Consolidation II, 1 December 1971 - 29 March 1972
- the Vietnam Cease-Fire. 30 March 1972 - 28 January 1973

//NOTHING FOLLOWS//