

IN THE CASE OF: [REDACTED]

BOARD DATE: 16 May 2024

DOCKET NUMBER: AR20230011612

APPLICANT REQUESTS: correction of his DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge) to show award of the Joint Service Commendation Medal (JSCM).

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

- DD Form 149 (Application for Correction of Military Record), 31 July 2023
- DD Form 214, for the period ending 16 June 1972
- black and white photograph of eight uniform ribbons

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 DD Form 214 is missing the JSCM and should be corrected.
3. The applicant provided a copy of a black and white photograph of a dress uniform jacket with eight ribbons, including the JSCM.
4. A review of the applicant's service records shows:
 - a. On 9 December 1969, he enlisted in the Regular Army for a period of 3 years.
 - b. Special Orders Number 55, issued by Headquarters, U.S. Army Training Center, Infantry and Fort Dix, awarded him:
 - Expert Marksmanship Qualification Badge with Grenade Bar
 - Sharpshooter Marksmanship Qualification Badge with Rifle Bar (M-16)
 - c. He served in Vietnam from 14 June 1970 to 13 June 1971

d. His DA Form 20 (Enlisted Qualification Record) shows in:

(1) item 38 (Record of Assignments) – Headquarters and Headquarters Company, 1st Aviation Brigade, USAPAC, Vietnam, 17 June 1970 to 12 June 1971; and,

(2) item 41 (Awards and Decorations) –

- National Defense Service Medal
- Vietnam Service Medal
- Army Commendation Medal
- Republic of Vietnam Campaign Medal with Device (1960)
- Bronze Star Medal
- Army Good Conduct Medal (First Award)
- Air Medal
- Marksman Marksmanship Qualification Badge with Rifle Bar (M-14)

e. On 16 June 1972, he was honorably released from active duty. His DD Form 214 shows in item 24 (Decorations, Medals, Badges, Commendations, Citations, and Campaign Ribbons Awarded or Authorized) –

- National Defense Service Medal
- Vietnam Service Medal
- Republic of Vietnam Campaign Medal with Device (1960)
- Bronze Star Medal
- Army Good Conduct Medal (First Award)
- Air Medal
- Army Commendation Medal

5. His records are void of orders awarding him the JSCM.

BOARD DISCUSSION:

1. After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found relief is not warranted.

2. The Board found no evidence of orders or an equivalent document announcing award of the JSCM to the applicant. In the absence of such evidence, the Board determined there is no basis for adding the JSCM to his DD Form 214.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

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

BOARD DETERMINATION/RECOMMENDATION:

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.

9/24/2024

X

CHAIRPERSON

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.

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 15-185 (Army Board for Correction of Military Records) prescribes the policies and procedures for correction of military records by the Secretary of the Army acting through the ABCMR. The ABCMR begins its consideration of each case with the presumption of administrative regularity. The applicant has the burden of proving an error or injustice by a preponderance of the evidence.

3. Department of Defense Manual 1348.33, Volume 4 (implements policy, assigns responsibilities, and provides procedures for managing the DoD Military Decorations and Awards Program.

a. The JSCM may be awarded in the name of the Secretary of Defense to members of the U.S. Armed Forces who, while assigned to a JDA after January 1, 1963, distinguished themselves by meritorious service or achievement.

b. Order of Precedence. The JSCM is worn after the Air Medal and before the: Army. Army Commendation Medal.

c. The JSCM is a military decoration bestowed upon an individual to recognize valor, meritorious service or achievement under combat conditions, remote impacts on combat operations, non-combat heroism, or non-combat meritorious service or achievement.

5. Army Regulation 635-5 (Separation Documents), Effective 1 February 1967, prescribed the separation documents that would be furnished each individual who was separated from the Army including Active Duty Training personnel and established standardized procedures for the preparation and distribution of these documents. All available records would be used as a basis for the preparation of the DD Form 214, including DA Form 20, DA Form 66, and orders. In item 24, enter from item 21, DA Form 66 (Officer Qualification Record), or section 9, DA Form 20 (Enlisted Qualification Record) all decorations, service medals, campaign credits, and badges awarded or authorized, omitting authorities cited therein.

//NOTHING FOLLOWS//