

IN THE CASE OF: [REDACTED]

BOARD DATE: 10 October 2024

DOCKET NUMBER: AR20230013415

APPLICANT REQUESTS: correction of his DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge), ending 17 February 1973, to show, in effect, the following entries or information:

a. Item 23a (Specialty Number and Title), Secondary Military Occupational Specialty (SMOS) 11B (Light Weapons Infantryman).

b. Item 24 (Decorations, Medals, Badges, Commendations, Citations, and Campaign Ribbons Awarded or Authorized) the:

- Armed Forces Expeditionary Medal
- Korea Defense Service Medal
- Vietnam Service Medal with two bronze service stars
- Parachutist Rigger Badge
- Republic of Vietnam Gallantry Cross with Palm Unit Citation
- Republic of Vietnam Gallantry Cross with Gold Star Unit Citation
- Meritorious Unit Citation (2nd Award)
- Republic of Vietnam Parachutist Badge (Foreign Award)
- Republic of Vietnam Campaign Medal with Device (1960)
- Republic of Vietnam Gallantry Cross with Palm (Individual Award)

c. Item 25 (Education and Training Completed), "Light Weapons Infantryman, SMOS 11B10, 16 JUL 1971."

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

- DD Form 149 (Application for Correction of Military Record)
- letter from applicant, request for specific awards
- letter from applicant, statement and rationale for request
- DA Form 20 (Enlisted Qualification Record)
- DD Form 214, 17 February 1973
- Certificate of Graduation from the Wightman Noncommissioned Officer Academy, 14 April 1972

- excerpts from Department of Defense Instruction (DODI) 1348.33-V2 (Department of Defense Military Decorations and Awards Program), dated 21 December 2016, change 4, 7 May 2021 [Note: the current version of this instruction is change 6, effective 23 July 2024]
  - paragraph 4.3 (Armed Forces Expeditionary Medal)
  - paragraph 4-11 (Korea Defense Service Medal)
- excerpts from Army Regulation 600-8-22 (Military Awards), dated 5 March 2019 [Note: the current version of this regulation is dated 19 January 2024]
  - paragraph 2-13 (Armed Forces Expeditionary Medal)
  - table 2-3 (Armed Forces Expeditionary Medal)
  - paragraph 2-22 (Korea Defense Service Medal)
  - paragraph 8-22 (Parachute Rigger Badge)
- excerpts from Department of the Army Pamphlet 672-3 (Unit Citation and Campaign Participation Credit Register), 29 January 1988 (pages 2 and 83)
- excerpt from Department of the Army General Order (DAGO) 40, dated 1972
- Army Commendation Medal Certificate and Citation
- Republic of Vietnam Gallantry Cross with Palm Unit Citation guidance from various internet sources
- 3 photographs of Vietnamese vases
- 13 photographs of unknown Soldiers (Removed- personally identifiable information (PII))
- Airborne Certificate (Vietnam - Foreign Award) (untranslated)

#### 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 age 72 and he wants his record to be accurate. He requests, in effect, issuance of all authorized awards and correction of his DD Form 214 to show those awards. He provides a detailed rationale for his request. He states, in part, he belongs to Bugles Across America, which provides buglers to sound Taps at veteran funerals, honor flights, and other occasions of ceremony at which veterans are authorized to wear the uniform that was in effect when they separated from service. He was recently honored to sound Taps for the 50th Vietnam War Commemoration at the National Mall. If he is entitled to a decoration or award, he wants it confirmed, and if not, equally so.

3. The applicant provided 13 photographs of unknown Soldiers, which contain PII; therefore, this information will not be included in the supporting documents file, nor discussed in this Record of Proceedings (ROP) without their written permission.

4. The applicant was inducted into the Army of the United States on 23 February 1971.

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

a. item 22 (Military Occupational Specialty (MOS)) shows he was awarded the following primary MOS (PMOS) and secondary MOS (SMOS) -

- he was awarded SMOS 11B on 16 July 1971
- he was awarded PMOS 43E (Parachute Rigger) on 18 November 1971

b. item 27 (Military Education) shows the applicant completed the following courses:

- "Prcht Pk Maint Air Drop," 12 weeks, 1971
- "NCO Academy," 5 weeks, 1972
- Basic Leadership Course, 1 week, 1971

c. item 31 (Foreign Service) shows he was assigned to the United States Army Pacific Command, Okinawa, from 11 December 1971 to 16 February 1973 (1 year, 2 months, and 6 days).

d. item 38 (Record of Assignments) shows he was assigned to United States Army 549th Quartermaster Company, USARPAC from 13 December 1971 to 14 February 1973.

e. item 41 (Awards and Decorations) lists, in part, the

- Armed Forces Expeditionary Medal, but this entry was lined through
- Vietnam Service Medal

6. On 17 February 1973, he was honorably released from active duty due to early separation of overseas returnee, and he was transferred to the United States Army Reserve Control Group (Annual Training). His DD Form 214 shows in:

a. Item 22a (Net Service This Period), 1 year, 11 months, and 25 days.

b. Item 22c (Foreign Service), USARPAC, 1 year, 2 months, and 6 days.

c. Item 23a (Specialty Number and Title) "43E2P, 18 NOV 71" "Parachute Rigger/Parachute Insp"

d. Item 24 (Decorations, Medals, Badges, Commendations, Citations, and Campaign Ribbons Awarded or Authorized):

- National Defense Service Medal
- Parachutist Badge
- Army Commendation Medal
- Vietnam Service Medal
- Army Good Conduct Medal
- Expert Marksmanship Qualification Badge Rifle (M-16)

e. Item 25 (Education and Training Completed), in part, "PRCHT PK MAINT AIR DROP 43E2P QM 12 WKS 71."

f. Item 30 (Remarks) reflects the entry, "RVN NONE INDOCHINA YES KOREA NO"

7. The applicant provided the various documents, which included but are not limited to, a statement and rationale for his request, certificates showing completion of training, personnel documents, regulatory guidance for awards, orders, a foreign award, and pictures of what appear to be Vietnamese Vases with certificates in the background. The applicant's submissions were provided to the Board in their entirety.

9. There is no evidence available and he provided no evidence supporting that he was assigned or attached to a unit in Vietnam or that he served in Korea during his tenure of service.

10. The applicant requests correction of his DD Form 214 to show what appears to be a foreign award [the Republic of Vietnam Parachutist Badge]. Army Regulation 600-8-22 states foreign badges, to include the Republic of Vietnam Parachutist Badge, may be accepted and worn upon receiving the approval of the Commander, U.S. Army Human Resources Command (AHRC-PDP-A), 1600 Spearhead Division Avenue, Fort Knox, KY 40122-5408. The available record does not contain evidence that he received such an approval.

#### BOARD DISCUSSION:

1. After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found partial relief is warranted.

2. The Board concurred with the corrections described in Administrative Note(s) below.

3. The regulation governing preparation of the DD Form 214 in effect at the time of the applicant's service did not provide for entering a secondary MOS on the form. The

Board determined the absence of a secondary MOS on the applicant's DD Form 214 is not an error.

4. The criteria for the Armed Forces Expeditionary Medal require a Soldier to have been permanently assigned, attached, or detailed to a unit that participated in or was engaged in direct support of designated operations. While the evidence indicates the applicant was in Korea during a period of eligibility for the Armed Forces Expeditionary Medal, the Board found attendance at an NCO Academy does not meet the basic criteria for the Armed Forces Expeditionary Medal. The Board determined the applicant is not authorized this medal.

5. The criteria for the Korea Defense Service Medal state service members must have been assigned, attached, or mobilized to units operating in the area of eligibility for 30 consecutive or 60 non-consecutive days. The Board found attendance at an NCO Academy in Korea does not meet the basic criteria for the Korea Defense Service Medal. The Board determined the applicant is not authorized this medal.

6. The available records do not show that the applicant was physically present in Vietnam during his period of service. The Board found it likely that he was authorized the Vietnam Service Medal for providing direct support to operations in Vietnam, but the duration and scope of that support are not a matter of record. The Board noted that Soldiers who were not assigned to units in Vietnam but provided direct support may be authorized the Vietnam Service Medal, but they are not authorized campaign credit (i.e., bronze service stars for wear with the Vietnam Service Medal). The Board determined the applicant is not authorized bronze service stars for wear with his Vietnam Service Medal.

7. There is no evidence indicating the applicant served in a unit that received a Republic of Vietnam Gallantry Cross with Palm Unit Citation. The Board determined there is no basis for adding this unit award to the applicant's record.

8. The available evidence does not show the applicant served in Vietnam for the period required (i.e., 6 months) to be eligible for the Republic of Vietnam Campaign Medal with Device (1960). The Board determined the applicant is not authorized this medal.

9. The available evidence does not show the applicant served in a unit that received more than one award of the Meritorious Unit Commendation. The Board determined the applicant is authorized one award of the Meritorious Unit Commendation (see Administrative Note(s) below).

10. Acceptance and wear of a foreign medal or badge requires approval by the appropriate authority. The applicant has not provided evidence showing an appropriate authority authorized him to accept and wear the Republic of Vietnam Gallantry Cross with Palm or the Republic of Vietnam Parachutist Badge. The Board determined there is no basis for adding these foreign awards to his record.

BOARD VOTE:

Mbr 1      Mbr 2      Mbr 3

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

BOARD DETERMINATION/RECOMMENDATION:

1. 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 amending his DD Form 214 as shown in Administrative Note(s) below.
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 any relief in excess of that described above.

4/1/2025

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.

ADMINISTRATIVE NOTE(S): correct the applicant's DD Form 214 by adding to:

- Item 24 – Parachute Rigger Badge, Meritorious Unit Commendation, and Republic of Vietnam Gallantry Cross Unit Citation with Gold Star
- Item 25 – Light Weapons Infantryman Advanced Individual Training, 8 weeks, 1971

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 600-8-22 (Military Awards) dated 19 January 2024, and currently in effect, implements a part of the Army Awards Program. It prescribes Department of the Army (DA) policy, criteria, and procedures for individual and unit military awards and foreign decorations and badges.

a. Paragraph 2–12 (Armed Forces Expeditionary Medal) provides -

(1) The Armed Forces Expeditionary Medal may be awarded to Servicemembers of the Armed Forces of the United States who, after 1 July 1958 participate or have participated as members of the U.S. military units in a U.S. military operation in which Servicemembers of any military department participate, in the opinion of the Joint Chiefs of Staff, in significant numbers. Additionally, members must encounter during such participation foreign armed opposition, or are otherwise placed, or have been placed, in such position that, in the opinion of the Joint Chiefs of Staff, hostile action by foreign armed forces was imminent even though it did not materialize.

(2) Servicemembers must have been permanently assigned, attached, or detailed to a unit that participated in or was engaged in direct support of designated operations for 30 consecutive days or for 60 nonconsecutive days in the area of eligibility or meet one of the following criteria, regardless of time spent in the area of eligibility: (1) was engaged in actual combat or duty that is equally hazardous as combat duty with armed opposition; (2) while participating in a designated operation was killed or was wounded or injured requiring medical evacuation from the area of eligibility; or (3) accumulates required days service (consecutive or nonconsecutive) while participating as a regularly assigned air crewmember of an aircraft flying sorties into, out of, within, or over the area in direct support of the military operation. One day's service

is credited for the first sortie flown on any day. Additional sorties flown on the same day receive no further credit.

(a) The "area of operation" is defined as the foreign territory upon which troops have actually landed or are present and specifically deployed for the direct support of the designated military operation; adjacent water areas in which ships are operating, patrolling, or providing direct support of operations; and the airspace above and adjacent to the area in which operations are being conducted.

(b) "Direct support" is defined as services being supplied to participating forces in the area of eligibility by ground units, ships, and aircraft provided it involves actually entering the designated area of eligibility. This includes units, ships, and aircraft providing logistic, patrol, guard, reconnaissance, or other military support within the designated area of eligibility. "Area of eligibility" is defined as the foreign territory on which troops have actually landed or are present and specifically deployed for the operation; adjacent water areas in which ships are operating, patrolling, or providing direct support of the operation; and the air space above and adjacent to the area in which operations are being conducted.

(3) Servicemembers who earned the Armed Forces Expeditionary Medal for service in Vietnam between 1 July 1958 and 3 July 1965 may elect to receive the Vietnam Service Medal instead of the Armed Forces Expeditionary Medal. However, no Servicemember may be issued both medals for service in Vietnam.

(4) Servicemembers who qualified for the Armed Forces Expeditionary Medal by reasons of service between 1 October 1966 and 30 June 1974 in an area for which the Korea Defense Service Medal was subsequently authorized are eligible for both the Armed Forces Expeditionary Medal and Korea Defense Service Medal. Award of the Korea Defense Service Medal for this time period is a one-time exception.

b. Paragraph 2-13 (Vietnam Service Medal) provides, the Vietnam Service medal is awarded to all members of the Armed Forces of the United States for qualifying service in Vietnam after 3 July 1965 through 28 March 1973. Qualifying service included attachment to or assignment for 1 or more days with an organization participating in or directly supporting military operations. Qualifying service also included temporary duty for 30 consecutive days or 60 nonconsecutive days in Vietnam or contiguous areas, except that the time limit may be waived for personnel participating in actual combat operations. This same regulation states a bronze service star will be awarded for wear on the Vietnam Service Medal for participation in each credited campaign. A silver service star is authorized in lieu of five bronze service stars.

c. Paragraph 2-21 (Korea Defense Service Medal) provides the Korea Defense Service Medal is authorized for award to members of the Armed Forces of the United



States who have served on active duty in support of the defense of the Republic of Korea. The area of eligibility (1) encompasses all land area of the Republic of Korea and the contiguous water out to 12 nautical miles and (2) all air spaces above the land and water area. The period of eligibility is 28 July 1954 to a date to be determined by the Secretary of Defense. Service members must have been assigned, attached, or mobilized to units operating in the area of eligibility for 30 consecutive or for 60 nonconsecutive days or meet several criteria including: (1) be engaged in combat during an armed engagement, regardless of the time in the area of eligibility or (2) be wounded or injured in the line of duty and required medical evacuation from the area of eligibility. Due to the extensive time period for KDSM eligibility, the nonconsecutive service period for eligibility remains cumulative throughout the entire period.

d. Paragraph 8-23 (Parachute Rigger Badge) provides the eligibility requirements for the Parachute Rigger Badge are as follows: Any individual who successfully completes the Parachute Rigger course conducted by the U.S. Army Quartermaster School and holds an awarded MOS 92R (or formerly MOS 43E) may be awarded and are qualified for award of the Parachute Rigger Badge. The Parachute Rigger Badge may be awarded retroactively to any individual who graduated from the Parachute Rigger School after May 1951 and holds the requisite MOS. Retroactive awards of the Parachute Rigger Badge from individuals having no current Army status (veterans and retirees) who qualified after May 1951 may be submitted to National Personnel Records Center, 1 Archives Drive, St. Louis, MO 63138 – 1002.

e. Paragraph 9-14 (Republic of Vietnam Campaign Medal) provides the Republic of Vietnam Campaign Medal was awarded by the Government of Vietnam to all members of the Armed Forces of the United States for qualifying service in Vietnam during the period 1 March 1961 through 28 March 1973. Qualifying service included assignment in Vietnam for 6 months or more. Qualifying service outside the geographical limits of the Republic of Vietnam required the individual to provide direct combat support to the Republic of Vietnam and Armed Forces. Individuals who had qualified for award of the Vietnam Service Medal or the Armed Forces Expeditionary Medal and were evacuated prior to completing six months of service due to wounds resulting from hostile action were entitled to award of the Vietnam Campaign Medal.

f. Paragraph 9-24 (Republic of Vietnam Gallantry Cross Unit Citation) provides, the unit citation of the Gallantry Cross is awarded by the Vietnamese government for valorous combat achievement. It is awarded in four degrees as follows:

- with Palm to a unit which is cited before the Armed Forces
- with Gold Star to a unit which is cited before a corps
- with Silver Service Star to a unit which is cited before a division
- with Bronze Star to a unit which is cited before a regiment or brigade

g. Paragraph 9-26 (Foreign badges) provides qualification and special skill badges may be accepted if awarded in recognition of meeting the criteria, as established by the foreign government concerned, for the specific award. Only those badges that are awarded in recognition of military activities conducted by the military department of the host country are authorized for acceptance and permanent wear. Badges that do not meet these criteria may be authorized for acceptance but not for wear. Commanders (overseas and continental United States) serving in the rank of brigadier general or higher and colonel-level commanders who exercise general court-martial authority are delegated authority to approve the acceptance, retention, and permanent wear of foreign badges listed in appendix D of this regulation. Foreign qualification and special skill badges may be accepted if awarded in recognition of meeting the criteria, as established by the foreign government concerned, for the specific award. Only those badges which are awarded in recognition of military activities and by the military department of the host country are authorized for acceptance and permanent wear. Badges which do not meet these criteria may be authorized for acceptance, but not for wear, and will not be entered in the official military records of the recipient.

h. Paragraph 9-27 (Foreign decorations) provides, individual foreign decorations may be accepted if awarded in recognition of meeting the criteria, as established by the foreign government concerned, for the specific award. Only those decorations that are awarded in recognition of military activities and by the military department of the host country are authorized for acceptance or wear. Individual decorations that do not meet these criteria may be authorized for acceptance but not for wear and will not be entered in the Army Military Human Resource Record of the recipient. Commanders or Deputy Commanding General's serving in the rank of BG/O-7 or above and COL-level commanders who exercise general court-martial convening authority are delegated authority to approve the acceptance, retention, and permanent wear of foreign decorations. The burden of proof rests on the individual Soldier to produce valid justification (that is, orders, citations, or other original copies of the foreign elements that awarded them the decoration).

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

a. the following two (2) Vietnam campaigns occurred during the period with which the applicant was credited with foreign service in United States Army Pacific Command, Okinawa, from 11 December 1971 to 16 February 1973:

- Consolidation II, 1 December 1971—29 March 1972
- Vietnam CEASE-FIRE, 30 March 1972—28 January 1973

b. DAGO Number 40, dated 1972, awarded the 549th Quartermaster Company the Meritorious Unit Commendation for the period 1 July 1970 to 31 December 1971.

c. DAGO Number 8, dated 1974, announced award of the Republic of Vietnam Gallantry Cross with Palm Unit Citation for service in Vietnam to the following units:

(1) Headquarters, United States Military Assistance Command, and its subordinate units during the period 8 February 1962 to 28 March 1973.

(2) Headquarters, United States Army Vietnam, and its subordinate units during the period 20 July 1965 to 28 March 1973.

4. Army Regulation 635-5 (Separation Documents) dated 23 May 1972, and in effect at the time, provided the instructions for completing the entries on the DD Form 214.

a. Paragraph 2-40 (Item 23a) In item 23a enter PMOS code number, title, and date of award. There is no provision for entering an SMOS.

b. Paragraph 2-42 (Item 25) Enter service schools, including major courses which were successfully completed, and military sponsored courses completed in civilian schools and colleges during period covered by the DD Form 214 being prepared. For enlisted personnel, enter installation training courses (qualification courses), military correspondence courses, off-duty courses the enlisted person has successfully completed during the period covered by the DD Form 214.

//NOTHING FOLLOWS//