

IN THE CASE OF: [REDACTED]

BOARD DATE: 22 August 2024

DOCKET NUMBER: AR20230014167

APPLICANT REQUESTS: correction of his DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge) to show all awards he is qualified for as a result of his service in Thailand during the Vietnam War era.

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

- DD Form 149 (Application for Correction of Military Record)
- DD Form 214
- Department of Veterans Affairs Rating Decision
- photographs of individuals in military uniform

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 awards are not shown on his DD Form 214 for his service in Thailand during the Vietnam War Era. This is a validation of time and places he served during the Vietnam War.
3. The applicant enlisted in the Regular Army on 9 July 1963.
4. Special orders issued on 23 August 1963 awarded the applicant the Expert Marksmanship Qualification Badge with Rifle Bar (M-1).
5. The applicant's DA Form 20 (Enlisted Qualification Record) shows in:
  - a. Item 31 (Foreign Service), he served in Thailand (USARPAC (U.S. Army Pacific)) from 21 November 1963 to 17 November 1964.
  - b. Item 38 (Record of Assignments), he was assigned to the 809th Engineer Battalion (Construction) during his service in Thailand.

c. Item 38, he received "excellent" conduct and efficiency ratings throughout most of his active service. He did not receive any conduct and efficiency ratings during the period 7 May 1965 to 14 March 1966.

6. The applicant's DD Form 214 shows he was honorably released from active duty on 8 July 1966, in the rank/grade of specialist five/E-5, after completing 3 years of active service. His DD Form 214 also shows he was awarded the Sharpshooter Marksmanship Qualification Badge with Rifle Bar.

7. The applicant's record is void of unfavorable information or a unit commander's disqualification statement that would have precluded him from being recommended for or awarded the Army Good Conduct Medal.

8. The documents provided by the applicant in support of his application do not show entitlement to additional awards.

BOARD DISCUSSION:

1. After reviewing the application and all supporting documents, the Board determined relief was warranted. The applicant's contentions, the military record, and regulatory guidance were carefully considered. Based upon the available documentation, specifically, the information in the applicant's record showing no derogatory information which would disqualify the applicant for being awarded the Army Good Conduct Medal, the Board concluded there was sufficient evidence to award the AGCM and to add it to the applicant's 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:

1. The Board determined the evidence presented is sufficient to warrant a recommendation for relief. As a result, the Board recommends that all Department of Army records of the individual concerned be corrected by amending the applicant's DD Form 214 by awarding and adding the Army Good Conduct Medal.
2. Prior to closing the case, the Board also noted the administrative notes from the analyst of record and recommended those changes also be completed to more accurately reflect the military service of the applicant.

2/13/2025

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): administratively correct item 26 of the applicant's DD Form 214 to show the:

- National Defense Service Medal
- Expert Marksmanship Qualification Badge with Rifle Bar (M-1)
- Meritorious Unit Commendation

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) states the National Defense Service Medal is awarded for honorable active service for any period between 27 July 1950 and 27 July 1954, 1 January 1961 and 14 August 1974, 2 August 1990 and 30 November 1995, and 11 September 2001 and 31 December 2022.

3. Army Regulation 672-5-1 (Awards), in effect at the time, states 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 first award only, 1 year served entirely during the period 7 December 1941 to 2 March 1946; and, for the first award only, upon termination of service on or after 27 June 1950 of less than 3 years but more than 1 year. The enlisted person must have had all "excellent" conduct and efficiency ratings. Ratings of "unknown" for portions of the period under consideration were not disqualifying.

4. Department of the Army Pamphlet 672-3 (Unit Citation and Campaign Participation Credit Register) lists the awards received by units serving during the Vietnam War Era. This pamphlet shows that during the applicant's assignment to the 809th Engineer Battalion, this unit was cited for the Meritorious Unit Commendation for service during the period February 1962 to February 1966.

//NOTHING FOLLOWS//