

IN THE CASE OF: [REDACTED]

BOARD DATE: 14 August 2024

DOCKET NUMBER: AR20230014712

APPLICANT REQUESTS: correction of his DD Form 214 (Report of Separation from Active Duty) to show award of:

- National Defense Service Medal
- Vietnam Service Medal
- Army Commendation Medal
- Army Good Conduct Medal
- Presidential Unit Citation

APPLICANT'S SUPPORTING DOCUMENT(S) CONSIDERED BY THE BOARD:
DD Form 149 (Application for Correction of Military Record), 16 October 2023.

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 application states his DD Form 214 has no information on it.
3. The applicant's request includes correction of his record to show he was awarded the National Defense Service Medal and the Army Good Conduct Medal; however, his DD Form 214 shows he was awarded these medals. Therefore, this portion of his request will not be discussed further in these proceedings.
4. A review of the applicant's service records shows:
 - a. On 8 February 1974, his parents and legal guardians gave their consent to his enlistment in the Armed Forces as a minor, aged 17.
 - b. On 25 February 1974, he enlisted in the Regular Army for a period of 3 years.

c. On 4 March 1974, he was assigned to Company A, 1st Battalion, 34d Basic Combat Training Brigade, Fort Leonard Wood for Basic Combat Training.

d. On 26 April 1974, he was assigned to Company E, 1st Battalion, 4th Advanced Individual Training Brigade, Fort Leonard Wood for Advanced Individual Training; he was subsequently awarded military occupational specialty 12B (Combat Engineer).

e. On 1 July 1974, he was assigned to Company C, 14th Engineer Battalion, Fort Ord, CA.

f. On 11 January 1977, 7th Infantry Division, and Fort Ord issued orders 011-251, relieving him from active duty and assigning him to the Army National Guard/United States Army Reserve unit, effective 25 February 1977.

d. On 25 February 1977, he was relieved from active duty at Company C, 14th Engineer Battalion, Fort Ord, and transferred to control of the U.S. Army Reserve Control Group (Reinforcement). His DD Form 214 shows in:

- Item 12a (Net Active Service This Period) – 3 years
- Item 24 (Decorations, Medals, Badges, Commendations, Citations, and Campaign Ribbons Awarded or Authorized) –
 - National Defense Service Medal
 - Army Good Conduct Medal
 - Marksman Marksmanship Qualification Badge with Rifle Bar (M-16)

5. The applicant's records are void of evidence he served in Vietnam and void of orders awarding him the Army Commendation Medal.

6. A review of DA PAM 672-3 (Department of the Army Pamphlet 672-3 (Unit Citation and Campaign Participation Credit Register (January 1960 – February 1986)) does not list his unit, Company C, 14th Engineer Battalion, as having been awarded the Presidential Unit Citation.

BOARD DISCUSSION:

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.

a. National Defense Service Medal and the Army Good Conduct Medal: No action. These awards are already listed on his DD Form 214.

b. Vietnam Service Medal: Deny. The applicant's service record is void of any evidence that confirms his service in Vietnam and the dates of such service.

c. Army Commendation Medal: Deny. Award of the Army Commendation Medal requires an award recommendation, approval through the chain of command, and announcement in orders. The applicant's records are void of evidence he was recommended or awarded the Army Commendation Medal

d. Presidential Unit Citation. Deny. The evidence shows after completing training, the applicant was assigned to Company C, 14th Engineer Battalion, Fort Ord, CA, on 1 July 1974, and remained in this unit until separation on 11 January 1977. A check of DA Pamphlet 672-3 does not list his unit, Company C, 14th Engineer Battalion, as having been awarded the Presidential Unit Citation.

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.

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 600-8-22 (Military Awards) prescribes Department of the Army policy, criteria, and administrative instructions concerning individual and unit military awards.

a. The Vietnam Service Medal was awarded to all service 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.

b. To qualify for award of the Vietnam Service Medal an individual must meet one of the following qualifications:

1. Be attached to or regularly serve for 1 or more days with an organization participating in or directly supporting military operations.

2. Be attached to or regularly serve for 1 or more days aboard a U.S. naval vessel directly supporting military operations.

3. Participate as a crewmember in one or more aerial flights into airspace above Vietnam and contiguous waters directly supporting military operations.

4. Serve on temporary duty for 30 consecutive days or 60 nonconsecutive days in Vietnam or contiguous areas, except that time limit may be waived for personnel participating in actual combat operations.

c. The Presidential Unit Citation was awarded to units of the Armed Forces of the United States and cobelligerent nations for extraordinary heroism in action against an armed enemy occurring on or after 7 December 1971. Recommendations for award of the PUC to Army units will be submitted on a DA Form 7594 (Unit Award Recommendation) and processed through normal military command channels to Commander, U.S. Army Human Resources Command (AHRC-PDP-A), 1600 Spearhead Division Avenue, Fort Knox, KY 40122-5408. Recommendations will be initiated by a higher headquarters to the unit recommended for the award.

3. Army Regulation 635-5 (Separations Documents), in effect at the time, prescribed the separation documents that would be furnished each individual who is separated from the Army. It 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, and orders.

a. A DD Form 214 would be furnished at the time of separation to each member of the Regular Army.

b. In item 24 (Decorations, Badges, Commendations, Citations, and Campaign Ribbons Awarded or Authorized), enter from DA Form 20 all decorations, service medals, campaign credits, and badges awarded or authorized, omitting authorities cited therein.

//NOTHING FOLLOWS//