

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 9 August 2024

DOCKET NUMBER: AR20230015104

APPLICANT REQUESTS: correction of his DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge) to show:

- service in Thailand from 2 June 1966 to 19 November 1967
- award of the Vietnam Service Medal, Republic of Vietnam Campaign Medal with Device (1960), and Republic of Vietnam Gallantry Cross with Palm Unit Citation

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

- DD Form 149 (Application for Correction of Military Record)
- DA Form 2-1 (Personnel Qualification Record – Part II)
- Special Orders Number 109, 8 August 1967
- Standard Form 600 (Chronological Record of Medical Care), for the period 20 March 1967 to 28 September 1967

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 should be corrected to show his service in Thailand from 2 June 1966 to 19 November 1967. He wants the DD Form 214 to represent what he did and where he served. His military personnel records support the claim that is being requested.
3. The applicant provides.
 - a. Special Orders Number 109, issued by Headquarters, 7th Radio Research Field Station, 8 August 1967, that show in part, the applicant was awarded the Aircraft Crewman Badge.

b. Standard Form 600 (Chronological Record of Medical Care) shows in part the applicant was seen at the 7th Radio Research Field Station dispensary in Thailand, during the period 20 March 1967 to 28 September 1967.

4. A review of the applicant's service records show:

a. On 16 August 1965, the applicant enlisted in the Regular Army.

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

(1) item 27 (Military Education): 11-week Scout Dog Handlers course and awarded MOS 11F (Infantry Operations and Intelligence Specialist).

(2) item 31 (Foreign Service): service in Thailand from 2 June 1966 to 19 November 1967 (18 months); and service in Panama from 7 January 1968 to 6 August 1969 (18 months).

(3) item 38 (Record of Assignments): Detachment D, 5th RRU (6083), Thailand from 4 June 1966 to 24 September 1966; Headquarters, 7th Radio Research Field Station, U.S. Army Pacific, Attached to A Company, from 25 September 1966 to 9 November 1967; Headquarters, U.S. Army South Command, APO NY 09827, from 3 January 1968 to 5 August 1969, and he received "excellent" conduct and efficiency ratings.

(4) item 41 (Awards and Decorations): shows he was awarded the National Defense Service Medal, Army Good Conduct Medal (1st Award), and the Sharpshooter Marksmanship Qualification Badge with Rifle Bar (M-14).

c. On 8 August 1969, he was honorably released from active duty. His DD Form 214 shows he completed 3 years, 11 months, and 23 days and was awarded or authorized:

- National Defense Service Medal
- Army Good Conduct Medal (1st Award)

d. Block 30 (Remarks): void of his service in Thailand.

BOARD DISCUSSION:

1. After reviewing the application and all supporting documents, the Board found that relief was warranted. The Board carefully considered the applicant's record of service, documents submitted in support of the petition and executed a comprehensive review

based on law, policy and regulation. Upon review of the applicants petition and available military records, the Board determined there is sufficient evidence to grant partial relief. The evidence shows the applicant served in Thailand from 2 June 1966 to 19 November 1967. Based on this service, the applicant is entitled to award of the Vietnam Service Medal and Republic of Vietnam Campaign Medal with Device 1960. Additionally, the applicant's record contains Special Orders awarded him the Aircraft Crewman Badge and the Sharpshooter Marksmanship Qualification Badge with Rifle Bar (M-14).

2. As it relates to the applicant's request for award of the Republic of Vietnam Gallantry Cross with Palm Unit Citation, the Board did not find sufficient evidence to support that the applicant was a member of a unit that was awarded this award and therefore denied relief.

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 partial relief. As a result, the Board recommends that all Department of the Army records of the individual concerned be corrected by amending the applicant's DD Form 214, for the period ending 8 August 1969 to show in:

- item 24 (Decorations, Medals, Badges, Commendations, Citations and Campaign Ribbons Awarded or Authorized):
 - Vietnam Service Medal
 - Republic of Vietnam Gallantry Cross with Device 1960
 - Aircraft Crewman Badge
 - Sharpshooter Marksmanship Qualification Badge with Rifle Bar (M-14)
- item 30 (Remarks): Service in Thailand from 2 June 1966 to 19 November 1967

2. The Board further determined that 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 award of the Republic of Vietnam Gallantry Cross with Palm Unit Citation.

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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.

a. 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.

b. The ABCMR may, in its discretion, hold a hearing (sometimes referred to as an evidentiary hearing or an administrative hearing) or request additional evidence or opinions. Applicants do not have a right to a hearing before the ABCMR. The Director or the ABCMR may grant a formal hearing whenever justice requires.

3. Army Regulation (AR) 635-5 (Separation Documents) and AR 635-8 (Separation Processing and Documents) prescribes policy and procedural guidance relating to transition management. The DD Form 214 is a summary of the Soldier's most recent period of continuous active duty. The information entered thereon reflects the conditions as they existed at the time of separation.

a. Item 22c, enlisted personnel. Enter total active duty outside continental limits of the United States for the period covered by the DD Form 214 and the last oversea theater in which service was performed, e.g., "Foreign and/ or Sea Service (USAREUR)."

b. 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.

c. Item 30, the "Remarks" section will be used to complete entries too long for their respective blocks. When used for cross-reference, the item number must precede the continued information.

4. Army Regulation 635-5 dated 4 February 1972, states, effective 15 March 1972 Army Regulation 635-5, dated 23 January 1967 is changed as follows: Indicate

Indochina and Korea service on or after 5 August 1964 by entering inclusive dates of service for Vietnam and indicating “yes” or “no” for service in Indochina and Korea.

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

a. 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. Members in Thailand, Laos, or Cambodia during the same period and serving in direct support of operations in Vietnam are also eligible for this award. Direct support is defined as services being supplied to participating forces in the area of eligibility and includes:

- units, ships, and aircraft providing it involves actually entering the designated area
- ships and aircraft providing fire, patrol, guard, reconnaissance, or other military support within the designated area of eligibility
- bronze service stars are not authorized on the VSM when awarded for service in Thailand, Laos, or Cambodia

b. The Republic of Vietnam Campaign Medal with Device (1960) 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. Also eligible for this award are individuals who qualified for award of the Vietnam Service Medal or the Armed Forces Expeditionary Medal and served for less than six months of service but:

- were wounded as a result of hostile action
- were captured by hostile forces but later escaped or were rescued or released
- were killed in action or otherwise in line of duty

c. Department of the Army General Orders Number 8, dated 1974, announced award of the Republic of Vietnam Gallantry Cross with Palm Unit Citation to Headquarters, U.S. Military Assistance Command and its subordinate units during the period 8 February 1962 to 28 March 1973 and to Headquarters, U.S. Army Vietnam and its subordinate units during the period 20 July 1965 to 28 March 1973.

d. The qualification badge is awarded to indicate the degree – Expert, Sharpshooter, and Marksman -- in which an individual has qualified in a prescribed record course. An appropriate bar is furnished to denote each weapon with which the individual has qualified.

//NOTHING FOLLOWS//