

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 15 October 2024

DOCKET NUMBER: AR20240000593

APPLICANT REQUESTS: correction of his DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge), ending on 22 September 1969, by –

- awarding him the Army Good Conduct Medal and Republic of Vietnam Campaign Medal with 1960 Device
- deleting duplicate Vietnam Service Medal

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

- DD Form 149 (Application for Correction of Military Record)
- DD Form 214, 22 September 1969
- Army Commendation Medal Certificate and Citation, 7 April 1969
- DA Forms 137 (Installation Clearance Record), 20 January 1968 and 5 August 1969

FACTS:

1. The applicant did not file within the 3-year time frame provided in Title 10, U.S. Code (USC), 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 that the Vietnam Service Medal shows twice on his DD Form 214. Please remove one of them and add the Republic of Vietnam Campaign Medal with 1960 Device. He also requests to be awarded the Army Good Conduct Medal. He was under the impression he had to serve 3 years to get an Army Good Conduct Medal. He served in Vietnam from 1968 1969 with no disciplinary issues so an Army Good Conduct Medal should also be awarded.

3. This case contains administrative corrections adding the Republic of Vietnam Campaign Medal with 1960 Device, Vietnam Service Medal with one silver service star, and deleting the duplicate entry for the Vietnam Service Medal.

4. A review of the applicant's military service record shows:

a. He enlisted in the Regular Army on 6 February 1967.

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

- item 38 (Record of Assignments) – he served in Vietnam from on or about 4 March 1968 to 22 September 1969 and was assigned to Headquarters and Company A, 709th Maintenance Battalion, 9th Infantry Division; the applicant had excellent conduct and efficiency ratings with the exceptions of permanent changes of station
- item 41 (Awards and Decorations) – he was awarded or authorized: National Defense Service Medal, Vietnam Service Medal, Republic of Vietnam Campaign Medal with 1960 Device, Army Commendation Medal, 3 overseas service bars; and Marksman Marksmanship Qualification Badge with Rifle Bar

c. On 22 September 1969, the applicant was honorably released from active duty and was transferred to the U.S. Army Reserve Control Group (Reinforcement). He completed 2 years, 7 months, and 17 days net active service of which 1 year, 6 months, and 26 days was foreign service. DD Form 214 shows:

- item 24 (Decorations, Medals, Badges, Commendations, Citations and Campaign Ribbons Awarded or Authorized) –National Defense Service Medal, Vietnam Service Medal [twice], Army Commendation Medal
- item 30 (Remarks) – does not list his period of Vietnam service

5. The applicant provides:

a. Army Commendation Medal Certificate and Citation dated 7 April 1969, which shows he was awarded the Army Commendation Medal for outstanding achievement in connection with military operations against a hostile force in the Republic of Vietnam during the period October 1968 to March 1969.

b. DA Forms 137 dated 20 January 1968 and 5 August 1969 showing the dates he cleared installations before departing Fort Riley and Vietnam units.

6. The applicant's record did not contain orders awarding him the Army Good Conduct Medal. Likewise, it was void of any disciplinary action which would preclude him from award of the Army Good Conduct Medal.

BOARD DISCUSSION:

After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that relief was warranted. The applicant's

contentions, the military record, and regulatory guidance were carefully considered. The evidence of record shows the applicant served on active duty from 6 February 1967 to 22 September 1969. He completed 2 years, 7 months, and 17 days net active service. He received excellent conduct and efficiency ratings, and his record does not contain any derogatory information or a commander's disqualification memorandum for the Army Good Conduct Medal (1st Award). Therefore, the Board determined he meets the criteria for this award.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

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

BOARD DETERMINATION/RECOMMENDATION:

In addition to the correction addressed in Administrative Note(s) below, the Board determined the evidence presented is sufficient to warrant a recommendation for relief. As a result, the Board recommends that all Department of the Army records of the individual concerned be corrected by:

- Awarding the applicant, the Army Good Conduct Medal (2nd Award) for service during the period 6 February 1967 through 22 September 1969
- Adding award of the Army Good Conduct (1st Award) to his DD Form 214

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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.

ADMINISTRATIVE NOTE(S):

1. Reference the enclosed request for correction of military records from the subject individual to correct his DD Form 214 for the period ending 22 September 1969, by:

a. Adding to item 24 –

- Republic of Vietnam Campaign Medal with 1960 Device
- Vietnam Service Medal with one silver service star and one bronze service star
- Marksman Marksmanship Qualification Badge with Rifle Bar
- Republic of Vietnam Gallantry Cross with Palm Unit Citation
- Republic of Vietnam Civil Actions Honor Medal First Class Unit Citation

b. Deleting from item 24 the Vietnam Service Medals.

c. Add in item 30; Service in Vietnam 4 March 1968 through 21 September 1969.

2. A review of the records listed below (enclosed) is sufficient to substantiate correction of the DD Form 214 without action by the Board.

- DA Form 20 (Enlisted Qualification Record)
- DD Form 214
- AR 600-8-22 (Military Awards)
- AR 635-5 (Personnel Separation - Separation Documents)
- DA PAM 672-3 (Unit Citation and Campaign Participation Credit Register)
- Department of the Army General Orders Number 59, 1969

3. Please correct the applicant's DD Form 214 by adding and deleting the awards shown in paragraph 1a and b above. Provide the applicant with a copy of the corrections, and as applicable the medal. Please ensure that the corrections are recorded in the applicant's official military personnel record.

REFERENCES:

1. Title 10, USC, 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 (AR) 600-8-22 (Military Awards) prescribes Department of the Army policy, criteria, and administrative instructions concerning individual and unit military awards.

a. Chapter 4, Section I (Army Good Conduct Medal) provides that, the Army Good Conduct Medal is awarded for exemplary behavior, efficiency, and fidelity in active Federal military service. It is awarded on a selective basis to each Soldier who distinguishes himself or herself from among his or her fellow Soldiers by exemplary conduct, efficiency, and fidelity throughout a specified period of continuous enlisted active Federal military service, as outlined in this chapter. There is no right or entitlement to the medal until the immediate commander has approved the award and the award has been announced in Permanent Orders.

b. Paragraph 4-2, states, in pertinent part, the Army Good Conduct Medal may be awarded retroactively, to eligible Army of the United States enlisted personnel.

c. Paragraph 4-5 (Qualifying periods of service) states, in pertinent part, any one of the following periods of continuous enlisted active Federal military service qualifies for award of the Army Good Conduct Medal. (1) For first award only, 1 year served entirely during the period 7 December 1941 to 2 March 1946. (2) For first award only, upon termination of service on or after 27 June 1950, of less than 3 years but more than 1 year. (3) Subsequent awards must be for a completion of 3 years of continuous enlisted active Federal military service.

3. AR 635-5 (Personnel Separation - Separation Documents), in effect at the time, prescribes the separation documents that will be furnished to each individual who is separated from the Army. The instructions for item 24 (Decorations, Medals, Badges, Commendations, Citations and Campaign Ribbons Awarded or Authorized) of the DD Form 214 state to enter from the DA Form 20 (Enlisted Qualification Record) all decorations, service medals, campaign credits, and badges awarded or authorized, omitting authorities cited therein. Item 30 (Remarks) states, the "Remarks" section will be used to complete entries too long for their respective blocks; and later changed as follows "indicate Indochina and Korea service on or after August 1964 by entering inclusive dates of service for Vietnam and indicating Yes or No for service in Indochina and Korea.

//NOTHING FOLLOWS//