

IN THE CASE OF: [REDACTED]

BOARD DATE: 26 September 2024

DOCKET NUMBER: AR20240000597

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

- 24 (Decorations, Medals, Badges, Commendations, Citations and Campaign Ribbons Awarded or Authorized), the Vietnam Service Medal, and all other awards authorized
- 30 (Remarks), he served in Vietnam from January through July 1969 in lieu of in Okinawa.

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

- DD Form 149 (Application for Correction of Military Record)
- Applicant's Letter
- Affidavit
- Temporary Duty (TDY) Letter Orders T-30, Headquarters, 1st Special Forces Group (Airborne), 1st Special Forces
- DD Form 214
- DA Form 20 (Enlisted Qualification Record) (2 Pages)
- Department of Veterans Affairs (VA) Healthcare Card
- Excerpts of Letters (43 Pages)
- Sixteen Photographs

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 served in Vietnam from January to July 1969. His DD Form 214 does not show this service, and he did not receive the Vietnam Service Medal. The sole reason for his application to the Board is to correct his DD Form 214 to show his Vietnam service and entitlement to the Vietnam Service Medal. He was in Vietnam as a result of a TDY assignment from his regular unit, the 441st Military Intelligence

Detachment, 1st Special Forces Group, Okinawa, to a special unit of the 5th Special Forces Group in Vietnam. This is fully set out in the Affidavit provided by Captain (CPT) [REDACTED]. Granting his request will not adversely impact the Government or any person.

3. The applicant enlisted and served in the United States Army Reserve (USAR) from 1 September to 29 November 1967, until he was discharged for enlistment in the Regular Army (RA).

4. On 30 November 1967, the applicant enlisted in the RA for a period of 3 years. He held military occupational specialty (MOS) 76U (Communications Electronics Repair Parts Specialist) at the time of separation. The highest rank/pay grade he achieved was sergeant/E-5.

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

a. Item 22 (MOS's):

Type	Code	Title	Date
• Primary MOS	97C	"Area Intel Specialist"	30 August 1968
• Secondary MOS	97D	Military Intel Coordinator	30 August 1968
• Primary MOS	76U	Communications Electronics Repair Parts Specialist)	27 February 1970

b. Item 31 (Foreign Service), United States Army Pacific (USARPAC) - Okinawa, from 20 October 1968 through 21 May 1970, a period of 19 months.

c. Item 38 (Record of Assignments), he was assigned to the:

- 44th Military Intelligence Detachment with duties in MOS 97C from 30 October 1968 to 14 January 1969
- 5th Special Forces Group (Airborne), 1st Special Forces, USARPAC with duties in MOS 97C from 15 January to 25 June 1969
- 441st Military Intelligence "APO 96331" with duties in MOS 97C, from 26 June 1969 to 13 November 1969
- Company E (Signal), 1st Special Forces Group (Airborne), 1st Special Forces with duties in MOS 97C, from 14 November 1969 to 21 May 1970
- Enroute to the continental United States on 22 May 1970
- Headquarters, USCONTIC, Fort Bragg, NC, with duties in MOS 91C, from 16 July to 28 August 1970

6. On 29 August 1970, he was honorably released from active duty under the provisions of Army Regulation 635-200, due to early release to attend school, and he

was transferred to the USAR to complete his remaining service obligation. The DD Form 214 he was issued at the time shows in:

a. Item 22 (Statement of Service):

- 22a(1) (Net Service this Period), 2 years, and 9 months
- 22a(2) (Other Service), 2 months and 28 days
- (22a(3)Total Service), 2 years, 11 months, and 28 days
- 22b (Total Active Service), 2 years, and 9 months
- 22c (Foreign and/or Sea Service), 1 year, 7 months, and 19 days

b. Item 24 (Decorations, Medals, Badges, Commendations, Citations and Campaign Ribbons Awarded or Authorized), the National Defense Service Medal.

c. Item 30 (Remarks), "USARPAC Okinawa 20 October 1968 - 21 May 1970"

7. The applicant provided in support of his request a/an:

a. Letter stating he wants his DD Form 214 corrected to show he served in Vietnam from January through July 1969 and award of the Vietnam Service Medal. He is age 78 and he wants his military records to be truthful and accurate before he dies.

b. Affidavit from Captain RCH, US Army Special Forces, dated 22 June 2020, stating the applicant served as an intelligence analyst attached to Mobile Launch Site Sigma (MLSS), Command and Control South (CCS), Military Assistance Command Vietnam Special Operations Group (MACVSOG), in 1969. During that period, the applicant held the rank of sergeant. The applicant was a top graduate of the 97C [course], Military Intelligence Specialist School, Fort Holabird, MD. The applicant volunteered to be in their unit on a 6-month TDY basis from his permanent assignment at the 441st MI Detachment, 1st Special Forces Group, Okinawa. While he was in Vietnam, MLSS, he was located at bases in Song Be, Dau Tieng, and Quan Loi. As executive officer of Sigma Launch, he relied on the applicant to perform critical functions in the planning and execution of highly classified operations. The applicant's work was beyond reproach. The applicant experienced several incidents of indirect fire from North Vietnamese, as well as direct assaults on the launch site.

c. TDY Letter Orders T-30, containing the applicant's name, but list "0" days of TDY.

d. VA Healthcare Card, 43 pages of excerpts from letters written between him and family members, and 16 photographs of himself and other Soldiers in a field environment.

8. Army Regulation 600-8-22 (Military Awards) states 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.

BOARD DISCUSSION:

1. After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found relief is warranted.
2. The Board found the affidavit provided in support of the application and the applicant's statement sufficient to confirm his TDY service in Vietnam. The Board determined the applicant's DD Form 214 should be corrected by adding the Vietnam Service Medal and a remark documenting his period of service in Vietnam.

BOARD VOTE:

Mbr 1      Mbr 2      Mbr 3

<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	GRANT FULL RELIEF
:	:	:	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
:	:	:	DENY APPLICATION

BOARD DETERMINATION/RECOMMENDATION:

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 amending his DD Form 214 as follows:

- Add to item 24 – Vietnam Service Medal
- Delete from item 30 – USARPAC Okinawa 20 October 1968 - 21 May 1970
- Add to item 30 –Okinawa: 20 October 1968 – 14 January 1969//Vietnam: 15 January to 25 June 1969//Okinawa: 26 June 1969 – 21 May 1970

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) states 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.

//NOTHING FOLLOWS//