

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 8 October 2024

DOCKET NUMBER: AR20240003863

APPLICANT REQUESTS: in effect, correction of block 3 (Social Security Number (SSN)) his DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge) to show his SSN as listed on his DD Form 256A (Honorable Discharge Certificate).

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

- DD Form 149 (Application for Correction of Military Record)
- DD Form 214
- Social Security Card
- DD Form 256A

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 Board will not consider the applicant's SSN issue as this item will be addressed through an administrative correction. In addition, the applicant is authorized several awards which will also be addressed in the Administrative Notes section of this Record of Proceedings. As a related item, the Board will consider award of the Army Good Conduct Medal.
3. The applicant was inducted into the Army of the United States on 12 May 1970. He completed training and he was awarded military occupational specialty 76P (Stock Control and Accounting Specialist).
3. The applicant served in the Republic of Vietnam from 12 November 1970 to 12 November 1971, assigned to Headquarters and Headquarters Company, 54th General Support Group.

4. The applicant's record contains a DA Form 20 (Enlisted Qualification Record) which shows his conduct and efficiency as "excellent." ,

5. There is no evidence in the available records that shows he was awarded the Army Good Conduct Medal; neither is there any evidence of a commander's disqualification for the award. Additionally, there is no evidence of any convictions by courts-martial or receipt of nonjudicial punishment under Article 15, Uniform Code of Military Justice.

6. On 12 November 1971, the applicant was honorably released from active duty in the rank/grade of specialist four/E-4. He completed 1 year, 6 months, and 1 day of active service with no lost time. The applicant's DD Form 214 shows he was awarded or authorized the:

- National Defense Service Medal
- Vietnam Service Medal
- Vietnam Campaign Medal
- 1 Overseas Service Bar
- Marksman Marksmanship Qualification Badge with Rifle Bar (M-16)

7. Regulatory guidance in effect at the time, stated the Army Good Conduct Medal, for the first award only, could be awarded upon termination of service on or after 27 June 1950 of less than three years but more than one year. A Soldier's conduct and efficiency ratings, including those pertinent to attendance at service schools, must have all been recorded as "excellent" or higher, except that ratings of "unknown" for portions of the period under consideration would not be disqualifying. There must have been no convictions by court-martial. There was no right or entitlement to the medal until the immediate commander made a positive recommendation for its award and until the awarding authority announced the award in general orders.

BOARD DISCUSSION:

1. 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 in active duty from 12 May 1970 to 12 November 1971. He completed 1 year, 6 months, and 1 day of active service with no lost time and he attained the rank/grade of specialist four/E-4. He completed a tour in Vietnam and received "excellent" conduct and efficiency ratings. His records are void of any disciplinary actions or a commander's disqualification for award of the Army Good Conduct Medal (1st Award). The Board determined he meets the criteria for this award.

2. Prior to closing the case, the Board did note the analyst of record administrative notes below, and recommended the correction is completed to more accurately depict the military service of the applicant.

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 for service during the period 12 May 1970 through 12 November 1971
- Amending his DD Form 214 by adding the Army Good Conduct Medal (1st Award)

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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): The following orders and regulatory cites are sufficient to make the following administrative corrections to the applicant's DD Form 214 for the period ending on 12 November 1971 without action by the Board:

- a. delete the entry in block 3 and add to block 3 the SSN listed on his DA Form 256A/Social Security Card; and
- b. delete the Vietnam Service Medal and Vietnam Campaign Medal from item 24 (Decorations, Medals, Badges, Commendations, Citations and Campaign Ribbons Awarded or Authorized), and add the following awards:
 - Vietnam Service Medal with 2 bronze service stars (DA PAM 672-3, paragraph 8a (14, 15)
 - Republic of Vietnam Campaign Medal with Device (1960)
 - Republic of Vietnam Gallantry Cross with Palm Unit Citation (DAGO 8)

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 600-65 (Service Medals), in effect at the time, stated the Army Good Conduct Medal was awarded for each three years of continuous enlisted active Federal military service completed on or after 27 August 1940; for first award only, one 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 three years but more than one year. A Soldier's conduct and efficiency ratings, including those pertinent to attendance at service schools, must have all been recorded as "excellent" or higher, except that ratings of "unknown" for portions of the period under consideration would not be disqualifying. There must have been no convictions by court-martial. There was no right or entitlement to the medal until the immediate commander made a positive recommendation for its award and until the awarding authority announced the award in general orders.
3. Army Regulation 600-8-22 (Military Awards) states the:
 - a. 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. A bronze service star is authorized with the Vietnam Service Medal award for each Vietnam campaign a member is credited with participating in. Appendix B shows that

during his service in Vietnam, participation credit was awarded for the following two campaigns: Vietnam Counteroffensive, Phase VII (1 July 1970 - 30 June 1971) and Consolidation I (1 July 1971 - 30 November 1971)

b. 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.

4. Department of the Army Pamphlet 672-3 (Unit Citation and Campaign Participation Credit Register), paragraph 6d, states that 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. Army Vietnam, and its subordinate units for the period 20 July 1965 to 28 March 1973.

//NOTHING FOLLOWS//