

IN THE CASE OF: [REDACTED]

BOARD DATE: 5 December 2024

DOCKET NUMBER: AR20240003978

APPLICANT REQUESTS: correction of his DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge) to show award of the Vietnam Service Medal (VSM), Armed Forces Expeditionary Medal (AFEM), Southeast Asia Service Medal, Shoulder Sleeve Insignia – Military Operations in Hostile Conditions (SSI-MOHC) (commonly known as combat patches), and service ribbons for his service in Korat, Thailand, from 20 August 1962 until 16 February 1963 with the 9th Logistics Command.

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

- DD Form 149 (Application for Correction of Military Record under the Provisions of Title 10, U.S. Code, Section 1552)
- two pages of service health records

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 only shows his foreign service in Okinawa and not his two temporary duty tours in Thailand. This is preventing him from being awarded the VSM and/or AFEM.
3. He enlisted in the Regular Army on 11 August 1961.
4. Item 28 (Qualification in Arms) of his DA Form 20 (Enlisted Qualification Record) shows he was awarded the Sharpshooter Marksmanship Qualification Badge with Rifle Bar (M-1) and Sharpshooter Marksmanship Qualification Badge with Carbine Bar.
5. His DA Form 24 (Service Record) shows in:

a. Section 4 (Chronological Record of Military Service), he was assigned to Headquarters and Headquarters Detachment, 9th Logistics Command, from 11 August 1962 until 18 February 1963;

b. Section 5 (Service Outside Continental United States), he arrived in Okinawa on 11 August 1962 and departed Okinawa en route to Thailand on 15 August 1962. He arrived in Thailand on 16 August 1962 and remained until 17 February 1963. He returned to Okinawa on 18 February 1963. He departed Okinawa en route to the continental United States on 13 January 1964; and

c. Section 9 (Medals, Decorations, and Citations), he was awarded the Sharpshooter Marksmanship Qualification Badge with Carbine Bar.

6. His records contain no evidence showing he served in the Republic of Vietnam.

7. He was honorably released from active duty on 26 May 1964 and transferred to the U.S. Army Reserve Control Group (Reinforcement) to complete his Reserve service obligation. His DD Form 214 shows he completed 2 years, 9 months, and 16 days of net active service during this period, including 1 year, 5 months, and 5 days of foreign service in Okinawa. He was awarded the Army Good Conduct Medal (1st Award).

#### BOARD DISCUSSION:

1. After reviewing the application, all supporting documents, and the evidence found within the applicant's military records, the Board found relief is not warranted.

2. The Board found no evidence showing the applicant met the criteria for any service medals or other decorations for his service in Thailand. The Board determined the absence of medals and other decorations on his DD Form 214 for service in Thailand is not an error.

3. The Board concurred with the corrections described in Administrative Note(s) below.

BOARD VOTE:

Mbr 1      Mbr 2      Mbr 3

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

BOARD DETERMINATION/RECOMMENDATION:

Other than the corrections addressed in Administrative Note(s) below, the Board determined 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 otherwise insufficient as a basis for correction of the records of the individual concerned.

12/8/2024
<div style="display: flex; align-items: center; justify-content: center;"> <span style="font-size: 2em; margin-right: 10px;">X</span> <div style="background-color: black; width: 150px; height: 30px;"></div> </div> <hr style="border: 0.5px solid black; margin: 5px 0;"/> <div style="display: flex; align-items: center; justify-content: center;"> <span style="margin-right: 10px;">CHAIRPERSON</span> <div style="background-color: black; width: 150px; height: 15px;"></div> </div>

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 applicant is authorized administrative correction of his DD Form 214 to show the following awards without Board action:

- Sharpshooter Marksmanship Qualification Badge with Rifle Bar (M-1)
- Sharpshooter Marksmanship Qualification Badge with Carbine Bar

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 policies and procedures for correction of military records by the Secretary of the Army acting through the ABCMR. Board members will review all applications that are properly before them to determine the existence of an error or injustice and direct or recommend changes in military records to correct the error or injustice, if persuaded that material error or injustice exists and that sufficient evidence exists in the record. The ABCMR will decide cases on the evidence of record; it is not an investigative body. 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.

3. Army Regulation 600-8-22 (Military Awards) prescribes Department of the Army policy, criteria, and procedures for individual and unit military awards and foreign decorations and badges.

a. The AFEM is awarded for qualifying service after 1 July 1958 in U.S. military operations, U.S. operations in direct support of the United Nations, and U.S. operations of assistance for friendly foreign nations. An individual, who was not engaged in actual combat or equally hazardous activity, must have been a bona fide member of a unit participating in, or be engaged in the direct support of, the operation for 30 consecutive or 60 nonconsecutive days, provided this support involved entering the area of operations. Service members who earned the AFEM for service in Vietnam between 1 July 1958 and 3 July 1965 may elect to receive the VSM instead of the AFEM; however, no service member may be issued both medals for service in Vietnam.

b. The VSM was awarded to all members of the Armed Forces of the United States serving in Vietnam and its contiguous waters or airspace there over after 3 July 1965 through 28 March 1973. Service members who qualified for the AFEM by reason of service in Vietnam between 1 July 1958 and 3 July 1965 (inclusive) will remain qualified for that medal. Upon request (unit personnel officer), any such individual may be awarded the VSM instead of the AFEM. In such instances, the AFEM will be deleted from the list of authorized medals in personnel records. No person will be entitled to both awards for Vietnam service.

c. There is not now nor has there ever been a Southeast Asia Service Medal.

d. Shoulder Sleeve Insignia-Military Operations in Hostile Conditions (SSI-MOHC) are uniform insignia and not awards authorized for entry on a DD Form 214.

4. Army Regulation 670-1 (Wear and Appearance of Army Uniforms and Insignia) prescribes Department of the Army policy for proper wear and appearance of Army uniforms and insignia, as worn by officers and enlisted personnel of the Regular Army, U.S. Army Reserve, and former Soldiers. Paragraph 21-18 (SSI-MOHC) provides that authorization to wear a shoulder sleeve insignia indicating service during military operations in hostile conditions (formerly known as the SSI-Former Wartime Service) applies only to Soldiers who meet or have met the following criteria:

a. The Soldier must actively participate in or support military operations in hostile conditions, which must include exposure to the threat of hostile action or fire, either directly or indirectly.

b. The Soldier's participation or support must occur while the Soldier is located in an area that entitles the Soldier to receive the combat zone tax exclusion and entitles the Soldier to receive hostile fire pay or imminent danger pay.

c. A general or flag officer in the chain of command must request Deputy Chief of Staff, G-1, approval for wear of the SSI-MOHC. The Chief of Staff of the Army authorizes wearing the SSI-MOHC.

(1) Personnel who served in a designated area as a civilian or a member of another Service, but were not a member of the U.S. Army during one of the specified periods are not authorized to wear the SSI-MOHC.

(2) Unless otherwise approved by this regulation, Soldiers attached or under operational control to other services are not authorized to wear their patches as their SSI-MOHC without written approval from the Deputy Chief of Staff, G-1, or a designated representative.

(3) Soldiers of all Army components (Regular Army, Army National Guard, and U.S. Army Reserve) who deploy during periods of service designated for wear of the SSI-MOHC are authorized to wear an SSI-MOHC. There are no time-in-theater requirements for authorization to wear the SSI-MOHC. Soldiers may not earn more than one SSI-MOHC during the same deployment.

5. Army Regulation 635-5 (Separation Documents), effective 13 August 1963 and in effect at the time, established standardized policy for preparing and distributing the DD Form 214. The detailed instructions for item 24c (Foreign and/or Sea Service) stated to enter the total active duty service performed outside the continental limits of the United States for the period covered by the DD Form 214 and the last overseas theater service was performed. Later versions of this regulation required that the inclusive dates of service in Vietnam performed on or after 5 August 1964 would be listed the remarks block.

//NOTHING FOLLOWS//