

IN THE CASE OF: [REDACTED]

BOARD DATE: 24 January 2025

DOCKET NUMBER: AR20240004888

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

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

- DD Form 149 (Application for Correction of Military Record)
- Department of Veterans Affairs (VA) Form 21-4138 (Statement in Support of Claim)
- DD Form 214

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 is not accurate. He served covertly and he had previously requested a "VR section 6" (interpreted to mean VA Vocational Rehabilitation services).
3. In a VA Form 21-4138 the applicant further states:
  - a. Prior to his deployments, they were ordered not to disclose to anyone their activities, locations, or purpose. His military occupational specialty was 321.10 (Lineman). His first deployment was in 1959 to Okinawa, Japan and then to Da Nang, Vietnam. In December 1959, he returned to the United States for a short time and then was redeployed to the Philippines. There he was stationed at an old prisoner of war camp located near a village called Angeles. Their mission was to set up Operation Spear Head. The duty station provided communication capabilities for all military posts in the area, including Clark Air Force Base, Philippines.
  - b. In 1961, he volunteered to join a group that needed more linemen and was deployed from Clark Air Force Base to Da Nang, Vietnam and then to Laos. He served

under Captain Xong. After this they went into Cambodia walking into areas that had just been sprayed with Agent Orange. They went back to Laos to join other linemen and ran lines along the Laos/ Vietnam borders. Again, Agent Orange was sprayed just prior to running the lines; #3 and #5 cables in addition to setting poles. He was exposed multiple times to Agent Orange during the Vietnam War, but his DD Form 214 does not reflect his true service, that is, in the hostile areas he served. He has requested a VR Section 6 to validate this several times. This would show the extent of exposure and support his claim. He served with the 999th Signal Company (Support), U.S. Strategic Army Corps (STRAC) sometime between 1959 and 1961.

4. The applicant enlisted in the Regular Army on 27 January 1959.
5. The applicant's records contain special orders awarding him the Marksman Marksmanship Qualification Badge with Rifle Bar (M-1) and the Marksman Marksmanship Qualification Badge with Carbine Bar.
6. The applicant's DA Form 24 (Service Record) shows in Section 5 (Service Outside Continental United States) his foreign service as follows:
  - Okinawa, Japan from 17 September to 21 December 1959 and from 11 to 30 April 1961
  - Philippine Islands from 30 April to 29 June 1961
  - Hawaii from 29 June to 21 July 1961
7. The applicant's DD Form 214 shows he was honorably released from active duty on 1 March 1962. The DD Form 214 also shows in item 24c (Foreign and/or Sea Service) he was credited with 6 months and 25 days of foreign service. Item 24c does not show the location where the foreign service was performed. The DD Form 214 further shows he was awarded the Army Good Conduct Medal.

#### BOARD DISCUSSION:

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 full relief, including the applicant's statement that he served covertly in Vietnam from 30 April 1961 to 29 June 1961, a period of 61 days. Therefore, the Board determined relief was appropriate.

BOARD VOTE:

Mbr 1      Mbr 2      Mbr 3

<input type="checkbox"/>	<input type="checkbox"/>	<input 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 Army records of the individual concerned be corrected by amending his DD Form 214, for the period ending 1 March 1962 to show in item 18 (Remarks): Service in Vietnam from 30 April 1961 to 29 June 1961.

5/5/2025

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.

ADMINISTRATIVE NOTE(S): add to the applicant's DD Form 214 the:

- National Defense Service Medal
- Marksman Marksmanship Qualification Badge with Rifle Bar (M-1)
- Marksman 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 635-5 (Separation Documents) prescribed the separation documents prepared for Soldiers upon retirement, discharge, or release from active military service or control of the Army. It established standardized policy for the preparation of the DD Form 214. The version of the regulation in effect at the time of the applicant's release from active duty, dated 11 January 1960, states that in item 24c, enter total active duty outside continental limits of the United States for the period covered by the DD Form 214. The regulation did not require the recording of the location where the service was performed.
3. Army Regulation 635-5, dated 13 August 1963, was changed by requiring the recording in item 24c of the last overseas theater the service was performed (e.g. USARPAC (U.S. Army Pacific), USAREUR (U.S. Army Europe)).
4. Army Regulation 600-8-22 (Military Awards) states the National Defense Service Medal is awarded for honorable active service for any period between 27 July 1950 and 27 July 1954, 1 January 1961 and 14 August 1974, 2 August 1990 and 30 November 1995, and 11 September 2001 and 31 December 2022.

//NOTHING FOLLOWS//