

IN THE CASE OF: [REDACTED]

BOARD DATE: 24 January 2025

DOCKET NUMBER: AR20240007378

APPLICANT REQUESTS: correction of his DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge) to show a period of service in Vietnam that ended on 4 August 1967 and to show a different military occupational specialty (MOS).

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

- DD Form 149 (Application for Correction of Military Record)
- Department of Veterans Affairs (VA) memorandum, subject Toxic Exposure Risk Activity (TERA) Memorandum, 2 February 2024
- Orders
- 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 U.S. Army Reserve (USAR) unit, the 601st Engineer Platoon, deployed to Vietnam by Navy troop ship, and he returned on 4 August 1967. The documents he has provided confirm this. Additionally, his MOS was not Supply Handler. He did not receive any training for that MOS.
3. The applicant's record contains sufficient evidence to support his service in Vietnam. Therefore, this will be administratively addressed in the administrative notes below as well as additional awards authorized. The Board will consider the applicant's request to show a different MOS.
4. The applicant was inducted into the Army of the United States on 3 October 1963. After completing initial entry training, he was awarded MOS 550.00 (Longshoreman Helper), which was later converted to MOS 56A (Supply Handler) and was the MOS he held throughout his military service.

5. A DA Form 24 (Service Record) shows in Section 5 (Service Outside Continental United States (CONUS)) he departed CONUS on 23 June 1965, arrived in Vietnam on 14 July 1965, and returned to CONUS on 28 September 1965.
6. On 28 September 1965, he was honorably released from active duty and transferred to the USAR Control Group (Annual Training). His DD Form 214 shows in:
 - Item 12 (Last Duty Assignment and Major Command) – 565th Transportation Company, United States Army Vietnam
 - Item 24c (Foreign and/or Sea Service) – United States Army Pacific (USARPAC), 3 months and 5 days
 - Item 25a (Specialty Number and Title) – 56A10 Supply Handler
 - Item 28 (Service Schools...Successfully Completed) – USATC, 8 weeks [19]64, Supply Handler
7. The applicant provides, and his service record contains, an extract of Special Orders Number 37 issued by Headquarters, XIII U.S. Army Corps, on 16 February 1968. The orders directed the applicant's release from the 601st Engineer Platoon and assignment to the USAR Control Group (Annual Training). The orders cite the authority for the action as a Department of the Army message issued on 4 August 1967, subject: Vietnam Returnees. Neither these orders nor any other documents in his service record reference a deployment to Vietnam with the 601st Engineer Platoon or any periods of active duty after his release from active duty in 1965.
8. The applicant provides a VA memorandum documenting his exposure to a herbicide agent during service in Vietnam.

9. Army Regulation 635-5 (Separation Documents), then in effect, provided the instructions for completing the DD Form 214. The regulation provided that the DD Form 214 would be completed to document periods of active duty and would be completed based on the data available in a Soldier's service record.

BOARD DISCUSSION:

After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that relief was not 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.

- a. The Board noted the applicant's contention that his U.S. Army Reserve unit deployed to Vietnam and returned on 4 August 1967; however, found no evidence to

support this contention. Therefore, the Board denied relief to add foreign service credit in Vietnam with an end date of 4 August 1967 to the applicant's DD Form 214.

b. The Board also noted the applicant's contention that he was not a supply handler and did not receive training for that MOS; however, found no evidence to support training in a different MOS. Therefore, the Board denied relief to amend the applicant's MOS on his DD Form 214.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

: : : GRANT FULL RELIEF

: : : GRANT PARTIAL RELIEF

: : : GRANT FORMAL HEARING

   DENY APPLICATION

BOARD DETERMINATION/RECOMMENDATION:

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 insufficient as a basis for correction of the records of the individual concerned.

5/5/2025



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): The applicant's DD Form 214 is missing entries related to his service in Vietnam. As a result, correct the DD Form 214 by adding to:

- Item 24 (Decorations, Medals, Badges...) – Vietnam Service Medal with one bronze service star, Meritorious Unit Commendation, Republic of Vietnam Gallantry Cross with Palm Unit Citation
- Item 32 (Remarks) – Service in Vietnam from 14 July 1965 to 28 September 1965

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), then in effect, provided the instructions for completing the DD Form 214. The regulation provided that the DD Form 214 would be completed to document periods of active duty and would be completed based on the data available in a Soldier's service record.

//NOTHING FOLLOWS//