

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 19 August 2025

DOCKET NUMBER: AR20240010125

APPLICANT REQUESTS: correction of his DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge) for the period ending 9 April 1970 to show award of:

- Army Commendation Medal
- Sharpshooter Marksmanship Qualification Badge with Rifle Bar (M-14)

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

- DD Form 149 (Application for Correction of Military Record)
- General Orders Number 12041, 10 September 1968
- Army Commendation Medal Certificate, 10 September 1968
- DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge)

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 would like his Army Commendation Medal, and his Sharpshooter Marksmanship Qualification Badge with Rifle Bar (M-14) added to his DD Form 214. He contends he earned the Sharpshooter Badge while in basic training at Fort Knox, KY. He was unable to find the original orders. He feels he earned the medals and does not know why they were not added.
3. A review of the applicant's service records shows:
  - a. He enlisted in the Regular Army on 10 April 1967.

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

- item 31 (Foreign Service) – he served in Vietnam from 17 September 1967 to 16 September 1968
- item 38 (Record of Assignments) – he was assigned to C Company, 227th Aviation Battalion, 1st Cavalry Division (Airmobile), Vietnam, from 21 September 1967 to 14 September 1968; he received all excellent conduct and efficiency ratings
- item 41 (Awards and Decorations) – he was awarded the National Defense Service Medal, Vietnam Service Medal, Republic of Vietnam Campaign Medal with Device 1960, two Overseas Service Bars, Air Medal, and the Expert Marksmanship Qualification Badge with Rifle Bar (M-16)

c. On 1 November 1969, Special Orders Number 303, awarded the applicant an Expert Marksmanship Qualification Badge with Rifle Bar (M-16).

d. On 9 April 1970, he was honorably released from active duty. His DD Form 214 shows he completed 3 years of active service. It also shows he was awarded or authorized the following:

- National Defense Service Medal
- Two Overseas Service Bars
- Republic of Vietnam Campaign Medal with Device 1960
- Vietnam Service Medal with four bronze service stars
- Expert Marksmanship Qualification Badge with Rifle Bar (M-16)
- Air Medal

4. His records are void of disciplinary actions or a commander's disqualification statement, a recommendation, and/or orders for award of the Army Good Conduct Medal for the period 10 April 1967 through 9 April 1970.

5. His record is void of orders for a Sharpshooter Marksmanship Qualification Badge Rifle with Bar (M-14).

6. A review of the applicant's record confirms he is eligible for an award and campaign credits that are not recorded on his DD Form 214. The entries will be added to his DD Form 214 as administrative corrections and will not be considered by the Board.

BOARD DISCUSSION:

1. 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. The Board determined there was insufficient evidence to show he met the requirements and was awarded the Sharpshooter Marksmanship Qualification Badge with Rifle Bar (M-14). Therefore, the Board denied relief.

2. ADMINISTRATIVE NOTES: A review of the applicant's service records show he is authorized additional awards not annotated on his DD Form 214 for the service period ending 9 April 1970. As a result, correct his DD Form 214 to show he was awarded the Army Commendation Medal, Republic of Vietnam Gallantry Cross with Palm Unit Citation and the Valorous Unit Award.

BOARD VOTE:

<u>Mbr 1</u>	<u>Mbr 2</u>	<u>Mbr 3</u>	
:	:	:	GRANT FULL RELIEF
:	:	:	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
XX	XX	XX	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.

X //signed//

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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):

A review of the applicant's service records show he is authorized additional awards not annotated on his DD Form 214 for the service period ending 9 April 1970. As a result, correct his DD Form 214 to show:

- Army Commendation Medal
- Republic of Vietnam Gallantry Cross with Palm Unit Citation
- Valorous Unit Award

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 (ABCMR) prescribes the policies and procedures for correction of military records by the Secretary of the Army, acting through the ABCMR. The ABCMR begins its consideration of each case with the presumption of administrative regularity, which is that what the Army did was correct. The ABCMR is not an investigative body and decides cases based on the evidence that is presented in the military records provided and the independent evidence submitted with the

application. 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 Army policy, criteria, and administrative instructions concerning individual and unit military awards. The qualification badge is awarded to indicate the degree – Expert, Sharpshooter, and Marksman -- in which an individual has qualified in a prescribed record course. An appropriate bar is furnished to denote each weapon with which the individual has qualified.

4. Army Regulation 635-5 (Separation Documents) prescribes the separation documents prepared for Soldiers upon retirement, discharge, or release from active military service or control of the Army. It establishes standardized policy for the preparation of the DD Form 214 and states that the DD Form 214 is a synopsis of the Soldier's most recent period of continuous active service. The DD Form 214 provides a brief, clear-cut record of active Army service at the time of release from active duty, retirement, or discharge. Item 24, List all federally recognized awards and decorations for all periods of service.

5. Army Regulation 672-5-1 (Military Awards), the Vietnam War Era Army Good Conduct Medal criteria in effect at the time, stated the Army Good Conduct Medal was awarded for each 3 years of continuous enlisted active Federal military service completed on or after 27 August 1940; for first award only, 1 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 3 years but more than 1 year. The enlisted person must have had all “excellent” conduct and efficiency ratings. Ratings of “Unknown” for portions of the period under consideration were not disqualifying. Service school efficiency ratings based upon academic proficiency of at least “Good” rendered subsequent to 22 November 1955 were not disqualifying. There must have been no convictions by a court martial. However, 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.

5. The Department of the Army Pamphlet 672-3 (Unit Citation and Campaign Participation Credit Register) lists the awards received by units serving in Vietnam. This pamphlet shows the unit to which the applicant was assigned was cited for award of:

a. Republic of Vietnam Gallantry Cross with Palm Unit Citation for the period 9 August 1965 to 19 May 1969 by Department of the Army General Order (DAGO) Number 59, dated 1969.

b. Valorous Unit Award for the period 1 to 31 October 1967 by DAGO Number 39, dated 1970.

//NOTHING FOLLOWS//