

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 5 August 2025

DOCKET NUMBER: AR20240011417

APPLICANT REQUESTS: in effect, correction of his DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge) to show he was separated in September of 1971 instead of 7 August 1971.

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

- DD Form 149 (Application for Correction of Military Record)
- Military Airlift Command (MAC) Transportation Authorization
- DA Form 31 (Request and Authority for Leave)

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, in effect, he is requesting correction of his DD Form 214 to show he was separated on 7 September 1971 instead of 7 August 1971. He believes this was just a clerical oversight, and the documentation he provides will show the correct separation date.
3. The applicant is authorized foreign service credit and additional awards not currently listed on his DD Form 214. These awards will be administratively corrected in the "Administrative Notes" section of this document without Board action.
4. The applicant provides, and his service records show:
  - On 6 September 1968, he enlisted in the Regular Army for a period of three years
  - On 14 February 1969 he arrived in Korea
  - On 18 June 1969, pursuant to Special Orders Number 169, he was awarded the Basic Aviation Badge (Formerly Aircraft Crew Member Badge)
  - On 7 November 1969, he departed from Korea and began his service in Vietnam

- On 6 July 1970, pursuant to General Orders Number 5905, he was awarded the Air Medal; he was assigned to 190th Aviation Company, Headquarters, 1st Aviation Brigade
- On 17 August 1970, pursuant to General Orders Number 7918, he was awarded the Army Commendation Medal; he was assigned to 190th Aviation Company, Headquarters, 1st Aviation Brigade
- On 12 December 1970, pursuant to General Orders Number 12245, he was awarded the Army Commendation Medal (second award); he was assigned to 68th Aviation Company, Headquarters, 1st Aviation Brigade
- On 9 June 1971, pursuant to General Orders Number 4575, he was awarded the Air Medal (second award) with V device; he was assigned to Bravo Troop, 3rd Armored Squadron, 17th Air Cavalry, Headquarters, 1st Aviation Brigade
- On 15 February 1971, the applicant departed from Vietnam  
His DA Form 31 shows on 3 August 1971, he was on a one day authorized absence (leave)
- On 4 August 1971, he was issued a MAC transportation authorization, with a departure date on 5 August 1971
- On 7 August 1971, he was issued Special Orders Number 219, which show a separation date of 7 August 1971
- His DD Form 214 shows he was honorably released on 7 August 1971; he completed 2 years, 11 months, and 2 days of active federal service

5. The applicant received all excellent ratings in conduct and efficiency, and his record does not reflect any misconduct or disciplinary actions.

**BOARD DISCUSSION:**

After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that partial 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 applicant's petition, and the available military records, the Board determined the applicant's service record did not support the applicant's contention. Therefore, his record does not require a correction of his date of separation.

BOARD VOTE:

<u>Mbr 1</u>	<u>Mbr 2</u>	<u>Mbr 3</u>
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:	:	:	GRANT FULL RELIEF
XXX	XXX	XXX	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
:	:	:	DENY APPLICATION

BOARD DETERMINATION/RECOMMENDATION:

1. 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 as it pertains to changing his separation date.
2. The Board further determined that the evidence of record is sufficient to warrant a correction of the applicant's records contained in the administrative notes portion of the record of proceedings.

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 records shows he is authorized foreign service and awards not listed on his DD Form 214. As a result, amend his DD Form 214 for the period ending 7 August 1971, by amending:

- a. Item 24 (Awards) by adding:

- (1) Four bronze service stars with the Vietnam Service Medal.
  - Vietnam Winter-Spring 1970, 1 November 1969-30 April 1970
  - DA Sanctuary Counteroffensive, 1 May 1970-30 June 1970
  - Vietnam Counteroffensive, Phase VII, 1 July 1970-30 June 1971
  - Consolidation I, 1 July 1971-30 November 1971
- (2) Republic of Vietnam Gallantry Cross with Palm Unit Citation.
- (3) Republic of Vietnam Civil Actions Medal.
- (4) Meritorious Unit Commendation.
- (5) Korea Defense Service Medal.
- (6) Armed Forces Expeditionary Medal.
- (7) Air Medal (second award) with V Device.
- (8) Army Commendation Medal (second award).
- (9) Basic Aviation Badge (Formerly Aircraft Crew Member Badge).

b. Item 30 (Remarks) to read: "Service in Korea from 14 February 1969 to 7 November 1969."

c. Item 30 (cont.) correct to read: "Service in Vietnam from 7 November 1969 to 4 August 1971."

**REFERENCES:**

1. Title 10 (Armed Forces), United States Code (USC), 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 Army Board for Correction of Military Records (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 600-8-22 (Military Awards) prescribes Army policy, criteria, and administrative instructions concerning individual and unit military awards.
  - a. The Korea Defense Service Medal is authorized by 10 USC 7286, 10 USC 8308, and 10 USC 9286. It is award to Servicemembers of the Armed Forces of the United States who have served on active duty in support of the defense of the Republic of Korea. The area of eligibility (AOE) and period of eligibility are as follows:
    - The AOE encompasses all land area of the Republic of Korea and the contiguous water out to 12 nautical miles and all airspaces above the land and water areas
    - The period of eligibility is 28 July 1954 to a date to be determined by the SECDEF
  - b. The Armed Forces Expeditionary Medal was established by executive order (EO) 10977, dated 4 December 1961, as amended by EO 13286, 2 February 2003, and may be awarded to Servicemembers of the Armed Forces of the United States who, after 1 July 1958:
    - (1) Participate or have participated as members of the U.S. military units in a U.S. military operation in which Servicemembers of any military department participate, in the opinion of the Joint Chiefs of Staff, in significant numbers.
    - (2) Encounter during such participation foreign armed opposition, or are otherwise placed, or have been placed, in such position that, in the opinion of the Joint Chiefs of Staff, hostile action by foreign armed forces was imminent even though it did not materialize.
    - (3) Servicemembers who qualified for the Armed Forces Expeditionary Medal by reasons of service between 1 October 1966 and 30 June 1974 in an area for which the Korea Defense Service Medal was subsequently authorized are eligible for both the Armed Forces Expeditionary Medal and Korea Defense Service Medal. Award of the Korea Defense Service Medal for this time period is a one-time exception to policy to comply with 10 USC 7286, 10 USC 8308, and 10 USC 9286.

3. Department of the Army Pamphlet 672-3 (Unit and Campaign Participation Credit Register) was published to assist commanders and personnel officers in determining or establishing the eligibility of individual members for campaign participation credit, assault landing credit, and unit citation badges awarded during the Vietnam Conflict.

a. A bronze service star is worn on the appropriate service ribbon, to include the Vietnam Service Medal, for each credited campaign. During his service in Vietnam, the applicant participated in the following campaigns:

- Vietnam Winter-Spring 1970, 1 November 1969-30 April 1970
- DA Sanctuary Counteroffensive, 1 May 1970-30 June 1970
- Vietnam Counteroffensive, Phase VII, 1 July 1970-30 June 1971
- Consolidation I, 1 July 1971-30 November 1971

b. Department of the Army General Orders Number 6, dated 1974, announced award of the Republic of Vietnam Gallantry Cross with Palm Unit Citation to Headquarters & Headquarters Company 1st Aviation Brigade and its subordinate units for the period 1 January 1969 to 30 September 1970.

c. Department of the Army General Orders Number 55, dated 1971, announced award of the Republic of Vietnam Civil Actions Medal 190th Aviation Company and its subordinate units for the period 1 May 1969 to 15 May 1970.

d. Department of the Army General Orders Number 48, dated 1971, announced award of the Meritorious Unit Commendation to Headquarters & Headquarters Company 1st Aviation Brigade and its subordinate units for the period 1 July 1969 to 31 March 1970.

4. Army Regulation 672-5-1 (Awards), in effect at the time, states the Army Good Conduct Medal established by Executive Order 8809 and amended by Executive Order 9323 and by Executive Order 1044 is awarded for exemplary behavior, efficiency, and fidelity in active Federal military service.

a. It is awarded on a selective basis to each soldier who distinguishes himself from among his fellow soldiers by his exemplary conduct, efficiency, and fidelity while in an enlisted status. There is no right or entitlement to the medal until the immediate commander has made positive recommendation for its award, and until the awarding authority has announced the award in General Orders. To qualify for an award of the Good Conduct Medal, an enlisted person must meet specified criteria throughout a specified period of continuous enlisted active federal military service.

b. Qualifying periods of service. Any one of the following periods of continuous enlisted active Federal military service qualifies for award of the Good Conduct Medal or

of a clasp. Each 3 years completed on or after 26 August 1940. For first award only, 1 year served entirely during the period 7 December 1941 to 2 March 1946. For first award only, upon termination of service on or after 27 June 1950, of less than 3 years but more than 1 year. For first award only, upon termination of service, on or after 27 June 1950, of less than 1 year when final separation was by reason of physical disability incurred in line of duty. For first award only, for those individuals who were killed in action or who died prior to the completion of one year's active Federal military service.

c. Criteria. Throughout a qualifying period, each enlisted person must meet all of the following criteria for an award, for all conduct (character) and efficiency ratings must be recorded as "Excellent" except that:

- Ratings of "Unknown" for portions of the period under consideration are not disqualifying
- Service school efficiency ratings based upon academic proficiency of at least "Good" rendered subsequent to 22 November 1955 are not disqualifying
- No conviction by court-martial during the period

5. Army Regulation 635-5 (Personnel Separations Separation Documents) in effect at the time, states that the DD Form 214 will reflect the conditions and circumstances that existed at the time the records were created. The purpose of the separation document is to provide the individual with documentary evidence of his or her military service at the time of release from active duty, retirement, or discharge. It is important that information entered on the form be complete and accurate and reflects the conditions as they existed at the time of separation.

//NOTHING FOLLOWS//