

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: ██████████

BOARD DATE: 3 November 2023

DOCKET NUMBER: AR20230004003

APPLICANT REQUESTS: correct his DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge) by adding the following awards:

- Combat Infantryman Badge
- "Air Medal with Valor"

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

- DD Form 149 (Application for Correction of Military Record)
- DD Form 214
- Two Certificates of Completion
- DA Form 4980-9 (Air Medal Certificate)
- Air Medal Citation
- DA Form 4980-18 (Army Commendation Medal Certificate)
- Two photos

FACTS:

1. The applicant did not file within the 3-year time frame provided in Title 10 (Armed Forces), United States Code (USC), section 1552 (b) (Correction of Military Records: Claims Incident Thereto). 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, his comrades in Vietnam officially received the above-stated awards for the same meritorious combat service as he performed. The applicant feels his family deserves to see in writing that he received those awards.

3. The applicant provides:

- Certificate of Completion for Pre-Combat Training, dated 16 October 1967
- Certificate of Completion for the MACV (Military Assistance Command, Vietnam) RECONDO (reconnaissance) School, dated 6 January 1968

- DA Form 4980-9, Air Medal (2nd and 3rd Awards) with Air Medal Citation
- DA Form 4980-18, Army Commendation Medal
- Two photos identified as the applicant with Sergeant B__ and the applicant with an officer named C__

4. A review of the applicant's service record shows the following:

a. On 31 October 1966, the applicant enlisted into the Regular Army for 3 years; upon completion of initial entry training and the award of the primary military occupational specialty (PMOS) 73C (Disbursing/Examination Specialist), orders assigned him to a finance section at Fort Lewis, WA, and he arrived at his new unit, on 18 May 1967.

b. At some point prior to October 1967, the applicant received reassignment instructions for Vietnam; he arrived in Vietnam, on 2 October 1967, and, on 8 October 1967, orders further assigned him to a support battalion in the 196th Light Infantry Brigade.

c. On 21 December 1967, the applicant transferred to a company within the 51st Infantry Regiment that conducted long-range reconnaissance patrols (LRRP); the applicant's DA Form 20 (Enlisted Qualification Record) lists his duty MOS as 05B (Radio Operator).

d. Headquarters, Americal Division Special Orders (SO), dated 23 February 1968, awarded the applicant MOS 11B (Light Weapons Infantryman) as his secondary MOS (SMOS); the effective date was 16 January 1968.

e. According to the applicant's DA Form 20, effective 6 June 1968, the applicant was reassigned to the 23rd Administrative Company, Americal Division with duty MOS 73C. On 19 October 1968, the applicant transferred to a Troop in the 8th Cavalry Regiment, Americal Division; his DA Form 20 lists his duty MOS as 05B.

e. Effective 11 November 1968, Headquarters, Americal Division SO promoted the applicant to specialist five (SP5)/E-5 in PMOS 73C. Headquarters, Americal Division SO, dated 7 January 1969, awarded the applicant the aero designation of "Aerial Scout Observer," and subsequent Americal Division SO indicated that, effective 15 February 1969, the applicant was performing duties as a non-aviator gunner. The applicant's DA Form 20 states, per Headquarters, Americal Division General Orders (GO) Number 1476, dated 6 March 1979, the applicant received the Air Medal (1st Award): the entry does not indicate the award was with "V" Device.

f. On or about 4 June 1969, the applicant completed his Vietnam tour, and orders reassigned him to Fort Lewis for separation processing. On 4 June 1969, orders

honorably released the applicant from active duty and transferred him to the U.S. Army Reserve to complete the remainder of his military service obligation. The applicant's DD Form 214 shows he completed 2 years, 7 months, and 4 days of his 3-year enlistment contract. The form additionally reflects the following:

(1) Item 22c (Statement of Service – Foreign and/or Sea Service) – "USARPAC" (U.S. Army Pacific Command): 1 year, 8 months, and 2 days

(2) Item 23a (Specialty Number and Title) – 11B20, Light Weapons Infantryman

(3) Item 24 (Decorations, Medals, Badges, Commendations, Citations, and Campaign Ribbons Awarded or Authorized):

- Air Medal (1st Award)
- Army Commendation Medal (1st Award)
- National Defense Service Medal
- Vietnam Service Medal
- Republic of Vietnam Campaign Medal with Device (1960)
- Two marksmanship qualification badges
- Three overseas service bars

g. Headquarters, Americal Division GO, dated 22 August 1969, awarded the applicant the Air Medal (2nd and 3rd Awards), for the period 21 November 1968 to 7 March 1969; the GO does not state the award was with "V" Device.

h. A review of the applicant's DA Form 20 reveals the following:

(1) Item 22 (MOS) on the applicant's DA Form 20 lists 73C as the applicant's PMOS, effective 8 May 1967; a lined-out entry shows 11B as his SMOS, effective 16 January 1968.

(2) Item 38 (Record of Assignments – Conduct – Efficiency) confirms the applicant received "Excellent" conduct and efficiency ratings throughout his active duty term.

(3) Item 41 (Awards and Decorations). The Combat Infantryman Badge is not listed.

i. The applicant's available service record is void of orders announcing the award of the Combat Infantryman Badge.

5. The applicant requests that the Board add the Combat Infantryman Badge to his DD Form 214.

a. Army Regulation (AR) 600-8-22 (Military Awards), currently in effect, states:

(1) The War Department established the Combat Infantryman Badge during World War II; the intent was to induce individuals to join the infantry and to be a morale booster for currently serving infantrymen.

(2) For the award of the Combat Infantryman Badge, the Soldier must meet three requirements:

- The Soldier must be an infantry Soldier (i.e., holds an 11-series MOS, in the grade of colonel or below), and the Soldier must be satisfactorily performing infantry duties
- The Soldier must be assigned to an infantry unit, brigade-sized or smaller, that is engaged in active ground combat
- The Soldier must have actively participated in such ground combat; campaign credits alone are insufficient to warrant this award

b. U.S. Army, Vietnam (USARV) Regulation 672-1 (Decorations and Awards), in effect at the time, included additional guidance on the award of the Combat Infantryman Badge.

(1) The regulatory criteria for the Combat Infantryman Badge was based on the principle that the infantry military occupational specialty (MOS) identified a man who was trained, lived, and fought as an infantryman. AR 611-201 (Enlisted MOS), in effect at the time, showed the 11-series infantryman MOS included the letters "B, C, D, F, G and H.

(2) The regulation added that the "Combat Infantryman Badge was not an award for being shot at or for undergoing the hazards of day to day combat. Other awards and decorations are designed to accommodate these situations."

(3) The regulation stated Special Orders were to be used to announce the award of the Combat Infantryman Badge.

6. With regard to the Air Medal, AR 600-8-22 states the Air Medal is awarded to any person who, while serving in any capacity in or with the Armed Forces of the United States, who has distinguished himself or herself by meritorious achievement while participating in aerial flight. Awards may be made to recognize single acts of valor, merit or heroism, or for meritorious service. Numerals, starting with "2," will be used to denote second and subsequent awards; when the Air Medal is awarded for valor, a bronze letter "V" (for valor) will be added to the ribbon.

7. AR 672-5-1 (Awards), 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; however, for first award only, Soldiers could be awarded the Army Good Conduct Medal, upon termination of their service on or after 27 June 1950, when they had served less than 3 years but more than 1 year. Additionally, the Soldiers must have had all “Excellent” conduct and efficiency ratings and no court-martial convictions.

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 contentions, the military record, and regulatory guidance. Although the documentation available for review indicates that the applicant held the correct Military Occupational Specialty (MOS) of Infantry, evidence is insufficient to determine compliance with regulatory guidance for the award of the CIB.

2. Upon further review, the Board found sufficient evidence to grant an award not otherwise requested. As the applicant’s record reflects all “excellent” for conduct and efficiency, in accordance with applicable regulatory guidance, the applicant is eligible for the award of the Army Good Conduct Medal and a correction to his record is warranted.

3. Prior to closing the case, the Board did note the analyst of record administrative notes below, and recommended the correction is completed to more accurately depict the military service of the applicant.

BOARD VOTE:

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

BOARD DETERMINATION/RECOMMENDATION:

The Board determined the evidence presented sufficient to warrant a recommendation

for partial relief. As a result, the Board recommends that all Department of the Army records of the individual concerned be corrected by amending the applicant's DD214 for the period ending 4 June 1969 to show in block 24 (Decorations, Medals, Badges, Commendations, Citations, and Campaign Ribbons Awarded or Authorized) the award of the Army Good Conduct Medal



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):

1. AR 635-5 (Separation Documents), in effect at the time, stated the DD Form 214 was to list all decorations, service medals, campaign credits, and badges awarded or authorized. Additionally, change 11, effective January 1970, required the DD Form 214 to show a separating Soldier's Vietnam service in remarks.

2. AR 600-8-22, currently in effect, states the Vietnam Service Medal is awarded to all members of the Armed Forces of the United States based on their qualifying service in Vietnam after 3 July 1965 through 28 March 1973. A bronze service star will be awarded for wear on the Vietnam Service Medal for the Soldier's participation in each recognized campaign, with a silver service star issued in lieu of five bronze service stars; Vietnam campaigns include the following:

- Counteroffensive, Phase III (1 June 1967 to 29 January 1968)
- Tet Counteroffensive (30 January 1968 to 1 April 1968)
- Counteroffensive, Phase IV (2 April 1968 to 30 June 1968)
- Counteroffensive, Phase V (1 July 1968 to 1 November 1968)
- Counteroffensive, Phase VI (2 November 1968 to 22 February 1969)
- Tet 69/Counteroffensive (23 February 1969 to 8 June 1969)

3. Department of the Army Pamphlet (DA PAM) 672-3 (Unit Citation and Campaign Participation Credit Register) shows:

a. Department of the Army General Order (DAGO) Number 53, dated 1970, awarded the Meritorious Unit Commendation to the 23rd Administration Company, for the period 1 January 1968 to 31 August 1969.

b. DAGO Number 8, dated 1974, awarded all units that served in Vietnam the Republic of Vietnam Gallantry Cross with Palm Unit Citation.

4. GO awarded the applicant the Air Medal with Numeral "3." The applicant's DA Form 20 shows he served in Vietnam from 2 October 1967 to 4 June 1969.

5. Based on the foregoing, amend the applicant's DD Form 214, ending 4 June 1969, as follows:

a. Item 24 (Decorations, Medals, Badges, Commendations, Citations, and Campaign Ribbons Awarded or Authorized). Delete the Air Medal and the Vietnam Service Medal and add the following:

- Air Medal with Numeral "3"
- Vietnam Service Medal with one silver service star and one bronze service star
- Meritorious Unit Commendation
- Republic of Vietnam Gallantry Cross with Palm Unit Citation

b. Item 30 (Remarks). Add the following comment: "Service in Vietnam from 2 October 1967 to 4 June 1969."

REFERENCES:

1. Title 10, 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 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. AR 600-8-22, currently in effect, states:

a. The War Department established the Combat Infantryman Badge during World War II; the intent was to induce individuals to join the infantry and to be a morale booster for currently serving infantrymen.

b. For the award of the Combat Infantryman Badge, the Soldier must meet three requirements:

- The Soldier must be an infantry Soldier (i.e., holds an 11-series MOS, in the grade of colonel or below), and the Soldier must be satisfactorily performing infantry duties
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c. The Air Medal is awarded to any person who, while serving in any capacity in or with the Armed Forces of the United States, who has distinguished himself or herself by meritorious achievement while participating in aerial flight. Awards may be made to recognize single acts of valor, merit or heroism, or for meritorious service. Numerals, starting with "2," will be used to denote second and subsequent awards; when the Air Medal is awarded for valor, a bronze letter "V" (for valor) will be added to the ribbon.

3. U.S. Army, Vietnam (USARV) Regulation 672-1 (Decorations and Awards), in effect at the time, included additional guidance on the award of the Combat Infantryman Badge.

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//NOTHING FOLLOWS//