

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 30 January 2024

DOCKET NUMBER: AR20230006953

APPLICANT REQUESTS:

- in effect, correction of his DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge) to show his already-awarded Expert Infantryman Badge and the Expert Marksmanship Qualification Badge with Pistol Bar (.45 Caliber)
- Issuance of identification tags (also known as "dog tags")

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

- DD Form 149 (Application for Correction of Military Record).
- National Personnel Records Center (NPRC) letter
- DD Form 214
- DA Form 24 (Service Record), first page only

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, he earned the Expert Infantryman Badge and the Expert Marksmanship Qualification Badge with Pistol Bar. He served in Vietnam and was wounded; he now needs his "dog tags" and his medals.
3. The applicant provides a letter from NPRC, dated 24 March 2023, which affirms it authorized the direct shipment of the Vietnam Service Medal with one bronze service star and the Combat Infantryman Badge (1st Award). The letter additionally noted NPRC was unable to verify the applicant's entitlement to the Expert Infantryman Badge.
4. As outlined in Federal law, the ABCMR's role is limited to correcting military records, based on identified errors or injustices; the request to issue identification tags is not

within the purview of this Board as this Board does not involve a records correction and the Board lacks the equipment needed to issue identification tags. As such, this portion of the applicant's request will not be further addressed by the Board.

5. A review of the applicant's service reveals the following:

a. On 2 January 1964, the Army of the United States (AUS) inducted the applicant for a 2-year term of active duty. Upon completion of initial entry training and the award of military occupational specialty (MOS) 11B (Light Weapons Infantryman), orders assigned him to an infantry unit at Fort Riley, KS; he arrived at his new unit, on 28 March 1964.

b. On 15 October 1964, Headquarters (HQ), 1st Infantry Division Special Orders (SO) awarded the applicant the Expert Marksmanship Qualification Badge with Rifle Bar (M-14).

c. On or about 24 June 1965, the applicant moved with his unit to Vietnam. On 1 September 1965, Headquarters (HQ), 1st Infantry Division Special Orders (SO) awarded the applicant the Combat Infantryman Badge. On 8 October 1965, the applicant sustained shrapnel wounds to his stomach and medical authority evacuated him to a military hospital in New York; he arrived on or about 30 October 1965.

d. On 14 January 1966, the AUS honorably released the applicant from active duty and transferred him to the U.S. Army Reserve for the remainder of his military service obligation. His DD Form 214 shows he completed 2 years and 13 days of his AUS active duty obligation. Item 26 (Decorations, Medals, Badges, Commendations, Citations, and Campaign Ribbons Awarded or Authorized) lists the Expert Marksmanship Qualification Badge with Rifle Bar (M-1).

e. On 22 March 1990, the applicant petitioned the ABCMR, requesting the award of the Purple Heart, Combat Infantryman Badge, Vietnam Service Medal, Republic of Vietnam Campaign Medal with Device (1960), and National Defense Service Medal. On 15 March 1994, the Army Review Boards Agency (ARBA) issued a DD Form 215 (Correction of DD Form 214) reflecting the following awards:

- Purple Heart
- Army Good Conduct Medal (1st Award)
- National Defense Service Medal
- Vietnam Service Medal with one bronze service star
- Combat Infantryman Badge
- Republic of Vietnam Campaign Medal with Device (1960)
- Republic of Vietnam Gallantry Cross with Palm Unit Citation
- Republic of Vietnam Civil Actions Honor Medal, First Class Unit Citation

f. On 18 October 2002, the applicant applied to the Board requesting the Purple Heart, maintaining he never received the award despite the correction made to his DD Form 214. On 4 February 2003, ARBA administratively closed the applicant's request, stating the applicant's requested correction had already been completed. ARBA provided another copy of the previously issued DD Form 215.

g. The applicant's available service record is void of any orders or other documentation confirming the award of either the Expert Infantryman Badge or the Expert Marksmanship Qualification Badge with Pistol Bar (.45 Caliber).

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 applicant's contentions, the military record, and regulatory guidance were carefully considered. The evidence shows the applicant served on active duty from 2 January 1964 to 14 January 1966.

a. Expert Marksmanship Qualification Badge with Pistol Bar (.45 Caliber): the Board found no evidence in the service record, and the applicant did not provide any evidence that shows he qualified with the .45 Caliber Pistol and the degree of qualification. In the absence of orders or other documentary evidence such as a memorandum, letter, roster, firing record, or other locally-devised form showing the date and class/degree of qualification, there is insufficient evidence to grant the applicant relief.

b. Expert Infantryman Badge: The Board noted the applicant's record is void of an order awarding him the Expert Infantryman Badge. Additionally, there is no evidence in the available records and the applicant did not provide any evidence that shows he satisfactorily completed the prescribed proficiency tests while assigned or attached to an infantry unit of at least battalion size. Therefore, the Board determined there is no basis to adding this badge 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.

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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.

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 672-5-1 (Awards) prescribed policies and procedures for military awards. It stated the following:

a. Expert Infantryman Badge. An individual had to be an infantry officer or enlisted man, or a warrant officer with an infantry MOS who had satisfactorily completed the proficiency tests prescribed by Army regulations while assigned to an infantry unit of regimental or smaller size; or when assigned to, or attending a course of instruction at, the United States Army Infantry School. The regulation authorized commanding officers of infantry regiments, battle groups and separate infantry units or their next superior, commanders of United States Army Training Centers, and the Commandant, United States Army Infantry School to issue the award.

b. Basic Qualification Badges. A basic qualification badge was awarded to indicate the degree in which an individual, military or civilian, had qualified in a prescribed record course and an appropriate bar was furnished to denote each weapon with which he had qualified. Each bar was to be attached to the basic badge that indicated the qualification last attained with the respective weapon. Basic qualification badges were of three classes: Expert, Sharpshooter, and Marksman. Authorized component bars included "Rifle" and "Pistol."

3. AR 600-73 (Expert Infantryman Badge Test), in effect at the time, outlined the policies and procedures for testing prospective recipients of the Expert Infantryman Badge. Eligibility requirements included that the Soldier had have an infantry MOS and be on active duty. Expert Infantryman Badge Tests were conducted periodically at authorized testing locations. The regulation additionally identified the subjects on which each prospective recipient was to be tested.

//NOTHING FOLLOWS//