

IN THE CASE OF: [REDACTED]

BOARD DATE: 17 April 2024

DOCKET NUMBER: AR20230007930

APPLICANT REQUESTS: correction of his DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge) to show additional awards he received prior to release from active duty:

- Bronze Star Medal (BSM)
- Infantry Badge (CIB)

APPLICANT'S SUPPORTING DOCUMENT CONSIDERED BY THE BOARD:
DD Form 149 (Application for Correction of Military Record)

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 for his DD Form 214 to reflect that he received the BSM and CIB. He was discharged right after his redeployment and his DD Form 214 did not reflect the awards.
3. A review of the applicant's service record shows:
 - a. He was inducted into the United States Army on 1 November 1966.
 - b. General Orders Number 10669 dated 10 October 1968, awarding the BSM.
 - c. DA Form 20 (Enlisted Qualification Record) shows in:
 - Item 22 (Military Occupational Specialties (MOS) Primary MOS 71H20 (Personnel Specialist) 14 June 1968
 - Item 31 (Foreign Service) 16 February through 24 October 1968 – U.S. Army Pacific (USARPAC) Vietnam

- Item 38 (Record of Assignments): HHC 1st Infantry Division USARPAC MOS 71B3O (Clerk Typist) 16 February 1968 through 8 March 1968 and Company F, 52nd Infantry 1st Infantry Division USARPAC (MOS) 71B3P (Clerk Typist) 9 March through 20 October 1968
- Item 41 (Awards and Decorations): National Defense Service Medal (NDSM), Vietnam Service Medal (VSM), Army Commendation Medal (ARCOM), Republic of Vietnam Campaign Medal (RVCM) Good Conduct Medal (GCM) (First Award), and One Overseas Bar

d. On 23 October 1968, that applicant's DD Form 214 shows he was honorably released from active duty and transferred to the USAR. He completed 1 year, 11 months and 23 days of total active service, with 8 months and 18 days of foreign and/or sea service. It also shows in:

- Item 23a (Specialty Number and Title) 71H20 – Personnel Specialist
- Item 24 (Decorations, Medals, Badges, Commendations, Citations and Campaign Ribbons Awarded or Authorized):
 - NDSM
 - VSM
 - ARCOM
 - RVCM
 - GCM (1st Award)
 - Overseas Service Bar
 - It does not contain the award of the CIB

e. There is no evidence in the record and the applicant provides none (such as orders, certificate, diploma, etc.) that shows he was awarded the CIB.

4. A review of the applicant's record confirms he is eligible for the BSM that is not recorded on his DD Form 214. The Board will consider the applicant's request for addition of his CIB to his DD Form 214.

5. By regulation (AR 635-5), the DD Form 214 provides a brief, clear-cut record of active-duty service at the time of release from active duty, retirement, or discharge. For Item 24 (Decorations, Medals, Badges, Commendations, Citations and Campaign Ribbons Authorized), enter from the Enlisted Qualification Record all decorations, service medals, campaign credits, and badges awarded or authorized, omitting authorities cited.

BOARD DISCUSSION:

1. 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 and standard review based on law, policy and regulation. Upon review of the applicant's petition, available military records and medical review, the Board determined there is sufficient evidence to support the applicant was awarded the Bronze Star Medal (BSM) and it was omitted from his DD Form 214. Evidence show General Orders Number 10669 dated 10 October 1968, awarding the applicant the BSM. However, the Board determined the applicant held the military occupational specialty of 71H20 (Personnel Specialist). Based on governing regulation, the applicant did not meet the criteria to be awarded the Combat Infantryman Badge (CIB). Therefore, the Board granted partial relief to award the Bronze Star Medal.

2. 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:

Mbr 1 Mbr 2 Mbr 3

:	:	:	GRANT FULL RELIEF
■	■	■	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
:	:	:	DENY APPLICATION

BOARD DETERMINATION/RECOMMENDATION:

1. In addition to the administrative notes annotated by the Analyst of Record (below the signature), the Board determined the evidence presented is 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 adding to the applicant's DD Form 214 for the period ending 23 October 1968 the Bronze Start Medal.

2. The Board further determined the evidence presented is insufficient to warrant a portion of the requested relief. As a result, the Board recommends denial of so much of the application that pertains to award of the Combat Infantry Badge (CIB).

4/19/2024

X 

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 award not annotated on his DD Form 214. As a result, correct his DD Form 214 by:

- a. Deleting the VSM; and
- b. Adding the following awards:
 - VSM with two bronze service stars
 - Meritorious Unit Commendation
 - Republic of Vietnam (RVN) Gallantry Cross with Palm Unit Citation
 - RVN Civil Actions Honor Medal
 - Sharpshooter Qualification Badge with Rifle Bar-(M-14)

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), in effect at the time, provides for the preparation and distribution of the DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge). The DD Form 214 is a summary of a Soldier's most recent period of continuous active duty. It provides a brief, clear-cut record of active-duty service at the time of release from active duty, retirement, or discharge. For Item 24 (Decorations, Medals, Badges, Commendations, Citations and Campaign Ribbons Authorized), enter from the Enlisted Qualification Record all decorations, service medals, campaign credits, and badges awarded or authorized, omitting authorities cited

3. Army Regulation 600-8-22 (Military Awards) states:

a. There are basically three requirements for award of the Combat Infantryman Badge. The Soldier must be an infantryman satisfactorily performing infantry duties, he must be assigned to an infantry unit during such time as the unit is engaged in active ground combat, and he must actively participate in such ground combat. Specific requirements state that an Army enlisted Soldier must have an infantry or special forces specialty and must have satisfactorily performed duty while assigned or attached as a member of an infantry, ranger, or special forces unit of brigade, regimental, or smaller size during any period such unit was engaged in active ground combat.

b. The Republic of Vietnam Campaign Medal with Device (1960) was awarded by the Government of Vietnam to all members of the Armed Forces of the United States for qualifying service in Vietnam during the period 1 March 1961 through 28 March 1973. Qualifying service included assignment in Vietnam for 6 months or more.

c. The Vietnam Service Medal is awarded to all members of the Armed Forces of the United States for qualifying service in Vietnam after 3 July 1965 through 28 March 1973. A bronze service star is authorized with the Vietnam Service Medal award for each Vietnam campaign a member is credited with participating in. Appendix B shows that during his service in Vietnam, participation credit was awarded for the following two campaigns:

- Vietnam Counteroffensive, Phase III (1 June 1967 – 29 January 1968)
- Tet Counteroffensive, (30 January 1968 – 1 April 1968)

4. Department of the Army Pamphlet 672-3 (Unit Citations and campaign Participation Credit Register) 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. Department of the Army Orders (DAGO) Number 7, dated 1970, awarded 1st Infantry Division, Headquarters and Headquarter Company, the Meritorious Unit Commendation for service in Vietnam from 1 January to 31 December 1968.

b. DAGO Number 21, dated 1969, awarded 1st Infantry Division, Headquarters and Headquarter Company, the RVN Gallantry Cross w/Palm for service in Vietnam from 12 July 1965 to 16 October 1968.

c. DAGO Number 53, dated 1970, awarded 1st Infantry Division, Headquarters and Headquarters Company, the RVN Civil actions Honor medal, FC for service in Vietnam from October 1965 to 7 April 1970.

//NOTHING FOLLOWS//