

IN THE CASE OF: [REDACTED]

BOARD DATE: 21 March 2024

DOCKET NUMBER: AR20230007996

APPLICANT REQUESTS: Award of the Combat Infantryman Badge (CIB).

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

- DD Form 149 (Application for Correction of Military Record)
- 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 was a Light Weapons Infantryman and was awarded a Bronze Star with "V" Device and a Purple Heart. All of this information is listed on his DD Form 214. He learned that he should have been awarded a CIB in 2011 and submitted a DD Form 293 (attached). He would like to have his discharge show his correct awards.
3. A review of the applicant's service records shows he was inducted into the Army of the United States for 2 years on 20 March 1969. He completed training with award of the military occupational specialty of 11B (Light Weapons Infantryman). The highest grade he held was E-4.
4. He served in Vietnam from 4 September 1969 to 4 December 1969 with Company E 2nd Battalion, 3rd Infantry Regiment, 199th Infantry Brigade, during one campaign period.
5. On 11 November 1969, the applicant was on a platoon size reconnaissance operation when he was wounded in action. He received the Purple Heart for his wounds, as well as the Bronze Star Medal with "V" device for his heroic actions on that date.

6. The applicant was permanently retired due to disability on 9 July 1971. His DD Form 214 shows he was credited with 2 years, 3 months, and 19 days of net active service. The CIB is not listed as an authorized award on his DD Form 214.

BOARD DISCUSSION:

1. After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found relief is warranted.
2. The Board found the evidence confirms the applicant was an infantryman assigned to an infantry unit and his valor award and Purple Heart confirm his participation in active ground combat. The Board determined the applicant met the criteria for the CIB.
3. The Board concurred with the corrections described in Administrative Note(s) below.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

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

BOARD DETERMINATION/RECOMMENDATION:

The Board determined the evidence presented is sufficient to warrant a recommendation for relief. As a result, the Board recommends that all Department of the Army records of the individual concerned be corrected by:

- Awarding him the CIB effective 11 November 1969
- Adding the CIB to his DD Form 214
- Making the corrections described in Administrative Note(s) below

6/27/2024

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 record shows his DD Form 214 is missing an entry that does not require Board action. Amend the DD Form 214 by adding the following:

- One bronze service star with the Vietnam Service Medal
- Republic of Vietnam Gallantry Cross with Palm Unit Citation
- Republic of Vietnam Civil Actions Honor Medal First Class Unit Citation

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 600-8-22 (Military Awards) states the Combat Infantryman Badge is awarded to infantry officers and to enlisted and warrant officer persons who have an infantry military occupational specialty (MOS). They must have served in active ground combat while assigned or attached to an infantry unit of brigade, regimental or smaller size.

//NOTHING FOLLOWS//