

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 16 April 2024

DOCKET NUMBER: AR20230009608

APPLICANT REQUESTS:

- reconsideration of his previous request to be awarded the Combat Infantryman Badge
- correction to his DD Form 214 (Armed Forces Of The United States Report Of Transfer Or Discharge) ending 3 August 1971 to show he was awarded the following awards:
  - American Mobile Force (AMF) Badge for his service in Turkey in 1970 while assigned to the North Atlantic Treaty Organization (NATO)
  - Driver-W Badge (for wheeled vehicles)

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

- DD Form 149 (Application for Correction of Military Record)
- DD Form 214, for the period ending 3 August 1971
- DD Form 215 (Correction to DD Form 214, Certificate of Release Or Discharge From Active Duty) correcting the DD Form 214, ending 3 August 1971
- Driver-W Badge (for wheeled vehicles) certificate, dated 4 May 1971
- News article
- Picture
- AMF Badge picture
- Two pictures
- Veterans Services Officer (VSO) business card
- Genesee County Michigan logo

FACTS:

1. Incorporated herein by reference are military records which were summarized in the previous consideration of the applicant's case by the Army Board for Correction of Military Records (ABCMR) in Docket Number AR20220007192 on 10 March 2023.

2. The applicant states, in effect, he is requesting reconsideration of his previous case to be awarded the CIB. According to his last inquiry he describes a combat incident on

23 May 1971, where his squad was responsible for patrolling the My Ca Bridge, watching for Viet Cong in the water, this bridge crossed over into Cam Ranh Bay's Military Base. The Air Force Fuel Depot was blown up that night by the Viet Cong. The explosions were substantial and near his location. The Viet Cong tried to escape via the narrows of the bridge and his squad engaged them, it was believed that none escaped. This incident should be in his company's, Company D, 51st Infantry, USAR military files and in the Air Force incident reports. In addition, the applicant also requests an update to his DD Form 214 for the period ending 3 August 1971 to show he was awarded the following awards:

- The AMF Badge, for his service in Turkey in 1970 while assigned to NATO
- Driver-W Badge (for wheeled vehicles) that he received in Germany in 1970

3. The applicant is authorized the Driver-W Badge (for wheeled vehicles) and will be added to his DD Form 214 for the period ending 3 August 1971. The Driver-W Badge will be administratively corrected in the "Administrative Notes" section of this Record of Proceedings.

4. The AMF Badge is not an authorized badge pursuant to Army Regulation 600-8-22 (Military Awards). This issue will not be discussed further in this Record of Proceedings.

5. The applicant's service record reflects the following:

a. DD Form 47 (Record of Induction) shows he was inducted into the Army of the United States on 9 October 1969. He held military occupational specialty (MOS) 11B, Light Weapons Infantryman

b. The applicant's DA Form 20 (Enlisted Qualification Record) shows in:

- item 8 (Duty MOS): 11B (Light Weapons Infantry)
- item 31 (Foreign Service): Germany from 19 March 1970 to 4 February 1971 and Vietnam from 29 March 1971 to 2 August 1971; there is no entry or service for Turkey
- item 38 (Record of Assignment), he was assigned to Company D, 51st Infantry Regiment

c. The applicant's DD Form 214 shows he was honorably released from active duty on 3 August 1971 and transferred to the United States Army Reserve. He completed 1 year, 9 months, and 26 days of net service this period. This document also reflects in:

- item 22c (Foreign and/or Sea Service) shows: 1 year, 2 months, 20 days
- item 24 (Decorations, Medals, Badges, Commendations, Citations and Campaign Ribbons Awarded or Authorized) National Defense Service Medal

(NDSM), Vietnam Campaign Medal (VCM), Vietnam Service Medal (VSM), Marksman Marksmanship Qualification Badge w/Rifle Bars (M14-and M-16). However, it does not reflect the CIB, and the AMF Badge

- item 30 (Remarks) shows: Vietnam Service: 29 March 1971 to 2 August 1971. It does not reflect service in Turkey

6. On 10 March 2023, the Board addressed his award of the CIB but determined the evidence presented was sufficient to warrant a recommendation for partial relief.

a. The applicant held an infantry MOS and was assigned to an infantry unit in Vietnam. However, there is insufficient evidence he was personally present, under fire, and engaging in action against the enemy in ground forces combat, with his qualifying infantry unit. The Board determined there is insufficient evidence to support awarding him the CIB.

b. The Board awarded the Army Good Conduct Medal (AGCM).

c. The applicant was issued a DD Form 215, dated 2 April 2023, that reflects in item 24 ( of the applicant's DD Form 214), the Army Good Conduct Medal, Vietnam Service Medal with two bronze service stars and the Republic of Vietnam Gallantry Cross with Palm Unit Citation.

#### 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 Board affirmed its previous finding in that the applicant satisfied two of the three requirements for award of the CIB: He held an infantry MOS, and he was assigned to an infantry unit in Vietnam. However, there is still insufficient evidence to confirm he was personally present, under fire, and engaging in action against the enemy in ground forces combat, with his qualifying infantry unit. The Board determined there is insufficient evidence to support awarding him the CIB.

BOARD VOTE:

Mbr 1      Mbr 2      Mbr 3

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

BOARD DETERMINATION/RECOMMENDATION:

Except for the correction addressed in Administrative Note(s) below, 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 to amend the decision of the ABCMR set forth in Docket Number AR20220007192 on 10 March 2023.

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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.

ADMINISTRATIVE NOTE(S):

A review of the applicant's records shows he is authorized an additional badge not listed on his DD Form 214. As a result, amend his DD Form 214 by amending Item 24 to show he was authorized the Driver-W Badge (for wheeled vehicles).

REFERENCES:

1. Army Regulation 600-8-22 (Military Awards) prescribes Army policy, criteria, and administrative instructions concerning individual and unit military awards.

a. The CIB is authorized to Soldiers when the three requirements are met. 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 Driver and Mechanic Badge is awarded to drivers, mechanics, and special equipment operators to denote the attainment of a high degree of skill in the operation and maintenance of motor vehicles. Commanders of brigades, regiments, separate battalions, and any commander in the rank of lieutenant colonel or higher may approve award of the Driver and Mechanic Badge. Component bars are authorized and/or qualifications: Driver-W (for wheeled vehicles). The eligibility requirements for drivers require that a Soldier must:

- Qualify for and possess a current OF 346 (U.S. Government Motor Vehicles Operator's Identification Card)
- Be assigned duties and responsibilities as a driver or assistant driver of Government vehicles for a minimum of 12 consecutive months, or during at least 8,000 miles with no Government motor vehicle accidents or traffic violations recorded on his or her DA Form 348-1 (Equipment Operator's Qualification Record (Except Aircraft) continuation sheet); or
- Perform satisfactorily for a minimum period of 1 year as an active qualified driver instructor or motor vehicle driver examiner.

2. Army Regulation 635-5 (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.

3. Army Regulation 635-200 (Active Duty Enlisted Administrative Separations) contains policies and procedures for voluntary and involuntary separation for the convenience of the Government. Chapter 5-13 Early separation to further education, states that

Soldiers may be discharged or released from active duty for the convenience of the Government, up to 120 days before ETS, to attend a specific term at college, university, vocational school, or technical school.

4. The ABCMR is not an investigative body and decides cases based on the evidence that is presented in the military records provided and the independent evidence submitted with the application. The applicant has the burden of providing an error or injustice by a preponderance of the evidence.

5. Army Regulation 15-185 (Army Board for Correction of Military Records) prescribes the policies and procedures for correction of military records by the Secretary of the Army acting through the ABCMR. The ABCMR begins its consideration of each case with the presumption of administrative regularity. The applicant has the burden of proving an error or injustice by a preponderance of the evidence.

//NOTHING FOLLOWS//