

IN THE CASE OF: [REDACTED]

BOARD DATE: 16 May 2024

DOCKET NUMBER: AR20230010568

APPLICANT REQUESTS: correction of his DD Forms 214 (Report of Separation from Active Duty) to show award of the Purple Heart and Combat Infantryman Badge.

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

- DD Form 149 (Application for Correction of Military Record)
- Certificate, Purple Heart
- General Orders Number 55 (Purple Heart)

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 his DD Forms 214 are missing award of the Purple Heart and Combat Infantryman Badge. He was wounded in combat on 24 July 1968 while on a long range reconnaissance patrol in Vietnam.
3. The applicant provides:
 - a. A Purple Heart Certificate showing he received the award for wounds received in action on 24 July 1968.
 - b. General Orders Number 55, issued by Headquarters, 17th Field Hospital, on 26 July 1968, that awarded him the Purple Heart for wounds received in action on 24 July 1968.
4. The applicant's records contain sufficient evidence to support additional awards not reflected on his DD Forms 214 and will be listed in the administrative notes. The Board will consider the applicant's request for correction of his DD Forms 214 to show award of the Combat Infantryman Badge.

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

a. He enlisted in the Regular Army on 30 October 1967.

b. His DA Form 20 (Enlisted Qualification Record) shows in:

- item 8 (Duty MOS): 11B1P
- item 31 (Foreign Service): service in Vietnam from 20 May 1968 to 13 August 1968
- item 38 (Record of Assignments): 1 June 1968; Co. E LRP, 20th Infantry
- item 40 (Wounds): gunshot wound (L) shoulder
- item 41 (Awards and Decorations):
 - National Defense Service Medal
 - Parachutist Badge
 - Vietnam Service Medal

c. A Western Union telegram message to the parents of the applicant shows that he was "slightly wounded in Vietnam on 24 July 1968 as a result of hostile action... He received a gunshot wound to the left shoulder. He was on reconnaissance patrol when hit by hostile small arms fire. He was treated and hospitalized in Vietnam."

d. He was honorably retired on 30 October 1967. His DD Form 214, for the period ending 18 February 1969, shows he completed 1 year, 3 months, and 19 days of active service. It also shows he was awarded or authorized:

- National Defense Service Medal
- Parachutist Badge
- Vietnam Service Medal

6. The applicant's record does not contain evidence that he was awarded the Combat Infantryman Badge.

7. By regulation, 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. Additionally, Appendix V of U.S. Army Vietnam (USARV) Regulation 672-1 states that during the Vietnam era the Combat Infantryman Badge was awarded only to enlisted individuals who held and served in MOS 11B, 11C, 11D, 11F, 11G, or 11H.

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 met the criteria for the Combat Infantryman Badge, in particular noting he was wounded in action while performing infantry duties. The Board determined he should be awarded this badge and it should be added to his DD Forms 214.
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 Combat Infantryman Badge effective 24 July 1968, adding the badge to his DD Forms 214, and making the corrections described in Administrative Note(s) below.

9/24/2024

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 records show he is authorized additional awards not listed on his DD Forms 214. As a result:

a. Amend his DD Form 214 for the period ending 18 February 1969 by adding:

- Purple Heart
- two bronze service stars with the Vietnam Service Medal
- Vietnam Campaign Medal with "1960" Device
- Republic of Vietnam Gallantry Cross with Palm Unit Citation
- Republic of Vietnam Civil Actions Honor Medal First Class Unit Citation

b. Amend his DD Form 214, for the period ending 8 October 1975 by adding:

- Purple Heart
- two bronze service stars with the Vietnam Service Medal
- 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. Additionally, Appendix V of U.S. Army Vietnam (USARV) Regulation 672-1 states that during the Vietnam era the Combat Infantryman Badge was awarded only to enlisted individuals who held and served in MOS 11B, 11C, 11D, 11F, 11G, or 11H.

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

a. A bronze service star is worn on the appropriate service ribbon, to include the Vietnam Service Medal, for each credited campaign. During his service in Vietnam, the applicant participated in the following 2 campaigns:

- Vietnam Counteroffensive, Phase IV, 2 April 1968 – 30 June 1968
- Vietnam Counteroffensive, Phase V, 1 July 1968 – 1 November 1968

b. Department of the Army General Order (DAGO) 48, issued in 1974, announced award of the Republic of Vietnam Gallantry Cross with Palm Unit Citation for service in Vietnam to Headquarters, United States Army Vietnam and its subordinate units during the period of 20 July 1965 to 28 March 1973.

c. Department of the Army General Order (DAGO) 53, issued in 1970, awarded servicemembers assigned to Company E, 20th Infantry Regiment, the Republic of Vietnam Civil Actions Honor Medal, First Class, for service from 15 October 1967 to 10 October 1968.

//NOTHING FOLLOWS//