

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 23 July 2024

DOCKET NUMBER: AR20230014005

APPLICANT REQUESTS:

- correction of his DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge) to show in item 3 (Social Security Number): "xx4-xx-xxxx" vice "xx9-xx-xxxx"
- award of the Combat Infantryman Badge

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

- DD Form 149 (Application for Correction of Military Record)
- Social Security Card
- Small Unit Combat After Action Interview Report, 2-6 April 1970

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 never awarded the Combat Infantryman Badge for his time in Vietnam. He needs his social security number corrected.
3. The applicant provides a Small Unit Combat After Action Interview Report, for the period 2 to 6 April 1970 for an unnamed; ground reconnaissance. The report shows in part the following:
 - a. Control Headquarters: 3rd Brigade, 25th Infantry Division.
 - b. Task Organization: Companies, A, B, and C Company, 2nd Battalion, 27th Infantry.
 - c. Background Information: The primary mission of the 3rd Brigade, 25th Infantry Division was to destroy Viet Cong/North Vietnamese Army forces and their bases of

operation; assist the Republic of Vietnam in rural development, pacification and civic action programs; assist in training and provide support to Republic of Vietnam Armed Force; and to be prepared to reinforce U.S. and Army of the Republic of Vietnam forces within the TAOI as directed.

d. Analysis: The initial contacts of both the Rangers and Companies B and C, 2nd Battalion, 27th Infantry, resulted in heavy expenditures of ammunition, particularly M-60 and M-79 rounds. The enemy apparently was inadequately supplied with mortars and M-79's, since he made little use of them, especially in the Ranger contact when they would have been decisive. Both the Ranger team and B Company and C Company of the 2nd Battalion, 27th Infantry experienced sniper fire, which was highly effective, and had enemy ground elements trying to maneuver around their flanks. Air assets proved invaluable in providing flank security. The team from Company F (Ranger), 75th Infantry, felt that their early insertion caught the enemy by surprise, since the extensive positions around the clearing were only partly manned. By contrast B Company and C Company of the 2nd Battalion, 27th Infantry found the positions they assaulted prepared and fully manned.

4. A review of the applicant's service records show:

a. On 26 January 1969 the applicant was commissioned in the U.S. Army Reserve and was awarded specialty number 1542 (Infantry Unit Commander).

b. His DA Form 66 (Officer Qualification Record) shows his requested social security number (xx4-xx-xxxx, the number 4 in the third digit) annotated beneath his standard name line. It also shows in:

(1) item 31 (Foreign Service) – service in the Vietnam from 12 November 1969 to 6 November 1970; he was assigned to Company B, 2nd Battalion, 27th Infantry, 25th Infantry Division, Vietnam (18 November 1969 to 9 April 1970).

(2) item 41 (Awards, Decorations and Campaigns) – National Defense Service Medal, Basic Parachutist Badge, Vietnam Service Medal, Republic of Vietnam Campaign Medal with Device (1960), two overseas bars, and the Expert Marksmanship Qualification Badge with Rifle Bar (M-16), and Expert Marksmanship Qualification Badge with Rifle Bar (M-14).

c. He was honorably released from active duty on 8 November 1970. His DD Form 214 shows he completed 1 year, 9 months, and 13 days of active service, including 11 months and 25 days of foreign service. It also shows in:

- Block 3 (Social Security Number) xx9-xx-xxxx
- Block 24 (Decorations, Medals, Badges, Commendations, Citations and Campaign Ribbons Awarded or Authorized): National Defense Service Medal, Vietnam Service Medal, Republic of Vietnam Campaign Medal with Device (1960), Parachutist Badge
- Block 30 (Remarks) – shows in part, service in Vietnam from 12 November 1969 to 6 November 1970.

5. There are no Special Orders in his service record that show he was awarded the Combat Infantryman Badge.

BOARD DISCUSSION:

After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that partial relief was warranted. The applicant's contentions, the military record, and regulatory guidance were carefully considered.

a. Social Security Number: Grant. The applicant's DA Form 66 shows the applicant's SSN as xx4-xx-xxxx. This SSN is consistently used during his military service and is consistent with the social security card he provides. His DD Form 214 inadvertently listed his SSN as xx9-xx-xxxx, the third digit being clearly in error. The Board determined a correction to the SSN shown on his DD Form 214 is warranted.

b. Combat Infantryman Badge: Deny. The applicant contends his DD Form 214 should be corrected to show the Combat Infantryman Badge. However, he does not provide, and his service record does not contain, the special orders that awarded him such badge. Furthermore, although the applicant held an infantry specialty, served in Vietnam with Company B, 2nd Battalion, 27th Infantry, (18 November 1969 to 9 April 1970), the Board found insufficient evidence he was personally present and satisfactorily performed infantry duty during any period his infantry unit was engaged in active ground combat.

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 correction addressed in Administrative Note(s) below, 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 amending his DD Form 214 to show a social security number similar to that shown on his social security card.
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 Infantryman Badge.

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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 show he was awarded or authorized additional awards not annotated on his DD Form 214. As a result, amend his DD Form 214 to by adding:

- three bronze service stars to his previously awarded Vietnam Service Medal

- Republic of Vietnam Gallantry Cross with Palm Unit Citation (2nd Award)
- Republic of Vietnam Civil Actions Honor Medal First Class
- Meritorious 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 672-5-1 (Awards), in effect at the time, stated the purpose of awarding badges is to provide for public recognition by tangible evidence of the attainment of a high degree of skill, proficiency, and excellence in tests and competition, as well as in the performance of duties. Paragraph 96 (Combat Infantryman Badge) an individual must be an infantry officer in the grade of colonel or below, or an enlisted man or a warrant officer with infantry MOS, who, subsequent to 6 December 1941, has satisfactorily performed duty while assigned or attached as a member of an infantry unit of brigade, regimental, or smaller size during any period such unit was engaged in active ground combat. Battle participation credit alone is not sufficient; the unit must have been in active ground combat with the enemy during the period.

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

a. For award of the Combat Infantryman Badge. 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, in effect, 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. A bronze service star is worn on the appropriate service ribbon, to include the Vietnam Service Medal, for each credited campaign.

4. Department of the Army (DA) Pamphlet 672-3 (Unit Citation and Campaign Participation Credit Register) shows the applicant's unit was cited for award of the following:

a. Republic of Vietnam Gallantry Cross with Palm Unit Citation, 1 September 1968 to 30 September 1970, Department of the Army General Order (DAGO) Number 5, dated 1973.

b. Republic of Vietnam Civil Actions Honor Medal First Class, 1 January 1966 to 21 January 1970, DAGO 51, 1971.

c. Meritorious Unit Citation, 1 November 1968 to 30 June 1970, DAGO 51, 1971.

5. U.S. Army Vietnam (USARV) Regulation 672-1 (Awards and Decorations) governed award of the Combat Infantryman Badge to Army forces operating in South Vietnam. This regulation stated:

a. The criteria for award of the Combat Infantryman Badge identified the man who trained, lived, and fought as an infantryman and that the Combat Infantryman Badge was the unique award established to recognize the infantryman and only the infantryman for his service. Further, "the Combat Infantryman Badge is not an award for being shot at or for undergoing the hazards of day to day combat." This regulation also stated the Combat Infantryman Badge was authorized for award to infantry officers, to enlisted personnel, and to warrant officers who had an infantry specialty/military occupational specialty and required that they must have served in active ground combat while assigned or attached to an infantry unit of brigade, regimental or smaller size.

b. Appendix V of 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.

6. Army Regulation (AR) 635-5 (Separation Documents) and AR 635-8 (Separation Processing and Documents) prescribes policy and procedural guidance relating to transition management. The DD Form 214 is a summary of the Soldier's most recent period of continuous active duty. The information entered thereon reflects the conditions as they existed at the time of separation.

a. Item 3, transcribe social security number from DA Form 2139 (Military Pay Voucher).

b. Item 24, Enter from item 21, DA Form 66 (Officer Qualification Record), or section 9, DA Form 20 (Enlisted Qualification Record) all decorations, service medals, campaign credits, and badges awarded or authorized, omitting authorities cited therein.

//NOTHING FOLLOWS//