

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 16 July 2024

DOCKET NUMBER: AR20230014591

APPLICANT REQUESTS: award of the Combat Infantryman Badge and correction of his DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge) to show the badge. He also requests an opportunity to personally appear before the Board.

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

- DD Form 149 (Application for Correction of Military Record)
- applicant's statement
- character reference statement
- General Orders (GO) 2110, awarding the Bronze Star Medal
- DD Form 214
- DD Form 215 (Correction to DD Form 214)

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's statement notes he was wounded on 7 January 1968, while in a personnel carrier, in Vietnam. He received two Bronze Star Medals, two Purple Hearts, and the Army Commendation Medal, but he did not receive the Combat Infantryman Badge for this battle. He would like to have the badge for his family.
3. The applicant was inducted into the Army of the United States on 8 September 1966. He served in Vietnam from 9 September 1967 to 10 August 1968, when he was honorably released from active duty with service characterized as honorable and transferred to the United States Army Reserve.
4. His DD Form 214 and subsequently issued DD Form 215 shows he held military occupational specialty (MOS) 11E (Armor Crewman) and his last duty assignment was with B Troop, 1st Squadron, 1st Cavalry Regiment, United States Army Vietnam. He

completed 1 year, 11 months, and 3 days of net service this period, including 1 year, and 1 day of service in Vietnam, from: “670809 – 680810.”

a. Additionally, item 24 (Decorations, Medals, Badges, Commendation, Citations and Campaign Ribbons Awarded or Authorized) lists the:

- National Defense Service Medal
- Bronze Star Medal (1st Oak Leaf Cluster (OLC) with Device “V”)
- Purple Heart (1st Oak Leaf Cluster (OLC))
- Army Commendation Medal
- Good Conduct Medal
- Sharpshooter Marksmanship Qualification Badge Rifle (M-14)
- Vietnam Service Medal with 4 bronze service stars
- Republic of Vietnam Campaign Medal with Device (1960)
- Republic of Vietnam Gallantry Cross with Palm Unit Citation
- One Overseas Service Bar

b. The Combat Infantryman Badge is not listed as an authorized award on his DD Form 214. The applicant’s records do not contain orders or any other documentation showing he was awarded/ authorized award of the Combat Infantryman Badge.

5. The applicant provided in part:

a. A character reference from JM stating he served with the applicant from 1967 to 1968 while assigned to “B Troop, 1st Squadron, 1st Cavalry, 2nd Platoon, America! Division.” The applicant was a tanker (MOS 11E) and he was a reconnaissance scout (MOS 11D). Their platoon was involved in countless engagements and suffered an extremely high number of casualties, as a result of these extensive casualties all remaining personnel were required to assume collateral duties to perform their reconnaissance missions. He executed numerous recon patrols with the applicant serving in the capacity of reconnaissance scout. Collateral duties were performed by all personnel in their platoon due to the high causality attrition rate. It is without question that the applicant should be awarded the Combat Infantryman Badge for multiple performances of collateral duties in the role of reconnaissance scout.

b. GO 2110, awarding the applicant the Bronze Star Medal for heroism in connection with military operations against a hostile force, on 7 January 1968, while assigned to B Troop, 1st Squadron, 1st Cavalry. The citation states:

For heroism in connection with military operations against a hostile force.
[Applicant] distinguished himself by exceptionally valorous actions on 7 January

1968 in the Republic of Vietnam while serving with B Troop, 1st Squadron, 1st Cavalry. On that date, B Troop was directed to the location of a downed command helicopter to act, in conjunction with infantry units in the area, as a security force. Before reaching the downed aircraft, they came in contact with two battalions of North Vietnamese soldiers. [Applicant], serving as a machine gunner or an armored cavalry assault vehicle, repeatedly exposed himself to the hail of incoming enemy rounds in order to man his weapon and bring accurate fire upon the enemy. In the ensuing battle, [Applicant] was wounded in the face by fragmentation from an enemy mortar round. Despite his painful wounds he refused medical aid and remained at his battle station. His effective fire and calmness during the intense battle contributed immensely to the success of his unit's mission.

6. There are basically three requirements for award of the Combat Infantryman Badge. The Soldier must be an infantry soldier 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.

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 applicant's heroism in Vietnam is not in question. However, the applicant held an armor MOS and was assigned to a cavalry unit. He did not hold an infantry MOS and was not assigned to an infantry unit. During the Vietnam War, USARV Regulation 672-1 (Awards and Decorations) authorized the Combat Infantryman Badge only to enlisted individuals who held and served in MOS 11B, 11C, 11D, 11F, 11G, or 11H. Regretfully, the applicant does not meet the criteria.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

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

BOARD DETERMINATION/RECOMMENDATION:

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 for correction of the records of the individual concerned.

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.

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 15-185 (ABCMR) states an applicant is not entitled to a hearing before the ABCMR. Hearings may be authorized by a panel of the ABCMR or by the Director of the ABCMR.

3. Army Regulation 600-8-22 (Military Awards) states there are basically three requirements for award of the Combat Infantryman Badge. The Soldier must be an infantry soldier 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.

4. U.S. Army Vietnam Regulation 672-1 (Awards and Decorations) governed award of the Combat Infantryman Badge to Army forces operating in South Vietnam. This regulation stated that criteria for award of the Combat Infantryman Badge identified the man who trained, lived, and fought as an infantry soldier and that the Combat Infantryman Badge was the unique award established to recognize the infantry soldier and only the infantry soldier 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. Appendix V shows, 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.

//NOTHING FOLLOWS//