

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 28 August 2024

DOCKET NUMBER: AR20230015094

APPLICANT REQUESTS: correction of his DD Form 214, Report of Separation from Active Duty, to show the Combat Infantryman Badge.

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

- DD Form 149 (Application for Correction of Military Record)
- DD Form 214, Report of Separation from Active Duty, January 1974 to January 1978

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 awarded orders in Vietnam for the Combat Infantryman Badge. His copy of the orders was destroyed in the field prior to exit of Vietnam. The Combat Infantryman Badge was not added to his DD Form 214. He believes his records should be searched for the Combat Infantryman Badge orders and the badge should be added to his DD Form 214.
3. The applicant was inducted into the Army of the United States on 13 February 1969. He was trained in and held military occupational specialty (MOS) 11B, Light Weapons Infantryman.
 - a. His DA Form 20 (Enlisted Qualification Record) shows he served in Vietnam from 20 July 1969 to 16 September 1970, through 4 campaigns. He was assigned to Company B, 5th Battalion, 46th Infantry, 198th Infantry Brigade, Americal Division.
 - b. General Orders Number 2643, issued by Headquarters, Americal Division on 18 March 1970, awarded him the Air Medal for achievement from 12 August 1969 to 12 January 1970.

c. General Orders Number 7936, issued by Headquarters, Americal Division on 4 July 1970, awarded him the Bronze Star Medal for service from July 1969 to July 1970

d. He was honorably released from active duty on 16 September 1970, and he was transferred to the U.S. Army Reserve Control Group (Annual Training) to complete his remaining service obligations. His DD Form 214 shows he completed 1 year, 7 months, and 4 days of active service. It also shows he was awarded or authorized:

- National Defense Service Medal
- Marksman Badge with M-16 Nar
- Vietnam Service Medal
- Republic of Vietnam Campaign Medal
- Bronze Star Medal
- 2 overseas service bars

4. After a break, the applicant enlisted in the Regular Army for 4 years on 31 January 1974. He completed 11B training, at Fort Polk, LA, and airborne training at Fort Benning, GA.

a. He was assigned to Company B, 1st Battalion, 325th Infantry at Fort Bragg, NC initially as a Light Vehicle Driver, and later as an Infantry Squad Leader.

b. He was honorably discharged from active duty on 30 January 1978. His DD Form 214 for this period of service shows he completed 4 years of active service. It also shows he was awarded or authorized:

- National Defense Service Medal
- Vietnam Cross of Gallantry with Palm
- Vietnam Service Medal
- Parachute Badge
- Vietnam Campaign Medal
- Air Medal
- Bronze Star Medal, 2nd oak leaf cluster
- Good Conduct Medal (2nd Award)
- Expert Badge with M-16 Rifle Bar

5. There are no orders in his service record that show he was awarded the Combat Infantryman Badge. Likewise, there are no entries for the Combat Infantryman Badge on his DA Form 20 or subsequent form, DA Form 2-1 (Personnel Qualification Record).

6. By regulation (AR 600-8-22), the Combat Infantryman Badge is awarded to infantry officers and to enlisted and warrant officer persons who have an infantry 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 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:

After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that relief was warranted. The Board carefully considered the applicant's record of service, documents submitted in support of the petition and executed a comprehensive and standard review based on law, policy and regulation. Upon review of the applicant's petition and available military records, the Board determined the applicant service as a 11B, Light Weapons Infantryman and was assigned to Company B, 5th Battalion, 46th Infantry, 198th Infantry Brigade, Americal Division. The Board agreed based on the applicant's award of the Bronze Star Medal and the Air Medal, there is sufficient evidence the applicant met the criteria to be awarded the Combat Infantryman Badge (CIB). Therefore, the Board granted relief.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

T			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 partial relief. As a result, the Board recommends that all Department of the Army records of the individual concerned be corrected by amending the applicant's DD Form 214, by adding: in item 26 (Decorations, Medals, Badges, Citations and Campaign Ribbons Awarded or Authorized): Combat Infantryman Badge (CIB).



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 600-8-22 (Military Awards) states the Combat Infantryman Badge is authorized for qualified Soldiers in selected conflicts, including the Vietnam Conflict (which includes service in Vietnam from 2 March 1961 to 28 March 1973 and qualifying service in Laos from 19 April 1961 to 6 October 1962. 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.

//NOTHING FOLLOWS//