

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 20 September 2024

DOCKET NUMBER: AR20240000027

APPLICANT REQUESTS: award of the Combat Infantryman Badge.

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

- DD Form 149 (Application for Correction of Military Record)
- Wikipedia Vietnam War Extract
- News Article
- Photo
- Bronze Star Medal Certificate
- DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge)

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 served in a combat role for one year while in Vietnam, and was trained in the infantry at Fort Dix, New Jersey. He then went to Officer Candidate School (OCS) for training and selected the Military Police (MP) for his military occupational specialty (MOS) while at Fort Benning, GA. He served in combat against the Vietcong and North Vietnamese soldiers. He was a platoon leader and was ambushed during a combat patrol around Long Bing Post. His unit, company B, 729th MP Battalion had a Tactical Area of Responsibility around Long Binh Post to protect the post against VC and NVA attack. The mission was to man along with Vietnamese Government Popular Forces outposts surrounding Long Binh Post and carried out multiple ambush patrols. He notes, there were numerous fire fights and encounters with the VC and NVA soldiers probing the Post's defenses.
3. The applicant provides:

a. A copy of a Wikipedia Vietnam War Extract that indicates the history of the first MP unit to perform a three-year infantry counterinsurgency mission.

b. A copy of a News Article titled "720th Bn Ambush Squad Kills 3 VC Near Long Binh," which features the applicant in the article.

c. A photo of the Commanding Officers Bravo Company – Vietnam, 720th MP Bn Reunion Association Vietnam History Project that features the applicant.

d. A copy of his BSM Certificate award for meritorious service in connection with military operation against a hostile force during the Vietnam War during the service period of 11 September 1967 to 25 July 1970.

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

a. Having had prior service as an enlisted infantryman (11F20), he was appointed as a Reserve commissioned officer and executed an oath of office on 21 July 1967. He entered active duty on the same day.

b. His DA Form 66 (Officer Qualification Record) shows he served in Vietnam from 10 July 1968 through 6 July 1969 through four campaigns. He was assigned to Company B, 720th Military Police (MP) Battalion as an MP Officer (9110) and platoon leader.

c. He was honorably discharged from active duty on 8 July 1969. His DD Form 214 shows he completed 1 year, 11 months, and 18 days of active service. Block 25 (Education and Training Completed) lists Officer Candidate School (OCS), Infantry School, 1967, and MP School 1967. It also shows he was awarded or authorized:

- National Defense Service Medal
- Vietnam Service Medal
- Vietnam Campaign Medal

d. On 24 March 2023, the Bronze Star Medal was awarded for meritorious service in connection with military operations against a hostile force during the Vietnam War, during the period of 11 September 1967 to 25 July 1970. He distinguished himself as a Combat Infantry Military Policeman while serving with an Ambush and Reconnaissance Unit with Company B "Bushwhackers" of the 720th Police Battalion, 18th Military Police Brigade, against communist aggression during his tour of duty, he astutely performed this assignment under extremely adverse conditions while achieving maximum results.

5. A review of the applicant's record confirms he is eligible for awards and campaign credits that are not recorded on his DD Form 214. The entries will be added to his DD Form 214 as administrative corrections and will not be considered by the Board.

6. By regulation (AR 15-185), 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 proving an error or injustice by a preponderance of the evidence.

7. By regulation (AR 672-5-1) for award of the Combat Infantryman Badge, a Soldier must meet the following three requirements:

- be an infantryman satisfactorily performing infantry duties
- assigned to an infantry unit during such time as the unit is engaged in active ground combat
- actively participate in such ground combat

8. By regulation (DA Pam 672-3):

a. Department of the Army General Order (DAGO) Number 36, dated 1970, awarded the 720th Military Police Battalion, the Meritorious Unit Commendation for service in Vietnam from 9 February 1968 to 1 February 1969.

b. DAGO 6, dated 1974, awarded the 720th Military Police Battalion, the Republic of Vietnam Gallantry Cross Unit Citation with Palm for service in Vietnam from 26 September 1966 to 28 March 1973.

### BOARD DISCUSSION:

1. After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that relief was not warranted. The Board carefully considered the applicant's record of service, documents submitted in support of the petition, and executed a comprehensive review based on law, policy, and regulation. The evidence of record shows the applicant held military occupational specialty (MOS) 9110 (Military Police Officer). The applicant served in Vietnam from 10 July 1968 to 8 July 1969. The Board determined he does not meet the criteria for award of the Combat Infantryman Badge since he did not hold an infantry MOS and was not assigned to an infantry unit and/or served in active ground combat while assigned or attached to an infantry unit of brigade, regimental or smaller size.

2. Prior to closing the discussion, the Board noted and concurred with the administrative notes below.

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.

ADMINISTRATIVE NOTE(S):

A review of the applicant's service records show he is authorized awards and additional campaign credits not annotated on his DD Form 214 for the service period ending 8 July 1969. As a result, amend his DD Form 214 to show the following:

- Bronze Star Medal
- Meritorious Unit Commendation
- Republic of Vietnam Gallantry Cross Unit Citation with Palm
- four bronze service stars with his previously issued Vietnam Service Medal

## 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) 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, which is that what the Army did was correct. 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 proving an error or injustice by a preponderance of the evidence.

3. 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.

4. Army Regulation 672-5-1 (Awards – Decorations, Awards, and Honors), in effect at the time, provides Army policy, criteria, and administrative instructions concerning individual military decorations. For award of the Combat Infantryman Badge, a Soldier must meet the following three requirements:

- be an infantryman satisfactorily performing infantry duties
- assigned to an infantry unit during such time as the unit is engaged in active ground combat
- actively participate in such ground combat

5. Department of the Army Pamphlet 672-3 (Unit Citations and campaign Participation Credit Register) assist commanders and personnel officers in determining or establishing the eligibility of individual members for campaign participation credit, assault landing credit, and unit citation badges awarded during the Vietnam Conflict.

a. Department of the Army General Order (DAGO) Number 36, dated 1970, awarded the 720th Military Police Battalion, the Meritorious Unit Commendation for service in Vietnam from 9 February 1968 to 1 February 1969.

b. DAGO 6, dated 1974, awarded the 720th Military Police Battalion, the Republic of Vietnam Gallantry Cross Unit Citation with Palm for service in Vietnam from 26 September 1966 to 28 March 1973.

//NOTHING FOLLOWS//