

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 24 September 2024

DOCKET NUMBER: AR20240000594

APPLICANT REQUESTS:

- correction of his record to show he was awarded the Combat Infantryman Badge
- personal appearance before the Board via video or telephone.

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

- DD Form 149 (Application for Correction of Military Record)
- Personal Statement
- DD Form 214 (Report of Separation from Active Duty), ending 18 July 1975
- Medical Record

FACTS:

1. The applicant did not file within the 3-year time frame provided in Title 10, U.S. Code (USC), 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, in pertinent part, he earned the award of the Combat Infantryman Badge while deployed to Vietnam in 1971 as a ranger rifle platoon leader, with D Troop, 2nd Squadron, 17th Cavalry Regiment, 101st Airborne Division. He led his platoon into combat landing zones for combat assaults, ambush patrols and many other hazardous mission's multiple times performing strictly Infantry functions. On his last combat infantry insertion combat assault just north of Khe Sahn, he was severely wounded by an enemy bullet on a hot landing zone as indicated on his DD Form 214. He was evacuated to an aide station near Quang Tri where he received plasma transfusions, and then flown to the 85th Evacuation Hospital in DaNang where extensive surgery was performed by Major R- R-, Medical Corps. He earned a Combat Infantryman Badge Award but never officially received it.

3. A review of the applicant's available service record reflects the following:

a. On 3 June 1970, he was appointed as a Regular Army Armor Branch commissioned officer and executed an oath of office.

b. DA Form 66 (Officer Qualification Record) reflects the following:

(1) Item 16 (Civilian Education and Military Schooling) shows the completing of the following military schools:

- U.S. Army Armor School, 9 weeks, 1970
- U.S. Army Infantry School (Airborne), 3 weeks, 1970
- U.S. Army Infantry School (Ranger), 8 weeks, 1971

(2) Item 17 Foreign Service) showing service in Vietnam from 6 July 1971 to 21 September 1971.

(3) Item 18 (record of Assignments) shows he was assigned to D Troop, 2nd Battalion, 17th Cavalry Regiment, 101st Airborne Division, as a rifle platoon leader.

(4) Item 21 (Awards and Decorations) shows:

- National Defense Service Medal
- Parachute Badge
- Ranger Tab
- Vietnam Service Medal
- Republic of Vietnam Campaign Medal
- Purple Heart (1st Award)

c. DD Form 214, ending 18 July 1975 reflects an honorable release from active duty and transfer to the U.S. Army Reserve Control Group (Standby) with service from 3 June 1970 to 18 July 1975 for a net active service this period of 5 years, 1 month, and 16 days.

(1) Item 16a (Primary Specialty Number and Title) shows S1204 – Armored Reconnaissance Unit Commander (Ranger – Parachutist) 13 April 1971

(2) Item 19 (Indochina or Korea Service Since August 5, 1964) shows Yes – 6 July 1971 to 21 September 1971

(3) Item 24 (Decorations, Medals, Badges, Commendations, Citations and Campaign Ribbons Awarded or Authorized) shows:

- Republic of Vietnam Gallantry Cross with Palm Unit Citation
- Parachutist Badge

- Ranger Tab
- National Defense Service Medal
- Vietnam Service Medal
- Bronze Star Medal
- Purple Heart
- Republic of Vietnam Campaign Medal

(4) Item 27 (Remarks) shows:

- U.S. Army Armor School
- U.S. Army Infantry School – Airborne
- U.S. Army Infantry School - Ranger

4. The applicant provides the medical record showing injuries sustained on 11 September 1971 while deployed in Vietnam requiring 8 days of hospitalization in the intensive care unit with the residing physician being Major R- R.

#### BOARD DISCUSSION:

1. The Board determined the evidence of record was sufficient to render a fair and equitable decision. As a result, a personal appearance hearing is not necessary to serve the interest of equity and justice in this case.
  
2. After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that relief was warranted. The applicant's contentions, the military record, and regulatory guidance were carefully considered. The evidence shows the applicant served in Vietnam from 6 July 1971 to 21 September 1971. He was assigned to D Troop, 2nd Battalion, 17th Cavalry Regiment, 101st Airborne Division, as a rifle platoon leader. He was also trained as an infantry officer and was wounded during an engagement with the enemy on or about 1 September 1971. USARV Regulation 672-1 authorized award of the Combat Infantryman Badge to infantry personnel who were members of infantry platoons and squads in armored cavalry squadrons and regiments. The Board determined there is sufficient evidence to show he met the criteria for award of the Combat Infantryman Badge.
  
3. Prior to closing the case, the Board did note the analyst of record administrative notes below, and recommended the correction is completed to more accurately depict the military service of the applicant.

BOARD VOTE:

Mbr 1      Mbr 2      Mbr 3

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

BOARD DETERMINATION/RECOMMENDATION:

In addition to the correction addressed in Administrative Note(s) below, 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 the applicant the Combat Infantryman Badge on 1 September 1971
- adding the Combat Infantryman Badge to his DD Form 214

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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):

1. Reference the enclosed request for correction of military records from the subject individual to correct his DD Form 214, ending 18 July 1975, by amending the following awards:

- Delete: Vietnam Service Medal and Republic of Vietnam Campaign Medal
- Add: Vietnam Service Medal with one bronze service star and Republic of Vietnam Campaign Medal w/60 Device

2. A review of the records listed below (enclosed) is sufficient to substantiate correction of the DD Form 214 without action by the Board.

- DD Form 214
- DA Form 66 (Officer Qualification Record)
- Department of the Army General Orders Number 8, dated 1974
- AR 600-8-22

3. Please correct the applicant's DD Form 214 by deleting/adding the awards shown in paragraph 1 above. Provide the applicant a copy of the corrections, and as applicable the medals and citations. Please ensure that the corrections are recorded in the applicant's official military personnel record.

#### REFERENCES:

1. Title 10, USC, 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 (AR) 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. U.S. Army Vietnam Regulation 672-1 (Decorations and Awards) provided for award of the Combat Infantryman Badge to infantry personnel who were members of infantry platoons and squads in armored cavalry squadrons and regiments.

3. 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 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. 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.

4. AR 15-185 (Army Board for Correction of Military Records (ABCMR)) prescribes the policies and procedures for correction of military records by the Secretary of the Army, acting through the ABCMR. The ABCMR may, in its discretion, hold a hearing or request additional evidence or opinions. Additionally, it states in paragraph 2-11 that applicants do not have a right to a hearing before the ABCMR. The Director or the ABCMR may grant a formal hearing whenever justice requires.

//NOTHING FOLLOWS//