

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 30 August 2024

DOCKET NUMBER: AR20240000663

APPLICANT REQUESTS: correction of his DD Form 214 (Certificate of Release or Discharge from Active Duty) to show award of the Combat Infantryman Badge (CIB)

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

- DD Form 149 (Application for Correction of Military Record)
- Unit Certificate of Commendation
- 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 states, in effect, his unit was awarded the CIB in support of Operation Desert Storm. The CIB is not listed on his DD Form 214, and he was never issued orders for the award. He recognized the omission while applying for Department of Veterans Affairs benefits.
3. The applicant enlisted in the Regular Army on 15 August 1989. Following completion of training, he was awarded military occupational specialty 11M (Fighting Vehicle Infantryman).
4. His DA Form 2-1 (Personnel Qualification Record), shows in:
  - Item 5 (Overseas Service) service in Southwest Asia was from 25 December 1990 through 1 May 1991 (4 months and 6 days)
  - Item 9 (Awards, Decorations, Campaigns) does not list the CIB as an authorized award

5. The applicant was honorably released from active duty on 14 August 1993, in the rank/grade of specialist four/E4. He served 4 years of net active service this period. The DD Form 214 he was issued shows in:

- Item 12f (Foreign Service), "01 09 02"
- Item 13 (Decorations, Medals, Badges, Citations, and Campaign Ribbon Awarded or Authorized) -
  - Army Commendation Medal
  - Army Achievement Medal (3rd Oak Leaf Cluster)
  - Good Conduct Medal
  - National Defense Service Medal
  - Army Service Ribbon
  - Overseas Service Ribbon
  - Expert Marksmanship Qualification Badge with Rifle Bar
  - Expert Marksmanship Qualification Badge with Grenade Bar
  - Army Service Lapel Button
  - Southwest Asia Service Medal with 3 bronze service stars
  - Kuwait Liberation Medal
- Item 18 (Remarks), Service in Southwest Asia from 25 December 1990 through 1 May 1991

4. The Defense Manpower Data Center (DMDC) compiled the Desert Shield/Storm Data Base. The primary Desert Shield/Storm file contains one record for each active-duty member who participated in-theater between 2 August 1990 and 31 July 1991. The Desert Shield/Storm Data Base shows the applicant served in Southwest Asia during the periods 1 January to 30 April 1991 (a period of 4 months) and from 1 February to 31 July 1992 (a period of 6 months).

6. The applicant provided a Unit Certificate of Commendation from VII Corps Saudi Arabia for Operation Desert Storm. His unit is listed as Company B, 6th Battalion, 6th Infantry.

7. The available evidence contains no orders awarding the applicant the CIB. The Army General Orders Unit Award Index also does not show the applicant's unit received the CIB.

8. He enlisted in the Army National Guard (ARNG) on 26 May 1995 and he was honorably discharged from the ARNG on 1 February 1997, as an unsatisfactory participant.

9. The applicant is eligible for additional awards that are not listed on his DD Form 214 that will be addressed in the Administrative Notes portion of this Record of Proceedings.

10. By regulation (Army Regulation 635-5 (Personnel Separations)), item 12f of DD Form 214 shows the total amount of foreign service completed during the period covered by the DD Form 214 and item 13 shows all awards and decorations. The current version of Army Regulation 635-5 (now Army Regulation 635-8 (Separation Processing and Documents)) mandates certain entries. For an active-duty Soldier deployed with his or her unit during their continuous period of active service, enter "Service in (name of Country Deployed) From (inclusive dates, for example YYYYMMDD to YYYYMMDD)."

11. AR 600-8-22 states 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.

#### BOARD DISCUSSION:

1. 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, available military records, the Board determined the applicant served in the military occupational specialty 11M (Fighting Vehicle Infantryman) and was assigned to Company B, 6th Battalion, 6th Infantry. Based on governing regulation the applicant met the criteria to be awarded the Combat Infantryman Badge (CIB). As such, the Board granted relief.

2. 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 administrative notes annotated by the Analyst of Record (below the signature), 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 adding: in item 13 (Decorations, Medals, Badges, Commendations, Citations, and Campaign Ribbons Awarded or Authorized) – Combat Infantryman Badge (CIB).

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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):

Administratively correct the applicant's DD Form 214 by:

- Deleting the Kuwait Liberation Medal
- Adding the Kuwait Liberation Medal (KLM-SA) and Kuwait Liberation Medal (KLM-K)

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. By regulation (Army Regulation 635-5 (Personnel Separations)), item 12f of DD Form 214 shows the total amount of foreign service completed during the period covered by the DD Form 214 and item 13 shows all awards and decorations. The current version of Army Regulation 635-5 (now called Army Regulation 635-8 (Separation Processing and Documents)) mandates certain entries. For an active-duty Soldier deployed with his or her unit during their continuous period of active service, enter "Service in (name of Country Deployed) From (inclusive dates, for example YYYYMMDD to YYYYMMDD)."

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

a. 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. The Kuwait Liberation Medal awarded by the Kingdom of Saudi Arabia (KLM-SA) was approved on 3 January 1992 and is awarded to members of the Armed Forces of the United States who participated in the Persian Gulf War between 17 January 1991 and 28 February 1991.

c. The Kuwait Liberation Medal awarded by the Government of Kuwait (KLM-K) was approved on 9 November 1995 and is awarded to members of the Armed Forces of the United States who participated in the Persian Gulf War between 2 August 1990 and 31 August 1993.

//NOTHING FOLLOWS//