

IN THE CASE OF: [REDACTED]

BOARD DATE: 21 October 2024

DOCKET NUMBER: AR20240001522

APPLICANT REQUESTS: Correction of his DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge) for the period ending 5 March 1970 to show award of the Army Commendation Medal and the Combat Infantryman Badge.

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

- DD Form 149 (Application for Correction of Military Record)
- General Orders Number 3022, issued by Headquarters, 4th Infantry Division, 12 June 1969 (Army Commendation Medal)
- DA Form 8-275-3 (Clinical Record Cover Sheet)

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 he received the Army Commendation Medal, but it was not added to his DD Form 214. He also states that he met all the criteria for award of the Combat Infantryman Badge but also was never awarded.

3. A review of the applicant's service record confirms awards were omitted from his DD Form 214. The following awards and decorations will be added to his DD Form 214 as administrative corrections and will not be considered by the Board:

- Army Commendation Medal
- Republic of Vietnam Gallantry Cross with Palm Unit Citation
- Republic of Vietnam Civil Actions Honor Medal, First Class
- 2 additional bronze service stars to the previously awarded Republic of Vietnam Service Medal with 2 bronze service stars

The Board will consider his request for award of the Combat Infantryman Badge.

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

a. He was inducted into the Army of the United States on 6 March 1968.

b. DA Form 20 (Enlisted Qualification Record) shows in:

(1) Item 22 (Military Occupational Specialties): 11C40 (Indirect Fire Crewmember).

(2) Item 31 (Foreign Service): 2 August 1968 – 10 July 1969 – U.S. Army Pacific – Republic of Vietnam.

(3) Item 38 (Record of Assignments):

- 15 August 1968; 11C10; Ammunition Bearer, Company A, 1st Battalion, 22d Infantry Regiment, 4th Infantry Division
- 22 November 1968; 11C20; Gunner, Company A, 1st Battalion, 22d Infantry Regiment, 4th Infantry Division
- 23 February 1969; 11C40; Squad Leader, Company A, 1st Battalion, 22d Infantry Regiment, 4th Infantry Division
- 11 June 1969; Patient, Medical Holding Company, United States Army Hospital, Camp Zama, Japan
- 10 July 1969; Casual; Enroute to Continental United States (CONUS)
- He earned all excellent conduct and efficiency ratings with the exception of permanent changes of station and during his period of hospitalization

(4) Item 41 (Awards and Decorations):

- National Defense Service Medal
- Vietnam Service Medal
- Vietnam Campaign Medal
- 1 Overseas Service Bar
- Purple Heart

c. He was honorably released from active duty under the provisions of Army Regulation (AR) 635-200 (Personnel Separations – Enlisted Personnel) for expiration term of service on 5 March 1970. He completed 2 years of active service. His DD Form 214 shows in:

(1) Item 23a (Specialty Number and Title) 11C40 – Infantry Indirect Fire Crewman.

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

- National Defense Service Medal
- Vietnam Service Medal with 2 bronze service stars
- Republic of Vietnam Campaign Medal with Device 1960
- Purple Heart

5. The applicant's record does not contain evidence that he was awarded the Combat Infantryman Badge.

6. The applicant's record does not contain evidence his commander disqualified him for award of the Army Good Conduct Medal. His record does not contain evidence of a court-martial conviction nor any other derogatory information that would disqualify him from award of the Army Good Conduct Medal.

7. The applicant provides:

a. General Orders Number 3022, issued by Headquarters, 4th Infantry Division, dated 12 June 1969, which awarded the applicant the Army Commendation Medal for meritorious service from August 1968 to August 1969.

b. DA Form 8-275-3 that shows:

(1) Diagnosis 1: Wound, lacerated, right leg and right ring finger, no artery or nerve involvement. Line of duty: Yes.

(2) Diagnosis 2: Hemarthrosis, right knee due to diagnosis 1, no artery or nerve involvement. Line of duty: Yes. Wounded in Action: Hit by mortar fragments, 1900 hours, 5 June 1969.

BOARD DISCUSSION:

1. After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found relief was warranted.

2. The Board carefully considered the applicant's request, the supporting documents provided, his MOS, his record of service to include service in Vietnam, his award of the Purple Heart and the entry on the Clinical Form stating that he was wounded in action on 5 June 1969. Based on a preponderance of evidence, the Board determined that the absence of an award of a CIB was in error and that it should be added to his DD Form 214. The Board also found sufficient evidence to award the Army Good Conduct Medal

for the period of service from 6 March 1968 to 5 March 1970. The Board concurred with the additional corrections in the Administrative Notes below.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	GRANT FULL RELIEF
:	:	:	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
:	:	:	DENY APPLICATION

BOARD DETERMINATION/RECOMMENDATION:

The Board determined the evidence presented is sufficient to warrant relief. As a result, the Board recommends that all Department of the Army records of the individual concerned be corrected to reflect:

- Award of the Combat Infantryman Badge for his actions on 5 June 1969;
- award of the Army Good Conduct Medal for the period of service from 6 March 1968 to 5 March 1970 and;
- in addition to the corrections in the Administrative Notes that follow, amending the applicant's DD Form 214, for the period ending 5 March 1970, to show the CIB and the AGCM in item 24.

4/28/2025

X

CHAIRPERSON

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): The applicant's DD Form 214 is missing awards he is authorized. Please correct the DD Form 214 by adding the following:

- Army Commendation Medal
- 4 bronze service stars with the Vietnam Service Medal
- Republic of Vietnam Civil Actions Honor Medal First Class Unit Citation
- Republic of Vietnam Gallantry Cross with Palm Unit Citation

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. 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.

3. AR 672-5-1 (Awards), in effect at the time, stated the Army Good Conduct Medal was awarded for each 3 years of continuous enlisted active Federal military service completed on or after 27 August 1940; for first award only, 1 year served entirely during the period 7 December 1941 to 2 March 1946; and, for the first award only, upon termination of service on or after 27 June 1950 of less than 3 years but more than 1 year. The enlisted person must have had all "excellent" conduct and efficiency ratings. Ratings of "Unknown" for portions of the period under consideration were not disqualifying. There must have been no convictions by a court-martial. However, there was no right or entitlement to the medal until the immediate commander made a positive recommendation for its award and until the awarding authority announced the award in General Orders.

4. Department of the Army Pamphlet 672-3 (Unit and Campaign Participation Credit Register) states a bronze service star is worn on the appropriate service ribbon, to include the Vietnam Service Medal, for each credited campaign. During his service in Vietnam, the applicant participated in the following 5 campaigns:

- Vietnam Counteroffensive, Phase V, 1 July 1968 – 1 November 1968
- Vietnam Counteroffensive, Phase VI, 2 November 1968 – 22 February 1969
- TET 69 Counteroffensive, 23 February 1969 – 8 June 1969

- Vietnam Summer-Fall 1969, 9 June 1969 – 31 October 1969

//NOTHING FOLLOWS//