

IN THE CASE OF: [REDACTED]

BOARD DATE: 26 September 2024

DOCKET NUMBER: AR20240001697

APPLICANT REQUESTS: 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)
- DD Form 214 (Certificate of Release or Discharge from Active Duty)
- Orders 113-42, 5 July 1988 (U.S. Army Reserves (USAR) Promotion)

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 believes he earned the CIB, but he did not receive it. Some members of his platoon received it and others, himself included, did not. He recently learned that he could request award of the CIB.
3. The applicant provides Orders 113-42 dated 5 July 1988 for his promotion from specialist (SPC), E-4 to sergeant (SGT), E-5 effective 5 July 1988.
4. A review of the applicant's service record shows:
 - a. He enlisted in the Regular Army on 24 November 1982 and completed training with award of military occupational specialty 11B1P (Infantryman - parachute qualified). The highest grade he held was E-4.
 - b. His DA Form 2-1 (Personnel Qualification Record - Part II) shows he completed foreign service in Korea from 2 May 1983 through 27 April 1984 (11 months and 26 days) in the duty position of security guard, as an 11B.

c. The applicant was honorably released from active duty on 23 November 1984. The DD Form 214 shows he completed 2 years of active service with 11 months of foreign service. It also shows he was awarded or authorized:

- Army Commendation Medal (First Oak Leaf Cluster)
- Army Achievement Medal
- Army Good Conduct Medal
- Army Service Ribbon
- Overseas Service Ribbon
- Expert Infantryman Badge
- Parachutist Badge
- Expert Marksmanship Qualification Badge with Rifle Bar (M-16)
- Expert Marksmanship Qualification Badge with Hand Grenade Bar

5. 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 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.

BOARD DISCUSSION:

1. After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found relief is not warranted.

2. The Board found the evidence confirms the applicant held an infantry military occupational specialty; however, the evidence does not show the applicant served in active ground combat while assigned to an infantry unit. The Board determined the evidence is insufficient as a basis for awarding the applicant the CIB.

3. The Board concurred with the correction described in Administrative Note(s) below.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

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

BOARD DETERMINATION/RECOMMENDATION:

Other than the correction addressed in Administrative Note(s) below, the Board determined 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 otherwise insufficient as a basis for correction of the records of the individual concerned.

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):

A review of the applicant's service records show he is authorized an additional award not annotated on his DD Form 214. As a result, amend his DD Form 214 for the service period ending 23 November 1984 to show award of the Korea Defense 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 672-5-1 (Awards – Decorations, Awards, and Honors), in effect at the time, provides Army policy, criteria, and administrative instructions concerning individual military decorations.

a. For award of the Combat Infantryman Badge, a 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, 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 Korea Defense Service Medal is authorized for award to members of the Armed Forces of the United States who have served on active duty in support of the defense of the Republic of Korea from 28 July 1954 to a date to be determined by the Secretary of Defense. Service members must have been assigned, attached, or mobilized to units operating in the area of eligibility for 30 consecutive or for 60 nonconsecutive days.

//NOTHING FOLLOWS//