

IN THE CASE OF: [REDACTED]

BOARD DATE: 6 December 2024

DOCKET NUMBER: AR20240004076

APPLICANT REQUESTS: correction of the DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge) of her spouse, a deceased former service member (FSM), to show award of the Combat Infantryman Badge (CIB) and all other awards he is authorized.

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

- DD Form 149 (Application for Correction of Military Record)
- Letter from the [REDACTED] Veterans Service Officer, 14 February 2024
- General Orders 7759, Headquarters, Americal Division, 3 October 1968
- Unit Orders 40, Company C, 2d Battalion, 1st Infantry, 196th Infantry Brigade Americal Division, 15 October 1968
- Special Orders 26, United States Army Vietnam, 26 January 1969
- Special Orders 43, Headquarters, United States Army Personnel Center Far East, 4 March 1969
- Special Orders 73, Headquarters, Americal Division, 14 March 1969
- DA Form 20 (Enlisted Qualification Record), 27 August 1969
- DD Form 214, 19 February 1970
- United States Army Air Corps (USAAC) Form 816 (Military Occupational Specialty (MOS) Classification), 3 April 1970
- Letter Orders 01-1005297, Office of the Adjutant General, U.S. Army Reserve Components Personnel and Administration Center, St. Louis, MO, 23 January 1974

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 FSM's spouse requests correction of the FSM's DD Form 214 to reflect all the awards he earned to include the CIB. As the surviving spouse she receives benefits

from the Department of Veteran Affairs (VA). Additionally, she states, the request was delayed because the FSM was unaware, he may have been authorized additional awards. The FSM passed away on 6 February 2021. She was being assisted by the local County Veterans Service Officer who discovered the error during a records review in March 2021. She requests the issuance of all authorized awards to include the CIB and the issuance of a DD Form 215 (Correction to DD Form 214).

3. The Board will not consider the applicant's request for the issuance of medals. The ABCMR corrects records; the Board does not issue medals or badges. Any questions or concerns regarding replacement medals and badges should be referred to the appropriate agency. For Army personnel, requests for the issuance or replacement of military service medals, decorations, awards, badges, and corresponding accouterments should be directed to the National Personnel Records Center (NPRC). The NPRC will verify the awards to which a veteran is entitled and forward the request with the verification to the appropriate service department for issuance of the medals. Written requests with appropriate supporting evidence may be addressed to the National Personnel Records Center, 1 Archives Drive St. Louis, MO 63138. Once verified, the replacement medals and devices are shipped to the veteran by the U.S. Army Tank Automotive and Armaments Command, Clothing and Heraldry (PSID), Post Office Box 57997, Philadelphia, PA 19111. Therefore, issuance of medals or badges will not be discussed further in this Record of Proceedings.

4. The FSM's record contains additional awards, which are addressed in the administrative notes section of the record of proceedings.

5. A letter written to the Board from [REDACTED] Veterans Service Officer, dated 14 February 2024, states the deceased FSM proudly served in the United States Army from February 1968 to February 1970, until he was honorably discharged. The Board's assistance is greatly appreciated.

6. The FSM's Obituary shows he passed away on Saturday, 6 February 2021 at Unity Point Trinity Regional Hospital, Fort Dodge, IA. The applicant is listed as the FSM's surviving spouse.

7. The FSM was inducted into the Army of the United States on 20 February 1968. He completed his initial entry training and was awarded MOS 11B (Light Weapons Infantryman).

8. The FSM's DA Form 20 (Enlisted Qualification Record) includes the following information and entries:

a. Block 22 (MOS) shows he was awarded primary MOS 11B (Light Weapons Infantryman) on 28 June 1968.

b. Block 29 (Qualification in Arms) shows he qualified with the following weapons:

- Expert Marksmanship Qualification Badge with Rifle Bar (M-14), 1 April 1968
- First Class Gunner Marksmanship Qualification Badge with Machine Gun Bar (M-60), 4 May 1968
- Marksman Marksmanship Qualification Badge with Rifle Bar (M-16), 7 May 1968

c. Block 31 (Foreign Service) shows he served in Vietnam from 3 July 1968 to 19 July 1969.

d. Block 38 (Record of Assignment) show he received all excellent or unknown conduct and efficiency ratings during the period of his active service, and he was assigned, in part, to the following units in Vietnam:

- 3 August 1968 - 6 August 1968, Student (Americal Combat Center), 23d Adjutant General Administration Company Replacement Detachment
- 7 August 1968 - 1 February 1969, MOS 11B (Rifleman), Company C, 2d Battalion, 1st Infantry Regiment, 196th Infantry Brigade
- 2 February 1969 - 18 March 1969, Patient, Medical Holding Detachment, 7th Field Hospital
- 19 March 1969 - 18 July 1969, MOS 11B (Rifleman), Company C, 2d Battalion, 1st Infantry Regiment, 196th Infantry Brigade
- 19 July 1969 - casual, enroute to the Continental United States

e. Block 40 (Wounds) shows he sustained a fragment wound to the buttock on 11 September 1968.

f. (Block 41 (Awards and Decorations) includes the -

- National Defense Service Medal
- Republic of Vietnam Campaign Medal with Device (1960)
- Vietnam Service Medal
- Purple Heart
- Army Commendation Medal
- Republic of Vietnam Gallantry Cross with Palm Unit Citation

9. On 19 February 1970, he was honorably released from active duty and transferred to the U.S. Army Reserve Control Group (Annual Training) to complete his military service obligation. He was issued a DD Form 214 confirming he served 2 years of net service this period, which includes 11 months and 27days of foreign service. The DD Form 214 he was issued shows in:

a. Block 24 (Decorations, Medals, Badges, Commendations, and Citations and Campaign Ribbons Awarded or Authorized) –

- National Defense Service Medal
- Purple Heart
- Army Commendation Medal
- Vietnam Service Medal with bronze service star
- Republic of Vietnam Campaign Medal with Device (1960)
- Republic of Vietnam Gallantry Cross with Palm Unit Citation

b. Block 30 (Remarks) – “Vietnam, 23 July 1968-19 July 69.”

10. The FSM’s service record does not show he was awarded the Army Good Conduct Medal. Additionally, his service record does not contain any disqualifying documentation of misconduct, nonjudicial punishment, nor court-martial actions.

11. The applicant provided various general orders, unit orders, special orders, MOS Classification document, and a DA Form 20, showing the FSM held and served in MOS 11B, during his entire period of active service. The applicant’s submissions were provided to the Board in their entirety.

12. The Board must determine whether the evidence is sufficient to correct the FSM’s DD Form 214 by adding the CIB and Army Good Conduct Medal.

BOARD DISCUSSION:

After reviewing the application and all supporting documents, the Board determined relief was warranted. The applicant’s contentions, the military record, and regulatory guidance were carefully considered. Based upon the regulatory guidance related to awarding the CIB and the available documentation within the FSM’s record, the Board concluded there was sufficient evidence showing the FSM qualified and should be awarded the Army Good Conduct Medal, as well as the CIB, as requested.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

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

BOARD DETERMINATION/RECOMMENDATION:

1. The Board determined the evidence presented is sufficient to warrant a recommendation for relief. As a result, the Board recommends that all Department of Army records of the individual concerned be corrected by amending the applicant's DD Form 214 by awarding and adding the Combat Infantryman Badge and the Army Good Conduct Medal.
2. Prior to closing the case, the Board also noted the administrative notes below from the analyst of record and recommended those changes also be completed to more accurately reflect the FSM's military record.

12/27/2024

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 NOTES: correct block 24 of the FSM's DD Form 214 ending 19 February by deleting the Vietnam Service Medal with bronze service star, and adding the following awards -

- Vietnam Service Medal with four bronze service stars
- Valorous Unit Award
- Expert Marksmanship Qualification Badge with Rifle Bar (M-14)
- First Class Gunner Marksmanship Qualification Badge with Machine Gun Bar (M-60)
- Marksman Marksmanship Qualification Badge with Rifle Bar (M-16)

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 600-8-22 (Military Awards) provides the following guidance:

a. the Army Good Conduct Medal is awarded to individuals who distinguish themselves by their conduct, efficiency, and fidelity during a qualifying period of active-duty enlisted service. This period is 3 years except in those cases when the period for the first award ends with the termination of a period of Federal military service. Although there is no automatic entitlement to the Army Good Conduct Medal, disqualification must be justified.

b. There are basically three requirements for award of the CIB. The Soldier must be an infantry soldier 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. Eligibility for special forces personnel (less the special forces medical sergeant) accrues from 20 December 1989. Retroactive awards for special forces personnel are not authorized. A recipient must be personally present and under hostile fire while serving in an assigned infantry or special forces primary duty, in a unit actively engaged in ground combat with the enemy.

c. A bronze service star is worn on the appropriate service ribbon, to include the Vietnam Service Medal, for each credited campaign. A silver service star is authorized in lieu of five bronze service stars.

3. U.S. Army Vietnam Regulation 672-1 (Awards and Decorations), in effect at the time, governed award of the CIB to Army forces operating in South Vietnam. This regulation stated that criteria for award of the CIB identified the man who trained, lived, and fought as an infantry soldier and that the CIB was the unique award established to recognize the infantry soldier and only the infantry soldier for his service. Further, "the CIB is not an award for being shot at or for undergoing the hazards of day-to-day combat." This regulation also stated the CIB 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 this regulation states that during the Vietnam era the CIB was awarded only to enlisted individuals who held and served in MOS 11B, 11C, 11D, 11F, 11G, or 11H.

4. Department of the Army Pamphlet 672-3 (Unit Citation and Campaign Participation Credit Register) shows:

a. During the period of his service in Vietnam, he participated in the below 4 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

b. Department of the Army General Orders (DAGO) awarded 2d Battalion, 1st Infantry Regiment, the following unit awards during the period of the applicant's service:

- DAGO 43, dated 1974 awarded the Valorous Unit Award for the period 11-31 August 1969
- DAGO 6, dated 1974 awarded the Republic of Vietnam Gallantry Cross with Palm Unit Citation

//NOTHING FOLLOWS//