

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 30 December 2024

DOCKET NUMBER: AR20240004724

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

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

DD Form 149 (Application for Correction of Military Record)

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:
 - a. In 1983, his unit, B Company, 2nd Battalion (Airborne), 508th Infantry Regiment was deployed to Grenada. After returning from Operation Fury in Grenada, he received a Combat Infantryman Badge and received his combat pin from his first sergeant in formation.
 - b. To date, he has only used his DD Form 214 once, 25 years ago to join the American Legion and he has been a service officer with that organization for 10 years. He was recently asked to join the Veterans of Foreign Wars (VFW) but was turned down due to the Combat Infantryman Badge and Grenada not being on his DD Form 214.
 - c. He was medically discharged and was not told about it. He realizes it has been a long time, but he would like to be a member of the VFW to continue to help veterans.
3. The applicant enlisted in the Regular Army on 5 May 1982 and was awarded the Military Occupational Specialty (MOS) 11B (Infantryman).

4. The applicant's DA Form 2-1 (Personnel Qualification Record – Part II) shows:

- a. Item 5 (Oversea Service) is blank.
- b. Item 9 (Awards, Decorations, and Campaigns) does not include the Combat Infantryman Badge.
- c. Item 35 (Record of Assignments) shows he was assigned to B Company, 2nd Battalion (Airborne), 508th Infantry Regiment from 22 January 1982 through his retirement on 21 October 1985, in the duty MOS 11B.

5. A DA Form 2496 (Disposition Form), sign by his company commander on 13 May 1985, shows the applicant had been on profile for 2 years, due to his medical condition. He had a history of sever cramping and intestinal problems and had not been capable of field duty since he was under his command. His condition did not appear to be improving and therefore he felt he was unfit for duty, recommending his discharge from active duty.

6. An Optional Form 275 (Medical Record Report), 25 June 1985, provides a Medical Evaluation Board (MEB) Narrative Summary (NARSUM) pertaining to the applicant.

- a. His military history, past medical history, and history of present illness do not reference his deployment to Grenada. It does show he underwent cholecystectomy (surgical procedure to remove the gallbladder) for cholelithiasis in January 1983. Of note, the qualifying period for award of the Combat Infantryman Badge for deployment to Grenada is 23 October 1983 – 21 November 1983.

- b. His condition did not appear to be compatible with continued military service as an 11B and he was unable to participate in physical training. He was referred to the Physical Evaluation Board.

7. A DA Form 3947 (MEB Proceedings) shows:

- a. An MEB convened on 23 July 1985, where the applicant's following conditions were considered:

- post cholecystectomy syndrome, incurred in service in 1983
- probable functional bowel syndrome, incurred in service in 1982
- verruca vulgaris (common warts), incurred in service in 1982

- b. He was referred to a Physical Evaluation Board (PEB) and on 29 July 1985, he signed the form indicating he agreed with the board's findings and recommendations.

8. A DA Form 199 (PEB Proceedings) shows a PEB convened on 7 August 1985, where he was found physically unfit with a recommended rating of 30 percent and a recommendation that he be permanently retired from the service for the condition of functional bowel disorder and post cholecystectomy syndrome, rated severe. There is no reference to the applicant's deployment to Grenada on the form.

9. U.S. Army Military Personnel Center Orders D179-39, 23 September 1985 relieved the applicant from assignment and duty because of physical disability incurred while entitled to basic pay and under conditions which permit his retirement for permanent physical disability effective 21 October 1985, with a disability rating of 30 percent. The orders do not reflect the condition was combat-incurred.

10. The applicant's DD Form 214 shows:

a. He was retired due to permanent physical disability on 21 October 1985. He was credited with 3 years, 5 months, and 17 days of net active service with no foreign service.

b. Item 13 (Decorations, Medals, Badges, Citations, and Campaign Ribbons Awarded or Authorized) does not reflect award of the Combat Infantryman Badge.

c. Item 18 (Remarks) does not reference his deployment to Grenada.

BOARD DISCUSSION:

After reviewing the application and all supporting documents, the Board determined relief was not warranted. The applicant's contentions, the military record, and regulatory guidance were carefully considered. Based upon the insufficeint evidence showing the applicant was involved in direct armed ground combat, which is a qualifying element for the CIB, the Board concluded there was insufficient evidence of an error or injustice warranting a correction to the applicant's record.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

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

BOARD DETERMINATION/RECOMMENDATION:

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 insufficient as a basis for correction of the records of the individual concerned.

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.

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) prescribes Army policy, criteria, and administrative instructions concerning individual and unit military awards.

a. The requirements for award of the Combat Infantryman Badge include: 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.

b. Table 8-2 (Qualifying conflicts and periods for award of combat badges) shows the conflict in Grenada from 23 October to 21 November 1983 is a qualifying conflict and period for award of the Combat Infantryman Badge.

3. Army Regulation 635-5 (Separation Documents), in effect at the time, prescribes policies and procedures regarding separation documents, including the standardized preparation of the DD Form 214 (Certificate of Release or Discharge from Active Duty). The specific guidance for preparation of the numbered items on the DD Form 214 shows the following:

- item 12f (Foreign Service) enter total amount of foreign service completed during the period covered
- item 13 (Decorations, Medals, Badges, Citations and Campaign Ribbons Awarded or Authorized) shows "self-explanatory." The next iteration of this regulation states to check the Soldier's service records for validity of awards. Do not abbreviate when listing the entries.
- item 18 (Remarks) use this block for entries required by Headquarters, Department of the Army (HQDA) for which a separate block is not available and for completing entries that are too long for their items.

//NOTHING FOLLOWS//