

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 30 December 2024

DOCKET NUMBER: AR20240005811

APPLICANT REQUESTS: correction of his DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge) for the period ending 16 May 1969, to show in:

- item 9 (Date of Birth), 12 March 19\_\_ vice 17 March 19\_\_
- item 24 (Decorations, Medals, Badges, Commendation, Citations and Campaign Ribbons Awarded or Authorized):
  - Army Good Conduct Medal
  - Combat Infantryman Badge

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

- DD Form 149 (Application for Correction of Military Record)
- Special Orders Number 315 dated 19 December 1967, issued by Headquarters, 3d Armored Division (Spearhead)
- General Orders Number 119 dated 22 June 1968, issued by Headquarters, 3d Field Hospital
- Special Orders Number 192 issued by Headquarters, 7th Field Hospital
- Special Orders Number 221 dated 1 November 1968, issued by Headquarters, U.S. Army Hospital Specialized Treatment Center
- Special Orders Number 233 dated 20 November 1968, issued by Headquarters, U.S. Army Hospital Specialized Treatment Center
- DA Form 137 (Installation Clearance Record) dated 1 May 1969
- DD Form 214 for the period ending 16 May 1969

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:

a. His Military Occupational Specialty (MOS) at the time he was sent to Vietnam was 11B (Light Weapons Infantryman). He was attached to the 9th Infantry Division starting in March 1968 and he was assigned to E Company 3rd Battalion, 60th Infantry, Regiment, 9th Infantry Division. He was promoted to sergeant (SGT)/E-5 on 20 June 1968, and was wounded in a combat operation and awarded the Purple Heart on 21 June 1968. He spent the next five to six months getting treatment at three hospitals before being assigned to Fort Gordon's Specialized Treatment Center. He enlisted for MOS 16D (Air Defense Missile Crewman), on 16 May 1966 and at the completion of his training he was transferred to Germany in October 1966 where his MOS was administratively changed to 11B without his consent, and he was sent to Vietnam. His Installation Clearance Record shows in the remarks section dated 1 May 1969, reflects a recommendation that he should be awarded the Army Good Conduct Medal for his excellent conduct throughout his service period.

b. He believes his record needs to be updated to reflect his time in the Vietnam combat zone as an Infantryman and he should be awarded the Combat Infantryman Badge for his service. His DD Form 214 credits him with Foreign Service in Vietnam. On 1 November 1968, at his request, his MOS was changed from 11B40 to 16D, Air Defense Missile Crewman so he could get credit for his training and for future employment opportunities. On 20 November 1968, orders were completed reassigning him to Fort Bliss, TX, with MOS 16D20. He reported on 18 December 1968 and completed his tour of duty honorably on 18 May 1969.

3. A review of the applicant's service record confirms administrative entries were omitted from his DD Form 214. The entries will be added to his DD Form 214 as administrative corrections and will not be considered by the Board. The Board will consider his request to be awarded the Combat Infantryman Badge.

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

a. He enlisted in the Regular Army on 18 May 1966 and his DD Form 4 (Enlistment Record - Armed Forces of the United States) shows in block 15 (Date of Birth) 12 March 19\_ as his date of birth.

b. DA Form 20 (Enlisted Qualification Record), shows in item 22 (Military Occupational Specialties) he held the primary MOS of 11B40, Light Weapons Infantryman dated 17 January 1967. And in item 31 (Foreign Service) he served in the Republic of Vietnam from 4 March 1968 to 16 September 1968.

c. General Orders Number 016 dated May 1969, issued by Headquarters, 6th Battalion, 71st Artillery, awarded the applicant the Army Good Conduct Medal (First Award).

d. His DD Form 214 for the period beginning 16 May 1966 and ending 16 May 1969, shows he was honorably released from active duty and was transferred to the U.S. Army Reserve (USAR) Control Group (Reinforcement) to complete his remaining service obligation. He completed 2 years, 11 months, and 29 days of total active service and 1 year, 9 months, and 22 days of foreign service.” It also shows he was awarded or authorized:

- National Defense Service Medal
- Vietnam Service Medal with one bronze service star
- Vietnam Campaign Medal with/Device 1960
- Purple Heart
- Marksman Marksmanship Qualification Badge with Missile Bar
- Sharpshooter Marksmanship Qualification Badge with Rifle Bar

e. The service record is void of any documentation awarding the applicant the Combat Infantryman Badge.

5. The applicant provides:

a. Special Orders Number 315 dated 19 December 1967, issued by Headquarters, 3d Armored Division (Spearhead) that indicates that his MOS was identified as 11B20 and further transferred him to United States Army Republic of Vietnam (USARV).

b. General Orders Number 119 dated 22 June 1968, issued by Headquarters, 3d Field Hospital show he was awarded the Purple Heart for wounds he received in connection with military operations against a hostile force.

c. Special Orders Number 192 issued by Headquarters, 7th Field Hospital, San Francisco, show he was reassigned as a patient to Fort Gordon.

d. Special Orders Number 221 dated 1 November 1968, issued by Headquarters, U.S. Army Hospital Specialized Treatment Center, Fort Gordon, withdrew the primary MOS of 11B40 and awarded him the primary MOS of 16D20.

e. Special Orders Number 233 dated 20 November 1968, issued by Headquarters, U.S. Army Hospital Specialized Treatment Center, Fort Gordon, reassigned the applicant to Fort Bliss as an 16D20 with a report date of 18 December 1968.

f. DA Form 137 dated 1 May 1969 show in the remarks section that he was recommended for the Army Good Conduct Medal.

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 available documentation showing the applicant met all qualifying requirements for a CIB and was awarded an AGCM during his period of service which currently is not reflected on his DD Form 214, the Board concluded there was sufficient evidence to award and add the CIB and to add the AGCM to the applicant's DD Form 214.

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 adding the Army Good Conduct Medal.
2. Prior to closing the case, the Board noted the administrative notes below from the analyst of record and recommended those changes be completed to more accurately reflect the military service of the applicant.

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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):

1. A review of the applicant's service record shows his DD Form 214 omitted administrative entries. As a result, amend the DD Form 214 by deleting/adding the following:

a. Delete:

- item 9, 17 March 19\_\_
- item 24, Vietnam Service Medal w/one bronze service star

b. Add:

- item 9, 12 March 19\_\_
- item 24:
  - Army Good Conduct Medal
  - Vietnam Service Medal with two bronze service stars
  - Republic of Vietnam Gallantry Cross with Palm Unit Citation
  - Republic of Vietnam Civil Actions Honor Medal First Class Unit Citation

2. A review of the records listed below (enclosed) is sufficient to substantiate correction of the DD Form 214 without action by the Board.

- DD Form 4
- DA Form 20
- General Orders Number 016 dated May 1969 issued by Headquarters, 6th Battalion, 71st Artillery, Fort Bliss, Texas
- Department of the Army General Orders (DAGO) Number 59, dated 1969
- Department of the Army General Orders (DAGO) Number 8, dated 1974
- Army Regulation 600-8-22 (Military Awards)
- DD Form 214

3. Please correct the applicant's DD Form 214 by deleting/adding the data and awards shown in paragraph 1a and 1b above. Provide the applicant a copy of the corrections, and as applicable the medals. Please ensure that the corrections are is recorded in the applicant's official military personnel record.

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, 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. 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.
3. AR 635-5 (Separations Documents) in effect DD Form 214 is a summary of the Soldier's most recent period of continuous active duty. For item 24; enter all decorations and awards from DA Form 20 (Enlisted Qualification Board).

//NOTHING FOLLOWS//