

IN THE CASE OF: [REDACTED]

BOARD DATE: 12 December 2024

DOCKET NUMBER: AR20240005912

APPLICANT REQUESTS: correction of his DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge) for the period ending 7 July 1968 to show award of the:

- Combat Infantryman Badge (CIB) (2nd Award)
- Army Good Conduct Medal (AGCM)
- Republic of Vietnam Campaign Medal with Device (1960) (VCM)

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

- DD Form 149 (Application for Correction of Military Record)
- Applicant Statement
- DD Form 214, 7 July 1966
- DD Form 256A (Honorable Discharge Certificate), 31 May 1969
- Letter, National Personnel Records Center (NPRC), 16 June 2004
- DA Form 4980-10 (Purple Heart (PH) Certificate), 5 November 2004
- Wikipedia Awards Criteria
- Letter, NPRC, 9 January 2024
- Request for Military Records, 10 February 2024

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, in effect:

a. He feels that he meets the criteria for the requested awards. He has done research on the requirements for the VCM, and it states that a Soldier must have served six months in a large-scale military campaign during certain periods of time to be awarded this medal. It also states Soldiers who served less than six months must have

been wounded by a hostile force; were captured by hostile forces, but later escaped, was rescued, or released; or killed in action. The applicant was wounded with a grenade, and by NVA hostile forces during a patrol mission in the Tuy Hoa Valley, the province of Phu Yen Vietnam.

b. He was awarded the CIB for serving in the Dominican Republic crisis from April 1965 to September 1965. He questions whether he should be entitled to the second award for the CIB. He served in Vietnam after receiving the first CIB. The Santo Domingo crisis lasted far longer than Panama and Grenada and had more casualties. Veterans have been awarded the second award for serving in these conflicts with others.

c. He graduated from high school and volunteered for the U.S. Army instead of an institution of higher learning. He attended basic and advanced infantry training at Fort Polk, LA, and was awarded military occupational specialty (MOS) 11B (Light Weapons Infantryman). He was transferred to Fort Benning and graduated from jump school in November 1963. He was stationed at Fort Bragg. He was promoted to private first class (PFC) after eight months; his only promotion in three years. He never knew the reason for not getting promoted.

d. He states he did not commit disciplinary infractions during his service. He served the Army well. This is why he questions whether he should have received the AGCM. He knew that the severity of his wounds that he received in Vietnam would terminate any plans he had of reenlisting. He had serious thoughts of making the Army his career.

3. The Board will not consider the applicant's request for award of the VCM. The applicant's records indicate he was awarded or authorized this award as well as additional awards that are not shown on his DD Form 214.

4. The Board will consider his request for award of the CIB (2nd Award) and the AGCM.

5. The applicant provides the following:

a. A PH certificate dated 5 November 2004, which shows he was wounded in action in the Republic of Vietnam on 28 February 1966.

b. Wikipedia awards criteria for the VCM, CIB, and the AGCM.

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

a. He enlisted in the Regular Army on 19 June 1963. He completed training and was awarded MOS 11B (Light Weapons Infantryman).

b. The applicant's DA Form 20 (Enlisted Qualification Record) contains the following information:

- Item 22 (MOS) – 11B, Light Weapons Infantryman (2 November 1963) and 63B, Wheeled Vehicle Mechanic (17 July 1964)
- Item 31 (Foreign Service) shows service in the U.S. Army Pacific - Vietnam (USARPAC) from 24 December 1965 through 3 March 1966
- Item 38 (Record of Assignments) shows during his service in Vietnam he was assigned to Company B, 2nd Battalion, 327th Infantry as an 11B with principal duty as a rifleman from 14 December 1965 to 3 March 1966
- Item 38 – Excellent conduct and efficiency ratings with the exception of one “good” academic efficiency rating while attending basic airborne training
- Item 40 (Wounds) lists grenade shrapnel both legs, 28 February 1966
- Item 41 (Awards and Decorations) does not list the CIB (2nd Award) or the AGCM

c. Special Orders Number 162 dated 15 July 1965 shows he was awarded the CIB (1st Award).

d. On 8 November 1965, he accepted nonjudicial punishment, under Article 15, Uniform Code of Military Justice, for on or about 7 November 1965, willfully disobeying a lawful order from his commanding officer, not to have possession of alcoholic beverages in the billets. His punishment included forfeiture of \$30.00.

e. He was honorably released from active duty and transferred to the U.S. Army Reserve on 7 July 1966. His DD Form 214 shows he completed 3 years, 0 months, and 19 days of active service. It shows in:

- Item 24c (Foreign Service): USARPAC, 5 months and 10 days
- Item 26 (Decorations, Medals, Badges, Commendations, Citations and Campaign Ribbons Awarded or Authorized): does not list the CIB (2nd Award) or the AGCM; it lists:
 - Parachutist Badge
 - Armed Forces Expeditionary Medal (Dominican Republic)
 - Combat Infantryman Badge
 - Vietnam Service Medal
 - National Defense Service Medal
 - Purple Heart
 - Expert Marksmanship Qualification Badge (M-14)
 - Expert Marksmanship Qualification Badge (M-16)

7. There are no documents or orders in the applicant’s record that indicate he was recommended for or awarded the CIB (2nd Award) or the AGCM.

8. The applicant's record does not contain evidence indicating his commander disqualified him for award of the AGCM.

BOARD DISCUSSION:

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

2. The Board carefully considered the applicant’s contentions, his record of service to include service in the Dominican Republic and Vietnam, the awards and decorations on his DD Form 214, his conduct and efficiency ratings and his separation under honorable conditions. The Board considered the date of his Purple Heart as well as the regulatory guidance regarding a separate award of a CIB during the four conflicts listed in the references below. The Board found that while the applicant was wounded in Vietnam, his award of his earlier CIB occurred during the same Vietnam Conflict and therefore a second award of a CIB was not authorized. The Board found no disqualifying evidence to preclude award of an Army good Conduct Medal for his 3 years and 19 days of service. Based on a preponderance of evidence, the Board determined that the applicant should be awarded an AGCM. The Board also determined that the absence of a second CIB award was not in error or unjust and deny that portion of the request. The Board concurred with the corrections stated in the Administrative Notes below.

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 partial relief. As a result, in addition to the corrections stated in the Administrative Notes that follow, the Board recommends that all Department of the Army records of the individual concerned be corrected by:

- Awarding the applicant the Army Good Conduct Medal for the period of service 19 June 1963 through 7 July 1966
- Amending the applicant's DD Form 214, for the period ending 7 July 1966 to show award of the Army Good Conduct Medal.

2. The Board further determined that the evidence presented is insufficient to warrant a portion of the requested relief. As a result, the Board recommends denial of so much of the application that pertains to a second award of the Combat Infantryman Badge.

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): administratively correct the applicant's DD Form 214 for the period ending 7 July 1966 without action by the Board by adding the following:

- Republic of Vietnam Campaign Medal with Device (1960)
- two bronze service stars with the Vietnam Service Medal
- Valorous Unit Award
- Meritorious Unit Commendation
- Republic of Vietnam Gallantry Cross with Palm Unit Citation

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 Department of the Army policy, criteria, and administrative instructions concerning individual and unit military awards.

a. The Republic of Vietnam Campaign Medal with Device (1960) was awarded by the Government of Vietnam to all members of the Armed Forces of the United States for qualifying service in Vietnam during the period 1 March 1961 through 28 March 1973. Qualifying service included assignment in Vietnam for 6 months or more. Qualifying service outside the geographical limits of the Republic of Vietnam required the individual to provide direct combat support to the Republic of Vietnam and Armed Forces. Individuals who had qualified for award of the Vietnam Service Medal or the Armed Forces Expeditionary Medal and were evacuated prior to completing six months of service due to wounds resulting from hostile action were entitled to award of the Vietnam Campaign Medal.

b. A separate award of the Combat Infantryman Badge has been authorized for qualified Soldiers in any of four conflicts:

- World War II (7 December 1941 to 3 September 1945)
- the Korean Conflict (27 June 1950 to 27 July 1953)
- the Vietnam Conflict (which includes service in the Republic of Vietnam (2 March 1961 to 28 March 1973 and qualifying service in Laos (19 April 1961 to 6 October 1962)), the Dominican Republic (28 April 1965 to 1 September 1966), Korea on the demilitarized zone (4 January 1969 to 31 March 1994), Grenada (23 October to 23 November 1983), Panama (20 December 1989 to 31 January 1990), and the Persian Gulf War (17 January to 11 April 1991)
- the War on Terrorism (which includes Afghanistan, Operation ENDURING FREEDOM; and Iraq, Operation IRAQI FREEDOM).

Subsequent awards of the Combat Infantryman Badge are not authorized for the same qualifying period. It is recognized by one award only regardless of whether a Soldier had served one or multiple tours in any or all of these areas.”

c. The Vietnam Service Medal was awarded to all service members of the Armed Forces of the United States for qualifying service in Vietnam after 3 July 1965 through 28 March 1973. Qualifying service included attachment to or assignment for 1 or more days with an organization participating in or directly supporting military operations. One bronze service star is authorized with the Vietnam Service Medal for each campaign during which a member was assigned or attached to and present for duty with a unit during the period in which it participated in combat or was under orders in the combat zone and served at a normal post of duty. One silver service star is worn to denote five

bronze service stars. The applicant participated in two campaigns during his service in Vietnam.

3. Army Regulation 672-5-1 (Awards), in effect at the time, stated:

a. 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. Service school efficiency ratings based upon academic proficiency of at least "Good" rendered subsequent to 22 November 1955 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.

b. To be eligible for the CIB, an individual must have been an infantry officer in the grade of colonel or below, or an enlisted man or a warrant officer with an infantry MOS, who subsequent to 6 December 1941 satisfactorily performed duty while assigned or attached as a member of an infantry unit of brigade, regimental or smaller size during any period such unit was engaged in active ground combat. Battle participating credit alone was not sufficient; the unit must have been in active ground combat with the enemy during the period. Awards may be made to assigned members of ranger infantry companies as signed or attached to tactical infantry organizations. They may also be made to members of the U.S. Army who are colonels or below and were assigned under appropriate orders for service in Republic of Vietnam.

4. Department of the Army Pamphlet 672-3 (Unit Citation and Campaign Participation Credit Register) lists the unit awards received by units serving in Vietnam.

a. 2nd Battalion, 327th Infantry was cited for the Valorous Unit Award by order of the Department of the Army General Order (DAGO) Number 1, dated 1969, for the period 17 January 1966 to 25 March 1966.

b. 2nd Battalion, 327th Infantry was cited for the Meritorious Unit Commendation by DAGO Number 1, dated 1969, for the period 29 July 1965 to 1 October 1966.

c. Republic of Vietnam Gallantry Cross with Palm Unit Citation by DAGO Number 8 dated March 1974, for the period 8 February 1962 to 28 March 1973.

//NOTHING FOLLOWS//