

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 21 February 2025

DOCKET NUMBER: AR20240006743

APPLICANT REQUESTS: correction of his DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge) for the period ending 27 February 1969, to show 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)

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 without the CIB on his DD Form 214, he is unable to receive treatment for his medical condition which is related to serving in Vietnam. He notes post-traumatic stress disorder is related to his request.
3. A review of the applicant's service record shows:
 - a. He enlisted in the Regular Army on 28 February 1966.
 - b. His DA Form 20 reflects the following information:
 - (1) Item 22 (Military Occupational Specialties (MOS)) shows 11B Light Weapons Infantryman.
 - (2) Item 31 (Foreign Service) shows he served in the Republic of Vietnam from 18 September 1966 to 16 September 1967.
 - (3) Item 38 (Record of Assignments) shows that during his time in the Republic of Vietnam he served in Company B, 2nd Battalion, 327th Infantry MOS 11B1P, Rifleman and 11B2P, Machine Gunner.

(4) Item 38 shows that he received all "excellent" conduct and efficiency ratings.

(5) Item 41 (Awards and Decorations) shows no indication of award of CIB.

c. On 29 February 1969, he was honorably released from active duty. The DD Form 214 shows he completed 3 years of active service. It also shows he was awarded or authorized the:

- Vietnam Service Medal
- National Defense Service Medal
- Vietnam Campaign Medal with 60 Device
- Army Commendation Medal with V Device
- Sharpshooter Marksmanship Qualification Badge with Rifle Bar

4. His records are void of any disciplinary actions or a commander's disqualification for award of the Army Good Conduct Medal for the period 28 February 1966 through 27 February 1969.

5. A review of the Awards and Decorations Computer-Assisted Retrieval System (ADCARS), an index of general orders (and in some instances special orders) issued during the Vietnam era between 1965 and 1973 maintained by the Military Awards Branch of the U.S. Army Human Resources Command, failed to reveal any orders for the CIB pertaining to the applicant.

6. A review of the applicant's record confirms he is eligible for awards and campaign credits that are not recorded on 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.

7. 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.

8. By regulation (AR 672-5-1), the Army Good Conduct Medal was awarded for each 3 years of continuous enlisted active service, 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 and there must be no convictions by a court-martial. 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.

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 applicant’s record showing he held the 11B MOS while serving in Vietnam and he was previously awarded an ARCOM with “V” device, the Board concluded that by a preponderance of the evidence, it was likely than not that the applicant was qualified to be awarded the CIB and that it should be added to his military record.

BOARD VOTE:

<u>Mbr 1</u>	<u>Mbr 2</u>	<u>Mbr 3</u>	
:XXX	:XXX	:XXX	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.
2. 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 military service of the applicant.

//SIGNED//

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 records show he was awarded or authorized the following award not reflected on his DD Form 214. As a result, amend his DD Form 214 to show:

- Valorous Unit Award
- Meritorious Unit Commendation
- Republic of Vietnam Civil Actions Honor Medal, First Class
- Republic of Vietnam Gallantry Cross Unit Citation with Palm
- two bronze service stars to his previously awarded Vietnam 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 600-8-22 (Military Awards) states 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. Additionally, Appendix V of U.S. Army Vietnam (USARV) Regulation 672-1 states that during the Vietnam era the Combat Infantryman Badge was awarded only to enlisted individuals who held and served in MOS 11B, 11C, 11D, 11F, 11G, or 11H.
3. Army Regulation 635-5 (Separation Documents), prescribed the separation documents that would be furnished each individual who was separated from the Army including Active-Duty Training personnel and established standardized procedures for the preparation and distribution of these documents. All available records would be used as a basis for the preparation of the DD Form 214, including DA Form 20. In item 24, enter from section 9, all decorations, service medals, campaign credits, and badges awarded or authorized, omitting authorities cited therein.
4. Department of the Army Pamphlet 672-3 (Unit Citations and Campaign Participation Credit Register) assist commanders and personnel officers in determining or establishing the eligibility of individual members for campaign participation credit, assault landing credit, and unit citation badges awarded during the Vietnam Conflict. Department of the Army General Orders (DAGO) Number 8, dated 1974, awarded the Republic of Vietnam Gallantry Cross Unit Citation with Palm to Headquarters, United States Army Vietnam, for service in Vietnam for the period of 20 July 1965 to 28 March 1973.

5. Army Regulation 672-5-1 (Awards), in effect at the time, stated 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 immediate commander made a positive recommendation for its award and until the awarding authority announced the award in general orders.

//NOTHING FOLLOWS//