

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 30 April 2025

DOCKET NUMBER: AR20240009193

APPLICANT REQUESTS: 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)
- Self-Authored Letter, 10 July 2024
- DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge)
- Honorable Discharge Certificate, 1 September 1975
- Certificate of Appreciation
- Post-traumatic Stress Disorder (PTSD) Claim – Statement of Vietnam Event Stressors, 9 February 2012
- Marriage and License Certificate, 18 September 2021
- Résumé

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 he should have been awarded the CIB and believes it was an oversight. He was involved in a number of combat encounters, including rocket attacks. He witnessed life loss and brutality.

a. After being discharged from the Army in 1970, he enrolled in a community college and attended two universities and one professional school. He married in 1978 and had children in 1979 and 1983.

b. He was pursuing a career and fatherhood, and hadn't thought about the CIB until he recently joined the Together We Served Online Community.

c. His PTSD was rated 70-percent disabling from combat stressors while assigned to Headquarters and Headquarters Company, 1st Battalion, 61st Infantry Regiment, 5th Mechanized Infantry Division, in Quảng Tri, Vietnam. He experienced terrible events in the performance of his duties as a motor sergeant in Vietnam, including rocket attacks and mine and bomb attacks on vehicles. He experienced the emotional and physical effects of these combat events. He still has disturbing dreams, especially after watching combat incidents on television.

d. The requirements for award of the CIB include being an infantryman satisfactory performing infantry duty, being assigned to an infantry unit during active ground combat, and actively participating in such combat. He believes he meets two of the three requirements.

3. The applicant's service records are not available for review.

4. His DD Form 214 shows:

a. He enlisted in the Regular Army on 15 September 1969.

b. He was awarded military occupational specialty (MOS) 71T (Maintenance Data Specialist).

c. He completed the 8-week Armor Crewman Course (MOS 11E) in 1969.

d. He served in Vietnam from 15 November 1970 through 15 February 1971.

e. His last duty assignment was with the 103d Military Police Detachment at Fort MacArthur, CA.

f. He was honorably released from active duty on 20 March 1972.

g. He completed 2 years, 6 months, and 6 days of net active service with no lost time.

5. There is no available documentation showing he was awarded an infantry or special operations MOS or was assigned to an infantry or special operations unit and satisfactorily performed duty while assigned or attached as a member of an infantry, ranger, or special forces unit of a brigade, regimental, or smaller size during any period such unit was engaged in active ground combat.

6. Department of the Army General Orders Number 8, 19 March 1974, confirmed award of the Republic of Vietnam Gallantry Cross with Palm Unit Citation to Headquarters, U.S. Military Assistance Command, and its subordinate units during the

period 8 February 1962 to 28 March 1973 and to Headquarters, U.S. Army Vietnam, and its subordinate units during the period 20 July 1965 to 28 March 1973.

BOARD DISCUSSION:

After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that relief was not warranted. The Board carefully considered the applicant's record of service, documents submitted in support of the petition, and executed a comprehensive review based on law, policy, and regulation. The evidence of record shows the applicant held military occupational specialty (MOS) 71T (Maintenance Data Specialist) and was attached to the military police. The Board determined the applicant was not assigned to an infantry or special operations unit and satisfactorily performed duty while assigned or attached as a member of an infantry, ranger, or special forces unit of a brigade, regimental, or smaller size during any period such unit was engaged in active ground combat. Therefore, the Board determined the applicant did not meet the criteria for award of the Combat Infantryman Badge since he did not hold an infantry MOS and was not assigned to an infantry unit and/or served in active ground combat while assigned or attached to an infantry unit of brigade, regimental or smaller size and denied relief.

2. Administrative Notes: The applicant is authorized administrative correction of his DD Form 214 for the period ending 20 March 1972 to show the following awards without Board action that he is authorized:

- One bronze service star with his Vietnam Service Medal
- Republic of Vietnam Gallantry Cross with Palm Unit Citation

BOARD VOTE:

<u>Mbr 1</u>	<u>Mbr 2</u>	<u>Mbr 3</u>	
:	:	:	GRANT FULL RELIEF
:	:	:	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
XXX	XXX	XXX	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.

X //SIGNED//

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):

The applicant is authorized administrative correction of his DD Form 214 for the period ending 20 March 1972 to show the following awards without Board action:

- one bronze service star with his Vietnam Service Medal
- 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) provides Army policy, criteria, and administrative instructions concerning individual military decorations.

a. The CIB is awarded to infantry officers and enlisted and warrant officer persons who have an infantry or special operations MOS. They must have satisfactorily performed duty while assigned or attached as a member of an infantry, ranger, or special operations unit of brigade, regimental, or smaller size during any period such unit was engaged in active ground combat. Additionally, Appendix V of U.S. Army

Vietnam Regulation 672-1 (Decorations and Awards) 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.

b. 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.

c. The Republic of Vietnam Campaign Medal with Device (1960) was awarded by the Government of the Republic of Vietnam to service members of the U.S. Armed Forces who served in the Republic of Vietnam for 6 months during period 1 March 1961 to 28 March 1973, inclusive. To qualify, personnel must have served in the Republic of Vietnam for 6 months or for less than 6 months and have been:

- wounded by hostile forces
- captured by hostile forces, but later escaped, was rescued, or released
- killed in action or otherwise in the line of duty

3. Department of the Army Pamphlet 672-3 (Unit Citation and Campaign Participation Credit Register), in effect at the time, provided that an organization is given campaign participation credit if it actually performed duties either in the air or on the ground in any part of the combat zone during the time limitations of the campaign. During the applicant's service in Vietnam, campaign participation credit was awarded for the Vietnam Counteroffensive Phase VII from 1 July 1970 through 30 June 1971.

//NOTHING FOLLOWS//