

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 28 May 2025

DOCKET NUMBER: AR20240009311

APPLICANT REQUESTS: correction of his DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge) to show the Bronze Star Medal (2nd award) and the Combat Infantryman Badge.

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

- DD Form 149 (Application for Correction of Military Record)
- newspaper article

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 his DD Form 214 only shows one award of the Bronze Star Medal. He has a copy of his hometown newspaper stating he was awarded two Bronze Star Medals. Additionally, his DD Form 214 does not show the Combat Infantryman Badge which is incorrect because was in combat during his Army service.
3. The applicant's records contain orders awarding him the first and second awards of the Bronze Star Medal (one with "V" Device for heroism in connection with military operation against a hostile force on 29 May 1970). Therefore, there is sufficient evidence to correct his DD Form 214 to show these awards without Board action. This portion of his request will not be discussed further in this Record of Proceedings.
4. The applicant was inducted into the Army of the United States on 19 June 1969. He was awarded military occupational specialty 11B (Light Weapons Infantryman) upon completion of initial entry training.
5. The applicant's DA Form 20 (Enlisted Qualification Record) shows he served in Vietnam from 6 December 1969 to 6 November 1970. It also shows he was assigned to the 3rd Battalion, 22nd Infantry during his service in Vietnam.

6. Headquarters, 25th Infantry Division General Orders Number 5214, dated 14 May 1970, awarded the applicant the Army Commendation Medal with "V" Device for heroism in connection with military operations against a hostile force on 7 April 1970.

7. The applicant was honorably released from active duty on 8 June 1971. His DD Form 214 shows he was awarded or authorized the:

- National Defense Service Medal
- Vietnam Service Medal
- Bronze Star Medal
- Vietnam Campaign Medal
- 2 overseas service bars
- Air Medal (2nd award)
- Marksman Marksmanship Qualification Badge with Rifle Bar (M-16)

BOARD DISCUSSION:

1. After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that relief was warranted. The Board carefully considered the applicant's record of service, documents submitted in support of the petition and executed a comprehensive and standard review based on law, policy and regulation. Upon review of the applicant's petition and available military record, the Board determined he served as a 11B Light Weapons Infantryman and was assigned to the 3rd Battalion, 22nd Infantry, 25th Infantry Division during his service in Vietnam. Based on governing regulation the applicant met the criteria to be awarded the Combat Infantryman Badge (CIB).

2. During deliberation the Board noted the applicant's service record did not reflect he was awarded the Army Good Conduct Medal (1st Award), and his record shows he received "excellent" conduct and efficiency ratings throughout his service for the period of 18 June 1969 to 8 June 1971. Based on this the Board granted relief for correction of the record to show he was awarded the CIB and the Army Good Conduct Medal.

3. Prior to closing the case, the Board did note the analyst of record administrative notes below, and recommended the correction be completed to more accurately depict the military service of the applicant.

BOARD VOTE:Mbr 1 Mbr 2 Mbr 3

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

BOARD DETERMINATION/RECOMMENDATION:

In addition to the administrative notes annotated by the Analyst of Record (below the signature), the Board determined the evidence presented is sufficient to warrant a recommendation for relief. As a result, the Board recommends that all Department of the Army records of the individual concerned be corrected by amending the applicant's DD Form 214 for the period ending 8 June 1971 by adding: in item 24 (Decorations, Medals, Badges, Citations and Campaign Ribbons Awarded or Authorized):

- Combat Infantryman Badge (CIB)
- Award him the Army Good Conduct Medal (1st Award) for exemplary service from 18 June 1969 to 8 June 1971 and add the medal to his DD Form 214

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): add to the applicant's DD Form 214 the:

- Bronze Star Medal (2nd award) with "V" Device
- Army Commendation Medal with "V" Device

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 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.
3. Army Regulation 672-5-1 (Decorations, Awards and Honors Military Awards), in effect at the time, states 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. 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.

//NOTHING FOLLOWS//