

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 15 May 2025

DOCKET NUMBER: AR20240010288

APPLICANT REQUESTS: correction of his DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge) to add the following awards:

- Combat Infantryman Badge
- Air Medal
- A video/telephonic appearance before the Board

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

- DD Form 149 (Application for Correction of Military Record)
- Air Medal Citation, for the period December 1968 through August 1969
- Air Medal Certificate, for the period December 1968 through August 1969
- National Guard Bureau (NGB) Form 22 (National Guard Report of Separation and Record of Service)

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, he is requesting correction of his DD Form 214, by adding the Combat Infantryman Badge, and the Air Medal. He believes it may have been an oversight and would like the awards added to his DD Form 214.
3. The applicant is authorized the Air Medal, pursuant to General Orders Number 9554, issued on 7 August 1969. The applicant is also authorized additional awards, and foreign service credit not currently listed on his DD Form 214. These changes will be administratively corrected in the "Administrative Notes" section of this document without Board action and will not be discussed further in these proceedings.
4. The applicant provides and the service record shows:

- On 23 February 1967, he enlisted in the Army National Guard (ARNG)
- On 27 March 1967, he was ordered to active duty for training for military occupational specialty (MOS) 71H20 (Personnel Specialist)
- On 29 July 1967, he was honorably released from active duty and transferred to his ARNG unit; he completed 4 months, and 3 days of active federal service
- On 13 May 1968, he was ordered to active duty for service in Vietnam
- He served with the 15th Administration Company, 1st Air Cavalry Division, U.S. Army Pacific (USARPAC)-Vietnam from 27 November 1968 through 11 August 1969; he completed 8 months, and 15 days of foreign service
- On 15 August 1969, he was honorably released from active duty and transferred to his ARNG unit; he completed 1 year, 3 months, and 3 days of active federal service
- On 14 January 1970, he was honorably released to the ARNG, after 2 years, 10 months, and 22 days of service
- His record does not reflect orders for the Combat Infantryman Badge

BOARD DISCUSSION:

1. 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 and standard review based on law, policy and regulation. The evidence of record shows the applicant enlisted in the Army National Guard on 23 February 1967. On 27 March 1967, he was ordered to active duty for training and was subsequently awarded MOS 71H20 (Personnel Specialist). On 13 May 1968, the applicant was ordered to active duty for service in Vietnam. He served with the 15th Administration Company, 1st Air Cavalry Division, U.S. Army Pacific (USARPAC-Vietnam) from 27 November 1968 through 11 August 1969.

2. The applicant contends entitlement to the Combat Infantryman Badge. However, the official record does not support award of an infantry MOS. The applicant was trained and awarded MOS 71H20, a personnel specialty, and there is no evidence of reclassification into an infantry MOS. Likewise, the applicant's record is void of orders awarding the Combat Infantryman Badge. By regulation, award of the Combat Infantryman Badge requires that a Soldier must hold an infantry MOS and be assigned to an infantry unit of brigade, regimental, or smaller size during active ground combat. The applicant's assignment to an administrative company does not meet these criteria. In the absence of substantiating documentation, the Board cannot authorize correction of the applicant's records to reflect award of the Combat Infantryman Badge.

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.

4. The applicant's request for a personal appearance hearing was carefully considered. In this case, the evidence of record was sufficient to render a fair and equitable decision. As a result, a personal appearance hearing is not necessary to serve the interest of equity and justice in this case.

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):

A review of the SM's records shows he is authorized foreign service, and additional awards currently not listed on his DD Form 214. As a result, amend his DD Form 214 by amending:

- a. Item 22c (Foreign and Sea Service) to show: 8 months, and 15 days
- b. item 24 (Awards) to show he was authorized the following awards:
 - Republic of Vietnam Gallantry Cross with Palm Unit Citation
 - Meritorious Unit Commendation
 - Republic of Vietnam Civil Actions Honor Medal
 - Republic of Vietnam Campaign Medal with 1960 Device
 - Air Medal
 - Two Overseas Service Bars
 - Vietnam Service Medal with one silver service bar
- c. Item 30 (Remarks) to show: Service in Vietnam from 27 November 1968 through 11 August 1969

REFERENCES:

1. Title 10 (Armed Forces), United States Code (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 (Army Board for Correction of Military Records (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 15-185 (ABCMR), currently in effect, prescribes the policies and procedures for correction of military records by the Secretary of the Army acting through the ABCMR. The ABCMR begins its consideration of each case with the presumption of administrative regularity. The applicant has the burden of proving an error or injustice by a preponderance of the evidence. The ABCMR may, in its discretion, hold a hearing (sometimes referred to as an evidentiary hearing or an administrative hearing) or request additional evidence or opinions. Applicants do not have a right to a hearing before the ABCMR. The Director or the ABCMR may grant a formal hearing whenever justice requires.
3. Army Regulation 600-8-22 (Military Awards) prescribes Army policy, criteria, and

administrative instructions concerning individual and unit military awards. The CIB is authorized to Soldiers when the three requirements are met. 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 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.

4. Department of the Army Pamphlet 672-3 (Unit and Campaign Participation Credit Register) shows:

a. A bronze service star is worn on the appropriate service ribbon, to include the Vietnam Service Medal, for each credited campaign. During his service in Vietnam, the applicant participated in the following campaigns:

- Vietnam Counteroffensive, Phase V, 1 July 1968-1 November 1968
- Vietnam Counteroffensive, Phase VI, 2 November 1968-22 February 1969
- TET 69 Counteroffensive, 23 February 1969-8 June 1969
- Vietnam Summer-Fall 1969, 9 June 1969-31 October 1969
- Vietnam Winter-Spring 1970, 1 November 1969-30 April 1970

b. Department of the Army General Orders Number 59, dated 1970, announced award of the Republic of Vietnam Gallantry Cross with Palm Unit Citation to 15th Administration Company for the period 9 August 1965 to 19 May 1969.

c. Table 2, 15th Administration Company reflects the unit was awarded:

- The Meritorious Unit Commendation for the period 1 October 1967 to 30 June 1969, pursuant to Department of the Army General Order 51, dated 1971
- The Republic of Vietnam Civil Actions Honor Medal for the period 1 January 1969 to 1 February 1970, pursuant to Department of the Army General Order 42, dated 1972

5. Army Regulation 670-5 (Uniform and Insignia Male Personnel) prescribes the authorized material, design, ornamentation, insignia, accessories, manner, and occasion for the wearing of the uniform by all male personnel of the U.S. Army. Oversea service bars (World War II, Korean Service, Vietnam Service, and the Dominican Republic). One overseas service bar is authorized for each period of 6 months' active Federal service as a member of the U.S. Army in Vietnam subsequent to 1 July 1958.

6. Army Regulation 635-5 (Separation Documents) in effect at the time, states that the DD Form 214 will reflect the conditions and circumstances that existed at the time the records were created. The purpose of the separation document is to provide the individual with documentary evidence of his or her military service at the time of release from active duty, retirement, or discharge. It is important that information entered on the form be complete and accurate and reflects the conditions as they existed at the time of separation.

//NOTHING FOLLOWS//