

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 9 April 2025

DOCKET NUMBER: AR20240010338

APPLICANT REQUESTS: correction of his DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge) for the period ending 6 April 1970 to add the awards of two Air Medals, Bronze Star Medal (2nd Award) with V Device, three overseas service bars, and Combat Infantryman Badge

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

- DD Form 149 (Application for Correction of Military Record)
- General Orders Number 4079, Air Medal Citation, and two Air Medal Certificates
- General Orders Number 2407 and Bronze Star Medal (1st Oak Leaf Cluster) with V Device
- DD Form 214
- Adjutant's Letter
- Awards Forwarding Letter

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 is missing approved awards. In a conversation via telephone on 3 April 2025 he clarified his belief that he should have been awarded the Combat Infantry Badge.
3. The applicant's request for the Bronze Star Medal (2nd Award) with V Device, three Overseas Service Bars, and two Air Medals will be administratively corrected in the "Administrative Notes" section of this document without the need for Board action. In addition, the applicant is authorized additional awards not currently listed on his DD Form 214. However, the remaining issue for the Combat Infantryman Badge will be considered by the Board.

4. The applicant provides:

a. The Air Medal Citation, for service from 6 April 1969 to 3 July 1969, General Orders Number 4079, 14 March 1970 awarding him the Air Medal (2nd Award) for service from 5 July 1969 to 3 October 1969, and two Air Medal Certificates.

b. An adjutant's letter, 28 October 1972 showing the Air Medal was approved and forwarded after his release but without the general orders.

c. A U.S. Army Training Center Engineer letter, 19 December 1972, show the Bronze Star Medal (1st Oak Leaf Cluster) with V Device and the Air Medal (2nd Award) was forwarded to the applicant.

5. A review of the applicant's service record show:

a. He was inducted into the Army of the United States on 23 July 1968. He was awarded military occupational specialty (MOS) 11B (Light Weapons Infantryman) upon completion of initial entry training.

b. Special Orders Number 268, 22 October 1968 show he was awarded the M-16 marksman marksmanship qualification badge.

c. Special Orders Number 273, 28 October 1968 show he was awarded the M-60 sharpshooter marksmanship qualification badge.

d. He arrived in Vietnam on or about 17 March 1969. Item 38 (Record of Assignments) of his DA Form 20 (Enlisted Qualification Record) shows he was assigned to Company D, 1st Battalion, 26th Infantry Regiment, 1st Infantry Division, as a rifleman in duty MOS 11B effective 27 March 1969.

e. General Orders Number 119911, 7 October 1969 awarded him the Bronze Star Medal for meritorious achievement from 2 September 1969 to 7 September 1969.

f. General Orders Number 2407, 18 February 1970 awarded him the Bronze Star Medal (1st Oak Leaf Cluster) with V Device.

g. There are no orders to show he was awarded the Combat Infantryman Badge.

h. He was honorably released from active duty on 6 April 1970 and transferred to the U.S. Army Reserve Control Group (Annual Training). He completed 1 year, 8 months, and 14 days of net active service during this period, including 11 months and 8 days of foreign service in Vietnam under U.S. Army Pacific. His DD Form 214 shows he was awarded or authorized the:

- National Defense Service Medal
- Vietnam Service Medal
- Vietnam Campaign Medal
- Bronze Star Medal
- Army Commendation Medal
- 2 Overseas Bars
- Marksmanship Badge (M-14)

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. The evidence of record shows the applicant held MOS 11B while serving in Vietnam. The applicant served in Vietnam from 17 March 1969 to 16 March 1970. The Board determined he met the criteria for award of the Combat Infantryman Badge since he served in an infantry MOS.
2. Prior to closing the case, the Board did note the analyst of record administrative notes below, and recommended the correction is completed to more accurately depict the military service of the applicant.

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 relief. As a result, the Board recommends that all Department of the Army records of the individual concerned be corrected by amending his DD Form 214, ending on 6 April 1970 to show award of the Combat Infantryman Badge.
2. The applicant's DA Form 20 shows he had all excellent conduct and efficiency ratings, and his record is void of any documentation that would preclude him from award of the Army good Conduct Medal (First Award). Amend the applicant's DD Form 214, ending on 6 April 1970 to show the Army Good Conduct Medal (First Award) for the period 23 July 1968 through 6 April 1970.

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 to show the following awards without Board action:

- Air Medal with Numeral 2
- Bronze Star Medal (2nd Award) with "V" Device
- three bronze service stars with his Vietnam Service Medal
- Republic of Vietnam Gallantry Cross with Palm Unit Citation
- Sharpshooter Marksmanship Qualification Badge with Machine Gun Bar (M-60)
- Marksman Marksmanship Qualification Badge with Rifle Bar (M-16)
- three overseas service bars

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

a. The Bronze Star Medal is awarded to any service member of the Armed Forces of the United States who, while serving in any capacity after 6 December 1941, distinguishes himself or herself by heroism, meritorious achievement, or meritorious service. As with all personal decorations, formal recommendations, approval through the chain of command, and announcement in orders are required. The "V" device is worn to denote participation in acts of heroism involving conflict with an armed enemy.

b. The Air Medal is awarded in time of war for heroism and for meritorious achievement or service while participating in aerial flight. This award is primarily intended for personnel on flying status but may also be awarded to those personnel whose combat duties require them to fly; for example, personnel in the attack elements of units involved in air-land assaults against an armed enemy. As with all personal decorations, formal recommendations, approval through the chain of command, and announcement in orders are required. Numerals, starting with 2, will be used to denote second and subsequent awards of the Air Medal.

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. 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 the unit participated in combat. Table K-1 shows participation credit was awarded for the following campaigns, in part:

- Tet 69 Counteroffensive 1969 – 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

3. United States Army Vietnam Regulation 672-1 (Decorations and Awards) states that recommendations for award of the Combat Infantryman Badge will include the individuals branch, primary MOS, duty MOS as reflected in personnel records, and the primary duty position title as entered in the personnel records. Also included will be the dates the individual came under fire, type of operation being conducted, and as an

enclosure, a copy of the individual's DA Form 20 as appropriate. The CIB is not a battle participation badge, but is reserved for full time (30 or more days as their primary duty) advisors to infantry or infantry type units actively participating or engaging in infantry operations.

4. Army Regulation 672-5-1 (Military Awards) states that retroactive awards of the Combat Infantryman Badge may be made for service in Vietnam subsequent to 1 March 1961. An individual must be an Infantry Officer in the grade of Colonel or below, or an Enlisted Soldier or a Warrant Officer with Infantry MOS, who subsequent to 6 December 1941 has 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 is not sufficient; the unit must have been in active ground combat with the enemy during the period.

5. Army Regulation 635-5 (Separation Documents), effective 1 February 1967, 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, DA Form 66, and orders. In item 24, enter from item 21, DA Form 66 (Officer Qualification Record), or section 9, DA Form 20 (Enlisted Qualification Record) all decorations, service medals, campaign credits, and badges awarded or authorized, omitting authorities cited therein.

6. Department of the Army Pamphlet 672-3 (Unit Citation and Campaign Participation Credit Register), paragraph 6d, states that Department of the Army General Orders Number 8, dated 1974, announced award of the Republic of Vietnam Gallantry Cross with Palm Unit Citation to Headquarters, U.S. Army Vietnam, and its subordinate units for the period 20 July 1965 to 28 March 1973.

7. Army Regulation 670-1 Chapter 27-26(3) states, one overseas service bar is authorized for each period of 6 months' active Federal service as a member of a U.S. Service in Vietnam from 1 July 1958 to 28 March 1973. Both the month of arrival in Vietnam and the month of departure from Vietnam will count as a whole month for credit toward the overseas service bar periods of TDY service in Vietnam where credit is given for hostile fire pay for 1 month may also be given credit for a corresponding month towards an award of an overseas service bar.

//NOTHING FOLLOWS//