

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 16 November 2023

DOCKET NUMBER: AR20230003648

APPLICANT REQUESTS: reversal of the U.S. Army Human Resources Command (AHRC) denial of award of the Combat Infantryman Badge.

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

- DD Form 149 (Application for Correction of Military Record)
- Self-Authored Letter
- Unit Order Number 30 Promotion to Private First Class (PFC)
- Unit Orders Number 34
- DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge)
- Special Orders Number 145 Relief from Active Duty (REFRAD)
- DA Form 4187 (Personnel Action)
- Two Letters from E- R. C-
- Two Letter from G- D-
- Letter from AHRC
- Emails to AHRC
- Email from AHRC
- Photo of a document in Korean with translation
- Article the Korean War that Almost Was
- Pictures of Applicant
- Email to and from AHRC
- Article the Forgotten Demilitarized Zone (DMZ)

FACTS:

1. The applicant did not file within the 3-year time frame provided in Title 10, U.S. Code (USC), 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 his application and self-authored letter:

a. He served in the infantry at Camp Kaiser, Korea, from January 1967 to March 1968. From 1966 to 1969 there was a conflict in Korea known as the Second Korean War.

b. He was in Korea during the unsuccessful assassination attempt of the South Korean President, The Blue House Raid. He was also in Korea during the capture of the USS Pueblo. It was a very hostile area, a combat zone. He feels that he is deserving of the Combat Infantryman Badge.

c. The requirements for the Combat Infantryman Badge, at that time, were very stringent, almost impossible to meet. One must be killed, wounded, or involved in five documented fire fights. So much of what happened in Korea was not documented. A few years back, those nearly impossible requirements for award of the Combat Infantryman Badge were rescinded.

d. He served in the 1st Battalion, 17th Infantry Regiment at Camp Kaiser, South Korea, from 1967 to 1968. As a young infantryman, he did not really understand all that was going on. Vietnam was going on and that took up most of the news. However, it is now common knowledge that at that time ██████████ was working in concert with ██████████ ██████████ Their plan was to force the United States to fight a war on two fronts. Politically, the United States could not acknowledge that, so Vietnam was the news and Korean hostile actions were suppressed. In the units themselves, it seemed that the things that happened did not really happen. He does not know how it was explained to those parents and young wives when their loved ones came home in a box.

e. He did not really understand what was going on. Weird things would happen. Out in the field, thieves, also known as "slickie boys," would cut the straps on the Armored Personnel Carriers (APC) and carry off the Soldier's duffle bags. This would occur in the daytime. They would cut, grab, and run like hell. Even though they were carrying substantial weight, none of the Soldiers could ever catch them.

f. On another occasion, he was the radio operator with the forward observer. They were directing fire where they wanted the rounds to hit. He would communicate with the mortar team, "right, left, add fifty." Then he would hear "shot over." He would respond "shot out." They then waited for a high explosive impact. Boom! However, on one occasion, the round did not go "boom." It was a dud. They saw it hit and not explode. Immediately an unidentified individual ran to the unexploded round, picked it up, and ran away. He could not understand it. Trading material?

g. The Blue House Raid occurred on 21 January 1968. Thirty-one North Korean infiltrators got through the DMZ undetected. Their attempt to assassinate the South Korean President was unsuccessful. Some were killed in Seoul, the others headed back north. His company, maybe the whole battalion, set up a blocking line. Men were

spaced out trying to intercept infiltrators. Three or four shots rang out from one of the unit's other Soldiers. He was shooting at an infiltrator. An illumination flare went up immediately lighting up the night. Everyone was scanning intensely until the flare hit the ground and flickered out. The infiltrators had slipped past the unit.

h. The USS Pueblo was captured two days later on 23 January 1968. It had a crew of 83 men. One Sailor was killed, and the ship along with the other Sailors were taken to North Korea. The Sailors endured abuse and torture for months and were ultimately released. The USS Pueblo is still in North Korea to this day.

i. It was no coincidence that seven days later the Tet Offensive was launched in Vietnam, on 30 January 1968. That was the news. In Korea, the intensity of everything picked up dramatically. That was not news.

j. It seemed that the Soldiers were patrolling almost every night. Sometimes flares were used to turn the dark night into day. When not on patrol, the Soldiers would set up nighttime observation posts. They were working hard to make contact with the infiltrators. For the most part, it did not happen. However, on one occasion, one of the Soldiers from his company was manning an M-60 machine gun at a guard post. The Soldier saw an infiltrator doing something with the comms wire. Obviously, he was placing something ugly for the Soldiers. The M-60 gunner killed him.

k. Since so much patrolling was going on, some patrols would travel far out, out of radio range. To help the patrols, it was decided to send APCs up the mountain to a Hawk missile site. One evening, he was selected to go up the mountain in an APC and act as a radio relay. There was at least one other APC there. It was to be an all night mission. He contacted the patrols and closed the hatch. The night was uneventful, so when daylight came, they opened up. Unknown to the Soldiers, the other APC had an explosive device attached to the hatch. Fortunately, it did not explode and tear the hatch off and do damage to his APC as well.

l. It was a time of unending patrolling. Mostly foot patrols, but sometimes they would travel as a company in APCs. One evening they circled all the APCs, then enclosed the circle with concertina wire so that no one would get through. They had 50 percent security that night. To insure that, one sleeping bag was provided for two men. He paired up with a man the locals called [REDACTED]. His teeth were either gone or rotted. In civilian life, he worked for a carnival, he was a "Carney."

m. He told [REDACTED] he (the applicant) would take the first shift. This suited [REDACTED] fine because the mama sans were coming around selling Seven Horses gin. He guessed [REDACTED] needed a good drink. Eventually, [REDACTED] slipped his boots off and got into the bag. Then for a reason he could not understand, leaflets started coming down from the night sky. Immediately all the mama sans disappeared. The leaflets had

Korean writing on them. He did not know how they got there, but he immediately became vigilant. He expected something would happen.

n. At 1200, he roused [REDACTED] out of the warm bag. [REDACTED] did not like it. He shivered his boots on and started his guard duty. He got into the warm bag. Sometime later in the night, he could hear [REDACTED] telling him to let him in. He snuggled deeper into the bag.

o. As an 18 year old, he was drafted into the United States Army. He was put in harm's way. When he exited, after he was extended 30 days, he was thankful. He thought he was unharmed. He was mistaken. He is 100 percent service-connected disabled due to Agent Orange exposure.

p. He is applying for what should have been awarded in theater, the Combat Infantryman Badge, just like any other infantry Soldier who served in harm's way.

3. The applicant's service record contains the following documents:

a. DD Form 47 (Record of Induction) shows the applicant was inducted into the Army of the United States on 12 September 1966.

b. DA Form 20 (Enlisted Qualification Record) shows in item:

- 22 (Military Occupational Specialties (MOS)) 11B Light Weapons Infantryman
- 31 (Foreign Service) Korea 30 January 1967 through 18 March 1968
- 38 (Record of Assignments) 6 February 1967, Company A, 1st Battalion, 17th Infantry Regiment, 7th Infantry Division
- 41 (Awards and Decorations) National Defense Service Medal, Sharpshooter Marksmanship Qualification Badge with Rifle and Pistol bars

c. DD Form 214 shows the applicant was honorably released from active duty on 11 January 1968. Item 23a (Specialty Number and Title) shows 11B. Item 24 (Decorations, Medals, Badges, Commendations, Citations and Campaign Ribbons Awarded or Authorized) did not show he was awarded the Combat Infantryman Badge. A DD Form 215 (Correction to DD Form 214, Armed Forces of the United States Report of Transfer or Discharge), corrected block 11d (effective date) to 11 June 1968. He completed 1 year and 9 months of active duty service.

4. The applicant provides the following documents:

a. Unit Order Number 30, published by Company A, 1st Battalion (MECH), 17th Infantry, dated 29 June 1967, which promoted the applicant to the rank of private first class.

b. Unit Order Number 34, published by Company A, 1st Battalion (Mech), 17th Infantry, dated 1 August 1967, which is illegible.

c. Special Orders 145, published by Headquarters, 6th Infantry Division and Fort Campbell, dated 8 June 1968, which released the applicant from active duty, effective 11 June 1968.

d. DA Form 4187 requesting award of the Combat Infantryman Badge for the applicant personally being engaged by the enemy. The following information was provided:

- Date of Engagement: A few days after the Blue House Raid, 21 January 1968 and the capture of the USS Pueblo, 23 January 1968
- Location: Hawk missile site near Camp Kaiser, Korea
- Soldier was within 25 meters from Improvised Explosive Device (IED)

Situation: Soldier was providing radio relay to patrols from APC. Additional information is provided in the narrative and eyewitness statements. The form is not signed or dated.

e. Two notarized statements from E- R. C-, which state in effect:

(1) He and the applicant served together for more than a year in the 1st Battalion, 17th Infantry Regiment at Camp Kaiser, Korea. They did many things together because the applicant was the radio operator, and he was the Noncommissioned Officer in Charge (NCOIC). They went on patrols together and set up observation posts.

(2) The attempted assassination of the South Korean President occurred on 21 January 1968; this was also called the Blue House Raid. Two days later, the USS Pueblo was captured on 23 January 1968. The intensity of night patrols and nighttime observation posts increased dramatically. They were always trying to intercept infiltrators.

(3) Sometimes the patrols would range far out, beyond radio range. In order to help them, the applicant, the NCOIC, and a driver of the APC travelled up the mountain to the Hawk missile site. They were to act as radio relay to the patrols down below. In the evening, they got set up. The applicant made radio contact with all those involved, and they closed the hatch. They were to be there all night. The night was uneventful. In the morning, when they opened up, they discovered the APC adjacent to theirs had an explosive device attached to the hatch. Fortunately, it did not detonate.

(4) In the latter part of January 1968, the applicant and the NCOIC were involved in a blocking action to intercept North Korean infiltrators with their company and probably the whole battalion. Soldiers were spaced out for a long way during the night.

Suddenly, shots were fired from one of the company Soldiers who was in the line with them. He was shooting at an infiltrator. Even with illumination flares, they never found the infiltrator or any others.

f. Two notarized statements from G- D-, one of which is illegible. The second statement states, in effect, one night, during the month of January 1968, the Soldiers were on high alert on the missile tack site and all of the Soldiers that were on duty on sight had guard duty. During the night, the wind was blowing strong, and the temperature was very cold. The wind lifted a cover that went on the Range Only Radar and caused it to blow down the side of the hill. The on guard Soldier shot at the moving cover and hit it several times. He thought it was a bad guy. Needless to say, they had to order a replacement cover. During this same time of the month, the author remembers being at the barracks at Camp Kaiser and some time late at night he heard some gunfire and because of the silent night, the sound traveled a long way. It sounded like it came from the direction of the village. The thought was that possibly it was a villager shooting at a North Korean or vice versa. They never found out what really happened just that there was definitely gunfire late at night.

g. Letter from AHRC, dated 29 November 2022, states in effect:

(1) While AHRC would like to take favorable action for the applicant by adding the Combat Infantryman Badge to his DD form 214, they were unable to facilitate his request. In accordance with Army Regulation (AR) 600-8-22 (Military Awards), paragraph 8-6, the Combat Infantryman Badge is authorized during the period of the Korean Conflict from 27 June 1950 to 27 July 1953 and for service on the DMZ from 28 July 1953 to 31 March 1994. To be eligible to receive the Combat Infantryman Badge, during this period, Soldiers must have been assigned to an Infantry unit, possess an MOS of Infantryman, and satisfactorily performed Infantry duties, while the unit was actively engaged with the enemy in combat. Merely being assigned to combat patrol duty is insufficient for award determination.

(2) AHRC verified the applicant possessed an MOS of Infantry and was assigned to an Infantry unit; however, in order to retroactively award the Combat Infantryman Badge, they must review military documentation reflecting the applicant's participation in active ground combat with the enemy, which is defined by being personally present, under fire, and engaging in action against the enemy in active ground forces combat. As the packet presented by the applicant did not indicate he met that criteria, AHRC could not approve issuance of the Combat Infantryman Badge.

h. Email from the applicant to AHRC, dated 13 December 2022, states in effect:

(1) The applicant was in receipt of AHRC's correspondence, dated

29 November 2022. As stated on the applicant's DA Form 4187, he was within 25 meters of an IED that was placed on an APC. He also reiterated this in his documentation of service in Korea.

(2) Sergeant E- C- was with the applicant and verified the information in a notarized statement. This was supported by G- D- who worked at the missile site and observed the APCs at the site when he went on duty. The event in itself should indicate the applicant did actively participate in such ground combat.

(3) He requested AHRC have someone take another look at his request for award of the Combat Infantryman Badge. He believed he was very much deserving of the award.

i. Email from the applicant to AHRC, dated 23 December 2022, states in effect, he communicated to AHRC on 13 December 2022 concerning the non-approval of award of the Combat Infantryman Badge. He had no response from AHRC. He reiterated his reasons for his request and stated his claim deserved a review. He asked AHRC to acknowledge receipt of the email. AHRC's statement in their denial letter "merely being assigned to combat patrol duty is insufficient for award determination" diminished the applicant as an Infantry Soldier and diminished AHRC.

j. Email from AHRC, dated 23 December 2022, reiterates the reference in AR 600-8-22 and states, being within a certain range of an IED blast does not meet the criteria of engaging in action against the enemy in ground forces combat. Further, after careful review of the applicant's entire submission packet, it did not appear the applicant personally engaged enemy combatants during any of the cited incidents. AHRC remained unable to authorize award of the Combat Infantryman Badge. They informed the applicant if he disagreed with their determination, he could apply to the Board for their consideration.

k. Picture of a Korean Document with translation, which is regarding the capture of the USS Pueblo by self-defense measures of the Korean People's Army naval vessels, while conducting spying by infiltrating the deep waters of Wonsan in the territorial waters of the norther half of the Republic. The document details North Korea's thoughts on the USS Pueblo and the U.S. The entire document is available for the Board's consideration.

l. An article entitled The Korean War that Almost Was, dated 21 February 2019, which is a synopsis of the then President's trip to South Korea in 1966 and the fact that American Soldiers were fighting and dying in combat 30 miles away from where the President and his wife were visiting. The entire article is available for the Board's consideration.

m. Pictures of the applicant in uniform.

n. Email from applicant to AHRC, dated 3 February 2023, wherein the applicant states he was not satisfied with AHRC's decision, and he requested his application be reconsidered. The applicant was disagreeing with AHRC's statement that being within a certain range of an IED blast did not meet the criteria of engaging in action against the enemy in ground forces combat. AR 600-8-22 states "a Soldier must be personally present and under fire, while serving in an assigned infantry or Special Forces primary duty, in a unit engaged in active ground combat to close with and destroy the enemy with direct fire. IEDs, vehicle-borne IEDs, and the like are direct fire weapons. While no fixed, qualifying distance from an explosion of these devices can be established, commanders should consider the entirety of the combat situation when considering award of the Combat Infantryman Badge." In light of that information, he asked AHRC to give his application for award of the Combat Infantryman Badge further review.

o. Email from AHRC, dated 3 February 2023, states AHRC reviewed the applicant's documents several times but the determination from 29 November 2022 had not changed. The applicant's only recourse was to apply to the Board for consideration.

p. An article The Forgotten DMZ, provides information of the confrontation from late 1966 through 1969 in Korea. The entire article is available for the Board's consideration.

#### BOARD DISCUSSION:

1. After reviewing the application, all supporting documents, and the evidence found within the military record, a majority of the Board found relief is warranted.

2. A majority of the Board found the applicant's statement and the supporting statements he provided sufficient to confirm that he met the criteria for the Combat Infantryman Badge. As the basis for their decision, a majority of the Board specifically cited the account of the blocking action to intercept North Korean infiltrators the applicant participated in in late January 1968. A majority of the Board determined the applicant should be awarded the Combat Infantryman Badge and it should be added to his DD Form 214.

3. The member in the minority found insufficient evidence indicating the applicant met the criteria for the Combat Infantryman Badge. The member in the minority found no evidence confirming the applicant's participation in active ground combat during his service in Korea as an infantryman.



BOARD VOTE:

Mbr 1      Mbr 2      Mbr 3

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

BOARD DETERMINATION/RECOMMENDATION:

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 awarding him the Combat Infantryman Badge for action in January 1968 and adding the badge to his DD Form 214.

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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.

REFERENCES:

1. Title 10, 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 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 (AR) 600-8-22 (Military Awards) states that to be awarded the Combat Infantryman Badge, a Soldier must be an infantryman satisfactorily performing infantry duties, be assigned to an infantry unit during such time as the unit is engaged in active ground combat, and actively participate in such ground combat. A Soldier must

be an Army infantry enlisted Soldier with an Infantry or Special Forces MOS, who subsequent to 6 December 1941 has satisfactorily performed duty while assigned or attached as a member of an infantry, ranger or special forces unit or brigade, regimental, or smaller size during any period such unit was engaged in active ground combat. A recipient must be personally present and under hostile fire while serving in an assigned infantry or Special Forces primary duty, in a unit actively engaged in ground combat with the enemy. The unit in question can be of any size smaller than brigade.

b. The Combat Infantryman Badge may be awarded only to members of the U.S. Army.

- infantry officer in the grade of colonel or below
- enlisted man or warrant officer with an infantry MOS
- who 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
- one award of the Combat Infantryman Badge is authorized to each individual for each separate war
- the Combat Infantryman Badge is authorized during the period of the Korean Conflict from 27 June 1950 to 27 July 1953 and for service on the DMZ from 4 January 1969 to 31 March 1994

3. AR 600-8-22 (Military Awards), dated 5 March 2019 states in paragraph 8-6 the definition of requirement to be "engaged in active ground combat" has generated much dialogue over the years as to the original intent of the Combat Infantryman Badge. The intent has been clarified over time as being personally present, under fire, and engaging in action against the enemy in ground forces combat. It is not awarded for battle participation credit. The three requirements remain the same as in previous regulatory guidance. For service after 18 September 2001, a Soldier must be an Army infantry or Special Forces (SF) officer (CMF or AOC 11 or 18) in the grade of COL/O-6 or below, or an Army enlisted Soldier or warrant officer with an infantry or SF MOS, who has satisfactorily performed duty while assigned or attached as a member of an infantry, ranger, or SF unit of brigade, regimental, or smaller size during any period such unit was engaged in active ground combat, to close with and destroy the enemy with direct fires. (2) A Soldier must be personally present and under fire while serving in an assigned infantry or SF primary duty, in a unit engaged in active ground combat to close with and destroy the enemy with direct fires. IEDs vehicle-borne IEDs, and the like are direct fire weapons. While no fixed, qualifying distance from an explosion of these devices can be established, commanders should consider the entirety of the combat situation when considering award of the Combat Infantryman Badge.

//NOTHING FOLLOWS//