

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 10 September 2024

DOCKET NUMBER: AR20240000173

APPLICANT REQUESTS: correction of his DD Form 214 (Report of Separation from Active Duty), ending on 7 December 1974, to show award of the Combat Infantryman Badge and Bronze Star Medal with "V" Device, AND personal appearance before the Board.

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

- DD Form 149 (Application for Correction of Military Record)
- Self-Authored Statement, 11 November 2023
- Self-Authored Statement, 21 July 2023
- DD Form 214, ending on 7 December 1974
- General Orders Number 1663
- Memorandum, Subject: Promotion as a Reserve Commissioned Officer of the Army Under Title 10 United States Code (USC)
- U.S. Total Army Personnel Command letter

FACTS:

1. The applicant did not file within the 3-year time frame provided in Title 10, 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 part, he was awarded the Combat Infantryman Badge in 1969, but it appears the paperwork was mishandled. The award submission submitted in 1969 was apparently lost. General Orders Number 1663 (although for a different action) attests to him having earned the Combat Infantryman Badge. His activities in Vietnam (1968-1969) were classified.

a. His initial assignment in Vietnam was to Military Assistance Command Vietnam Team 17 (Quang Ngai) where he trained Vietnamese paramilitaries assigned to the regional Provincial Reconnaissance Unit (PRU). In 1969, organizational change within the Central Intelligence Agency reduced the need for military support to the PRU/Phoenix Program. Military positions were eliminated.

b. He was transferred to 1st Battalion, 525th Military Intelligence Group in Da Nang and was selected for unique, first of its kind assignment designed to address intelligence gaps pertinent to the North Vietnamese Army (NVA) Military Region Five. The plan required someone to be seconded to 5th Special Forces Detachment A-105 located at Nong Son, Quang Nam Province. He was selected based on experience and training.

- Qualified Infantryman -- completed a year of Infantry training culminating with graduation from Infantry Officer Candidate School at Fort Benning
- Completed the six month clandestine operations course at Fort Holabird
- Trained Vietnamese irregulars in the Phoenix Program
- His requests for airborne school and assignment to Special Forces were pending when he deployed to Vietnam

c. To fit into the A-Team structure, he was assigned as a staff sergeant (SSG) (Military Occupational Specialty (MOS) 11B (Infantryman)). He undertook this assignment understanding that full integration into the Team would require participation in all activities, including combat operations. Only the team commander was aware of his circumstance.

d. Within a week of his assignment, SSG B- and him were sent on a resupply mission to the U.S. Marine Corps (USMC) combat base at An Hoa. Their team traded "captured" North Vietnamese Army (NVA) souvenir materials for rations. "The route from Nong Son to An Hoa passed through a choke point known as "ambush alley." We took sniper fire going and returning. On the return trip some of our rations were destroyed by gunfire including a large rubber bladder of milk destined for Nong Son villagers. As we sped away, SSG B- radioed a situation report to our team commander including "Halpin earned his CIB today."

e. In November 1969 he was on an operation with Captain (CPT) K- and two squads of the Civilian Irregular Defense Group (CIDG) that supported our team. We were to "find, fix, and destroy" North Vietnamese elements operating in the region. On the third day of the operation we detected a group of NVA approaching our position. We prepared a hasty ambush and in the ensuing fire fight, killed all of them. The firefight alerted a larger enemy force and within a brief time we were fully engaged. We called for artillery and close air support. CIDG casualties were mounting and Medical Evacuation (MEDEVAC) was requested. When the first MEDEVAC arrived, the pilot learned we were Special Forces, and the casualties were Vietnamese. He declared the landing zone was too hot and flew away. USMC MEDEVAC support was requested and a CH 46 with guns blazing arrived on station. It landed and took several wounded CIDG on board.

f. The firefight continued and the larger enemy force was advancing on our position (his rucksack took a round). Two F-105 made successive runs at the enemy, dropping snake-eyes and napalm. This caught the enemy in a kill zone and enabled our orderly retrograde. We called for a third MEDEVAC to extract additional dead and wounded. CPT K- and I boarded that Huey for return to our team's base.

3. A review of the applicant's official record shows the following:

a. On 30 June 1967, the applicant enlisted in the Regular Army in MOS 11B (Light Weapons Infantryman).

b. On 3 June 1968, the applicant was appointed as a Reserve commissioned officer and executed an oath of office.

c. On 8 June 1968, the applicant was honorably released from active duty. DD Form 214 is void of service in Vietnam and it shows in item 24 (Decorations, Medals, Badges, Commendations, Citations and Campaign Ribbons Awarded or Authorized) National Defense Service Medal and the Marksman Marksmanship Qualification Badge with Rifle Bar (M-16).

d. DA Form 66 (Officer Qualification Record) (best available copy from his microfiche) is illegible.

e. On 7 December 1974, the applicant was honorably released from active duty. He completed 6 years, 6 months, and 5 days of net active service. DD Form 214 shows in items:

- 16a (Primary Specialty) 9668 Area Intelligence Officer
- Item 24:
  - National Defense Service Medal
  - Vietnam Service Medal with two bronze service stars
  - Republic of Vietnam Campaign Medal with 1960 Device
  - Bronze Star Medal
  - Army Commendation Medal with "V" Device
  - Meritorious Unit Commendation
  - Army Commendation Medal with (one oak leaf cluster)
  - Republic of Vietnam Gallantry Cross with Palm Unit Citation

f. The applicant's records are void of orders awarding him the Bronze Star Medal with "V" Device or the Combat Infantryman Badge.

4. The applicant provides:

a. General Orders Number 1663 showing he was awarded the Army Commendation Medal with "V" Device for actions on 14 November 1969 while serving as an Infantry tactical advisor to a Vietnamese group. While operating deep within enemy territory, his force came under intense small arms and mortar fire from an estimated company size enemy force positioned in a well camouflaged bunker complex. The applicant exposed himself to intense enemy fire as he raced to a forward position where he could direct artillery and air strikes.

b. Memorandum, Subject: Promotion as a Reserve Commissioned Officer of the Army Under Title 10 USC wherein the applicant was appointed as a Reserve commissioned officer.

c. U.S. Total Army Personnel Command letter wherein the applicant was informed about the status of his promotion.

5. MACV Directive 672-1 (Awards and Decorations) provided for award of the Combat Infantryman Badge. Appendix 3 to Annex A of this directive listed advisor positions in MACV which were considered infantry positions and for which award of the Combat Infantryman Badge was authorized. Among these positions, "Senior Advisor, Mobile Advisory Team (includes assistant or deputy)" was listed.

#### BOARD DISCUSSION:

After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that partial relief was warranted. The applicant's contentions, the military record, and regulatory guidance were carefully considered.

a. Combat Infantryman Badge: Grant. The applicant served in Vietnam, but his dates of service are unknown. General Orders awarded him the Army Commendation Medal with "V" Device for actions on 14 November 1969 while serving as an Infantry tactical advisor to a Vietnamese group. While operating deep within enemy territory, his force came under intense small arms and mortar fire from an estimated company size enemy force positioned in a well camouflaged bunker complex. The applicant exposed himself to intense enemy fire as he raced to a forward position where he could direct artillery and air strikes. MACV Directive 672-1 provided for award of the Combat Infantryman Badge. Appendix 3 to Annex A of this directive listed advisor positions in MACV which were considered infantry positions and for which award of the Combat Infantryman Badge was authorized. Among these positions, "Senior Advisor, Mobile Advisory Team (includes assistant or deputy)" was listed. The Board found sufficient evidence to support awarding the applicant the Combat Infantryman Badge.

b. Bronze Star Medal with V device. Deny. There is no evidence in the record and the applicant did not provide evidence he was recommended for or awarded the Bronze

Star Medal with V Device. While the available evidence is insufficient for adding this award to his DD Form 214, this does not affect the applicant's right to pursue his claim for the Bronze Star Medal with V Device by submitting a request through his Member of Congress under the provisions of Title 10, U.S. Code, section 1130.

BOARD VOTE:

Mbr 1      Mbr 2      Mbr 3

:	:	:	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 a recommendation for partial relief. As a result, the Board recommends that all Department of the Army records of the individual concerned be corrected by:
  - Awarding the applicant, the Combat Infantryman Badge on 14 November 1969 in Vietnam
  - Adding award of the Combat Infantryman Badge to his DD Form 214
2. The Board further determined the evidence presented is insufficient to warrant a portion of the requested relief. As a result, the Board recommends denial of so much of the application that pertains to award of the Bronze Star Medal with V device.

█

---

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:

a. The Bronze Star Medal is awarded in time of war for heroism and for meritorious achievement or service, not involving participation in aerial flight, in connection with military operations against an armed enemy, or while engaged in military operations involving conflict with an opposing armed force in which the United States is not a belligerent party. As with all personal decorations, formal recommendations, approval through the chain of command, and announcement in orders are required. The bronze "V" device indicates acts of heroism involving conflict with an armed enemy and authorizes the device in conjunction with awards of the Army Commendation Medal, the Air Medal, and the Bronze Star Medal. Although more than one award of the Army Commendation Medal, the Air Medal, or the Bronze Star Medal may be made for heroism to the same person, only one "V" device may be worn on awards of these medals.

b. 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. specific eligibility criteria for the Combat Infantryman Badge require that A Soldier must be an Army infantry or special forces officer (SSI 11 or 18) in the grade of colonel or below, or an Army enlisted Soldier or warrant officer with an infantry or Special Forces Military Occupational Specialty (MOS). 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. Personnel with other than an infantry or Special Forces MOS are not eligible, regardless of the circumstances. The infantry or Special Forces SSI or MOS does not necessarily have to be the Soldier's primary specialty, as long as the Soldier has been properly trained in infantry or Special Forces tactics, possesses the appropriate skill code, and is serving in that specialty when engaged in active ground combat as described above. Commanders are not authorized to make any exceptions to this policy.

3. AR 635-5 (Separation Documents) in effect at the time prescribes the separation documents which are prepared for individuals upon retirement, discharge, or release

from active military service or control of the Army. All available records will be used as a basis for the preparation of DD Form 214, including DA Form 20. Item 24; enter from DA Form 20 all decorations, service medals, campaign credits, and badges awarded or authorized.

4. AR 15-185 (ABCMR) prescribes the policies and procedures for correction of military records by the Secretary of the Army, acting through the ABCMR. The ABCMR may, in its discretion, hold a hearing or request additional evidence or opinions. Additionally, it states in paragraph 2-11 that 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.

//NOTHING FOLLOWS//