

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 30 April 2025

DOCKET NUMBER: AR20240009216

APPLICANT REQUESTS: reconsideration of his previous requests for award of the Combat Infantryman Badge (CIB).

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

- DD Form 149 (Application for Correction of Military Record)
- Bronze Star Medal Citation
- DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge)
- DEM__ Statement, undated
- Applicant Statement in Support of Claim, undated
- TWB__ Statement, 12 October 2008
- National Personnel Records Center Letter (NPRC) Letter
- Army Review Boards Agency (ARBA) Letter
- DD Form 215 (Correction to DD form 214), 12 June 2017

FACTS:

1. Incorporated herein by reference are military records which were summarized in the previous consideration of the applicant's cases by the Army Board for Correction of Military Records (ABCMR) in Docket Numbers:

- AR20140002791 on 8 October 2014
- AR20150018519 on 23 May 2017

2. The applicant states he has previously filed for and was denied, on the basis of more than six-year time lapse since his discharge, the award of the Combat Infantryman Badge. One of his surviving unit battalion commanders has advised him that he is prepared to provide a letter of support for this. He also states that he should write his congressman regarding the matter that he will support this correction. At this point the applicant prefers to avoid this. A letter of support previously written by his unit 3rd Battalion Commander, Captain DM__ (now deceased) is included with this submission. He requests a review and an update his record. The comments made in their

statements do not include the many times, his then commanding officer, Major RL___ sent him as his liaison to A Camp and other areas of concern to him.

3. The applicant provides and his record shows:

- Statements from DEM___, which show the applicant disbursed pay for the indigenous troops that worked with them and in late June DEM___ requested the applicant chopper in and pay the troops as morale was sagging. Return enemy fire resulted in one Montagnard indigenous being hit by an incoming round and another sustaining a leg injury, at that time, the applicant suffered a concussion while diving into the mortar pit. The applicant's head hit the base plate of the mortar tube, which coincided with a round being fired from it
- Applicant provides a statement in support of his claim, which is undated, reiterates the above and that he was treated for a concussion by the Special Forces medics and spent several days in recuperation, working with and sometimes living with the Montagnard indigenous, no doubt contributed to his medical incidents of dysentery and Hepatitis B
- TWB___ statement, 12 October 2008 shows the applicant was treated on at least two occasions for symptoms related to a head injury/concussion he received while on a combat operation in Vietnam, the applicant also complained of tinnitus and loss of balance, and hepatitis B
- He enlisted in the Regular Army on 10 January 1967
- He was honorably discharged on 12 December 1967 to accept a commission as an officer in the U.S. Army after completing 11 months and 3 days of net active service this period
- He was appointed as a Reserve commissioned officer of the Army, in the rank of second lieutenant, on 13 December 1967 and entered active duty
- His DA form 66 (Officer Qualification Record) shows he was branch detailed to the infantry and awarded specialty 1542 (Infantry Unit Commander)
- He was subsequently awarded specialty 31542 (Special Forces Officer)
- He served in Vietnam from 8 December 1968 through 16 January 1970 as a funds officer in Company B, 5th Special Forces Group (Airborne), 1st Special Forces from 11 December 1968 through 16 November 1969
- He was a patient in the Medical Hold Company, 106th General Hospital, Japan, from 17 November 1969 through 16 January 1970
- Item 21 (Awards and Decorations) of his DA Form 66 (Officer Qualification Record) does not show the Combat Infantryman Badge
- A review of his military personnel records failed to reveal any evidence that he was recommended for, authorized, or awarded the Combat Infantryman Badge
- He was honorably released from active duty and transferred to the U.S. Army Reserve (USAR) on 24 January 1970, he completed 2 years, 1 month and 12 days net active service this period, this document does not reflect the Combat Infantryman Badge

- Letter Orders 08-1232926, 23 August 1973 honorably discharged the applicant from the USAR

4. In a previous case AR20140002791, dated 8 October 2014 the Army Board for Correction of Military Records (ABCMR) determined the evidence presented does not demonstrate the existence of a probable error or injustice. Therefore, the Board determined that the overall merits of this case are insufficient as a basis for correction of the records of the individual concerned.

5. In a previous case AR20150018519, dated 23 May 2017, the Army Board for Correction of Military Records (ABCMR) determined that the evidence presented was insufficient to warrant the Combat Infantryman Badge amendment of the ABCMR's decision in Docket Number AR20140002791, dated 8 October 2014. However, the Board added and amended other awards related to his service in Vietnam.

BOARD DISCUSSION:

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 review based on law, policy, and regulation. The Board found the applicant served in Vietnam with the Special Forces unit, with a Special Forces Company against hostile action from the enemy. The Board also noted the applicant provided supporting documentation to show that he met the criteria for the award of the Combat Infantryman Badge for service while in Vietnam. Therefore, the Board found sufficient evidence to warrant relief and granted his request.

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:

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 awarding the applicant the Combat Infantryman Badge for meritorious achievement in ground operations against hostile forces.

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.

REFERENCE:

Army Regulation (AR) 600-8-22 (Military Awards) provides policy, criteria, and administrative instructions concerning military awards and decorations. Paragraph 8-6 contains the regulatory guidance for the CIB. It states there are basically three requirements for award of the CIB:

- the Soldier must be an infantryman satisfactorily performing infantry duties
- he must be assigned or attached to an infantry unit of brigade, regimental, or smaller size during such time as the unit is engaged in active ground combat
- he must actively participate in such ground combat

//NOTHING FOLLOWS//