

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 27 September 2024

DOCKET NUMBER: AR20230013659

APPLICANT REQUESTS:

- reconsideration of the former service member's (SM) previous request for correction of his DD Form 214 (Report of Separation from the Armed Forces of the United States) to show the Combat Medical Badge
- as a new issue, correction of the SM's records by awarding him the Purple Heart

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

- DD Form 149 (Application for Correction of Military Record)
- DD Form 214
- DD Form 215 (Correction to DD Form 214)
- Honorable Discharge Certificates
- two third-party statements, dated 8 August 2003 and 15 July 2014
- letter from the SM to the Director, Army Board for Correction of Military Records (ABCMR), dated 12 August 2003
- 3-page document, titled: Veteran Information
- 4-page document titled: (applicant's name) Resume, dated May 2014
- several photographs of individuals
- Certificate of Marriage

FACTS:

1. Incorporated herein by reference are military records which were summarized in the previous consideration of the applicant's case by the ABCMR in Docket Number AR2003095665 on 29 April 2004.

2. The SM's complete military records are not available to the Board for review. A fire destroyed approximately 18 million service members' records at the National Personnel Records Center in 1973. It is believed that the SM's records were lost or destroyed in that fire. However, there were sufficient documents remaining in a reconstructed record for the Board to conduct a fair and impartial review of this case.

3. The applicant, the widow of the deceased SM, states:

a. The SM served his country in Korea as a tank driver and sustained shrapnel wounds in both thighs. As a medic, he treated himself. He deserves the Combat Medical Badge and the Purple Heart for his injuries. The injuries occurred when he was in the front lines in Korea.

b. The SM was a medic with the 14th Tank Company during the Korean War and received injuries. He did not know that he had to fill out any papers when he got off the front lines. He spent all his time treating Soldiers to keep them alive and transport to the place set up for the injured.

4. The SM's DD Form 214, as amended by a DD Form 215 dated 27 January 1958, shows:

a. He enlisted in the Regular Army for a period of three years and entered active duty on 7 March 1951.

b. His military occupational specialty was Medical Aidman.

c. He was honorably discharged on 15 August 1952 and reenlisted on 15 August 1952 for a period of 6 years.

d. He served 3 years, 3 months, and 14 days of foreign and/or sea service.

e. He was awarded the Korean Service Medal with 3 bronze service stars, United Nations Service Medal, National Defense Service Medal, and the Sharpshooter Marksmanship Qualification Badge with Rifle Bar.

f. He did not receive wounds as a result of action with enemy forces.

g. He was honorably discharged on 27 June 1955.

f. He completed a total of 4 years, 3 months, and 21 days of active service.

5. The SM's name is not listed on the Korean War casualty roster.

6. The applicant provides:

a. A letter from the SM to the ABCMR Director, dated 12 August 2003, stating he was assigned to the medical detachment, 89th Medium Tank Battalion then assigned to Tank Company, 14th Infantry Regiment, 25th Infantry Division, where he spent his entire tour in Korea the first time, from the last week of August 1951 to June 1952. He also indicated that he would like to be awarded the Combat Medical Badge which he

was never turned in for due to being in one unit and assigned to another unit and that he is deserving of this badge.

b. Two third-party statements from a former member of the SM's unit attesting that he served in Korea from August 1951 to June 1952, that the SM served as a medic assigned to the Tank Company of the 14th Infantry Regiment during this time, the SM earned the Combat Medical Badge, and that he thought the SM was awarded the Combat Medical Badge as they were awarded the Combat Infantryman Badge.

c. A page document, titled: Veteran Information and a 4-page document titled: (applicant's name) Resume, dated May 2014. These documents provide a summarize history of the SM's experiences during his military service. *These documents were provided to the Board for their review and consideration.*

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 review based on law, policy, and regulation. The evidence of record shows the applicant held military occupational specialty (MOS) 1666 (Medical Aidman). The applicant served in Korea for a period of 2 years, 4 months, and 3 days. The Board determined he does not meet the criteria for award of the Combat Medical Badge as although he held a medical MOS, there is no evidence in the record and the applicant did not provide sufficient evidence to show he was assigned or attached to a medical unit of company or smaller size that is organic to an infantry unit of brigade, regimental or smaller size which is engaged in active ground combat.

2. The Board determined to be awarded the Purple Heart, the regulatory guidance requires all elements of the award criteria to be met; there must be proof a wound was incurred as a result of enemy action, that the wound required treatment by medical personnel, and that the medical personnel made such treatment a matter of official record. The Board did not find documentary evidence that clearly or explicitly shows criteria for award of the Purple Heart. Based on the evidence, the Board determined the applicant does not meet the criteria for award of the Purple Heart.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

:	:	:	GRANT FULL RELIEF
:	:	:	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
█	█	█	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 amendment of the ABCMR decision rendered in Docket Number AR2003095665 on 29 April 2004.

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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.

REFERENCE:

Army Regulation 600-8-22 (Military Awards) states:

a. The Purple Heart is awarded for a wound sustained while in action against an enemy or as a result of hostile action. Substantiating evidence must be provided to verify that the wound was the result of hostile action, the wound must have required treatment by medical personnel, and the medical treatment must have been made a matter of official record.

b. The Combat Medical Badge is awarded to medical department personnel (colonel and below) who are assigned or attached to a medical unit of company or smaller size that is organic to an infantry unit of brigade, regimental or smaller size which is engaged in active ground combat. Battle participation credit is not sufficient, the infantry unit must have been in contact with the enemy and the Soldier must have been personally present and under fire during such ground combat.

c. The Korean War Service Medal is awarded to members of the U.S. Armed Forces who served in Korea and adjacent waters between 25 June 1950 and 27 July 1953.

//NOTHING FOLLOWS//