

IN THE CASE OF: [REDACTED]

BOARD DATE: 29 August 2024

DOCKET NUMBER: AR20240000551

APPLICANT REQUESTS:

- on behalf of his father, a deceased former service member (SM), award of the Purple Heart (PH)
- a personal appearance hearing before the Board

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

- DD Form 149 (Application for Correction of Military Record), 23 October 2023
- Self-Authored Statement
- Department of the Army, Office of the Adjutant General, Muster Rolls and Rosters, November 1912 to December 1939
- Rolls and Roster, Company C, 341st Infantry, 31 July 1918
- 86th Division, 341st Infantry Roster
- U.S. Army Transport Service Arriving and Departing Passenger Lists, 1910 to 1939, 9 September 1918
- Rolls and Roster Missing Report, September 1918, 86th Division, 341st Infantry
- Transfer Record, 1914 to 1919
- Excerpt, "History of the 89th Division, U.S.A.", 1917 to 1919, by George H. English, The War Society of the 89th Division, 1920, page 441
- Newspaper Article, Unattributed, 25 November 1918 (letter from Soldier to his brother, 25 November 1918)
- Excerpt, "History of the 89th Division, U.S.A.", 1917 to 1919, English, pages 184-185
- Extract of award citation of another Soldier, 1 November 1918
- Camp Funston Military Records, 1914 to 1919
- Passenger List of Organization, Embarkation, U.S.S. Leviathan, 26 March 1919
- Rolls and Musters Roster, 31 March 1919, Camp Dodge, 340th Infantry
- Passenger List of Organization, Arrival Hoboken, U.S.S. Liviathan, 2 April 1919
- Final Muster Out Report, Camp Dodge, 340th Infantry, 18 April 1919
- DA Form 1815 (Application for Headstone or Marker), February 1961
- Headstone Photograph

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:
 - a. The SM served during World War I (WWI) in the battle of Meuse-Argonne offensive which occurred 26 September 1918 to 11 November 1918. He was wounded and never received the PH for the wound he received during this battle.
 - b. A family member conducted detailed research of records to find evidence of this military service and of his wound during the battle of Meuse-Argonne. Many records were lost in a fire, including the SM's records.
 - c. As his last surviving family member, his brother who is 90 years old would like to receive documentation of the SM's award of the PH.
3. The applicant's complete military records are not available for review. A fire destroyed approximately 18 million service members' records at the National Personnel Records Center in 1973. It is believed that the applicant's records were lost or destroyed in that fire. However, there were sufficient documents remaining in a reconstructed record to conduct a fair and impartial review of this case. These records consist of files provided from a partial reconstructed record by the National Archives and Records Administration and National Personnel Records Center.
4. The applicant provides a Copy of Birth a Register, Minnesota, showing he is the son of the SM.
5. The applicant's records contain sufficient evidence to support additional awards which the Board should consider adding to his separation records and are listed in the administrative section of this record of proceeding.
6. A review of the SM's available service records show:
 - a. An enlistment document or agreement nor a draft record is contained in the available records.
 - b. On 24 June 1918, the SM initially mustered on 2 June 1918 and was attached to 161st Depot Brigade, Camp Grant, Illinois, per voice order of the Company

Commanding Officer, as shown on a Department of the Army, Adjutant General Office, Muster Rolls and Rosters document.

c. On 31 July 1918, the SM mustered in at Company C, 341st Infantry, 86th Division, under serial number [REDACTED]

d. On 9 September 1918, the SM embarked from Hoboken, NJ, with Company C, 341st Infantry, 36th Division, as shown on Headquarters Port of Embarkation Passenger List. His rank was shown as private 1, serial number [REDACTED] and home of record was [REDACTED]. The steamer and/or vessel name was not listed as was customary during that period of war for security reasons.

e. A Monthly Transfer Record, Headquarters Company, 353rd Infantry, dated 31 October 1918, shows he was transferred to 353rd Infantry, as private 1, serial number [REDACTED], and military specialty infantry.

f. An A.G.O.S.D.A. Form No (Number Unavailable) shows the SM was transferred from duty to sick call in hospital on 13 November 1918; admitted to hospital on 23 November 1918.

g. An excerpt from the book, History of the 89th Division, U.S. Army, shows the SM was listed as a "slightly wounded" casualty in the 89th Division on 1 November 1918.

h. A second excerpt from the book, History of the 89th Division, U.S. Army, pages 184-186, highlights the general battle actions of the 353rd Infantry during the period 31 October 1918 to 1 November 1918.

i. A letter from the SM to his brother, dated 25 November 1918, published in an unattributed local newspaper, reflects he recounted his personal experiences. He noted that he was being treated at Providence Base Hospital, Unit 8, and he recounted his participation in the last battle of the War in which he was slightly wounded in his hand by a German shell.

j. On 26 March 1919, he was assigned to the 340th Infantry.

k. On 26 March 1919, the SM embarked from Brest, France with Camp Dodge Detachment 2, 340th Infantry, as shown on Headquarters Port of Embarkation Passenger List of Organizations. His rank was shown as private first class, serial number [REDACTED] and home of record was [REDACTED]. The steamer and/or vessel name was U.S.S. Liviathan.

l. A Camp Dodge, 340th Infantry, Rolls and Roster, dated 31 March 1919, shows he was assigned to 340th Infantry.

m. On 2 April 1919, he arrived at Hoboken, NJ.

n. On 18 April 1919, he mustered out of Camp Dodge, Detachment 2, 340th Infantry. His rank was shown as private first class, serial number [REDACTED]

o. An AGO Form 525 (Honorable Discharge from the United States Army) is not contained in the available records. These forms did not include an itemization of the medals and decorations awarded to SMs during their periods of service in the World War.

p. A DA Form 1815 (Application for Headstone or Marker), dated 8 February 1961, shows his date of death and the PH to be shown on the headstone.

q. A color photograph shows the SM's headstone was inscripted with the PH.

BOARD DISCUSSION:

After reviewing the application and all supporting documents, the Board determined relief was warranted. The applicant's contentions, the military record, and regulatory guidance were carefully considered. Based upon the information outlined in the book excerpt showing the FSM was injured as a result of enemy combat, the Board concluded there was sufficient evidence to award and add the Purple Heart to the FSM's separation documents.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	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 relief. As a result, the Board recommends that all Department of Army records of the individual concerned be corrected by amending the FSM's DD Form 214 by awarding and adding the Purple Heart Medal for injuries incurred during WWI.

2. Prior to closing the case, the Board noted the administrative notes below from the analyst of record and recommended those changes also be completed to more accurately reflect the military service of the FSM.

X

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's records contain sufficient evidence to support additional awards which the Board should consider adding to his separation records:

- World War I Victory Medal
- one bronze service star for his participation in Meuse-Argonne campaign

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 600-95 (Authority for Wearing and Supply of Wound and War Service Chevrons), in effect on 31 March 1922, paragraphs 1a and 1b, outline for whom and for what authorized.

a. Paragraph 1a. A wound chevron is authorized for wear, as prescribed in 600-40, Wearing of the Uniform by each officer, warrant officer, field clerk, enlisted man, member of the Army Nurse Corps, or other uniformed member of the authorized military establishment, who shall have received a wound in action with an enemy of the United States, or as the result of an act of such enemy, which shall have necessitated treatment by a medical officer. One wound chevron is authorized for each such wound, except than one such chevron, only, is authorized for two or more such wounds received at the same instant. A wound chevron is not authorized in any case where medical treatment was not given.

b. Paragraph 1b. The word "wound" as used includes among other things:

- disablement by gas, or gas poisoning
- shell shock, when accompanied by a physical lesion necessitating treatment by a medical officer
- injuries received in accidents, explosions
- burns

3. Army Regulation 600-45 (Personnel Decorations), Paragraph 16, Change 1, (9 March 1944), in effect at the time, provided guidance for entitlement to the Purple Heart.

a. The Purple Heart is awarded to members of the armed forces of the United States and to civilians who are citizens of the United States serving with the Army who are wounded in action against an enemy of the United States, or as a direct result of an act of such enemy, provided such wound necessitates treatment by a medical officer. (For the purpose of awarding the Purple Heart a wound is defined as an injury to any part of the body from an outside force, element, or agent sustained as the result of a hostile act of the enemy or while in action in the face of the enemy.). One award (the Purple Heart for the first wound, and Oak-Leaf Cluster thereafter) is authorized for each such wound, except that only one award is authorized for two or more wounds received

at the same instant. In connection with the definition of "wound" above the word "element" refers to weather and permits award to personnel severely frostbitten while actually engaged in combat. Trench foot will not be considered as meriting award. The phrase "at the same instant" is intended to prevent duplicate awards of the Purple Heart for two or more injuries or wounds received from one missile, force, explosion, or agent.

b. The following information/documentation is sufficient for issuance of the Purple Heart and correction of separation document.

(1) WWII/KOREAN General Orders (GO) authorizing Purple Heart (medical records sometime will show GO# , date, General/Station/Field Hospital obtain copy of GO from the World War II/Korea Microfiche located in ARPC-VSE-A).

(2) War Department Orders authorizing the Purple Heart. These orders are located in the ARPERCEN Library. Very few Purple Hearts would be contained in these orders; however, if War Department Orders Number and date is furnished these orders can be easily searched.

3. War Department Letter Orders authorizing the Purple Heart. Upon separation Soldiers often filled out a WD AGO Form 106 (Request for Decoration and/or Citation), when the personnel records contained no evidence or authorization for the award requested. The requests were forwarded to the War Department for a determination. If evidence could be located the War Department would then issue the awards on a WD AGO Form 0657, Authorization for Issuance of Awards (known now as DD Form 1577) and furnish the War Department Letter Orders.

4. Army Regulation 600-8-22 (Military Awards), currently in effect, prescribes Army policy, criteria, and administrative instructions concerning individual and unit military awards. It provides:

a. The Purple Heart is awarded for a wound sustained in action against an enemy or as a result of hostile action. Substantiating evidence must be provided to verify the wound was the result of hostile action, the wound must have required treatment by a medical officer, and the medical treatment must have been made a matter of official record. The Purple Heart differs from all other decorations in that an individual is not "recommended" for the decoration; rather, he or she is entitled to it upon meeting specific criteria. A Purple Heart is authorized for the first wound suffered under conditions indicated above; an oak leaf cluster is awarded to be worn on the medal or ribbon for each subsequent award. Not more than one award will be made for more than one wound or injury received at the same instant or from the same missile, force, explosion, or agent.

b. The World War I Victory Medal was established by War Department General Order 48, 1919. The medal is awarded for service between 6 April 1917 and 11 November 1918.

c. World War I Victory Button. A five-pointed star 5/8-inch in diameter on a wreath with the letters "U.S." in the center. For persons wounded in action, the lapel button is silver; for all others, the lapel button is bronze. Eligibility requirements are the same for the World War I Victory Medal.

d. Service stars are worn on campaign and service medals to denote participation in a named campaign (for example, SWASM) and on the service ribbons (for example the NDSM) to denote an additional award. A service star is a bronze or silver five-pointed star 3/16-inch in diameter. A silver service star is worn instead of five bronze service stars. The bronze service star is also affixed to the Parachutist Badge to denote participation in a combat parachutist jump, retroactive to 7 December 1941, and the Military Free Fall Parachutist Badge to denote participation in a combat military free-fall jump, retroactive to 1 October 1994. See paragraph 8–15 for criteria for award of the Parachutist Badge and paragraph 8–16 for the Military Free Fall Parachutist Badge (combat jump). See AR 670–1 for proper wear of the service stars.

(1) Service stars are authorized for wear on the following campaign and service medals and/or ribbons: World War I Victory Medal.

(2) Table B-1 shows the Meuse-Argonne campaign was a prescribed campaign to accompany the World War I Victory Medal for the dates 26 September 1918 to 11 November 1918 with the inscription MEUSE-ARGONNE 1918.

5. Bantheville, France, was part of the Meuse-Argonne Offensive during World War I. This campaign, which took place 26 September 1918—11 November 1918, was one of the largest operations of the American Expeditionary Forces, and a significant part of the final Allied offensive on the Western Front. The Meuse-Argonne Offensive aimed to push German forces out of the heavily fortified Argonne Forest and the Meuse River area. It was a crucial effort that contributed to the eventual end of the war.

//NOTHING FOLLOWS//