

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 31 March 2025

DOCKET NUMBER: AR20240004762

APPLICANT REQUESTS: second Purple Heart be added to his DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge).

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

DD Form 149 (Application for Correction of Military Record)

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 he was awarded the Purple Heart twice. His DD Form 214 should accurately reflect his awards. He was inducted into the OCS Hall of Fame and because of the error, it will always reflect only one Purple Heart. He earned both.
3. The applicant was inducted into the Army of the United States on 5 July 1967.
4. He served in Vietnam from 30 March 1968 until 24 May 1968 with Company D, 2d Battalion, 12th Infantry.
5. He was honorably discharged on 24 January 1969 to accept commission. He completed 1 year, 6 months, and 20 days. He was awarded or authorized:
 - National Defense Service Medal
 - Vietnam Service Medal
 - Vietnam Campaign Medal
 - Good Conduct Medal
 - Sharpshooter Marksmanship Qualification Badge (Rifle M-16)
6. He was commissioned as a Reserve Officer of the Army on 25 January 1969.

7. He served in Vietnam again from 2 August 1969 – 17 December 1969 with 1st Battalion, 61st Infantry.

8. Standard Form 502 (Clinical Record) Narrative Summary shows he was admitted on 13 November 1969 for fragment wound of the chest. He was discharged on 17 November 1969. He was evacuated to Pacific Command hospital for further treatment and disposition.

9. He was released from active duty on 24 January 1971, after expiration of active-duty commitment. His DD Form 214 shows he completed 2 years net service this period. He was awarded or authorized:

- National Defense Service Medal
- Combat Infantryman Badge
- Good Conduct Medal
- Distinguished Service Cross
- Vietnam Service Medal
- Purple Heart

10. His available records are void of orders awarding the Purple Heart. Review of the Awards and Decorations Computer-Assisted Retrieval System (ADCARS), an index of general orders issued during the Vietnam era between 1965 and 1973 maintained by the Awards and Decorations Branch of the U.S. Army Human Resources Command, failed to reveal any orders for Purple Heart.

11. His name appears on the Vietnam Casualty Roster twice:

- 6 November 1969
- 12 November 1969

A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U
COUNTRY OF CASUALTY	CATEGORY OF CASUALTY	MASTER TY	SN or SSN	NAME	CATEGORY OF PERSONNEL	GRAD	MILITARY CLASSIFICATION	CURRENT CASUALTY STATUS	PREVIOUS MAJOR CASUALTY STATUS	ATTRIBUTED CAUSE	COMPLIMENTARY CAUSE	VEHICLE INVOLVED	VEHICLE TYPE	VEHICLE POST	VEHICLE IP	DATE OF REPORT	PROVINC ASIA - GRID COORDINATES	SOUTHEAST ASIA - GRID COORDINATES	RPM REPORT NUMBER	COMPONENT MILITARY OCCASION
1	VS	1	6404	55472526 KORTE CHELSE C	A	2LT	O	23		H	L					6396	6396	1		
54036	VS		6401	55472526 KORTE CHELSE C	A	2LT	O	23		H	L					6396	6396	1		

12. By regulation, AR 600-8-22 (Military Awards), the criteria for an award of the Purple Heart requires the submission of substantiating evidence to verify:

- the injury/wound was the result of hostile action
- the injury/wound must have required treatment by personnel
- the medical treatment must have been made a matter of official record

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 applicant's statement related to be injured twice while deployed to Vietnam and that statement being corroborated by his name appearing on the Vietnam Casualty Report on two separate occasions, the Board concluded there was sufficient evidence to award and add a second Purple Heart or injuries incurred on 6 November 1969, while serving in Vietnam.

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:

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 applicant's DD Form 214 by awarding and adding the Purple Heart (2d award) for injuries incurred while serving in Vietnam on 6 November 1969.
2. Prior to closing the case, the Board noted the administrative notes below from the analyst of record and recommended those changes be completed to more accurately reflect the military service of the applicant.

//SIGNED//

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 not shown on his DD Form 214. His DD Form 214 for the period ending 24 January 1971, will be administratively corrected without Board action to show award of the:

- [DELETE]: Vietnam Service Medal
- [ADD the following]:
 - Vietnam Campaign Medal with 1960 device
 - Vietnam Service Medal with four bronze service stars
 - Republic of Vietnam Gallantry Cross with Palm Unit Citation
 - Republic of Vietnam Civil Actions Honor Medal First Class Unit Citation
 - Valorous Unit Award

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 (AR) 600-8-22, (Military Awards) prescribes policies and procedures for military awards and decorations, to include the Purple Heart.

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 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. When contemplating an award of this decoration, the key issue that commanders must take into consideration is the degree to which the enemy caused the injury. The fact that the proposed recipient was participating in direct or indirect combat operations is a necessary prerequisite but is not the sole justification for the award.

c. Examples of enemy-related injuries which clearly justify award of the Purple Heart include concussion injuries caused by enemy-generated explosions, and a TBI or concussion that is severe enough to cause:

- loss of consciousness; or
- restriction from full duty due to persistent signs, symptoms, or clinical findings; or

- impaired brain functions for a period greater than 48 hours from the time of the concussive incident
3. Department of the Army General Order (DAGO) 48, 1971 awarded the Republic of Vietnam Gallantry Cross with Palm Unit Citation to the 2d Battalion, 12th Infantry for service from 1 August 1967 – August 1968.
 4. DAGO 51, 1971 awarded Republic of Vietnam Civil Actions Honor Medal First Class Unit Citation to the 2d Battalion, 12th Infantry for service from 1 August 1967 – 21 January 1970.
 5. DAGO 52, 1974 awarded the Valorous Unit Award to the 1st Battalion, 61st Infantry for service from 11-15 November 1969.

//NOTHING FOLLOWS//