

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 24 February 2025

DOCKET NUMBER: AR20240006419

APPLICANT REQUESTS: reconsideration of his previous request for award of the Purple Heart.

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

- DD Forms 149 (Application for Correction of Military Record)
- Self-authored Statement
- Witness Statement
- 8 DA Forms 1594 (Daily Staff Journal or Duty Officer's Log)
- Unit Awards Issued to 3rd Squadron, 4th Cavalry Regiment

FACTS:

1. Incorporated herein by reference are military records which were summarized in the previous consideration of the applicant's case by the Army Board for Correction of Military Records (ABCMR) in Docket Number AR20070016654 on 4 April 2008.

2. The applicant states it is unjust that the Purple Heart he was awarded is not listed on his DD Form 214. He states he was wounded in August 1967 by a grenade from enemy forces and medivac to Duc Pho Field Hospital.

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

a. He was inducted into the Army of the United States on 29 March 1966. He was awarded the military occupational specialty (MOS) Light Weapons Infantryman (11B).

b. DA Form 20 (Enlisted Qualification Record) shows in pertinent part:

- Item 22 (Military Occupational Specialties): 11B20 – Light Weapon Infantryman
- Item 31 (Foreign Service): 27 September 1966 – 23 September 1967 – USARPAC – Vietnam
- Item 38 (Record of Assignments): 4 October 1966 – 22 September 1967; Troop C, 3rd Squadron, 4th Cavalry Regiment
- Item 40 (Wounds) is void of any entries

- Item 41 (Awards and Decorations): National Defense Service Medal, Combat Infantryman Badge, Vietnam Service Medal, Republic of Vietnam Campaign Medal, two Overseas Service Bars, and Sharpshooter Marksmanship Qualification Badge with Rifle Bar

c. On 2 March 1968, he was honorably discharged. His DD Form 214 shows he completed 2 years of active military service. It also shows he was awarded:

- Combat Infantryman Badge
- National Defense Service Medal
- Vietnam Service Medal with one bronze service star
- Republic of Vietnam Campaign Medal
- Sharpshooter Marksmanship Qualification Badge with Rifle Bar

d. DD Form 215 (Correction to DD Form 214, Certificate of Release or Discharge) shows his Vietnam Service Medal with one Bronze Service Star was deleted from item 24 (Decorations, Medal, Commendations, Citations and Campaign Ribbons Awarded or Authorized). It add the Vietnam Service Medal with toe Bronze Service Stars, Valorous Unit Award, Republic of Vietnam Gallantry Cross with Palm Unit Citation Badge two awards, Republic of Vietnam Civil Actions Honor Medal first Class Unit Citation Badge and two Overseas Service Bars

4. The applicant provides:

a. His previous DD Form 149 dated 30 July 2018, in which he requested correction of his record to reflect award of the Purple Heart.

b. A self-authored statement states he spent 50 years attempting to locate an eyewitness to the event where he sustained his combat wounds in Vietnam. He was able to find an eyewitness who provided a statement pertaining to the events of that day. Additionally, he describes the event in August 1967 as a reconnaissance mission to a local village, in which they anticipated enemy engagement. Upon arriving, there were no visible issues and no villagers in sight. Shortly after, different teams came under fire and he and his partner began firing into what they thought was a spider hole. Within seconds an enemy emerged and threw a grenade at him hitting him in the groin and he jumped back as far as he could, but he was blown back by impact. He and his partner were wounded, and his eyewitness came to assist. He assisted the medic with his partners shrapnel wounds. One medevac took the severely wounded to a base camp hospital, while the applicant and his platoon leader flew to the field forward hospital at [REDACTED]. He states his leg was bruised black and he had a small piece of shrapnel in his buttock. The next morning he was awarded the Purple Heart at [REDACTED] by his platoon leader.

b. An eyewitness statement from [REDACTED] dated 9 March 2018 that corroborates the applicant's self-authored statement. He states that he witnessed the applicant's injuries, as they were on a reconnaissance mission together and he assisted with calling for a medic. Per his account, the convoy was engaged by the enemy and he witnessed the applicant receive enemy fire and a grenade. After being sent to a forward hospital to treat his wounds, the applicant was awarded the Purple Heart by their platoon leader, and the next day they took a helicopter back to the field.

c. Eight DA Forms 1594 (Daily Staff Journal or Duty Officer's Log) show that unnamed Soldiers in the 3rd Squadron, 4th Cavalry Regiment sustained injuries while engaged by enemy forces.

d. A printout from [www.ctp-3d-4thcav.com](http://www.ctp-3d-4thcav.com) that shows a list of unit awards earned by the 3rd Squadron, 4th Cavalry Regiment and those also earned by C Troop. On page 7 of 9 of the article it reflects the applicant was awarded the Purple Heart and Combat Infantryman Badge.

5. The applicant did not provide, nor did his service record contain orders for award of the Purple Heart.

6. His name is not shown on the Department of the Army Office of the Adjutant General Casualty Division Casualty Reference Name Listing for the period 1 January 1961 through 30 June 1973, a battle and non-battle listing of Soldiers who were killed, wounded, sick, captured, or missing during their service in Vietnam.

7. On 4 April 2008, in ABCMR Docket Number AR20070016654, the Board considered the applicant's request for award of Purple Hearts and the Air Medal. The Board decided to grant partial relief and awarded him the two bronze service stars to his previously awarded Vietnam Service Medal, Republic of Vietnam Gallantry Cross with Palm Unit Citation, Valorous Unit Award and the Republic of Vietnam Civil Actions Honor Medal, First Class Unit Citation. Additionally, "service in Vietnam from 27 September 1966 to 22 September 1967" was added to his DD Form 214. He was denied award of the two Purple Hearts.

8. On 26 October 2011, in a letter from the U.S. Army Human Resources Command (AHRC), the applicant was informed that his request for reconsideration for an award of the Purple Heart was not acted upon by them, as the ABCMR had previously denied the request. Additionally, they stated that he was awarded the Army Good Conduct Medal on 14 May 1973, but permanent orders were never cut. A DD Form 215 (Correction to DD Form 214) was issued to amend his DD Form 214 with the award.

9. On 26 October 2011, U. S. AHRC responded to the reconsideration to award the applicant the Purple Heart. Being the applicant was previously denied relief by the Army

Board for Corrections of Military Records, they could not act on his request as the Board is the highest adjudicating authority acting on behalf of the Secretary of the Army.

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 being corroborated with multiple other documents (including an eyewitness statement and his name being reflected in unit records for previously receiving a Purple Heart, as well as the unit log showing unit personnel were battle wounded while serving in Vietnam), the Board concluded that by a preponderance of the evidence, adding the Purple Heart to the applicant’s DD Form 214 was warranted.

BOARD VOTE:

<u>Mbr 1</u>	<u>Mbr 2</u>	<u>Mbr 3</u>	
: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 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 adding the Purple Heart for injuries incurred on 20 May 1967, while serving in Vietnam.

//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.

REFERENCES:

1. Army Regulation (AR) AR 635-5 (Separation Documents) in effect at the time, prescribes the separation documents that will be furnished each individual who is separated from the Army. All available records will be used as a basis for the preparation of DD Form 214, including DA Form 20 (Enlisted Qualification Record), and orders. Item 24; enter from section 9, DA Form 20 all decorations, service medals, campaign credits, and badges awarded or authorized, omitting authorities cited therein.

2. AR 600-8-22 (Military Awards) prescribes Army policy, criteria, and administrative instructions concerning individual and unit military awards. It provides that 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.

a. Examples of enemy-related injuries which clearly justify award of the Purple Heart are as follows:

(1) Injury caused by enemy bullet, shrapnel, or other projectile created by enemy action.

(2) Injury caused by enemy-placed trap or mine.

(3) Injury caused by enemy-released chemical, biological, or nuclear agent.

(4) Injury caused by vehicle or aircraft accident resulting from enemy fire.

(5) Concussion injuries caused as a result of enemy-generated explosions.

b. Examples of injuries or wounds which clearly do not justify award of the Purple Heart are as follows:

(1) Frostbite (excluding severe frostbite requiring hospitalization from 7 December 1941 to 22 August 1951).

(2) Trench foot or immersion foot.

(3) Heat stroke.

(4) Food poisoning not caused by enemy agents.

(5) Chemical, biological, or nuclear agents not released by the enemy.

(6) Battle fatigue.

(7) Disease not directly caused by enemy agents.

(8) Accidents, to include explosive, aircraft, vehicular, and other accidental wounding not related to or caused by enemy action.

(9) Self-inflicted wounds, except when in the heat of battle and not involving gross negligence.

(10) Post traumatic stress disorders.

(11) Airborne (for example, parachute/jump) injuries not caused by enemy action.

(12) Hearing loss and tinnitus (for example: ringing in the ears).

(13) Abrasions and lacerations (unless of a severity to be incapacitating).

(14) Bruises (unless caused by direct impact of the enemy weapon and severe enough to require treatment by a medical officer)

(15) Soft tissue injuries (for example, ligament, tendon or muscle strains, sprains, and so forth).

(16) First degree burns.

//NOTHING FOLLOWS//