

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 18 March 2025

DOCKET NUMBER: AR20240006858

APPLICANT REQUESTS: correction of his DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge) for the period ending 23 October 1968, to show he was awarded the Purple Heart. He further requests any additional entitled awards/decorations earned during his military service.

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

- DD Form 149 (Application for Correction of Military Record under the Provisions of Title 10, U.S. Code, Section 1552)
- Purple Heart Certificate, 16 November 1967
- DD Form 214

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 has a Purple Heart certificate and would like the award added to his DD Form 214 in order to reflect his entire military service accomplishments.
3. The applicant was inducted into the Army of the United States on 24 October 1966. After initial entry training, he was awarded military occupational specialty 11B (Light Weapons Infantryman).
4. His DA Form 20 (Enlisted Qualification Record) shows in:
 - a. item 31 (Foreign Service), he received overseas credit for service in the Republic of Vietnam from 6 April 1967 through 23 November 1967 (a period of 7 months and 18 days);

b. item 38 (Record of Assignments), he was assigned to the following units during his service in the Republic of Vietnam:

- Company C, 1st Battalion, 7th Cavalry Regiment, 1st Cavalry Division from on or about 17 April 1967 to on or about 2 December 1967 as a rifleman
- MHD (Medical Hospital Detachment) 249th General Hospital, U.S. Army Pacific from on or about 3 December 1967 to on or about 11 March 1968 as a patient

c. item 38 further shows he achieved "excellent" conduct and efficiency ratings throughout his period of military service; and

d. item 40 (Wounds) – Gun Shot Wound, Left Side of Abdomen.

5. His Standard Form 88 (Report of Medical Examination), 12 August 1968 shows he was provided a separation physical at Fort Eustis, VA. Item 74 (Summary of Defects and Diagnoses) of this form contains the entry: "GSW [gunshot wound] Lower Abdomen, RVN [Republic of Vietnam], November 1967."

6. The applicant was honorably released from active duty and transferred to the U.S. Army Reserve (USAR) Control Group (Annual Training) on 23 October 1968. His DD Form 214 shows he completed 2 years of total active service. It further shows in:

- item 22c (Foreign and/or Sea Service) – USARV [U.S. Army Vietnam], 7 months and 18 days
- item 24 (Decorations, Medals, Badges, Commendations, Citations, and Campaign Ribbons Awarded or Authorized) -
 - Air Medal
 - National Defense Service Medal
 - Vietnam Service Medal
 - Republic of Vietnam Campaign Medal with Device (1960)
 - Combat Infantryman Badge
 - Marksman Marksmanship Qualification Badge with Rifle Bar (M-14)

7. His military records are void of documentation recommending him for or orders awarding him the Purple Heart.

8. His military records do not contain orders awarding him the Army Good Conduct Medal (1st Award). His records are also void of any derogatory or adverse information or a disqualification statement from his commander that would have precluded award of the Army Good Conduct Medal.

9. He provides a Purple Heart Certificate, dated 16 November 1967 that shows he was awarded the Purple Heart for wounds received in action on 15 November 1967 in the Republic of Vietnam.

BOARD DISCUSSION:

1. 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 determined that the applicant provided sufficient documentation to support entitlement to the Purple Heart. The certificate submitted confirms that the applicant sustained wounds as a direct result of enemy action, consistent with the criteria outlined in Army Regulation 600-8-22. The documentation presented was found to be authentic and corroborated by entries in the applicant's personnel records.

2. Additionally, the Board reviewed the applicant's service from 24 October 1966 to 23 October 1968 and found it to be honorable and faithful, with no derogatory information that would disqualify the applicant from receiving the Army Good Conduct Medal. The applicant met all eligibility requirements during the qualifying period.

3. Prior to closing the discussion, the Board reviewed and concurred with the administrative notes below.


BOARD VOTE:

<u>Mbr 1</u>	<u>Mbr 2</u>	<u>Mbr 3</u>	
:XX	:XX	:XX	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 him the Purple Heart for injuries sustained in action on 15 November 1967
- awarding him the Army Good Conduct Medal (First Award) for the qualifying period from 24 October 1966 to 23 October 1968
- adding to his DD Form 214, for the period ending 23 October 1968:
 - Purple Heart
 - Army Good Conduct Medal (First Award)



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.

ADMINISTRATIVE NOTE(S): The applicant is authorized administrative correction of his DD Form 214 without Board action to show the following awards:

- two bronze service stars with his already awarded Vietnam Service Medal
- Valorous Unit Award
- Republic of Vietnam Gallantry Cross with Palm Unit Citation

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 600-8-22 (Military Awards) prescribes policy, criteria, and administrative instructions concerning individual and unit military awards.

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 Vietnam Service Medal was awarded to all service members of the Armed Forces of the United States for qualifying service in Vietnam after 3 July 1965 through 28 March 1973. Qualifying service included attachment to or assignment for one or more days with an organization participating in or directly supporting military operations. One bronze service star is authorized with the Vietnam Service Medal for each campaign during which a member was assigned or attached to and present for duty with a unit during the period in which it participated in combat. Campaign participation credit was awarded for the following relevant campaigns:

- Vietnam Counteroffensive, Phase II – 1 July 1966 – 31 May 1967
- Vietnam Counteroffensive, Phase III – 1 June 1967 – 29 January 1968

3. Army Regulation 672-5-1 (Awards) stated the Army Good Conduct Medal was awarded for each 3 years of continuous enlisted active Federal military service completed on or after 27 August 1940; for the first award only, 1 year served entirely during the period 7 December 1941 to 2 March 1946; and, for the first award only, upon termination of service on or after 27 June 1950 of less than 3 years but more than 1 year. The enlisted person must have had all "Excellent" conduct and efficiency ratings and there must have been no convictions by a court-martial.

4. Department of the Army Pamphlet 672-3 (Unit Citation and Campaign Participation Credit Register), 23 March 2017, listed the awards received by units serving in Vietnam. This pamphlet shows the unit to which the applicant was assigned was awarded the:

- Valorous Unit Award in Department of the Army General Orders (DAGO) Number 39, 1970

- Republic of Vietnam Gallantry Cross with Palm Unit Citation in DAGO Number 70, 1969

//NOTHING FOLLOWS//