

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 30 April 2025

DOCKET NUMBER: AR20240008063

APPLICANT REQUESTS: correction of his DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge) for the period ending 4 March 1971 to show award of the:

- Combat Infantryman Badge
- Two Bronze Star Medals
- Purple Heart

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

- DD Form 149 (Application for Correction of Military Record), 16 June 2024
- Internet article: *The 199th Infantry Brigade – The Army Historical Foundation*, undated

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 Combat Infantryman Badge, two Bronze Star Medals, and the Purple Heart while serving in Vietnam with the 199th Infantry Brigade. When he was discharged from the Army, he did not notice they were missing from his record. He would like them added to his record, because he is applying for veteran benefits.
3. The Board will not consider the applicant's request for award of the Combat Infantryman Badge. The applicant's record contains sufficient evidence (Special Orders 247, dated 4 September 1969 awarding the CIB) for correction of his DD Form 214 to show award the Combat Infantryman Badge without action by the Board.
4. The Board will consider the applicant's request for correction of his DD Form 214 to show award of two Bronze Star Medals and the Purple Heart.

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

a. He enlisted in the Regular Army on 11 July 1968.

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

- Item 22 (Military Occupational Specialties) – 11B, Light Weapons Infantryman
- Item 31 (Foreign Service) – 6 August 1969 through 5 March 1971, U.S. Army Pacific - Vietnam (USARPAC)
- Item 38 (Record of Assignments) shows during his service in Vietnam he was assigned to:
 - Company A, 7th Support Battalion, 199th Infantry Brigade - USARPAC from 7 August 1969 to 15 September 1969
 - 40th Public Information Detachment, 199th Infantry Brigade – USARPAC from 16 September 1969 to 15 January 1970
 - Headquarters and Headquarters Company, 2d Battalion, 3rd Infantry Division, 199 Infantry Brigade from 16 January 1970 to 10 March 1970
 - 40th Public Information Detachment, 199th Infantry Brigade – USARPAC from 11 March 1970 to 24 July 1970
 - 515th Signal Company, 199th Infantry Brigade – USARPAC from 25 July 1970 to 5 October 1970
 - 15th Public Information Detachment, 25th Infantry Division – USARPAC from 6 October 1970 to an unspecified date
- Item 40 (Wounds): no entries
- Item 41 (Awards and Decorations):
 - National Defense Service Medal
 - Vietnam Service Medal
 - Republic of Vietnam Campaign Medal with 1960 device
 - Overseas Service Bar
 - Army Commendation Medal
 - Sharpshooter Marksmanship Qualification Badge with Rifle Bar (M-14)
 - Sharpshooter Marksmanship Qualification Badge with Rifle Bar (M-16)

c. Headquarters, 25th Infantry Division, General Orders Number 10692, 1 November 1970, awarded him the Bronze Star Medal for the period of service from December 1960 to November 1970.

d. His record does not contain, and he did not provide evidence he was recommended for or awarded an additional Bronze Star Medal or the Purple Heart.

e. He was honorably released from active duty on 4 March 1971. He completed 2 years, 10 months, and 24 days of net active service during this period. Item 24 (Decorations, Medals, Badges, Commendations, Citations, and Campaign Ribbons Awarded or Authorized) of his DD Form 214 shows he was awarded or authorized the following awards:

- National Defense Service Medal
- Vietnam Service Medal
- Vietnam Campaign Medal
- Army Commendation Medal (with 2 oak leaf clusters)
- Bronze Star Medal

f. His name does not appear on the Vietnam casualty listing, a battle and non-battle listing of Soldiers who were killed, wounded, sick, captured, or missing during their service in Vietnam.

BOARD DISCUSSION:

1. After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that partial relief was warranted. The applicant's contentions, the military record, and regulatory guidance were carefully considered. The Board determined the applicant's service record had Orders which awarded him the Combat Infantryman Badge, but there were no Orders, documentation to reflect the applicant received wounds as a result of hostile action, or met the criteria for the award of the Purple Heart or had recommendations or authorization to show he was awarded a second Bronze Star Medal. However, the Board did note that the applicant met the criteria for the award of the Army Good Conduct Medal. Therefore, the Board concluded the applicant warranted only partial relief.

2. Administrative Notes: A review of the applicant's records shows he is authorized additional awards not listed on his DD Form 214 for the period ending 2 August 1968. As a result, amend his DD Form 214 by deleting his Vietnam Service Medal and adding the Vietnam Service Medal with four bronze service stars and the Combat Infantryman Badge.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

:	:	:	GRANT FULL RELIEF
XXX	XXX	XXX	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 the Army records of the individual concerned be corrected to show he was authorized and awarded the following awards:

- Combat Infantryman Badge
- Army Good Conduct Medal for the period 11 July 1968 to 4 March 1971
- Vietnam Service Medal with four bronze service stars

2. The Board further determined that the evidence presented is insufficient to warrant a portion of the requested relief. As a result, the Board recommends denial of so much of the application that pertains to any additional relief in excess of the above.

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): A review of the applicant's records shows he is authorized additional awards not listed on his DD Form 214 for the period ending 2 August 1968. As a result, amend his DD Form 214 by:

- a. Delete: Vietnam Service Medal
- b. Add:
 - Vietnam Service Medal with four bronze service stars
 - Combat Infantryman Badge

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 Army policy, criteria, and administrative instructions concerning individual and unit military awards.

a. The Bronze Star Medal is awarded in time of war for heroism and for meritorious achievement or service, not involving participation in aerial flight, in connection with military operations against an armed enemy, or while engaged military operations involving conflict with an opposing armed force in which the United States is not a belligerent party. As with all personal decorations, formal recommendations, approval through the chain of command, and announcement in orders are required.

b. 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. When contemplating eligibility for the Purple Heart, the two critical factors commanders must consider is the degree to which the enemy or hostile force caused the wound and whether the wound was so severe that it required treatment by a medical officer.

(1) A wound is defined as an injury to any part of the body from an outside force or agent sustained under one or more of the conditions listed below. A physical lesion is not required. However, the wound for which the award is made must have required treatment, not merely examination, by a medical officer. Additionally, treatment of the wound will be documented in the service member's medical and/or health record. Award of the Purple Heart may be made for wounds treated by a medical professional other than a medical officer provided a medical officer includes a statement in the service member's medical record that the extent of the wounds was such that they would have required treatment by a medical officer if one had been available to treat them.

(2) The key issue commanders must take into consideration when contemplating an award of this decoration 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 sole justification for award.

(3) Examples of enemy-related injuries which justify award of the Purple Heart are as follows:

- injury caused by enemy bullet, shrapnel, or other projectile created by enemy action
- injury caused by enemy-placed trap or mine
- injury caused by enemy-released chemical, biological, or nuclear agent
- injury caused by vehicle or aircraft accident resulting from enemy fire
- concussion injuries caused as a result of enemy-generated explosions
- mild traumatic brain injury or concussion severe enough to cause either loss of consciousness or restriction from full duty due to persistent signs, symptoms, or clinical finding, or impaired brain function for a period greater than 48 hours from the time of the concussive incident

(4) Examples of injuries or wounds which do not justify award of the Purple Heart are as follows:

- frostbite (excluding severe frostbite requiring hospitalization from 7 December 1941 to 22 August 1951)
- trench foot or immersion foot
- heat stroke
- food poisoning not caused by enemy agents
- chemical, biological, or nuclear agents not released by the enemy
- battle fatigue
- disease not directly caused by enemy agents
- accidents, to include explosive, aircraft, vehicular, and other accidental wounding not related to or caused by enemy action
- self-inflicted wounds, except when in the heat of battle and not involving gross negligence
- post-traumatic stress disorder
- airborne (for example, parachute/jump) injuries not caused by enemy action
- hearing loss and tinnitus (for example, ringing in the ears)
- mild traumatic brain injury or concussions that do not either result in loss of consciousness or restriction from full duty for a period greater than 48 hours due to persistent signs, symptoms, or physical finding of impaired brain function
- abrasions and lacerations (unless of a severity to be incapacitating)
- bruises (unless caused by direct impact of the enemy weapon and severe enough to require treatment by a medical officer)
- soft tissue injuries (for example, ligament, tendon, or muscle strains, sprains, and so forth)
- first degree burns

c. 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 Summer -Fall – 9 June 1969 – 31 October 1969
- Vietnam Winter - Spring – 1 November 1969 – 30 April 1970
- DA Sanctuary Counteroffensive – 1 May 1970 – 30 June 1970
- Vietnam Counteroffensive, Phase VIII – 1 July 1970 – 30 June 1971

//NOTHING FOLLOWS//