

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 28 March 2025

DOCKET NUMBER: AR20240008508

APPLICANT REQUESTS: correction of his DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge) to show award of the Purple Heart (PH) and Bronze Star Medal (BSM).

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

- DD Form 149 (Application for Correction of Military Record)
- 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 the PH and BSM are not listed on his DD Form 214, please add them as a correction to his military record. He believes these awards may have been left off his DD Form 214 because he was medically evacuated from Vietnam after being seriously wounded. He sustained a severe concussion, and a gunshot wound (GSW) to his right forearm. When he was discharged, he did not know or care about the awards he just wanted to get on with his life.
3. Additionally, he annotated his application to the Board to indicate that he suffers from posttraumatic-stress disorder (PTSD) and traumatic brain injury (TBI)
4. On 30 November 1966, the applicant enlisted in the Regular Army for a period of 3 years. He held military occupational specialty 11B (Light Weapons Infantryman).
5. His service record contains the following:
 - a. General Orders 5585, Headquarters, 25th Infantry Division, awarding him the Silver Star for gallantry action in the Republic of Vietnam on 2 March 1968. While on a combat operation, his unit (Company C, 4th Battalion, 9th Infantry, 25th Infantry

Division) came under an intense enemy attack causing many friendly casualties. Although wounded, he with complete disregard for his personal safety, assaulted an enemy position and destroyed it. When an enemy killer team appeared at his location, he destroyed the entire team with his shotgun.

b. DA Form 8-274 (Medical Condition-Profile Record) dated 2 May 1968, from the Medical Holding Detachment (MHD), Walter Reed Army Medical Center (WRAMC), Washington, DC, confirming he was treated for a gunshot wound to the right forearm. Neuropraxia, right radial, ulna, median nerves. He was to perform duty with temporary limitations until 2 August 1968. His present PULHES were listed as 13T1111.

c. Standard Form (SF) (Report of Medical Examination), dated 11 August 1969, showing in:

- Item 76 (Physical Profile), PULHES of "111111"
- Item 77 (Examination), he was qualified for separation

d. SF 93 (Report of Medical History), dated 11 August 1969, showing on page 2, item 34 (Have You Consulted or Been Treated by Clinics Physicians, Healers, or Other Practitioners Within the Past 5 Years), he entered, "Walter Reed Army Hospital gunshot wound right forearm."

6. His DA Form 20 (Enlisted Qualification Record) includes the following entries in:

a. Item 17 (Physical Status), PULHES as "111111."

b. Item 18 (Assignment Limitations), none.

c. Item 31 (Foreign Service) shows he served in Vietnam from 17 December 1967 to 27 March 1968.

d. Item 38 (Record of Assignments), shows he served with Company C, 4th Battalion, 9th Infantry, 25th Infantry Division from 27 December 1967 to approximately 26 March 1968. Then he was carried in a patient status at the MHD, 249th General Hospital, Japan and at the MHD, Walter Reed Army Medical Center (WRAMC), Washington, DC, until 7 May 1968. He was moved into a casual leave status enroute to Fort Benning, GA, on 8 May 1968.

e. Item 40 (Wounds) "FW: [fragment wound], right (R), Forearm."

f. Item 41 (Awards and Decorations) does not list the PH nor the BSM as authorized awards.

7. His DD Form 214 shows, on 2 September 1969, he was honorably released from active duty and transferred to the United States Army Reserve (Reinforcement). He completed 2 years, 9 months, and 3 days of net active service this period, of which, 3 months, and 11 days were credited as foreign service in Vietnam. Item 24 (Decorations, Medals, Badges, Commendations, Citations and Campaign Ribbons Awarded or Authorized) lists the:

- National Defense Service Medal
- Silver Star
- Combat Infantryman's Badge
- Vietnam Service Medal
- Republic of Vietnam (RVN) Campaign Medal with Device
- Expert Marksman Marksmanship Qualification Badge .45 Caliber Pistol and 88 Millimeter Mortar

8. The available service record does not reference award of the PH, nor the BSM and contains no orders awarding him the PH or BSM.

9. The applicant's last name is listed on the Vietnam Casualty Roster as "Pokeus," with his service number in lieu of his social security number. The roster shows he was "Hostile wounded in action on 2 March 1968, not serious, hospitalized."

10. A 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 Military Awards Branch of the U.S. Army Human Resources Command, failed to reveal orders for award of the PH and BSM pertaining to the applicant.

BOARD DISCUSSION:

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 evidence of record shows the applicant enlisted in the Army on 30 November 1966 and subsequently deployed to Vietnam. His record contains a casualty report indicating he was carried in a patient status at the MHD, 249th General Hospital, Japan and at the MHD, Walter Reed Army Medical Center (WRAMC), Washington, DC, until 7 May 1968, that he was received a fragment wound on his forearm and his name is listed on the Vietnam Casualty Roster. Therefore, the Board determined the applicant met the criteria for award of the Purple Heart and granted relief.

- Purple Heart. Grant: The Board noted the evidence of record shows the applicant enlisted in the Army on 30 November 1966 and subsequently deployed to Vietnam. His record contains a casualty report indicating he was carried in a patient status at the MHD, 249th General Hospital, Japan and at the MHD, Walter Reed Army Medical Center (WRAMC), Washington, DC, until 7 May 1968, that he was received a fragment wound on his forearm as a result of hostile enemy action and his name is listed on the Vietnam Casualty Roster. Therefore, the Board determined the applicant met the criteria for award of the Purple Heart and granted relief.
- Bronze Star Medal. Grant: The Board determined a review of his service records shows the applicant was authorized the BSM on 2 March 1968. As a result, the Board granted his request.

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 2 May 1968
- Adding to his DD Form 214, for the period ending 2 September 1969:
- Purple Heart
- Bronze Star Medal

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.

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

3. U. S. Army Vietnam Regulation 672-1 (Decorations and Awards) governed the military awards program in Vietnam during the Vietnam War. This regulation stated the BSM may have been awarded for heroism or for meritorious achievement or service which did not involve aerial flight, but which was performed in connection with military operations against an armed enemy including combat, support, and supply operations. The approval authority for award of the BSM was generally delegated no lower than brigadier generals in command of separate brigades. However, the records of the Awards Branch of the U.S. Army Human Resources Command show that authority for award of the BSM for service had been delegated to colonels in command of the U.S. Army Support Commands located at Saigon, Cam Ranh Bay, and Qui Nhon and in command of separate engineer brigades in Vietnam assigned to the U.S. Army Engineer Troops (Provisional).

4. The acronym "PUHLES" describes the following six physical factors used in the profiling system to classify medical readiness: "P" (Physical capacity or stamina), "U" (Upper extremities), "L" (Lower extremities), "H" (Hearing), "E" (Eyes), and "S" (Psychiatric). Physical profile ratings are permanent (P) or temporary (T). A Service Members level of functioning under each factor is represented by the following numerical designations: 1 indicates a high-level of fitness, 2 indicates some activity limitations are warranted, 3 reflects significant limitations, and 4 reflects one or more medical conditions of such a severity that performance of military duties must be drastically limited.

//NOTHING FOLLOWS//