

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 18 July 2025

DOCKET NUMBER: AR20240009388

APPLICANT REQUESTS: correction of his DD Form 214 (Armed Forces of the U.S. Report of Transfer or Discharge) for the period ending on 25 June 1973, to reflect award of the Purple Heart.

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

- DD Form 149 (Application for Correction of Military Record)
- Purple Heart certificate awarded 11 June 1968, for wounds he received in action in the Republic of Vietnam on 15 February 1968

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 wants his record to be accurate. His DD Form 214 does not show the Purple Heart he was awarded.
3. On his DD Form 149, the applicant notes post-traumatic stress disorder issues are related to his request.
4. On 21 June 1966, the applicant was inducted into the Army of the U.S. After completion of initial entry training, he was awarded military occupational specialty 11C2P (Indirect Fire Infantryman).
5. The applicant's DA Form 20 (Enlisted Qualification Record) shows:
 - a. Item 31 (Foreign Service) – he served in the U.S. Army Pacific (USARPAC) – Vietnam from 3 October 1967 through 13 June 1968.
 - b. Item 38 (Record of Assignments) – he was assigned to Company B, 3d Battalion (Airborne), 506th Infantry Regiment, from 29 October 1967 to 11 June 1968.

c. Item 40 (Wounds) – fragment wounds to his right wrist, right shoulder, right side and right leg on 15 February 1968.

d. Item 41 (Awards and Decorations) – no entry for the Purple Heart.

6. On 13 June 1968, the applicant was honorably released from active duty and transferred into the U.S. Army Reserve (USAR). His DD Form 214 does not show the Purple Heart.

7. On 21 June 1968, Headquarters 101st Airborne Division, issued General Orders Number 1910 awarded the applicant the Army Commendation Medal with “V” Device for heroism in the Republic of Vietnam on 20 February 1968.

8. On 24 May 1972, the U.S. Army Reserve Components Personnel and Administration Center issued Letter Orders Number 05-1182361, honorably discharging the applicant from the USAR Control Group (Standby), effective 20 June 1972.

9. The applicant is listed on the Vietnam casualty listing. The listing shows his casualty status as hostile wounded in action, not serious, not hospitalized. The listing reports the date of casualty as 15 February 1968.

10. A review of the Awards and Decorations Computer-Assisted Retrieval System, an index of general orders issued during the Vietnam era between 1965 and 1973 maintained by the U.S. Army Human Resources Command, failed to reveal any orders for the Purple Heart pertaining to the applicant.

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 Purple Heart award certificate provided by the applicant as part of the application and the information reflected on the applicant’s DA Form 20, showing the wounds referenced in the certificate, the Board concluded there was sufficient evidence of an error or injustice awarding adding the Purple Heart to the applicant’s DD Form 214.

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 adding the Purple Heart for injuries incurred on 15 February 1968 while serving in Vietnam.
2. Prior to closing the case, the Board noted the administrative notes below from the analyst of record and recommended those changes also be completed to more accurately reflect the military service of the applicant.

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 record shows his DD Form 214, for the period ending 13 June 1968, is missing important entries that affect recognition for his acts of heroism. As a result, amend the DD Form 214 by adding the following entries in item 24 (Decorations, Medals, Badges, Commendations, Citations and Campaign Ribbons Awarded or Authorized):

- Vietnam Service Medal with three bronze service stars
- Republic of Vietnam Gallantry Cross with Palm
- Army Commendation Medal with "V" Device

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) states 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.

a. Examples of enemy-related injuries which clearly justify the Purple Heart:

- 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 explosion

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

- Frostbite (excluding severe frostbite requiring hospitalization from 7 December 1941 to 22 August 1951)
- Trench foot or immersion foot, heat stroke, battle fatigue, first degree burns, and food poisoning not caused by enemy agents
- Chemical, biological, or nuclear agents not released by the enemy

- 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)
- 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)

3. Army Regulation 672-5-1 (Military Awards), then in effect, provided, in pertinent part, that the Purple Heart was awarded to any member of an Armed Force or any civilian national of the United States who, while serving under competent authority in any capacity with one of the U.S. armed services had been wounded, killed, or who had died as a result of a wound sustained 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 a medical officer, and the medical treatment must have been made a matter of official record.

4. U.S. Army Vietnam Regulation 672-1 (Decorations and Awards), then in effect, provided, in pertinent part, for award of the Purple Heart. The regulation stated that authority to award the Purple Heart was delegated to hospital commanders. Further, it directed that all personnel treated and released within 24 hours would be awarded the Purple Heart by the organization to which the individual is assigned. Personnel requiring hospitalization in excess of 24 hours or evacuation from Vietnam would be awarded the Purple Heart directly by the hospital commander rendering treatment.

//NOTHING FOLLOWS//