

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 12 August 2025

DOCKET NUMBER: AR20240009452

APPLICANT REQUESTS: the DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge) of her father's, a deceased Service Member (SM), be corrected to show award of the Purple Heart.

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

- DD Form 149 (Application for Correction of Military Record)
- DD Form 214, 8 October 1966

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 she would like her father, the Service Member (SM), to be listed in the Purple Heart Registry. She would like a military identification card so she and her son, who is named after her father, can use the commissary and receive other military discounts. She is his only daughter.
3. The applicant provides a document that indicates Specialist (4th Class) J__ W__ (no middle initial), was wounded in action on 26 September 1968 during a combat tour in Vietnam while assigned to B Company, 2nd Battalion, 39th Infantry.
4. A review of the SM's service record shows:
 - a. He was inducted into the Army of the United States on 14 October 1964.
 - b. His DA Form 20 (Enlisted Qualification Record) shows he served in Vietnam from 6 January 1965 to 7 October 1966. He served in military occupational specialty 64A10 (Light Vehicle Driver). The Purple Heart is not listed among the authorized awards and badges earned. It also shows:

- Item 38 (Record of Assignments) in Vietnam:
 - 4 January 1966 – HQ 2d Brigade, Task Force
 - 25 March 1966 – Co B, 25th Supply and Transportation Battalion
 - 7 October 1966 – Enroute to CONUS
 - He received all excellent for conduct and efficiency except for periods of permanent change of assignment
- Item 40 (Wounds) – no entry
- Item 41 (Awards and Decorations):
 - National Defense Service Medal
 - Vietnam Service Medal
 - Republic of Vietnam Campaign Medal
 - Expert Marksmanship Qualification Badge with Rifle Bar (M-16)

c. The available service record was void of documentation pertaining to medical treatment received in theater due to injury in the Republic of Vietnam.

d. He was honorably released from active duty on 8 October 1966. His DD Form 214 shows he completed 1 year, 11 months, and 25 days of active duty with 1 year, 9 months, and 2 days in USARPAC.

5. The SM's name is not listed on the Vietnam casualty roster, a compilation of most of those who were wounded in Vietnam, which is used to verify eligibility for the Purple Heart. A total of 15 SM's are listed by the name J__ W__; however, the social security number and/or service number do not match the SM's.

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

7. A review of the National Purple Heart Hall of Honor showed the name of three Soldiers who were in Vietnam with the same first and last name. Two of the three had different middle names from the service member in question. The third person was injured two years after the service member in question was discharged from the Army.

8. A review of the SM's record confirms he is eligible for awards and campaign credits that are not recorded on his DD Form 214. These awards will be added to his DD Form 214 as administrative corrections and will not be considered by the Board.

BOARD DISCUSSION:

1. After reviewing the application and all supporting documents, the Board found that relief was not warranted. The Board carefully considered the SM'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 SM served on active duty between 14 October 1964 to 8 October 1966 and served in Vietnam from on or about 6 January 1965 to on or about 7 October 1966. His service record is void of evidence of him being wounded as a result of an instrumentality of war and no evidence of a wound is recorded in his official record. Therefore, the Board denied relief.
2. The Board also determined the applicant should be awarded the AGCM (First Award) for the period 14 October 1964 to 8 October 1966.
3. The Board noted he is eligible for awards and campaign credits that are not recorded on his DD Form 214 ending on 8 October 1966. These awards will be added to his DD Form 214 as administrative corrections.

BOARD VOTE:

<u>Mbr 1</u>	<u>Mbr 2</u>	<u>Mbr 3</u>	
:	:		GRANT FULL RELIEF
	:		GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
XXX	XXX	XXX	DENY APPLICATION

BOARD DETERMINATION/RECOMMENDATION:

1. The evidence presented does not demonstrate the existence of a probable error or injustice. Therefore, the Board determined the overall merits of this case are insufficient as a basis for correction of the records of the individual concerned.
2. The Board determined the applicant should be awarded the AGCM (First Award) for the period 14 October 1964 to 8 October 1966.
3. The SM's DD Form 214 ending on 8 October 1966 will be administratively corrected adding campaign credits as shown in the "administrative note" section of the ROP.

[REDACTED]

//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:

A review of the applicant's service records show he is authorized additional awards not annotated on his DD Form 214 for the service period ending 8 October 1966. As a result, correct his DD Form 214 to show:

- Meritorious Unit Commendation
- Republic of Vietnam Campaign Medal with Device (1960)
- Republic of Vietnam Civil Actions Honor Medal, First Class with Oak Leaf Cluster
- Republic of Vietnam Gallantry Cross Unit Citation with Palm
- two bronze service stars with his previously awarded Vietnam Service Medal

REFERENCES:

1. Title 10, USC, section 1552(b), provides that applications for correction of military records must be filed within three years after discovery of the alleged error or injustice. This provision of law also allows the Army Board for Correction of Military Records (ABCMR) to excuse an applicant's failure to timely file within the three-year statute of limitations if the ABCMR determines it would be in the interest of justice to do so.

2. The Purple Heart was established by General George Washington at Newburgh, NY on 7 August 1782 during the Revolutionary War. It was reestablished by the President of the United States per War Department General Orders Number 3 in 1932. It was awarded in the name of the President of the United States to any member of the Armed Forces 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 after 5 April 1917, died or sustained wounds as a result of hostile action. Effective 19 May 1998, award of the Purple Heart is limited to members of the Armed Forces of the United States.

3. Army Regulation 600-8-22 (Military Awards) provides Army policy, criteria, and administrative instructions concerning individual military decorations.

a. The Purple Heart is awarded in the name of the President of the United States 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 after 5 April 1917, has been wounded or killed, or who has died or may hereafter die after, being wounded:

- In any action against an enemy of the United States
- In any action with an opposing armed force of a foreign country in which the Armed Forces of the U.S. are or have been engaged
- While serving with friendly foreign forces engaged in an armed conflict against an opposing armed force in which the U.S. is not a belligerent party.
- As the result of an act of any such enemy of opposing Armed Forces
- As the result of an act of any hostile foreign force

b. The Army Good Conduct Medal is awarded to individuals who distinguish themselves by their conduct, efficiency, and fidelity. Although there is no automatic entitlement to the Army Good Conduct Medal, disqualification must be justified. Any one of the following periods of continuous enlisted active Federal military service qualifies for award:

- Each 3 years completed on or after 27 August 1940
- For first award only, 1 year served entirely during the period 7 December 1941 to 2 March 1946

- For first award only, upon termination of service on or after 27 June 1950 of less than 3 years but more than 1 year
- For first award only, upon termination of service, on or after 27 June 1950, of less than 1 year when final separation was by reason of physical disability incurred in line of duty
- For first award only, for those individuals who died before completing 1 year of active Federal service if the death occurred in the line of duty

4. By regulations (AR 635-5) stated the DD Form 214 is a summary of the Soldier's most recent period of continuous active duty. It provides a brief, clear-cut record of all current active, prior active, and prior inactive duty service at the time of release from active duty, retirement, or discharge. The information entered thereon reflects the conditions as they existed at the time of separation.

5. Department of the Army Pamphlet 672-3 (Unit Citation and Campaign Participation Credit Register) assist commanders and personnel officers in determining or establishing the eligibility of individual members for campaign participation credit, assault landing credit, and unit citation badges awarded during the Vietnam Conflict.

a. Department of the Army General Order Number 17, dated 23 April 1968, awarded 25th Supply and Transportation Battalion the Meritorious Unit Commendation for service in Vietnam from January through December 1966.

b. Department of the Army General Order Number 48, dated 10 October 1971, awarded 25th Supply and Transportation Battalion the Republic of Vietnam Gallantry Cross Unit Citation with Palm for service in Vietnam from March 1966 to August 1968.

c. Department of the Army General Order Number 51, dated 10 November 1971, awarded 25th Supply and Transportation Battalion the Civil Actions Medal, First Class, With Oak Leaf Device for service in Vietnam from 31 March 1966 to 21 January 1970.

//NOTHING FOLLOWS//