

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 20 August 2025

DOCKET NUMBER: AR20240010106

APPLICANT REQUESTS: correction of his father's, the deceased Service Member (SM), DD Form 214 (Armed forces of the United States Report of Transfer or Discharge) to add the following:

- Army Commendation Medal
- Bronze Star Medal with "V" Device
- Purple Heart

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

- DD Form 149 (Application for Correction of Military Record)
- Excerpt from DA Form 2-1 (Enlisted Qualification Record)
- New Jersey State Department of Health Certificate of Death
- New York State Department of Health Certificate of Live Birth
- News Paper Article, indicating award of the Bronze Star Medal
- National Archives and Records Administration (NARA) Letter
- Certificate of Military Service Certificate
- SM's 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 SM served his country honorably, doing several tours in Vietnam. He passed away from cancer at the age of 34 in 1981. He noticed the SM's medals were worn so he contacted the National Archives Record Center to replace them. When the medals came in, a DD Form 214 was attached. He noticed the medals requested were not listed. The applicant was 4 years old when the SM passed and based on the supporting evidence, he believes there are discrepancies in the SM's military records.

3. A review of the SM's service records show:

a. He was inducted into the Army of the United States on 1 January 1967.

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

- Item 31 (Foreign Service) – Vietnam from 8 November 1967 to 13 September 1968.
- Item 35 (Record of Assignment)
  - HHC, 1st Battalion, 69th Armor, 4th Infantry Division
  - conduct and efficiency reflected excellence and good
- Item 40 (Wounds): (Right hand) 24 August 1968
- item 41 (Awards and Decorations): National Defense Service Medal, Sharpshooter Marksmanship Qualification Badge with Rifle Bar, Vietnam Service Medal, Republic of Vietnam Campaign Medal with Device 1960

c. On 30 August 1968, Patient, Medical Holding Company (MHC), 249th General Hospital, U.S. Army Pacific (USARPAC)

d. On 14 September 1968, he was transferred to the U. S. Naval Hospital in St. Albans, NY.

e. General Orders Number 5040 dated 19 September 1968 awarded the applicant the Army Commendation Medal for service from November 1967 to November 1968.

f. On 2 October 1968. Casual, Enroute to Fort Knox, Kentucky.

g. His service record is void of documentation confirming:

- award of: Bronze Star with "V" Device, Purple Heart, Army Good Conduct Medal
- void of derogatory information that would have disqualified him from receiving the Army Good Conduct Medal

h. On 4 June 1969, he was honorably released from active duty. His DD Form 214 shows he completed 2 year and 4 days of active service with no lost time. It also shows he was awarded or authorized:

- Vietnam Campaign Medal
- Vietnam Service Medal
- Sharpshooter Marksmanship Qualification Badge with Rifle Bar
- National Defense Service Medal

4. The SM's name is 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. The codes on the roster indicated:

- Major Contributing Cause Code H – (Not Booby Trap Connected)
- Complementary Cause Code – L (Other Weapons (including cutting instruments, piercing instruments, blunt instruments, etc.)
- Casualty Category Code 1 – (Battle Wounded)
- Personnel Category Code A – (Active Duty Army)
- Casualty Status Code 23 – (Hostile wounded in action: not serious hospitalized)

5. 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 Bronze Star with V Device and the Purple Heart pertaining to the SM.

6. A review of the SM's record confirms he is eligible for an award and campaign credits that are not recorded on his DD Form 214. The entries 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, all supporting documents, and the evidence found within the military record, the Board found that relief was warranted. The Board carefully considered the SM's record of service, documents submitted in support of the petition and executed a comprehensive and standard review based on law, policy and regulation. The evidence of record shows the SM was inducted into the Army on 1 January 1967 and subsequently deployed to Vietnam. His record contains a casualty report indicating he was battle wounded on 24 August 1968. Additionally, his record indicates he was in a patient status subsequent to his injury. The Board determined the SM met the criteria for award of the Purple Heart.
  
2. Additionally, General Orders show the SM was awarded the Army Commendation Medal for service from November 1967 to November 1968. The SM's record is void of orders for the Bronze Star Medal with V Device. However, the applicant provided evidence of a clear and convincing nature with documentation to support the request for award of the Bronze Star Medal with V Device.
  
3. The Board reviewed the SM's record and determined he served a qualified period for award of the Army Good Conduct Medal (First Award) in addition to the administrative notes listed 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 24 August 1968
  - awarding him the Bronze Star Medal with "V" Device
  - awarding him the Army Good Conduct Medal (First Award) for the qualifying period from 1 January 1967 to 4 June 1969
  - adding to his DD Form 214, for the period ending 4 June 1969:
- Purple Heart
  - Bronze Star Medal with "V" Device
  - Army Commendation Medal
  - Army Good Conduct Medal (First Award)



**X** //SIGNED//

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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 service records show he is authorized additional awards and campaign credits not annotated on his DD Form 214 for the service period ending 4 June 1969. As a result, correct his DD Form 214 to show:

- Republic of Vietnam Gallantry Cross with Palm Unit Citation
- three bronze service stars with his previously awarded Vietnam Service Medal

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 (AR) 600-8-22 (Military Awards) prescribes the Army policy, criteria, and administrative instructions concerning individual military decorations.

a. Paragraph 3-15 (Bronze Star Medal) states 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 in military operations involving conflict with an opposing armed force in which the United States is not a belligerent party.

b. Paragraph 4-5 (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

c. 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

a. Chapter 9 of the version in effect at the time, stated a brief description of wounds or injuries (including injury from gas) requiring medical treatment received through hostile or enemy action, including those requiring hospitalization would be entered in item 40 (wounds) of the DA Form 20. This regulation further stated that the date the wound or injury occurred would also be placed in item 40.

3. Army Regulation 672-5-1 (Awards), in effect at the time, 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 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. Ratings of "Unknown" for portions of the period under consideration were not disqualifying. Service school efficiency ratings based upon academic proficiency of at least "Good" rendered subsequent to 22 November 1955 were not disqualifying. There must have been no convictions by a court-martial. However, there was no right or entitlement to the medal until the immediate commander made a positive recommendation for its award and until the awarding authority announced the award in general orders.

4. Department of the Army Pamphlet 672-3 (Unit Citations 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. Department of the Army General Orders (DAGO) Number 8, dated 1970, awarded the Republic of Vietnam Gallantry Cross Unit Citation with Palm to Headquarters, United States Army Vietnam, for service in Vietnam for the period of 20 July 1965 to 28 March 1973.

//NOTHING FOLLOWS//