

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 6 May 2025

DOCKET NUMBER: AR20240010924

APPLICANT REQUESTS: correction of his brother's, the deceased Service Member (SM) DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge) to show:

- Purple Heart
- Army Good Conduct Medal.

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

- DD Form 149 (Application for Correction of Military Record)
- DD Form 214, 5 August 1968
- Hospital Admission Record, 9 March 1972
- Certificate of Death
- General Orders Number 4525, 18 July 1968 (Good Conduct Medal (1st Award))
- General Orders Number 482, 3 February 1968 (Bronze Star Medal)
- Local News Article
- Photographs
- Letter to Mother, 19 November 1967
- Birth Certificate and California Driver License

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 is requesting recognition of the SM's awards, including the Purple Heart and Army Good Conduct Medal, to facilitate obtaining replacement medals and honor his brother's service. He recalls sharing his brother's Purple Heart medal with classmates and, based on supporting evidence such as a letter and a newspaper article, believes there are discrepancies in the SM's military records.

3. A review of the SM's service record shows:

a. He was inducted into the Army of the United States on 26 October 1966. He was trained in and held military occupational specialty 11D, Armor Intelligence Specialist.

b. His DA Form 20 (Enlisted Qualification Record) shows he served in Vietnam from 10 August 1967 to 9 August 1968. It also shows:

- item 35 (Record of Assignments): United States Army, Troop B, 1st Squadron 1st Cavalry
- item 40 (Wounds): no entry
- item 41 (Awards and Decorations): National Defense Service Medal, Bronze Star Medal, Combat Infantrymen's Badge, Sharpshooter Marksmanship Qualification Badge with Rifle Bar (M-16), Sharpshooter Marksmanship Qualification Badge with 45 Pistol, Marksman Marksmanship Qualification Badge with Rifle Bar (M-14), Vietnam Service Medal, Republic of Vietnam Campaign Medal with Device 1960, 1 Overseas Bar

c. A DA Form 41 (RVN Casualty Report) was completed on 26 October 1966 indicating the SM was injured on 12 November 1967 with metal fragments to the head.

d. A Western Union message was sent to the family notifying them the SM was wounded in Vietnam on 9 November 1967 as a result of hostile action. He sustained metal fragment wound to the head. He was treated at the 25th Medical Battalion.

e. General Orders Number 4525, dated 18 July 1968 awarded the applicant the Good Conduct Medal (1st Award) for service from 26 October 1966 to 5 August 1968.

f. He was honorably released from active duty on 5 August 1968. His DD Form 214 shows he completed 1 year, 9 months, and 10 days of active service. It also shows he was awarded or authorized:

- National Defense Service Medal
- Vietnam Campaign Medal
- Vietnam Service Medal
- Bronze Star Medal
- Combat Infantryman Badge
- Marksman Marksmanship Qualification Badge with Rifle Bar (M-14)

4. 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. The entries will be added to his DD Form 214 as administrative corrections and will not be considered by the Board.

5. 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.

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 applicant.

BOARD DISCUSSION:

1. 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 Western Union notification to family members in the FSM's military record, the Board concluded the PH was warranted and should be added to the FSM's DD Form 214.

2. Additionally, 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.

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 FSM's DD Form 214 by awarding and adding the Purple Heart Medal for injuries incurred while serving in Vietnam on 9 November 1967.

2. Prior to closing the case, the Board also noted the administrative notes below from the analyst of record and recommended those changes also be completed to more accurately reflect the FSM's military service.

//SIGNED//

X

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 not annotated on his DD Form 214 for the service period ending 5 August 1968. As a result, correct his DD Form 214 to show:

- Good Conduct Medal (1st Award)
- Republic of Vietnam Gallantry Cross with Palm Unit Citation
- Sharpshooter Marksmanship Qualification Badge with Rifle Bar (M-16)
- Sharpshooter Marksmanship Qualification Badge with 45 Calber Pistol
- four 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 600-8-22 (Military Awards) provides Army policy, criteria, and administrative instructions concerning individual military decorations.

a. A bronze service star is authorized to denote participation in each designated campaign.

b. 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

3. 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.

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 1974, 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//