

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 6 August 2025

DOCKET NUMBER: AR20240011600

APPLICANT REQUESTS: 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 (Armed Forces of the United States Report of Transfer or Discharge)
- DD Form 256A (Discharge Certificate)
- Article on Purple Heart
- Department of Veterans Affairs (VA) Medical Documents (3 pages)

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 award of the Purple Heart. He was wounded by a hand grenade thrown into a squad tent in the Dominican Republic during Operation Power Pact. A private first class or specialist received the Purple Heart for the same incident. He was asked if he wanted one; however, the commander considered his injury minor and rescinded the offer. After leaving the service the wound on his head proceeded to grow until it was as large as half of a chicken egg. Because of the bump, he kept hitting it on almost anything and subsequently, had it removed. His VA medical documents note a shrapnel injury from 1964 with a 30% service connection. He was also informed that many Veterans were retroactively awarded the Purple Heart, which led to his request.
3. The applicant provides evidence of his 30% service connected disability and four articles detailing retroactive award of the Purple Heart spanning 55 to 70 years later.
4. A review of the applicant's service record shows:

a. He was inducted into the Army of the United States on 13 July 1964.

b. His DA Form 20 (Enlisted Qualification Record) shows he served in the Dominican Republic from 1 May 1965 through 28 June 1966. He was assigned to Company A, 307th Engineer Battalion as a 12B, Combat Construction Specialist. It also shows he received "excellent" conduct and efficiency ratings from date of entry until he was relieved from active duty. Block 40 (Wounds) shows no entry and Block 41 (Awards and Decorations) shows:

- Parachutist Badge
- National Defense Service Medal
- Armed Forces Expeditionary Medal
- Marksman Marksmanship Qualification Badge with Rifle Bar (M-14)
- Expert Marksmanship Qualification Badge with Rifle Bar (M-16)

c. He was honorably released from active duty on 12 July 1966. His DD Form 214 shows he completed 2 years of total active service. It also shows he was awarded or authorized the:

- Armed Forces Expeditionary Medal
- Parachutist Badge
- National Defense Service Medal

5. A review of the Awards and Decorations Computer-Assisted Retrieval System (ADCARS), an index of general orders (and in some instances special 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 any orders for award of the Purple Heart pertaining to the applicant.

6. A review of the applicant's record confirms he is eligible for awards that are not recorded on his DD Form 214.

BOARD DISCUSSION:

1. After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that partial relief was warranted. The applicant’s contentions, the military record, and regulatory guidance were carefully considered.

2. Purple Heart. Deny. The Board determined to be awarded the Purple Heart, the regulatory guidance requires all elements of the award criteria to be met; there must be proof a wound was incurred as a result of enemy action, that the wound required treatment by medical personnel, and that the medical personnel made such treatment a matter of official record. The Board did not find documentary evidence that clearly or explicitly shows the applicant was wounded as a result of enemy action. Based on the evidence, the Board determined the applicant does not meet the criteria for award of the Purple Heart.

2. Prior to closing the discussion, the Board determined the applicant was eligible for award of the Marksman Marksmanship Qualification Badge (M-14) and Expert Marksmanship Qualification Badge (M-16), to more accurately depict his military service.

BOARD VOTE:


<u>Mbr 1</u>	<u>Mbr 2</u>	<u>Mbr 3</u>	
:	:	:	GRANT FULL RELIEF
XX	XX	XX	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 his DD Form 214, for the period ending 12 July 1966 to show award of the:

- Marksman Marksmanship Qualification Badge with Rifle Bar (M-14)
- Expert Marksmanship Qualification Badge with Rifle Bar (M-16)

2. The Board further determined that the evidence presented is insufficient to warrant a portion of the requested relief. As a result, the Board recommends denial of so much of the application that pertains to the Purple Heart.


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 600-200 (Enlisted Personnel Management System), chapter 9-53 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 600-8-22 (Military Awards) states the Purple Heart is awarded to any member who, while serving under competent authority in any capacity with one of the Army Services, has been wounded or killed or who has died or may hereafter die after being wounded:
 - a. In any action against an enemy of the United States;
 - b. In any action with an opposing armed force of a foreign country in which the Armed Forces of the United States are or have been engaged;
 - c. While serving with friendly foreign forces engaged in an armed conflict against an opposing armed force in which the United States is not a belligerent party;
 - d. As a result of an act of any such enemy of opposing armed forces;
 - e. As a result of an act of any hostile foreign force;
 - f. After 23 March 1973, as a result of an international terrorist attack against the United States or a foreign nation friendly to the United States, recognized as such an attack by the Secretary of the Army, or jointly by the Secretaries of the separate armed services concerned if persons from more than one service are wounded in the attack;
 - g. After 28 March 1973, as a result of military operations while serving outside the territory of the United States as part of a peacekeeping force; or
 - h. Members killed or wounded by friendly fire.
 - i. 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.

//NOTHING FOLLOWS//