

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 13 August 2025

DOCKET NUMBER: AR20240011754

APPLICANT REQUESTS: correction of DD Form 214 (Armed Forces of the U.S. Report of Transfer or Discharge from Active Duty) for the period ending on 28 April 1970 to reflect the Purple Heart.

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

- DD Form 149 (Application for Correction of Military Record)
- DD Form 214, 28 April 1970 – reflective of the applicant's service on active duty from 20 May 1968 – 28 April 1970; item 24 (Decorations, Medals, Badges, Commendations, Citations and Campaign Ribbons Awarded or Authorized) reflects:
  - Vietnam Campaign Medal
  - National Defense Service Medal
  - Vietnam Service Medal
  - Marksman Marksmanship Qualification Badge (M-60)
  - Sharpshooter Marksmanship Qualification Badge (M-14)

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 in pertinent part that his DD Form 214 is incorrect because it does not reflect the Purple Heart. He notes that he was wounded on 28 December 1968, while serving in the Republic of Vietnam and was subsequently hospitalized at Fort Dix, NJ.
3. A review of the applicant's service records reflect the following:
  - On 20 May 1968 – he was inducted into the Army of the United States with duty as an 11B (Light Weapons Infantryman)

- On or about 20 October 1968 – he deployed to the Republic of Vietnam
- On 28 December 1968 – he sustained a shrapnel wound to his left hand
- On 9 January 1969 (Special Orders Number 9) – he was reassigned to the 7th Field Hospital
- On or about 19 March 1970 – a Physical Evaluation Board was conducted finding the applicant physically unfit for continued military service with a recommendation that he be discharged with entitlement to severance pay
- On 28 April 1970 (Special Orders Number 118) – he was released from active duty; DD Form 214, item 24 (Decorations, Medals, Badges, Commendations, Citations and Campaign Ribbons Awarded or Authorized) reflects:
  - Vietnam Campaign Medal
  - National Defense Service Medal
  - Vietnam Service Medal
  - Marksman Marksmanship Qualification Badge (M-60)
  - Sharpshooter Marksmanship Qualification Badge (M-14)

4. Review of the Awards and Decorations Computer-Assisted Retrieval System (ADCARS), an index of general orders issued during the Vietnam era between 1965 and 1973 maintained by the Awards and Decorations Branch of the U.S. Army Human Resources Command, failed to reveal any orders for the Purple Heart. However, the applicant's name is reflected on the Vietnam Casualty Roster having sustained wounds in battle on 28 December 1968.

#### 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 applicant's record of service, documents submitted in support of the petition, and executed a comprehensive review based on law, policy, and regulation. 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 evidence of record shows the applicant was inducted into the Army on 20 May 1968 and subsequently deployed to Vietnam. On 28 December 1968 he sustained a shrapnel wound to his left hand. The applicant's name is reflected on the Vietnam Casualty Roster for having sustained wounds in battle on 28 December 1968. Based on the evidence, the Board determined the applicant met the criteria for award of the Purple Heart.

2. Additionally, the Board reviewed the applicant's record and determined he served a qualified period for award of the Army Good Conduct Medal (First Award).


BOARD VOTE:

<u>Mbr 1</u>	<u>Mbr 2</u>	<u>Mbr 3</u>	
XXX	XXX	XXX	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 28 December 1968
- awarding him the Army Good Conduct Medal (First Award) for the qualifying period from 20 May 1968 to 28 April 1970
- adding to his DD Form 214, for the period ending 28 April 1970, the:
  - Purple Heart
  - Army Good Conduct Medal (1st 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.

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 672-5-1 (Military Awards) provides 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.

//NOTHING FOLLOWS//