

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 26 August 2025

DOCKET NUMBER: AR20240013697

APPLICANT REQUESTS: correction of his DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge) for the period ending 30 March 1973 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 (2)
- Excerpt from DA Form 2-1 (Personnel Qualification Record)
- Western Union Telefax
- Hospital Memo
- Orders Request

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 was awarded the Purple Heart for wounds sustained from an explosion in Vietnam. The awarded Purple Heart was not placed on his DD Form 214 as expected. The error was discovered when the Veteran met with a representative from the Department of Veterans Affairs.
3. A review of the applicant's service record shows:
 - a. He was inducted into the Army of the United States on 2 October 1969.
 - b. His DA Form 20 (Enlisted Qualification Record) shows the applicant was assigned to Company D, 1st Battalion Air Maneuver Battle Laboratory (AMBL), 506th Infantry Regiment and Company A, 5th Trans Battalion (Aircraft Maintenance and Supply) (AMBL), in Vietnam from 24 March 1970 through 24 February 1971. It also

shows in Item 40 (Wounds) he received a fragment wound to lower left leg and face on 14 May 1970

c. A Standard Form 502 (Narrative Summary) from the Naval Hospital USS Sanctuary AH-17, FPO San Francisco, diagnosed the applicant with corneal abrasions in both eyes. The injury was sustained at approximately 0900 hours on the morning of 14 May 1970 from a booby trap explosion. He was returned to full duty after 24 hours.

d. A Casualty Message dated 15 May 1970 was sent to the Department of the Army Casualty Division indicating the applicant was medically evacuated to the 85th Evacuation Hospital for fragmented wounds to his lower left leg and face during combat operations. He was hit by fragments from a hostile command detonated mine.

e. On 15 May 1970, the Secretary of the Army sent a Western Union Telefax to the applicant's parents informing them he had been slightly wounded in action in Vietnam. Since the wounds were not considered serious, his parents were told no further reports would be furnished. In addition to the above statement, they were given an address to send him mail if necessary.

f. On 21 May 1970, the Naval Hospital contacted the applicant's commander of his hospitalization. Further they provided a narrative for his official records.

g. The Commander from Headquarters, US Chemical School, Fort McClellan, Alabama requested a copy of orders be issued for the applicant who was assigned to Company D, 1st Battalion (AMBL), 506th Infantry Regiment on 1 April 1970. Further, they requested a copy of the Purple Heart orders be sent to their headquarters ATTN: AJMGP-A-M, Fort McClellan, AL as soon as possible. This note was placed in the applicant's record, however, no orders were provided.

h. General Orders #7106 dated 22 June 1970, awarded the applicant of Company C, 1st Infantry (AMBL), 506th Infantry an Air Medal for meritorious achievement while participating in serial flight.

i. He was released from active duty on 30 March 1973. His DD Form 214 shows he completed 3 years, 5 months, and 29 days of total active service. It also shows he was awarded or authorized:

- Bronze Star
- Army Good Conduct Medal
- National Defense Service Medal
- Vietnam Service Medal
- Combat Infantryman Badge
- Republic of Vietnam Campaign Medal with Device (1960)

- Overseas Service Bar (2)
- Service Stripes (1)
- Expert Marksmanship Qualification Badge with Rifle Bar (M-14)
- Expert Marksmanship Qualification Badge with Rifle Bar (M-16)

4. The applicant'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. It identifies:

- Country of Casualty – Vietnam
- Category of Casualty – Battle Wounded
- Category of Personnel – Active Duty Army
- Casualty Status Code – Hostile Wounded in Action: Not Serious Hospitalized
- Major Contributing Cause – Booby Trap Connected

5. A review of the applicant'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 applicant'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 applicant was inducted into the Army of the United States on 2 October 1969 and subsequently deployed to Vietnam. His record contains documentation that shows he received fragmented wounds to his lower left leg and face during combat operations. He was hit by fragments from a hostile command detonated mine on 15 May 1970. Additionally, the Board noted his name is listed in the Vietnam Casualty Roster; therefore, the Board determined the applicant met the criteria for award of the Purple Heart.

2. ADMINISTRATIVE NOTES: A review of the applicant's service records show he is authorized additional campaign credit not annotated on his DD Form 214. As a result, amend his DD Form 214 to show he was awarded the following awards:

- Air Medal
- Meritorious Unit Commendation
- Republic of Vietnam Gallantry Cross Unit Citation with Palm

- Republic of Vietnam Civil Actions Honor Medal First Class Unit Citation
- two bronze service stars with his previously awarded Vietnam Service Medal

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 15 May 1970
- Adding to his DD Form 214 for the period ending 30 March 1973: Purple Heart Medal

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.

ADMINISTRATIVE NOTE(S):

A review of the applicant's service records show he is authorized additional campaign credit not annotated on his DD Form 214. As a result, amend his DD Form 214 to show:

- Air Medal
- Meritorious Unit Commendation
- Republic of Vietnam Gallantry Cross Unit Citation with Palm
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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) 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.

3. 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. DAGO Number 48, dated 1971, awarded the Republic of Vietnam Civil Actions Honor Medal First Class Unit Citation to the 5th Transportation Battalion, for service in Vietnam for the period of 1 July 1968 to 2 May 1970.

b. DAGO Number 24, dated 1972, awarded the Meritorious Unit Commendation to 5th Transportation Detachment, for service in Vietnam for the period of 1 June 1969 to 30 September 1970.

c. DAGO Number 8, dated 1974, awarded the Republic of Vietnam Gallantry Cross with Palm to Headquarters, United States Army Vietnam and its subordinate units during the period 20 July 1965 to 28 March 1973.

d. DAGO Number 6, dated 1974, awarded the Republic of Vietnam Gallantry Cross with Palm to 587th Transportation Detachment, for service in Vietnam for the period of 1 January 1969 to 30 September 1970.

//NOTHING FOLLOWS//