

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: ██████████

BOARD DATE: 9 September 2025

DOCKET NUMBER: AR20250000861

APPLICANT REQUESTS: correction of his DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge) 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)
- Certificate for award of the Purple Heart

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 received the Purple Heart award on 4 November 1968 for injuries received during the Vietnam war. He was guarding a bridge when a mine was setoff, he still has shrapnel in his bilateral legs and back. He was transferred from hospital to hospital after his injuries. He believes in all attempts to return him to the United States his award was not properly documented. He has not been receiving his Veterans Benefits for being awarded the Purple Heart.
3. The applicant provides a certificate showing award of the Purple heart for wounds received in action on 2 November 1968 in the Republic of Vietnam.
4. A review of the applicant's service record shows:
  - a. He was inducted into the Army of the United States on 4 May 1967.
  - b. His DA Form 20 (Enlisted Qualification Record) shows in:
    - Item 31 (Foreign Service), Vietnam from 6 December 1967 to 12 December 1968

- Item 38 (Record of Assignment), assigned to Troop E, 1st Cavalry, 11th Infantry Brigade

c. Special Orders Number 53 dated 22 February 1968 show award of the Combat Infantryman Badge.

d. Special Order 401 dated 10 November 1968 show the applicant was put on patient status on 11 November 1968 and transported to the hospital for further medical treatment and /or disposition.

e. He was honorably released from active duty on 23 December 1968. His DD Form 214 shows he completed 1 year, 7 months and 20 days of active service. It also shows he was awarded or authorized:

- Vietnam Service Medal
- Vietnam Campaign Medal
- Two Overseas Service Bars

5. His available personnel records do not contain an official Army message or a Western Union telegram notifying his next of kin of an injury or wound sustained in action. This was generally the proper notification procedure for injuries at the time

(1) His name is shown on the Vietnam casualty listing. This is a listing of Vietnam era casualties commonly used to verify entitlement to award of the Purple Heart.

(2) Item 40 (Wounds) of his DA Form 20 (Enlisted Qualification Record) does not record any wounds sustained as a result of hostile action.

(3) A review of the Awards and Decorations Computer-Assisted Retrieval System, an index of general orders issued during the Vietnam era between 1965 and 1973 maintained by the U.S. Army Human Resources Command, failed to reveal any orders for 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 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 in the Army 4 May 1967 and subsequently deployed to Vietnam. The Board notes that the Vietnam Casualty Roster reflect he was wounded in combat action. Additionally, his record indicates he was in a patient status subsequent to his injury. The Board determined the applicant met the criteria for award of the Purple Heart and granted relief.

2. ADMINISTRATIVE NOTES: 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 period ending 23 December 1968. As a result, correct his DD Form 214 to show:

- Combat Infantryman Badge
- 5 bronze service stars to his previously issued Vietnam Service Medal
- Republic of Vietnam Gallantry Cross with Palm Unit Citation
  
- Item 30 (Remarks) "Service in Vietnam from 6 December 1967 to 12 December 1968."

BOARD VOTE:

Mbr 1	Mbr 2	Mbr 3	
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 the applicant the Purple Heart for injuries sustained in action on 2 November 1968.

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 awards and campaign credits not annotated on his DD Form 214 for the period ending 23 December 1968. As a result, correct his DD Form 214 to show:

- Combat Infantryman Badge
- five bronze service stars to his previously issued Vietnam Service Medal
- Republic of Vietnam Gallantry Cross with Palm Unit Citation

Item 30 (Remarks) "Service in Vietnam from 6 December 1967 to 12 December 1968."

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. U.S. Army Vietnam (USARV) Regulation 672-5-1 (Decorations and Awards), in effect at the time, prescribed policies, responsibilities, and criteria for awards to insure prompt and proper recognition of individuals. The regulation states, in part:

a. The Purple Heart may be awarded to U.S. personnel who are wounded or killed in action as a direct result of enemy action. A wound for which the award is made must have required treatment by a medical officer and records of medical treatment for wounds or injuries received must have been made a matter of official record.

b. Authority to award the Purple Heart was delegated to hospital commanders. Further, it directed that all personnel treated and released within 24 hours would be awarded the Purple Heart by the organization to which the individual was assigned. Personnel requiring hospitalization more than 24 hours or evacuation from Vietnam would be awarded the Purple Heart directly by the hospital commander rendering treatment.

3. Army Regulation 600-200 (Enlisted Personnel Management System), 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.

4. Army Regulation 600-8-22 (Military Awards), currently in effect, prescribes Army policy, criteria, and administrative instructions concerning individual and unit military awards. It provides that the Purple Heart is awarded for a wound sustained in action against an enemy or as a result of hostile action. Substantiating evidence must be provided to verify 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. Examples of enemy-related injuries which clearly justify award of the Purple Heart are as follows:

- Injury caused by enemy bullet, shrapnel, or other projectile created by enemy action.
- Injury caused by enemy-placed trap or mine
- Injury caused by enemy-released chemical, biological, or nuclear agent.
- Injury caused by vehicle or aircraft accident resulting from enemy fire.
- Concussion injuries caused, as a result of enemy-generated explosions
- Mild traumatic brain injury or concussion severe enough to cause either loss of consciousness or restriction from full duty due to persistent signs, symptoms, or clinical finding, or impaired brain function for a period greater than 48 hours from the time of the concussive incident.

5. 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.

a. 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.

b. DAGO Number 42, dated 1972, awarded Troop E, 1<sup>ST</sup> Cavalry, 11<sup>th</sup> Infantry Brigade the Republic of Vietnam Gallantry Cross with Palm Unit Citation for service in Vietnam from 24 August -31 December 1969 and 31 March -30 January 1970.

//NOTHING FOLLOWS//