

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 2 September 2025

DOCKET NUMBER: AR20250001079

APPLICANT REQUESTS:

- award of the Purple Heart
- a video/telephonic appearance before the Board

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

- DD Form 149 (Application for Correction of Military Record)
- Self-Authored Statement
- DA Form 20 (Enlisted Qualification Record)
- Special Orders Number 24, 24 January 1969
- DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge), 6 March 1969
- DD Form 214, 7 December 1971
- Department of Veterans Affairs (VA) Form 07-3101 (Request for Information)
- VA Decision

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 assigned to Bravo Company, 2nd Battalion, 5th Cavalry in November 1968 while serving in Vietnam. His unit approached a wooden bridge over a river, paused for a rest before checking the bridge for booby traps and finding none, they prepared to cross. As the unit neared its destination for the night, they crossed the bridge and subsequently began receiving enemy fire.

a. He recalls that his Squad Leader was approximately 10 to 12 feet ahead of him when he was shot. In response, he dove to the ground and returned fire to protect his comrade. While he was still engaging the enemy, additional soldiers and a Medic

arrived to provide aid. He then reports that a grenade detonated about 15 to 20 feet in front of him, striking him with shrapnel in both arms. After the brief firefight ended, he assisted in carrying his Squad Leader to a medical evacuation helicopter. His own wounds were then treated by the Medic. He states that the incident occurred in either Phuoc Vinh or Phuoc Long Province, in December 1968 or January 1969, and that he learned within a few days that his Squad Leader had died from his injuries.

b. The applicant affirms his belief that he meets the qualifications for the Purple Heart and emphasizes that he is not seeking anything undeserved. He explains that after returning from Vietnam, he made repeated but unsuccessful attempts to obtain his medical records from Fort Knox and later the National Archives, ultimately abandoning the effort while managing the effects of PTSD for over 50 years. In 2023, after being informed by a Department of Veterans Affairs facility that he could still file a claim, he was granted service connection for shrapnel scars effective May 25, 2023, with a rating decision issued August 8, 2024. He underscores the significance of receiving the award so that he may present it to his 7-year-old grandson, who has endured a battle with brain cancer, as a lasting symbol of love and resilience.

3. The applicant provides:

a. A DA Form 20 (Enlisted Qualification Record) shows in item 31 (Foreign Service) deployed to Vietnam; item 38 (Record of Assignments) shows units he was assigned to.

b. Special Orders Number 24 dated 24 January 1969 shows the applicant was awarded the Combat Infantryman Badge.

c. He was honorably discharge from active duty on 6 March 1969. His DD Form 214 shows he completed 8 months, and 17 days active service. It also shows he was awarded or authorized:

- National Defense Service Medal
- Vietnam Service Medal
- Combat Infantryman Badge

d. A VA Form 07-3101 dated 11 June 1973 shows in item 17 (Alleged Disease or Injury) left leg injury January 1969, in Phuocvinh, Vietnam.

e. On 8 August 2024 the Wisconsin Department of Veterans Affairs rendered rating decision which included service connection for shrapnel scars, granted with an evaluation of zero percent effective 25 May 2023.

4. A review of the applicant's service record shows:

a. He was inducted into the Army of the United States on 20 June 1968.

b. He served in Vietnam from 21 November 1968 until 17 November 1969.

c. His DA Form 20 (Enlisted Qualification Record) does not reflect award of the Purple Heart and Item 40 (Wounds) does not include entries.

d. He was honorably released from active duty on 7 December 1971. His DD Form 214 shows he completed 3 years, 5 months, and 18 days active service. It also shows he was awarded or authorized:

- Republic of Vietnam Cross of Gallantry with Palm
- Army Commendation Medal

5. The Vietnam Casualty Roster identifies, by name, Soldiers who were casualties during the Vietnam War; it is commonly used to verify entitlement to award of the Purple Heart. The applicant is not listed on this roster as being battle wounded by hostile action.

6. 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 Human Resources Command, failed to reveal orders awarding the applicant the Purple Heart.

BOARD DISCUSSION:

1. After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that relief was not 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 20 June 1968 as a track vehicle mechanic and subsequently deployed to Vietnam from on or about 21 November 1968 to on or about 17 November 1969. His record is void of substantiating evidence to support his request for award of the Purple Heart and his name is not listed on the Vietnam Casualty Roster. The Board determined the applicant did not meet the criteria for award of the Purple Heart.

2. The applicant's request for a personal appearance hearing was carefully considered. In this case, the evidence of record was sufficient to render a fair and equitable decision. As a result, a personal appearance hearing is not necessary to serve the interest of equity and justice in this case.

BOARD VOTE:

<u>Mbr 1</u>	<u>Mbr 2</u>	<u>Mbr 3</u>	
:	:	:	GRANT FULL RELIEF
:	:	:	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
XXX	XXX	XX	DENY APPLICATION

BOARD DETERMINATION/RECOMMENDATION:

The evidence presented does not demonstrate the existence of a probable error or injustice. Therefore, the Board determined the overall merits of this case are insufficient as a basis for correction of the records of the individual concerned.

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 600-8-22 (Military Awards) prescribes Army policy, criteria, and administrative instructions concerning individual and unit military awards: 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. The Purple Heart differs from all other decorations in that an individual is not "recommended" for the decoration; rather, he or she is entitled to it upon meeting specific criteria. When contemplating eligibility for the Purple Heart, the two critical factors commanders must consider is the degree to which the enemy or hostile force caused the wound and whether the wound was so severe that it required treatment by a medical officer.
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.

//NOTHING FOLLOWS//