

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: ██████████

BOARD DATE: 2 February 2024

DOCKET NUMBER: AR20230007662

APPLICANT REQUESTS: in effect, correction of his DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge), ending 8 March 1971, to show he was awarded multiple Air Medals with the appropriate appurtenances.

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

- DD Form 149 (Application for Correction of Military Record), 4 April 2023
- Self-authored Statement
- Headquarters (HQ), Americal Division, Vietnam, Special Order Number 105, 15 April 1970
- DA Forms 759 (Individual Flight Record and Flight Certificates – Army) 1969 to 1974
- letter, GEH____, 2 June 2020

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 effect:

a. He was never awarded an Air Medal or subsequent numeral device as authorized under Army regulations. He has documentation of his combat flight time.

b. As a Warrant Officer pilot in Vietnam, he flew combat duty and has documentation of his combat flight time. He flew in combat daily and was part of a proud air cavalry unit with 904 hours of combat assault time in a Cobra attack helicopter.

c. The unit orders setting the initial Air Medal were issued while he was on temporary duty at another unit in Vietnam. He expected a correction would be made but

never saw one. He contacted his awards and decorations officer who proved a statement.

3. The applicant provided copies of:

a. Several DA Forms 759 showing he completed 904 hours of total pilot combat time.

b. A letter of support from GEH____, dated 2 June 2020, a Soldier who served with him at his unit in Vietnam, who attested his combat hours were category I combat assault hours.

4. A review of the applicant's records revealed several awards were missing from his DD Form 214. These awards will be administratively corrected without action by the Board..

5. A review of the applicant's service records shows:

a. On 19 April 1968, he enlisted in the Regular Army for a period of 2 years in order to undergo training as a student aviator.

b. On 6 April 1969, he was discharged in order to accept a Reserve component warrant officer appointment. His DD Form 214 for this period shows he was awarded the National Defense Service Medal and Expert Marksmanship Qualification Badge with Rifle Bar (M-16).

c. On 20 April 1969, he was appointed a commissioned Reserve warrant officer in the Army Air Corps.

d. His records contain DA Forms 759 showing he completed 904 hours of total pilot combat time as of April 1970.

e. His DA Form 66 (Officer Record Brief) shows he:

- served in Vietnam from 11 May 1969 to 1 May 1970
- was assigned to D Troop, 1st Squadron, 1st Cavalry, Americal Division in the duty position of rotary wing pilot (counterinsurgency)
- was credited with participation in three campaigns, however he participated in four campaigns
- was awarded or authorized:
 - National Defense Service Medal
 - Army Aviation Badge

- Vietnam Service Medal
- Republic of Vietnam Campaign Medal with Device (1960)
- Bronze Star Medal
- Two Overseas Bars
- Expert Marksmanship Qualification Badge with Rifle Bar (M-16)
- Marksman Marksmanship Qualification Badge with Pistol Bar (.38 caliber)

e. On 8 March 1974, he was honorably discharged and transferred to control of U.S. Army Reserve Control Group (Annual Training). His DD Form 214 for this period shows he was awarded or authorized:

- National Defense Service Medal
- Army Aviation Badge
- Vietnam Service Medal
- Republic of Vietnam Campaign Medal with Device (1960)
- Bronze Star Medal

6. His records contain no orders awarding him the Air Medal.

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 applicant's contentions, the military record, and regulatory guidance were carefully considered.

2. The Board, upon consensus, determined the applicant should be awarded the Air Medal (14th Award).

3. The Board concurs with the corrections described in the Administrative Note(s) below.

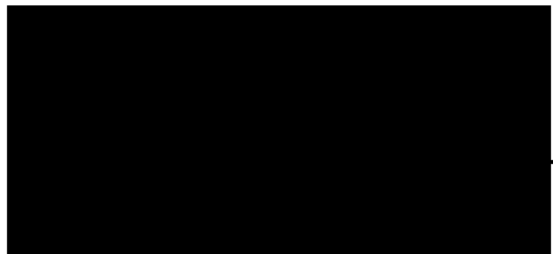
BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

█	█	█	GRANT FULL RELIEF
:	:	:	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
:	:	:	DENY APPLICATION

BOARD DETERMINATION/RECOMMENDATION:

In addition to the corrections reflected in the ADMINISTRATIVE NOTES section of this Record of Proceedings, 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 block 24 (Decorations, Medals, Badges, Commendations, Citations, and Campaign Ribbons Awarded or Authorized) his DD Form 214, ending 8 March 1971 to add the Air Medal (14th Award).



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): The applicant's records contain sufficient evidence to support additional awards not shown on his DD Form 214. His DD Form 214 will be administratively corrected without Board action to show:

- four bronze service stars to his previously issued Vietnam Service Medal
- Republic of Vietnam Gallantry Cross with Palm Unit Citation
- Expert Marksmanship Qualification Badge with Rifle Bar (M-16)
- Marksman Marksmanship Qualification Badge with Pistol Bar (.38 caliber)

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 15-185 (Army Board for Correction of Military Records) prescribes the policies and procedures for correction of military records by the Secretary of the Army acting through the ABCMR. The ABCMR begins its consideration of each case with the presumption of administrative regularity. The applicant has the burden of proving an error or injustice by a preponderance of the evidence.

3. U.S. Army Vietnam Regulation 672-5-1 (Decorations and Awards) provided guidelines for award of the Air Medal and defined terms and provided guidelines for the award based upon the number and types of missions or hours.

a. Twenty-five category I missions (air assault and equally dangerous missions) and accrual of a minimum of 25 hours of flight time while engaged in category I missions was the standard established for which sustained operations were deemed worthy of recognition by an award of the Air Medal. However, the regulation was clear that these guidelines were considered only a departure point. Combat missions were divided into three categories.

(1) A category I mission was defined as a mission performed in an assault role in which a hostile force was engaged and was characterized by delivery of ordnance against the hostile force or delivery of friendly troops or supplies into the immediate combat operations area.

(2) A category II mission was characterized by support rendered a friendly force immediately before, during, or immediately following a combat operation.

(3) A category III mission was characterized by support of friendly forces not connected with an immediate combat operation but which must have been accomplished at altitudes which made the aircraft at times vulnerable to small arms fire or under hazardous weather or terrain conditions.

b. To be recommended for award of the Air Medal, an individual must have completed a minimum of 25 hours category I missions, 50 hours category II missions, or 100 hours category III missions. Since various types of missions would have been completed in accumulating flight time toward award of an Air Medal for sustained

operations, different computations would have had to be made to combine category I, II, and III flight times and adjust it to a common denominator.

c. Numerals, starting with 2, will be used to denote second and subsequent awards of the AM.

4. Army Regulation 600-8-22 (Military Awards), currently in effect, provides that the AM is awarded in time of war for heroism and for meritorious achievement or service while participating in aerial flight. This award is primarily intended for personnel on flying status but may also be awarded to those personnel whose combat duties require them to fly, for example, personnel in the attack elements of units involved in air-land assaults against an armed enemy. As with all personal decorations, formal recommendations, approval through the chain of command, and announcement in orders are required.

5. DA PAM 672-3 (Department of the Army Pamphlet Unit Citation and Campaign Participation Credit Register (January 1960 – February 1986)) shows the applicant completed service in Vietnam during the following campaigns:

- TET 69 Counteroffensive, 23 February 1969 – 8 June 1969
- Vietnam Summer – Fall I 1969, 9 June 1969 – 31 October 1969
- Vietnam Winter-Spring 1970, 1 November 1969—30 April 1970
- DA Sanctuary Counteroffensive, 1 May 1970 – 30 June 1970

6. Department of the Army General Orders Number 8, 19 March 1974, confirmed award of the Republic of Vietnam Gallantry Cross with Palm Unit Citation to Headquarters, U.S. Military Assistance Command, and its subordinate units during the period 8 February 1962 to 28 March 1973 and to Headquarters, U.S. Army Vietnam, and its subordinate units during the period 20 July 1965 to 28 March 1973.

//NOTHING FOLLOWS//