

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 27 February 2024

DOCKET NUMBER: AR20230008776

APPLICANT REQUESTS: correction of his DD Form 214 (Certificate of Release or Discharge from Active Duty) for the period ending 30 November 1987 to show the following awards:

- Legion of Merit (LOM)
- Joint Service Commendation Medal
- Joint Staff Identification Badge
- Basic Aviation Badge
- Noncommissioned Officer Professional Development Ribbon (NCOPDR)

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

- 5 DD Forms 149 (Application for Correction of Military Record), 16 May 2023
- AF Form 1256 (Certificate of Training), Martin Baker Seat Indoctrination, 20 April 1965
- Certificate, Airborne Radar Operator and Repair, 6 April 1965
- DA Form 20 (Enlisted Qualification Record), page 1 only
- DA Forms 67-6/7 (U.S. Army Officer Evaluation Report), 14 November 1972, 13 August 1973, and 26 August 1974
- DA Form 4980-11 (LOM Certificate), 6 June 1988

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 completed service with the Defense Intelligence Agency (DIA) from June 1972 to August 1974 and qualifies for the Joint Staff Identification Badge. He served as a project officer for a special study on Fiscal Year 1972 (FY72) accomplishments of worldwide DOD Human Resources Intelligence (HUMINT). He

provided positive leadership, which motivated and improved the efficiency of Joint Service personnel.

b. He should be awarded the JSCM for service with the DIA from June 1972 to August 1974. He provided positive leadership, which motivated and improved the efficiency of Joint Service personnel serving in the DIA Intelligence Communications Facility supporting OSD, OJCS, and DIA, especially during the 1973 Middle East War.

c. He should be awarded the Basic Aviation Badge for school training during his enlisted service from 1964 to 1967. He attendee U.S. Army Combat Surveillance School, Fort Huachuca, and was awarded military occupational specialty (MOS) 26E as a tactical observer in the OV-1 Mohawk surveillance aircraft. It was a new MOS awarded only to a few Soldiers at the time. A few years later, 26E was considered too complex and was divided into three or more different fields. He received additional psychological training by the U.S. Air Force for parachute and ejection seat qualification. He received hazardous duty pay (flight pay) and successfully passed annual flight physicals to maintain his flight status. Award of the Aircraft Crew Member Badge was originally made on Unit Orders by Company B, 8th Aviation Battalion, 8th Infantry Division and a temporary interim measure until the Army revised the regulation. Eventually the award was recognized for completion of the qualification for the MOS.

d. Award of the LOM was awarded to him for exceptionally meritorious service from March 1968 to November 1987. The award was authorized by Lieutenant General JET___, the Commanding General at Fort Meade at the time.

e. Award of the NCOPDR should be in recognition of his successful completion of the 8th Infantry Division Noncommissioned Officer Academy Regular Course in November 1965. He attended the course as a private first class for an exception to police and finished second in his class.

3. The applicant provided copies of:

a. A certificate of Training showing he satisfactorily completed the 4-hour Martin Baker Seat Indoctrination Course, on 20 April 1965 at the U.S. Air Force at Davis-Monthan Air Force Base, Arizona.

b. A USACSS Certificate of Proficiency for completion of Airborne Radar Operator and Repair at Fort Huachuca from 6 April 1965 to 15 July 1965.

c. A Noncommissioned Officer Academy Certificate showing he completed 8th Infantry Division NCO Academy Class 66-3 from November 1965 to 17 December 1965.

d. Page 1 of his DA Form 20 showing he enlisted in the Regular Army on 10 December 1965 for 6 years, he was awarded primary MOS 26E on 15 July 1965, he completed 8th Infantry Division NCO Academy School in 1965, and he was awarded the Sharpshooter Marksman Qualification Badge with Rifle Bar (M-14).

e. DA Forms 67 showing he was assigned to U.S. Army Element, DIA, from 1972 to 1974.

f. A LOM Certificate dated 6 June 1988. This document does not list any order number.

4. The applicant's records contain sufficient evidence to support administrative corrections to his DD Form 214 for the period ending 30 November 1987, not requiring Board action and will be listed in the administrative notes section.

5. The Board will consider his requests for the LOM, the JSCM, Joint Staff Identification Badge, and the Basic Airman Badge.

6. The applicant's complete record is not available for review. A complete DA Form 20 and a DD Form 214 for his enlisted service from 10 December 1965 to 26 March 1967, are not contained in the available records. A review of the applicant's available service records shows:

a. On 27 March 1967, he was appointed a Reserve commissioned officer in the Infantry Corps, following prior enlisted service. His DD Form 214 (Report of Separation From Active Duty) for this period shows on 24 September 1978, he was honorably relieved from active duty and transferred to control of the US Army Reserve (Standby). It further shows:

- in item 18a (Net Active Service This Period) – he completed 11 years, 5 months, and 28 days
- in item 18b (Prior Active Service) – he completed 2 years 5 months, and 18 days
- in item 19 (Indochina or Korea Service Since August 5, 1964) – he served in Vietnam from 24 March 1968 to 12 July 1968 and from 30 June 1970 to 29 June 1971 during 5 campaigns
- in item 26 (Decorations, Medals, Badges, Commendations, Citations, and Campaign Ribbons):
 - Silver Star
 - Bronze Star Medal with "V" Device (3rd Oak Leaf Cluster)
 - Meritorious Service Medal
 - Air Medal (Second Award)

- Army Commendation Medal
- Purple Heart (1st Oak Leaf Cluster)
- Army Good Conduct Medal
- National Defense Service Medal
- Vietnam Service Medal
- Republic of Vietnam Campaign Medal with Device (1960)
- Republic of Vietnam Gallantry Cross with Palm Unit Citation
- Republic of Vietnam Civil Actions Honor Medal First Class
- Armed Forces Reserve Medal
- Combat Infantryman Badge

b. His DA Form 2-1 (Personnel Qualification Record - Part II), Section 9 (Awards, Decorations), does not list the LOM JSCM, Basic Airman Badge, or the Staff ID Badge.

c. On 30 November 1987, he was honorably retired. His DD form 214 for the period ending 30 November 1987 shows he was awarded or authorized:

- Silver Star
- Purple Heart (1st Oak Leaf Cluster)
- Bronze Star Medal with "V" Device (3rd Oak Leaf Cluster)
- Meritorious Service Medal
- Air Medal (2nd Award)
- Army Commendation Medal
- Army Good Conduct Medal
- National Defense Service Medal
- Vietnam Service Medal
- Armed Forces Reserve Medal
- Army Service Ribbon
- two overseas service bars
- Republic of Vietnam Campaign Medal with Device (1960)
- Republic of Vietnam Gallantry Cross with Palm Unit Citation
- Republic of Vietnam Civil Actions Honor Medal First Class
- Combat Infantryman Badge

d. His records are void of orders or recommendation awarding him the LOM, JSCM, Basic Airman Badge, or the Staff ID Badge.

BOARD DISCUSSION:

After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that relief partially warranted. The applicant's contentions, the military record, and regulatory guidance were carefully considered.

a. NCO Professional Development Ribbon (NCOPDR): Grant. The applicant provides an NCO Academy Certificate showing he completed 8th Infantry Division NCO Academy Class 66-3 from November 1965 to 17 December 1965.

b. Legion of Merit. Deny. There are no permanent orders provided by the applicant. Award of the Legion of Merit requires a formal recommendation, approval through the chain of command, and announcement in orders. Without the permanent order, the certificate he provides is not sufficient to confirm this award.

c. Joint Service Commendation Medal. Deny. As the name indicates, this is a joint award, that is not within the purview of this Board as it is not awarded or issued by the Department of the Army. If the applicant has orders awarding him this award, he may reapply to this Board to add it to his DD Form 214.

d. Joint Staff Identification Badge. Deny. As the name indicates, this is a joint badge, that is not within the purview of this Board as it is not awarded or issued by the Department of the Army. If the applicant has orders awarding him this badge, he may reapply to this Board to add it to his DD Form 214.

e. Basic Aviation Badge: Deny. The Aircraft Crew Member Badge is now known as the Basic Aviation Badge. Permanent awards of badges will be announced in permanent orders by commanders authorized to make the award. The applicant does not provide orders for this badge.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

: : : GRANT FULL RELIEF

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: : : GRANT FORMAL HEARING

: : : DENY APPLICATION

BOARD DETERMINATION/RECOMMENDATION:

1. The Board determined the evidence presented is sufficient to warrant a recommendation for partial relief. As a result, the Board recommends that all Department of the Army records of the individual concerned be corrected by amending the applicant's DD Form 214 to add the NCO Professional Development Ribbon.

2. The Board further determined the evidence presented is insufficient to warrant a portion of the requested relief. As a result, the Board recommends denial of so much of the application that pertains to the:

- Legion of Merit (LOM)
- Joint Service Commendation Medal
- Joint Staff Identification Badge
- Basic Aviation Badge

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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 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. Army Regulation 600-8-22 (Military Awards), currently in effect, prescribes Army policy, criteria, and administrative instructions concerning individual and unit military awards.

a. Chapter 2. Department of Defense Awards and Decorations.

(1) The objective of the DOD Military Awards Program is to ensure members of the Armed Forces of the United States receive tangible recognition for acts of valor, exceptional service or achievement, and acts of heroism not involving actual combat. Processing and approval of DOD awards are made in the name of the Secretary of Defense.

(2) The Joint Service Commendation Medal was authorized by the Secretary of Defense on 25 June 1963 and implemented by DOD 1348.33-M. It is awarded in the name of the Secretary of Defense to members of the Armed Forces of the United States who, after 1 January 1963, distinguished themselves by meritorious achievement or service. The prescribing directive for the Joint Service Commendation Medal is DOD 1348.33-M.

b. The LOM is awarded to any service member of the Armed Forces of the United States or a friendly foreign nation who has distinguished himself or herself by exceptionally meritorious conduct in the performance of outstanding services and achievements. As with all personal decorations, formal recommendations, approval through the chain of command, and announcement in orders are required.

c. Paragraph 8-54. Rules for Processing Award of Army Badges. The publication of orders is not required to announce approval of Identification badges. However, the proponent or approving agency may require the announcement to be published in a

memorandum, letter, or certificate. ID badges will be processed per directives issued by the badge proponent.

d. The Aircraft Crew Member Badge is now known as the Basic Aviation Badge. To be eligible for the award, individuals must meet one of the following criteria:

(1) Be on flying status in accordance with Army Regulation 600-106 (Flying Status for Nonrated Army Aviation Personnel) or granted a waiver by Headquarters and have performed aerial observer, crewmember, nonrated, or non-crewmember flying duties for not less than 12 months (not necessarily consecutive) or by logging not less than 48 flight hours.

(2) Be on flying status in accordance with Army Regulation 600-106 or granted a waiver by Headquarters, and assigned to a Joint Service Airborne Command Post, serving as a member of an operations team for not less than 12 months or by logging not less than 48 flight hours.

(3) Paragraph 1-27 Announcement of Awards. Permanent awards of badges will be announced in permanent orders by commanders authorized to make the award.

4. Army Regulation 671-5-1 (Awards), in effect at the time, provided guidance for the awards program tangible evidence of public recognition for acts of valor and for exceptional service or achievement.

a. Three degrees of badges were authorized for award: The Master Aircraft Crewman Badge, the Senior Aircraft Crewman Badge, and the Aircraft Crewman Badge.

b. Permanent award for these badges would be published in special orders of the command exercising jurisdiction over the individual's so entitled. Award of the master Aircraft Crewman Badge and the Senior Aircraft Crewman Badge may be authorized for temporary or permanent wear.

c. Master Aircraft Crewman Badge. An individual must be on flying status as a crew member in the case of crew chiefs, airborne electronic sensory system operators, and supervisors, and flight engineers or as a non-crew member in the case of observers, medical aid-men, gunners, aircraft maintenance supervisors, or technical inspectors, physically qualified, class III and:

(1) have performed 15 years (not necessarily consecutive) successfully in one or more of the principal duty assignments listed above. Only time involving frequent and regular flights will be counted toward fulfillment of this requirement except that time involved in transit between PCS assignments will also be credited.

(2) have displayed complete competence in the principle duty or duties performed leading to this award.

(3) have attained the grade of E-6 or higher.

(4) be recommended by the unit commander and indorsed by the next higher commander of the unit to which presently assigned.

d. Senior Aircraft Crewman Badge. An individual must be on flying status as a crew member in the case of crew chiefs, airborne electronic sensory system operators, and supervisors, and flight engineers or as a non-crew member in the case of observers, medical aid-men, gunners, aircraft maintenance supervisors, or technical inspectors, physically qualified, class III and:

(1) have performed 7 years (not necessarily consecutive) successfully in one or more of the principal duty assignments listed above. Only time involving frequent and regular flights will be counted toward fulfillment of this requirement except that time involved in transit between PCS assignments will also be credited.

(2) have displayed complete competence in the principle duty or duties performed leading to this award

(3) have attained the grade of E-4 or higher.

(4) be recommended by the unit commander and indorsed by the next higher commander of the unit to which presently assigned.

e. Aircraft Crewman Badge.

(1) Temporary award. The commander of any Army unit, which has assigned Army aircraft many authorize in published orders qualified personnel of his command to wear the Aircraft Crewman Badge. An individual must be on flying status as a crew member in the case of crew chiefs, Airborne electronic sensory system operators and supervisors and flight engineers or as a non-crew member in the case of observers, medical aid-men, gunners, aircraft maintenance supervisors, or technical inspectors, physically qualified, class III, and be qualified for an hold a principal duty assignment as a crew chief, flight engineer, aircraft maintenance supervisor, observer , gunner or technical inspector. Concurrent with such assignment, these personnel are authorized to wear the Aircraft Crewman Badge until relived from such duty or until such time as he fulfills the mandatory requirements for permanent award.

(2) Permanent award. An individual who has performed in one of the duties specified above for not less than 12 months (not necessarily consecutive) or is school

trained for a principle duty contained above, will be authorized to wear the Aircraft Crewman Badge permanently.

f. The Noncommissioned Officer Professional Development Ribbon was established by the Secretary of the Army on 10 April 1981 as announced in AGO 1990 – 15. It is awarded to Regular Army, ARNG, and USAR Soldiers for successful completion of designated NCO professional development courses. Soldiers must successfully complete one or more of the courses listed in AR 350 – 1, which are further described on the Army Training Requirements and Resources System website. Acceptable evidence of graduation is a diploma, certificate, or a letter signed by an appropriate service school official. Graduates of NCO Academy courses conducted prior to 1976 for the Regular Army and 1980 for RCs will be given credit for the primary level only

5. Army Regulation 635-5 (Separation Documents), in effect at the time, prescribed the separation documents that must be prepared for soldiers on retirement, discharge, release from active duty service, or control of the Active Army. It established standardized policy for preparing and distributing the DD Form 214. In block 13 (Decorations, Medals, Badges, Citations and Campaign Ribbons Awarded or Authorized), list awards and decorations for all periods of service in the priority sequence specified in Army Regulation 600-8-22. Each entry will be verified by the Soldier's records. Do not use abbreviations.

//NOTHING FOLLOWS//