

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 15 May 2024

DOCKET NUMBER: AR20230011275

APPLICANT REQUESTS: in effect, correction of his DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge) to reflect he was awarded the:

- Bronze Star Medal
- Air Medal (31st Award)
- Presidential Unit Citation

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

- DD Form 149 (Application for Correction of Military Record), 27 June 2023
- DD Form 149, 9 July 2023
- Headquarters (HQs), 101st Airborne Division (Airmobile) General Orders Number 3144
- HQs, 101st Airborne Division (Airmobile) General Orders Number 3669
- Citation for The Air Medal (Twenty-Fifth through Thirty-First Award)
- Department of the Army General Orders (DAGO) Number 13

FACTS:

• The applicant did not file within the 3-year time frame provided in Title 10, U.S. Code (USC), 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.

• The applicant states in effect, requests the correction of his DD Form 214 to reflect he was awarded the:

- Bronze Star Medal
- Air Medal (31st Award)
- Presidential Unit Citation

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

a. On 4 May 1970, with prior enlisted Regular Army service, the applicant executed his oath of office and was appointed a Reserve warrant officer in the rank of warrant officer one/WO1 as an Army aviator.

b. The applicant's DA Form 66 (Officer Qualification Record) shows in items:

(1) 17 (Foreign Service), he served in the Republic of Vietnam during the period of 9 June 1970 through 8 June 1971.

(2) 18 (Record of Assignments), he was assigned with B Company, 158th Aviation Battalion, 101st Airborne Division (Airmobile) during the period of 18 June 1970 through 4 June 1971.

(3) 21 (Awards and Decorations), he was awarded the:

- National Defense Service Medal
- Army Aviation Badge
- Vietnam Service Medal
- Vietnam Campaign Medal
- Army Commendation Medal
- Overseas Service Bars (2nd Award)

(4) (Qualification in Arms), he qualified as a sharpshooter with the M-16 rifle and .38 caliber pistol.

c. On 30 December 1970, General Orders Number 15303, issued by HQs, 101st Airborne Division (Airmobile), the applicant was awarded the Army Commendation Medal for meritorious service in the Republic of Vietnam during the period of 1 July 1970 through 30 November 1970.

d. On 2 May 1971, General Orders Number 3669, issued by HQs, 101st Airborne Division (Airmobile), for meritorious achievement while participating in aerial flight, the applicant was awarded:

(1) Air Medal for service during the period of 27 June through 6 July 1970.

(2) Air Medal (2nd through 11th Awards) for service during the period of

7 July through 17 November 1970.

e. On 9 June 1971, the applicant was honorably released from active duty and assigned to the U.S. Army Reserve (USAR) Control Group (Annual Training). DD Form 214 shows the applicant completed 1-year, 1-month, and 6-days of active service. It also shows in items:

(1) 22c (Foreign and/or Sea Service), he served 1-year and 1-day.

(2) 24 (Decorations, Medals, Badges, Commendations, Citations and Campaign Ribbons Awarded or Authorized):

- National Defense Service Medal
- Vietnam Campaign Medal
- Vietnam Service Medal
- Army Commendation Medal
- Army Aviator Badge

(3) 30 (Remarks): he served in Vietnam during the period of 9 June 1970 through 9 June 1971.

f. On 26 October 1977, Orders Number 10-1119659, issued by the Reserve Components Personnel and Administration Center, the applicant was honorably discharged from the USAR, effective 3 November 1977.

g. The applicant's DA Form 759 (Individual Flight Record and Flight Certificate) shows:

(1) For the period of 18 August 1969 through 5 May 1970, the applicant had 205-hours of pilot time while assigned to the U.S. Army Aviation School.

(2) For the Month of June 1970, the applicant had a total of 207-hours with 205-hours as a student pilot and 2-hours as a combat pilot.

(3) For the period of July through December 1970 and January through May 1971, the applicant had a total of 1,324-hours of pilot time with 1,119-hours as a combat pilot.

(a) For the period of July through August 1970, the applicant had a total of 125.8-hours as first pilot.

(b)  
For the period of September 1970, the applicant had a total of 106-hours as first pilot.

(c) For the period of October 1970, the applicant had a total of 100-hours as first pilot.

(d) For the period of November 1970, the applicant had a total of 95-hours as first pilot.

(e) For the period of December 1970, the applicant had a total of 85-hours as aircraft commander and 18-hours as first pilot.

(f) For the period of January 1971, the applicant had a total of 123-hours as aircraft commander.

(g) For the period of February 1971, the applicant had a total of 104-hours as aircraft commander and 8-hours as first pilot.

(h) For the period of March 1971, the applicant had a total of 122-hours as aircraft commander and 12-hours as first pilot.

(i) For the period of April 1971, the applicant had a total of 100-hours as aircraft commander and 1-hour as first pilot.

(j) For the period of May 1971, the applicant had a total of 89-hours as aircraft commander.

4. The applicant provides:

a. HQs, 101st Airborne Division (Airmobile) General Orders Number 3144 dated 16 April 1971, which shows the applicant was awarded the Bronze Star Medal for meritorious service in the Republic of Vietnam during the period of June 1970 through April 1971.

b. The citation for the Air Medal shows the applicant was presented the Air Medal 25th through 31st award for meritorious achievement while participating in sustained aerial flight in support of combat group forces in the Republic of Vietnam during the period of 4 July 1970 through 2 June 1971. He actively participated in more than 25 aerial missions over hostile territory in support of operations against communist aggression.

c. DAGO Number 13 dated 22 May 1974 shows the 158th Aviation Battalion, 101st Aviation Group, 101st Airborne Division was awarded the Presidential Unit Citation (Army) for extraordinary heroism in action against a hostile force in Southeast Asia during the period of 8 February through 24 March 1971.

5. A review of the Awards and Decorations Computer Assisted Retrieval System maintained by the U.S. Army Human Resources Command, which is an index of general orders issued during the Vietnam era between 1965 and 1973, failed to reveal any orders for the Air Medal (12th through 24th Award) and the (25th through 31st Award) pertaining to him.

BOARD DISCUSSION:

1. After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that relief was/was not warranted. The Board carefully considered the applicant's record of service, documents submitted in support of the petition and executed a comprehensive and standard review based on law, policy and regulation. Upon review of the applicant's petition and available military records, the Board determined there is sufficient evidence to amend the applicant's DD Form 214 to show the following awards not annotated: Bronze Star Medal, Air Medal (31st Award) and Presidential Unit Citation. As such, the Board granted relief.

2. Prior to closing the case, the Board did note the analyst of record administrative notes below, and recommended the correction is completed to more accurately depict the military service of the applicant.

BOARD VOTE:

Mbr 1      Mbr 2      Mbr 3

<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	GRANT FULL RELIEF
:	:	:	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
:	:	:	DENY APPLICATION

BOARD DETERMINATION/RECOMMENDATION:

In addition to the administrative notes annotated by the Analyst of Record (below the signature), 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 his DD Form 214 for the period ending June 9, 1971, adding in item 24 (Decorations, Medals, Badges, Commendations, Citations and Campaign Ribbons Awarded or Authorized):

- Air Medal (31st Award)
- Presidential Unit Citation (Army)
- Bronze Star Medal

[REDACTED]

[REDACTED]

[REDACTED]

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):

1. Reference the enclosed request for correction of military records from the subject individual to correct his DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge) for the period ending June 9, 1971, by:

a. Delete: Item 24 (Decorations, Medals, Badges, Commendations, Citations and Campaign Ribbons Awarded or Authorized):

- Vietnam Service Medal
- Vietnam Campaign Medal

b. Add: Item 24:

- Vietnam Service Medal with two bronze service stars
- Republic of Vietnam Campaign Medal with 1960 Device

- Republic of Vietnam Gallantry Cross with Palm Unit Citation
- Two Overseas Service Bars
- Sharpshooter Marksmanship Qualification Badge with Rifle Bar (M-16)
- Sharpshooter Marksmanship Qualification Badge with Pistol Bar (.38 Caliber)
- Sharpshooter Marksmanship Qualification Badge with Rifle Bar (M-14)

2. A review of the records listed below (enclosed) is sufficient to substantiate correction of the DD Form 214 without action by the Board.

- DD Form 214 service ending June 9, 1971
- DD Form 214 service ending May 3, 1970
- DA Form 20 (Enlisted Qualification Record)
- DA Form 66 (Officer Qualification Record)
- Headquarters (HQs), 101st Airborne Division (Airmobile) General Orders Number 3144
- HQs, 101st Airborne Division (Airmobile) General Orders Number 3669
- HQs, Department of the Army General Orders Number 13
- HQs, U.S. Army Training Center, Infantry and Fort Polk Special Orders Number 143
- HQs, U.S. Army Aviation Center and Fort Rucker Special Orders Number 70
- Department of the Army General Orders Number 8, dated 1974
- Army Regulation 600-8-22 (Military Awards)

#### REFERENCES:

1. Title 10, USC, 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 (AR) 600-8-22 (Military Awards), prescribes Department of the Army (DA) policy, criteria, and procedures for individual and unit military awards and foreign decorations and badges.

a. 1-19 (Duplication of awards), only one decoration will be awarded to an individual or unit for the same act, achievement, or period of meritorious service. Continuation of the same or similar type service already recognized by an award for meritorious service or achievement will not be the basis for a second award. If appropriate, an award may be made to include the extended period of service by superseding the earlier award or

the award previously made may be amended to incorporate the extended period of service.

b. Paragraph 1-47 (U.S. Army medals-original issue or replacement), in accordance with Title 10 USC, section 1135, 3747, and 3751 all U.S. Army medals are presented at no cost to an awardee. Replacement of medals will be issued on a one-time basis and without charge to the recipient of the military decoration or the immediate primary next of kin of a deceased recipient. Subsequent replacement of medals or service ribbons for individuals not on active duty may be made at cost price. Request for: Medals on behalf of individuals having no current U.S. Army status or deceased prior to 1 October 2002. Submit to: National Personnel Records Center (NPRC), 1 Archives Drive, St. Louis, MO 63138-1002.

3. AR 95-1 (Army Aviation - General Provisions and Flight Regulations) covers aircraft operations, crew requirements, and flight rules. The regulation specifies that each crew member must present his or her individual flight records to the unit of assignment. The flying experience and qualification data for each rated crew member and flight surgeon in aviation service and each non-rated crew member will be documented on several forms among which are the DA Form 759 (Individual Flight Record and Flight Certificate Army) and the DA Form 759-1 (Individual Flight Record and Flight Certificate-Army). The "Mission Symbol" column on the DA Form 759-1 lists a single character for the mission symbol [type of mission/identification]. During the Vietnam War, the following mission symbols were used:

- T - Training: Missions flown for flight review, tactical flight training, proficiency requirements, annual minimum requirements, and authorized training exercises
- C - Combat: Missions flown against the enemy within the range of his countermeasures
- S - Service: Missions with purposes other than training, maintenance, or combat
- F - Maintenance Test Flight: Mission flown to determine the airworthiness of an aircraft

4. U.S Army Regulation Vietnam 672-1 (Decorations and Awards) in effect at the time, prescribe policies, responsibilities, criteria for awards in order to insure prompt and proper recognition of individuals. It stated, in part, guidelines for award of the Air Medal, maybe awarded only for acts performed while participating in aerial flight. It maybe given to recognize single acts of heroism, meritorious achievement, and sustained operational activities against an armed enemy. The required achievement, while of lesser degree than that required for award of the Distinguished Flying Cross, must nevertheless, have been accomplished with distinction beyond that normally expected.

It defined terms and provided guidelines for the award based upon the number and types of missions or hours. Twenty-five (25) 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.

a. 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" category I missions, 50 category II missions, or 100 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 time and adjust it to a common denominator.

5. AR 672-5-1 (Awards), in effect at the time, purpose of the awards program is to provide tangible evidence of public recognition for acts of valor and for exceptional service or achievement. Paragraph 32 (Air Medal), awarded to any person who, while serving in any capacity in or with the Army of the United States, shall have distinguished himself by meritorious achievement while participating in aerial flight. Awards may be made to recognize single acts of merit or sustained operational activities against an armed enemy, or for heroic acts in, aerial flight. The required achievement, while of lesser degree than that required for the award of the Distinguished Flying Cross, must nevertheless have been accomplished with distinction beyond that normally expected.

//NOTHING FOLLOWS//