

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 9 July 2024

DOCKET NUMBER: AR20230011771

APPLICANT REQUESTS: reversal of the U.S. Army Human Resources Command, Awards and Decorations Branch that denied him award of the Air Medal.

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

- DD Form 149 (Application for Correction of Military Record)
- DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge) effective 4 October 1968
- Combat Assaults Query Log
- U.S. Army Human Resources Command (HRC) Letter, 30 November 2021
- National Archives and Records Administration (NARA) Email, 1 December 2022

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 is requesting award of the Air Medal for his service in Vietnam. He was on several combat assaults by helicopter.
3. The applicant provides:
 - a. A Combat Assaults Query log (6 pages) provides details of company level information and does not list individuals.
 - b. A letter from HRC dated 30 November 2021 indicated although they desired to render favorable action concerning the applicant's request, based on the review of the forwarded documentation and historical resources available to this office, HRC was unable to authorize the requested award. During the Vietnam War, individuals who traveled by aircraft from point-to-point for the purpose of participating in combat (flight) assault missions were eligible for award of the Air Medal after the completion of 25 combat assault missions. The combat assaults must have been documented in unit

flight records, which was a duty normally performed by the Operations Officer of the unit. Typically, an award recommendation was then submitted through proper channels to the unit's division-level headquarters. If the applicant possessed additional military documentation reflecting his personal completion of 25 combat assault missions, he should furnish complete legible copies to their office for review.

c. An email thread from NARA dated 1 December 2022 outlined the combat assault mission of the 1st Battalion, 52nd Infantry Regiment, which the applicant's DD Form 214 had listed as his assigned unit. NARA further noted records in their collection did not contain individual combat records of missions flown or a record of flying times. Within Record Group 472, Entry A1 1656, listed the following:

- Box 772: 1/52 Infantry ACOS (S2/3) Daily Journal: 10/26/1967 to 12/31/1967
- Box 773: 1/52 Infantry ACOS (S2/3) Daily Journal: 01/01/1968 to 04/31/1968
- Box 774: 1/52 Infantry ACOS (S2/3) Daily Journal: 04/01/1968 to 07/15/1968
- Box 775: 1/52 Infantry ACOS (S2/3) Daily Journal: 07/16/1968 to 08/30/1968
- Box 776: 1/52 Infantry ACOS (S2/3) Daily Journal: 09/01/1968 to 10/31/1968
- Box 777: 1/52 Infantry ACOS (S2/3) Daily Journal: 11/01/1968 to 01/31/1969

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

a. He was inducted into the Army of the United States on 14 December 1966.

b. He served in Vietnam from 6 October 1967 to 4 October 1968 through four campaigns. He was assigned to Company A, 1st Battalion, 52nd Infantry Regiment, 198th Infantry Brigade as an 11B (Light Weapons Infantryman).

c. His DA Form 20 (Enlisted Qualification Record) shows in Block 22 (Military Occupational Specialty): 64A, Light Vehicle Driver – 5 April 1967 and 11B, Light Weapons Infantryman – 17 November 1967

d. Special Order #56 dated 19 September 1967, awarded the applicant the Markman Marksmanship Qualification Badge with Rifle Bar (M-16).

e. General Orders #7972 dated 15 October 1968, awarded him the Army Commendation Medal for meritorious service in connection with military operations against enemy forces in Vietnam for the service period May 1967 to October 1968.

f. The service record is void of orders and/or an award recommendation for the Air Medal.

g. On 4 October 1968, he was honorably released from active duty and transferred to the United States Army Reserve. His DD Form 214 shows he completed 1 year, 9 months, and 21 days of total active service with 11 months and 28 days of foreign service. It also shows he was awarded or authorized:

- National Defense Service Medal
- Good Conduct Medal
- Army Commendation Medal
- Sharpshooter Marksmanship Qualification Badge with Rifle Bar (M-14)
- Vietnam Campaign Medal
- Vietnam Service Medal
- Combat Infantryman Badge
- Two Overseas Service Bars

5. A review of the applicant's record confirms he is eligible for awards that are not recorded on his DD Form 214. These awards will be added to his DD Form 214 as administrative corrections and will not be considered by the Board.

6. By regulation (AR 600-8-22), award of the Air Medal requires a formal recommendation, approval through the chain of command, and announcement in orders.

7. 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 20 July 1965 to 28 March 1973.

BOARD DISCUSSION:

After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that relief was not warranted. The applicant's contentions, the military record, and regulatory guidance were carefully considered. Award of the Air Medal requires a recommendation, approval thru the chain of command, and announcement in orders. The recommendation starts with the Soldier meeting the required number of flight hours and missions. The applicant's DA Form 759-1 is not available for review. This form shows how many combat missions completed and combat hours accrued. Under USARV Regulation 672-1, aircrew members were required to have a minimum of 25 category I missions and 25 flight hours to qualify for each award of the Air Medal. In the absence of this form, the Board found insufficient evidence establish his eligibility for this award. While the available evidence is insufficient for awarding the applicant the Air Medal, this in no way affects the applicant's right to pursue his claim for the Air Medal by submitting a request

through his Member of Congress under the provisions of Title 10, U.S. Code, section 1130.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

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

BOARD DETERMINATION/RECOMMENDATION:

Except for the correction addressed in Administrative Note(s) below, 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.

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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.

ADMINISTRATIVE NOTE(S):

A review of the applicant's service records show he is authorized additional awards not annotated on his DD Form 214 for the service period ending 4 October 1968. As a result, correct his DD Form 214 as follows:

- Markman Marksmanship Qualification Badge with Rifle Bar (M-16)
- Republic of Vietnam Gallantry Cross Unit Citation with Palm
- 4 bronze service stars with his already-awarded Vietnam Service Medal

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 (AR) 600-8-22 (Military Awards) provides Army policy, criteria, and administrative instructions concerning individual military decorations. The Air Medal 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.
3. U.S. Army Vietnam Regulation 672-1 (Decorations and Awards), in effective at the time, provided, in pertinent part, guidelines for award of the Air Medal. It defined terms and provided guidelines for the award based upon the number and types of missions or hours. The document defined a mission as the departure of an aircraft from a base camp to a nonsecure landing zone and return and that an additional mission may be credited for each additional landing zone used. 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. Combat missions were divided into three categories. 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. A category II mission was characterized by support rendered a friendly force immediately before, during or immediately following a combat operation. 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.
4. Department of the Army Pamphlet 672-3 (Unit Citations and Campaign Participation Credit Register) shows Department of the Army General Orders (DAGO) Number 8, dated 1974, awarded the Republic of Vietnam Gallantry Cross Unit Citation with Palm to Headquarters, U.S. Army Vietnam, for service in Vietnam for the period of 20 July 1965 to 28 March 1973.

//NOTHING FOLLOWS//