

IN THE CASE OF: [REDACTED]

BOARD DATE: 16 May 2024

DOCKET NUMBER: AR20230011801

APPLICANT REQUESTS: The Air Medal be added to his DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge).

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

- DD Form 149 (Application for Correction of Military Record)
- DD Form 214

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 that two other Soldiers were awarded the Air Medal at the same time as his.
3. The applicant was inducted into the Army of the United States ,for 2 years, on 29 April 1963. He completed training with award of the military occupational specialty 683 (Aircraft Powertrain Repairman). The highest grade he held was E-4.
4. The applicant served in Vietnam with the 573rd Transportation Detachment from 13 October 1963 through 29 October 1964.
5. The available records include six copies of USASCV Form 58 (Combat Mission Records) showing duty as a technical observer (TO) and as a gunner on missions occurring on 54 days during the period February to October 1964.
6. The applicant was released from active duty and transferred to the U. S. Army Reserve on 29 April 1965. His DD Form 214 shows:

- an honorable character of service
- 2 years of net service this period
- 1 year and 1 month of service in Vietnam
- award of the:
 - Armed Forces Expeditionary Medal (Vietnam)
 - Army Good Conduct Medal
 - Marksman Qualification Badge with Rifle Bar

7. The record does not contain any documentation indicating he was recommended for or awarded the Air Medal.

BOARD DISCUSSION:

1. After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found relief is warranted.
2. The Board found the mission data listed on the USASCV Forms 58 in the applicant's record confirms his regular performance of flight-crew duty during his service in Vietnam. The Board found this evidence sufficient to confirm his eligibility for the Air Medal. Based on a preponderance of the evidence, the Board determined the applicant should be awarded the Air Medal and it should be added to his DD Form 214.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

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

BOARD DETERMINATION/RECOMMENDATION:

The Board determined the evidence presented is sufficient to warrant a recommendation for relief. As a result, the Board recommends that all Department of the Army records of the individual concerned be corrected by:

- Awarding him the Air Medal for meritorious service during the period 1 February 1964 to 19 October 1964
- Adding the Air Medal to his DD Form 214
- Making the correction described in Administrative Note(s) below

9/24/2024

XCHAIRPERSON


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 record shows his DD Form 214, for the period ending 28 April 1965, is missing an entry that does not require Board action. Please amend the DD Form 214 by adding the Republic of Vietnam Campaign Medal with Device.

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 (ABCMR) 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, which is that what the Army did was correct.

3. Army Regulation 600-8-22 (Military Awards) states 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.

4. U.S. Army Vietnam (USARV) Regulation 672-1 (Decorations and Awards) provided guidelines for award of the Air Medal. It stated that passenger personnel who did not participate in an air assault were not eligible for the award based upon sustained operations. It defined terms and provided guidelines for the award based upon the number and types of missions or hours. 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.

//NOTHING FOLLOWS//