

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 1 June 2024

DOCKET NUMBER: AR20230012674

APPLICANT REQUESTS:

- correction of his DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge) to show all the awards which he was authorized or eligible for, during his Vietnam service, and issuance of his medals and decorations
- in effect, additional awards of the Air Medal

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

DD Form 149 (Application for Correction of Military Record).

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 while he was serving in Vietnam he was only issued ribbons, not medals. On 31 May 2024, a representative with the ABCMR corresponded with the applicant in an effort to clarify his request. In an e-mail response from the applicant, he requested the Board consider him for any additional awards he is entitled or authorized.
3. The applicant's records contain sufficient evidence to support administrative corrections to his DD Form 214 not requiring Board action and will be listed in the administrative notes section of this document.
4. The applicant requested issuance of his medals and decorations as he did not receive them. The ABCMR corrects records, the Board does not issue medals or badges. Any questions or concerns regarding replacement medals and badges should be referred to the appropriate agency. Requests for the issuance or replacement of military service medals, decorations, awards, badges, and corresponding accouterments should be directed to the National Personnel Records Center, 1 Archives Drive, St. Louis, MO 63138. This issue will not be addressed further in these Record of Proceedings.

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

a. On 29 February 1968, he enlisted in the Regular Army.

b. His DA Form 20 (Enlisted Qualification Record) shows he was awarded or authorized the National Defense Service Medal and the Sharpshooter Marksmanship Qualification Badge with Rifle Bar (M-14).

c. On 23 February 1969, following 11 months and 25 days of active service, he was honorably discharged from his enlisted status, to accept appointment as a warrant officer. The DD Form 214 for this initial period of training is not contained in the available records.

d. On 24 February 1969, he was appointed as a warrant officer in the U.S. Army Reserve. He continued on active duty, as a warrant officer. On 18 June 1969, he deployed to Vietnam, and he was assigned to 1st Squadron, 9th Cavalry, 1st Cavalry Division (Airmobile).

e. His DA Form 759 (Individual Flight Record and Flight Certificate-Army-Part I), for the period September 1970 to December 1970, shows in Section I (Summary of Pilot Experience) he completed flight hours in a single engine rotary wing aircraft:

- 704 hours as an aircraft commander
- 360 hours as a first pilot
- 35 hours as a copilot
- 205 hours as a student
- 1304 hours total pilot time
- 1099 hours in combat

f. His DA Forms 759-1 (Individual Flight Record and Flight Certificate-Army-Part II), shows a breakdown of flying time by month and by type of mission, and the total for the month, while he was deployed to Vietnam. These forms also show the totals brought forward from prior sheets.

(1) The "Mission Data" column on the DA Form 759-1 lists a single character for the mission identification (ID). During the Vietnam War, the following Mission IDs were used:

Mission Symbol	Service Missions
A	Acceptance test Flight
F	Maintenance Flight
S	Service Mission
T	Training Flight

X	Experimental Test Flight
C	Combat Mission

(2) These forms show (hours rounded):

- July-August 1969 – 26 hours first pilot (C) and 13 hours copilot (C)
- September-October 1969 – 78 hours first pilot (C) and 8 hours copilot (C)
- November 1969 – 67 hours first pilot (C)
- December 1969 – 14 hours first pilot (C) and 6 hours copilot (C),
- July-December 1969, 209 hours combat time
- December 1969 to January 1970 – 61 hours aircraft commander (C), 77 hours first pilot (C), 2 hours copilot (C)
- February 1970 – 74 hours aircraft commander (C)
- March 1970 – 111 hours aircraft commander (C) and 2 hours first pilot (C)
- April 1970 – 83 hours aircraft commander (C), 13 hours first pilot (C), and 2 hours copilot (C)
- May 1970 – 136 hours aircraft commander (C)
- June 1970 – 101 hours aircraft commander (C)
- January 1970 to June 1970 – 876 pilot combat time
- July 1970 to August 1970 – 876 hours pilot combat time
- September 1970 – September 1970 – 53 hours aircraft commander (C), 34 hours first pilot (C), 2 hours copilot (C)
- October 1970 – 35 hours aircraft commander (C) and 11 hours first pilot (C)
- November 1970 – 41 hours aircraft commander (C) and 30 hours first pilot (C)
- December 1970 – 9 hours aircraft commander (C) and 8 hours first pilot (C)
- September 1970 to December 1970 – 1099 hours pilot combat time

g. His DA Form 66 (Officer Qualification Record) shows in:

(1) Item 17 (Foreign Service) – Service in U.S. Army Pacific from 6 July 1969 to 12 February 1971

(2) item 18 (Record of Assignments) –

- Troop C, 1st Squadron (Airmobile), 9th Cavalry, 1st Cavalry Division from 10 July 1969 to 24 August 1970
- Headquarters and Headquarters Company, 3d Brigade, 1st Cavalry Division from 31 August 1970 to 22 December 1970
- he participated in four campaigns while assigned to these units;

(3) item 21 (Awards and Decorations) –

- National Defense Service Medal
- Aviation Badge
- Vietnam Service Medal
- Air Medal, awarded by GO Number 11536, HQ, 1st Cavalry Division, dated September 1969
- Republic of Vietnam Campaign Medal with Device (1960)
- Bronze Star Medal
- Army Commendation Medal

h. Item 21 (Qualification in Arms) – Expert Marksmanship Qualification Badge with Pistol Bar (.45 caliber).

i. On 27 December 1970, he was honorably released from active duty and transferred to control of the 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
- Vietnam Service Medal
- Republic of Vietnam Campaign Medal with Device (1960)
- Army Commendation Medal
- Bronze Star Medal
- Air Medal
- Army Aviation Badge

6. His records are void of orders awarding him the Air Medal. His DA Form 20 references GO Number 11536, issued by HQ, 1st Cavalry Division, dated September 1969, which awarded him the Air Medal.

7. Army Regulation 672-3 (Unit Citation and Campaign Participation Credit Register (January 1960 – February 1986)) awarded:

a. 1st Squadron, 9th Cavalry, 1st Cavalry Division (Airmobile), the Valorous Unit Award by Department of the Army General Orders (DAGO) Number 43, 1972, for the period 1 May 1970 to 29 June 1970.

b. 1st Cavalry Division (Airmobile), was awarded the Meritorious Unit Commendation by DAGO Number 51, 1971 for the period 1 November 1968 to 30 June 1970.

8. A review of the Awards and Decorations Computer-Assisted Retrieval System, an index of general orders issued during the Vietnam era between 1965 and 1973 maintained by the U.S. Army Human Resources Command Military Awards Branch, failed to reveal any orders for award the Air Medal pertaining to the applicant.

BOARD DISCUSSION:

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.

a. The applicant served in Vietnam from 6 July 1969 to 12 February 1971 as a maintenance officer, lift pilot, and rotary wing pilot in MOS 100B (Rotary Wing Utility/Observation Helicopter Pilot). His duties included: pilots and commands utility/observation helicopter under tactical and non-tactical conditions; transports passengers, mail, or cargo for military purposes. He received one award of the Air Medal.

b. The evidence of record shows he served in Vietnam from 6 July 1969 to 12 February 1971. According to his DA Form 759 and DA Forms 759-1, he accrued completed 1099 pilot combat time. 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. It is unclear how many missions he completed in each category. Since the applicant was a helicopter pilot a Utility/Observation Helicopter Pilot in Vietnam, it is reasonable to presume that his combat missions were category II missions (characterized by support rendered a friendly force immediately before, during, or immediately following a combat operation).

c. He completed 1099 category II missions and already received one award of the Air Medal. Therefore, he should receive 20 additional awards of the Air Medal based on his combat missions by subtracting 50 hours from his total combat missions to account for his already-awarded Air Medal, and award him 20 additional awards of the Air Medal based on the remainder of his combat missions (1099 minus 50 = 1049; divided by 50 category II missions = 20).

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 correction addressed in Administrative Note(s) below, the Board determined that the evidence presented was 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 adding the Air Medal (21st Award) to his DD Form 214.



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: A review of the applicant's service record shows he is authorized additional awards not annotated on his DD Form 214. As a result, please amend his DD Form 214 to show:

- Valorous Unit Award
- Meritorious Unit Commendation
- four bronze service stars to his previously awarded Vietnam Service Medal
- Republic of Vietnam Gallantry Cross with Palm Unit Citation
- Expert Marksmanship Qualification Badge with Pistol Bar (.45 caliber)
- Sharpshooter Marksmanship Qualification Badge with Rifle Bar (M-14)

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

a. 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. Numerals denote successive awards beginning with Numeral 2. As with all personal decorations, formal recommendations, approval through the chain of command, and announcement in orders are required.

b. The VSM was awarded to all service members of the Armed Forces of the United States for qualifying service in Vietnam after 3 July 1965 through 28 March 1973. Qualifying service included attachment to or assignment for 1 or more days with an organization participating in or directly supporting military operations. One bronze service star is authorized with the VSM for each campaign during which a member was assigned or attached to and present for duty with a unit during the period in which it participated in combat.

3. Army Regulation 672-5-1 (Awards), in effect at the time, stated 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 AM. 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 AM, 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 95-1 (Flight Regulation) 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 Data" column on the DA Form 759-1 lists a single character for the mission identification (ID). During the Vietnam War, the following Mission IDs were used:

Mission Symbol	Service Missions
A	Acceptance test Flight
F	Maintenance Flight
S	Service Mission
T	Training Flight
X	Experimental Test Flight
C	Combat Mission

5. Department of the Army Pamphlet 672-3 (Unit Citation and Campaign Participation Credit Register (January 1960 – February 1986)), in effect at the time, shows:

a. His unit, 1st Squadron, 9th Cavalry, 1st Cavalry Division (Airmobile), was awarded:

- Valorous Unit Award by DAGO Number 43, 1972, for the period 1 May 1970 to 29 June 1970
- Republic of Vietnam Gallantry Cross with Palm Unit Citation by DAGO Number 42, 1972, for the period 21 February 1970 to 28 February 1971;

b. 1st Cavalry Division (Airmobile), was awarded the Meritorious Unit Commendation by DAGO Number 51, 1971 for the period 1 November 1968 to 30 June 1970; and

c. He participated in the following campaigns:

- 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
- Vietnam Counteroffensive, Phase VII, 1 July 1970 – 30 June 1971

6. Army Regulation 635-5 (Separation Documents), effective 1 February 1967, prescribed the separation documents that would be furnished each individual who was separated from the Army including Active Duty Training personnel and established standardized procedures for the preparation and distribution of these documents. All available records would be used as a basis for the preparation of the DD Form 214, including DA Form 20, DA Form 66, and orders. In item 24, enter from item 21, DA Form 66 (Officer Qualification Record), or section 9, DA Form 20 (Enlisted Qualification Record) all decorations, service medals, campaign credits, and badges awarded or authorized, omitting authorities cited therein.

//NOTHING FOLLOWS//