

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 31 July 2024

DOCKET NUMBER: AR20230014114

APPLICANT REQUESTS: award of the Air Medal.

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

- DD Form 149 (Application for Correction of Military Record)
- Letter from Chief Warrant Officer Two W.L.M., Awards and Decorations Officer, 225th Surveillance Airplane Company
- Extract of Special Orders Number 135 dated 15 May 1971
- Five DA Forms 759 (Individual Flight Record and Flight Certificate – Army) for the period April 1971 to November 1971
- Two Letters of Commendation dated 14 September 1971

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 from 28 February 1971 to 5 January 1972. He believes he should have been awarded the Air Medal for his service while assigned to the 225th Surveillance Aviation Company, 1st Aviation Brigade at Tuy Hoa Airfield. During this period, he flew 295 combat hours performing missions throughout the II Corps area of Vietnam. Recently, while attending the OV-1 Mohawk Association reunion, he discovered that all the members who had participated in similar combat missions had been awarded one or more Air Medals. The applicant received a letter of commendation from his noncommissioned officer in charge (NCOIC), Sergeant First Class (SFC) W., endorsed by Major (MAJ) E., the company commander. At that time, he was told that he had been recommended for the Air Medal. Shortly after, his unit stood down and personnel were assigned to other units, he believes the award recommendation was lost.
3. The applicant provides:

a. A letter from Chief Warrant Officer Two (CW2) W.L.M., Awards and Decorations Officer, 225th Surveillance Airplane Company, stating that as a result for the unit's sudden stand down, many requests for awards that were approved at the company level were not forwarded to higher headquarters for continued processing. After the applicant provided CW2 W.L.M. his combat flight records, he determined that the applicant have received 11 Air Medals in accordance with the criteria in effect at the time. All flight time flown by air crewmembers in the applicant's military occupational specialty (MOS) were combat missions, which were classified as Top Secret at that time.

b. Extract of Special Orders Number 135 dated 15 May 1971, requiring the applicant to participate regularly and frequently in aerial flights as a crewmember.

c. Five DA Forms 759, showing the applicant had a total of 295 hours of flight time for the period April 1971 through November 1971.

d. Two Letters of Commendation dated 14 September 1971 from SFC K.R.W. and MAJ O.L.E., thanking the applicant for his service and exemplary devotion to duty in his performance during the unit's aerial surveillance mission. The letter also noted the applicant's hours were long and arduous while flying back-to-back missions, week after week in accomplishment of the mission.

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

a. He enlisted in the Regular Army on 24 June 1970.

b. He served in Vietnam from 28 February 1971 to 5 January 1972 through three campaigns. He was assigned to the 225th Aviation Company (SA), 1st Aviation Brigade as a non-aviator crewmember.

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

d. On 6 January 1972, he was honorably released from active duty and transferred to the United States Army Reserve. His DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge) shows he completed 1 year, 6 months, and 13 days of total active service with 10 months and 8 days of foreign service. It also shows he was awarded or authorized the:

- National Defense Service Medal
- Sharpshooter Marksmanship Qualification Badge with Rifle Bar (M-16)
- Vietnam Service Medal
- Republic of Vietnam Campaign Medal with Device (1960)

- Overseas Service Bar (1)

d. On 20 May 1977, he was appointed as a Reserve commissioned officer of the United States Army. His DD Form 214 (Certificate of Release or Discharge from Active Duty) shows he served honorably from 10 June 1977 to 1 September 1988. He completed 11 years, 2 months, and 22 days of active service with 1 year, 6 months, and 13 days of prior active service, and 5 years, 5 months, and 3 days of total prior inactive service. It also shows he was awarded or authorized:

- National Defense Service Medal
- Vietnam Service Medal
- Vietnam Campaign Medal
- Army Achievement Medal
- Parachute Badge
- Aircraft Crewmember Badge
- Meritorious Service Medal
- Army Commendation Medal (1st Oak Leaf Cluster)
- Good Conduct Medal
- Army Lapel Button
- Army Service Ribbon
- Overseas Service Ribbon

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 Number 11, dated 1973, awarded the Republic of Vietnam Gallantry Cross Unit Citation with Gold Star to the 225th Aviation Company, for service in Vietnam for the period 1 May 1967 to 30 September 1971.

8. Department of the Army General Orders (DAGO) Number 8, dated 1974, awarded the Republic of Vietnam Gallantry Cross with Palm Unit Citation to Headquarters, United States Army Vietnam, for service in Vietnam for the period of 20 July 1965 to 28 March 1973.

BOARD DISCUSSION:

1. After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that relief was 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 the applicant had the required number of flying hours while serving in the Republic of Vietnam for award of the Air Medal. Evidence shows the applicant was assigned to the 225th Aviation Company (SA), 1st Aviation Brigade as a non-aviator crewmember. The Board agreed the applicant met the criteria based on regulatory guidance for award of the Air Medal. 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

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| ■ | ■ | ■ | 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 amending the applicant's DD Form 214 for the period ending 6 January 1972, by awarding him the Air Medal.

[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):

A review of the applicant's service records show he is authorized additional awards not annotated on his DD Forms 214 for the service periods ending 6 January 1972 and 1 September 1988. As a result, correct his DD Forms 214 as follows:

- Republic of Vietnam Gallantry Cross Unit Citation with Palm
- Republic of Vietnam Gallantry Cross Unit Citation with Gold Star
- three 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. Department of the Army Pamphlet 672-3 (Unit Citations and Campaign Participation Credit Register) assist commanders and personnel officers in determining or establishing the eligibility of individual members for campaign participation credit, assault landing credit, and unit citation badges awarded during the Vietnam Conflict.

a. Department of the Army General Orders Number 11, dated 1973, awarded the Republic of Vietnam Gallantry Cross Unit Citation with Gold Star to the 225th Aviation Company, for service in Vietnam for the period 1 May 1967 to 30 September 1971.

b. Department of the Army General Orders 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 the period of 20 July 1965 to 28 March 1973.

//NOTHING FOLLOWS//