

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 17 September 2024

DOCKET NUMBER: AR20240001103

APPLICANT REQUESTS: correction of his DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge), ending on 4 October 1968, to show the Bronze Star Medal (1st Oak Leaf Cluster) and Air Medal (1st Oak Leaf Cluster).

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

- DD Form 149 (Application for Correction of Military Record)
- General Orders Number 1408, 10 March 1968
- Bronze Star Medal Citation, March 1968

FACTS:

1. 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.
2. The applicant states, after he was discharged, he was awarded a Bronze Star Medal (1st Oak Leaf Cluster) for meritorious service, and an Air Medal (1st Oak Leaf Cluster). He would like to have these awards added to his DD Form 214, if appropriate. He requests to update and correct his record.
3. The case contains administrative corrections which awarded the applicant, among other awards, the Bronze Star Medal (1st Oak Leaf Cluster). The Board will consider awarding the Air Medal (1st Oak Leaf Cluster).
4. A review of the applicant's military service record shows:
  - a. The was inducted into the Army of the United States on 6 October 1966. He completed training requirements and was awarded military occupational specialty 11B (Light Weapons Infantryman).
  - b. DA Form 20 (Enlisted Qualification Record) shows in:

- item 31 (Foreign Service) – he served in Vietnam from 22 March 1967 to 21 March 1968
- item 38 (Record of Assignments) – while serving in Vietnam he was assigned to Company A, 2nd Battalion, 8th Cavalry, 1st Cavalry Division
- item 41 (Awards and Decorations), he was awarded or authorized –
  - National Defense Service Medal
  - Vietnam Campaign Medal
  - Vietnam Service Medal
  - Combat Infantryman Badge
  - Bronze Star Medal with "V" Device
  - Air Medal
  - Army Good Conduct Medal
  - Marksman Marksmanship Qualification Badge with Rifle Bar (M-14)

c. Headquarters, 1st Cavalry Division published the following General Orders (GO):

- GO Number 5315, 8 September 1967, awarded the applicant the Bronze Star Medal with "V" Device, date of action 9 August 1967.
- GO Number 5927, 27 September 1967, awarded the applicant the Air Medal for the period of March to September 1967.
- GO Number 1408, 10 March 1968, awarded the applicant the Bronze Star Medal (1st Oak Leaf Cluster), date of action March 1967 to March 1968.

d. On 4 October 1968, the applicant was honorably released from active duty and was transferred to the U.S. Army Reserve Control Group (Annual Training). In pertinent part, DD Form 214 shows in item 24 (Decorations, Medals, Badges, Commendations, Citations and Campaign Ribbons Awarded or Authorized):

- National Defense Service Medal
- Vietnam Service Medal
- Vietnam Campaign Medal
- Combat Infantryman Badge
- Bronze Star Medal with "V" Device
- Air Medal
- Army Good Conduct Medal
- Two Overseas Service Bars
- Marksman Marksmanship Qualification Badge with Rifle Bar (M-14 and M-16)

g. On 25 June 1971, DA Form 1577 (Authorization for Issuance of Awards) shows, in pertinent part, he was issued the Vietnam Service Medal with three bronze service stars and Republic of Vietnam Campaign Medal with Device 1960.

5. The applicant's service records did not contain orders awarding him the Air Medal (1st Oak Leaf Cluster).

6. The applicant's DA Form 759-1, Individual Flight Record and Flight Certificate-Army is not available for review.

BOARD DISCUSSION:

After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that partial relief was warranted. The applicant's contentions, the military record, and regulatory guidance were carefully considered.

a. Bronze Star Medal (1st Oak Leaf Cluster): Grant. General orders awarded the applicant two awards of the Bronze Star Medal, one of which with a V Device. Only one award is listed on his DD Form 214. It should list both awards.

b. Air Medal (1st Oak Leaf Cluster): Deny. The applicant's service record contains only one set of orders awarding him the Air Medal for the period March to September 1967. There are no other orders that confirm a second award. Additionally, the applicant's DA Form 759-1, Individual Flight Record and Flight Certificate-Army 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, for each month of service in Vietnam, or other independent evidence reflecting the type of missions, the Board determined there is insufficient evidence to award him additional awards of the Air Medal. Nevertheless, 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:

1. In addition to the correction addressed in Administrative Note(s) below, the Board determined the evidence presented is 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 amending his DD Form 214 to show the Bronze Star Medal (1st Oak Leaf Cluster) and V Device.
2. The Board further determined the evidence presented is insufficient to warrant a portion of the requested relief. As a result, the Board recommends denial of so much of the application that pertains to award of the Air Medal (1st Oak Leaf Cluster).

█

█ █

---

█

█

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. The applicant's DD Form 214, item 24 (Decorations, Medals, Badges, Commendations, Citations and Campaign Ribbons Awarded or Authorized) should be corrected by:
  - a. Deleting the Vietnam Service Medal and Vietnam Campaign Medal.

b. Adding the –

- Vietnam Service Medal with three bronze service stars
- Republic of Vietnam Campaign Medal with Device 1960
- Republic of Vietnam Gallantry Cross with Palm Unit Citation
- Valorous Unit Award

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
- DA Form 20 (Enlisted Qualification Record)
- General Orders Number 1408 issued by Headquarters, 1st Cavalry Division, dated 10 March 1968
- Department of the Army General Orders (DAGO) Number 59, 1969
- DAGO Number 43, 1970
- AR 600-8-22 (Military Awards)
- AR 635-5 (Separation Documents)
- DA PAM 672-3 (Unit Citation and Campaign Participation Credit Register)

3. Please correct the applicant's DD Form 214 in accordance with the guidance shown in paragraphs 1a and b above. Provide the applicant with a copy of the corrections, and ensure that the corrections are recorded in the applicant's official military personnel record.

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) implements the Army Awards Program. It prescribes Department of the Army policy, criteria, and procedures for individual and unit military awards and foreign decorations and badges. In part, Paragraph 3-18 (Air Medal) states, the Air Medal is awarded to any person who, while serving in any capacity in or with the Armed Forces of the United States, has distinguished themselves by meritorious achievement while participating in aerial flight.

Awards may be made to recognize single acts of valor, merit, or heroism or for meritorious service. Numerals, starting with 2, will be used to denote second and subsequent awards of the Air Medal (see paragraph 6–4, Numerals).

3. U.S. Army Vietnam (USARV) Regulation 672-1 (Decorations and Awards) provided guidelines for award of the Air Medal. It stated 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.

4. AR 635-5 (Personnel Separation - Separation Documents), in effect at the time, prescribes the separation documents that will be furnished to each individual who is separated from the Army. The instructions for item 24 of the DD Form 214 state to enter from the DA Form 20 (Enlisted Qualification Record) all decorations, service medals, campaign credits, and badges awarded or authorized, omitting authorities cited therein.

//NOTHING FOLLOWS//