

IN THE CASE OF: [REDACTED]

BOARD DATE: 20 December 2024

DOCKET NUMBER: AR20240003830

APPLICANT REQUESTS: correction of his DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge) to show the Air Medal (40th Award).

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

- DD Form 149 (Application for Correction of Military Record)
- two DD Forms 214
- two DA Forms 759 (Individual Flight Record and Flight Certificate-Army)
- letter, National Personnel Records Center (NPRC)

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 attached the DA Form 759 (Individual Flight Record and Flight Certificate-Army), issued to him in June 1971, for combat hours flown in the Republic of Vietnam from 1968 to 1969. Although he flew 1,001 hours of combat flight time, he was awarded one Air Medal and one Air Medal with "V" Device. He believes he earned a total of 40 Air Medals one for each 25 hours of combat hours flown in Vietnam. He requests amendment of his DD Form 214 to reflect the additional 39 Air Medals he earned.

a. In the 1970's, he applied for Department of Veterans Affairs (VA) medical treatment for a service-connected injury to his shoulder and for hearing loss. The hearing loss was a result of helicopter turbine engine noise. He was declared not eligible because he did not have his military health records. The VA claimed his records were destroyed in an NPRC fire. Years later, his records were located, and he was asked to report for a VA physical due to a report of exposure to Agent Orange. In 2023, he applied for medical treatment for his shoulder and hearing loss. Despite severe hearing loss he was awarded a 0% hearing loss rating. One factor was that his

DD Form 214 listed two Air Medals, calling into question the amount of actual turbine engine noise to which he was exposed.

b. Moreover, he was nominated for a Veterans Service Award. However, days before he was to be honored, the presentation was canceled because two Air Medals did not support his biography claim of 1,001 hours of combat [flight time]. The final no vote by the board was from his non-rated "ex JAG officer," who was awarded three Air Medals in Vietnam. His sponsors were disappointed. As a result, he was encouraged to search his files to find documentation to support his claim. He found a copy of his DA Form 759 and submitted a request to the NPRC for his awards in October 2023. On 2 February 2024, NPRC responded stating they had no authority to issue awards and directed him to the ABCMR.

c. There is a great deal of "stolen valor," suspected; it is embarrassing to be suspected. He is active in veteran's organizations and does not want to be suspected again.

3. The available evidence is sufficient to administratively correct his DD Form 214 without action by the Board to show additional bronze service stars affixed to his Vietnam Service Medal, and to add additional marksmanship badges and unit awards. The administrative corrections are further addressed in the Administrative Notes portion of these proceedings.

4. The applicant was appointed as a Reserve warrant officer of the Army in the rank/grade of warrant officer one (CW1)/WO1, on 1 July 1968. The highest rank/grade he achieved was CW2/WO2.

5. His DA Form 66 includes the following information and entries-

a. Block 9 (Military Occupational Specialty (MOS)) list:

- Primary MOS (PMOS) - 100BD, "Aero Med Evac Pilot," effective 2 July 1968
- Secondary MOS (SMOS) - 100BO, "Helicopter Pilot," effective 1 May 1970

b. Block 15 (Ratings, Specialties and Designations) records the applicant's designated specialty as, "Army Aviator," effective 2 July 1968.

c. Block 17 (Foreign Service) includes the following entries:

- 13 September 1968 - 12 September 1969, United States Army Pacific Command (USARPAC), Vietnam "NTC NON-D"
- 20 September 1969 - 20 Jun 1971, United States Army Europe, Germany

d. Block 18 (Record of Assignments) shows, he was assigned in Vietnam as follows:

(1) 16 September - 25 December 1968, DMOS 062B (Evacuation Pilot), 45th Medical Company (Air Ambulance), 68th Medical Group, USARPAC, Vietnam.

(2) 26 December 1968 - 31 August 1969, 247th Medical Detachment, 68th Medical Group, USARPAC, Vietnam, in -

- DMOS 062B (Evacuation Pilot) from 26 December 1968 to 23 May 1969
- DMOS 100BD (Medical Evacuation Pilot) from 24 May 1969 to 31 August 1969

e. Blocks 21 (Awards and Decorations) and 23 (Qualifications in Arms) lists the -

- National Defense Service Medal
- Army Aviator Badge
- Army Good Conduct Medal (1st Award)
- Vietnam Service Medal
- Air Medal
- Republic of Vietnam Campaign Medal with Device "1960"
- Air Medal with "V" Device (1 Oak Leaf Cluster)
- 2 overseas service bars
- Army Commendation Medal
- Meritorious Unit Commendation
- Expert Marksmanship Qualification Badge with Rifle Bar (M-16)
- Marksman Marksmanship Qualification Badge with Rifle Bar (M-14)
- Marksman Marksmanship Qualification Badge with Pistol Bar (.45 Caliber)

6. His record contains DA Forms 759 (Individual Flight Record and Flight Certificate - Army (PART I)) and associated DA Forms 759-1 (Individual Flight Record and Flight Certificate - Army (PART II)) covering the period October 1967 to June 1971; these sheets are numbered consecutively, and collectively show:

a. he was credited with completing 1001 hours of combat pilot time.

b. none of the combat hours listed in these forms further identify whether the hour/missions are:

(1) Category I Mission: 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) Category II Mission: a mission characterized by support rendered to a friendly force immediately before, during, or immediately following a combat operation.

(3) Category III Mission: a mission 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.

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

a. Item 17 (Foreign Service):

- USARPAC–RVNNTC NON–D, 13 September 1968–12 September 1969
- USAREUR–Germany, 20 September 1969–20 July 1971

b. Item 18 (Record of Assignments): [Vietnam/Duties Performed]

(1) 45th Medical (Air Ambulance), 68th Group, from 16 September 1968 to 25 December 1968, as an evacuation pilot.

(2) 247th Medical Detachment, 68th Group from 26 December 1968 to 31 August 1969, as an evacuation pilot.

c. Item 31 (Awards and Decorations) lists the below awards:

- National Defense Service Medal
- Army Aviator Badge
- Good Conduct Medal (1st Award)
- Vietnam Service Medal
- Air Medal
- Republic of Vietnam Campaign Medal with Device "1960"
- Air Medal with 1 Oak Leaf Cluster with "V" Device
- Two Overseas Service Bars
- Army Commendation Medal
- Meritorious Unit Commendation
- Expert Marksmanship Qualification Badge Rifle Bar Rifle (M-16)
- Marksman Marksmanship Qualification Badge Rifle Bar (M-14)
- Marksman Marksmanship Qualification Badge .Pistol (45 Caliber)

d. His DA Form 66 lists one Air Medal and one Air Medal with "V" Device and Oak Leaf Cluster. There are no orders available awarding additional Air Medals.

8. The applicant was honorably released from active duty in the rank of CW2, on 25 June 1971. He completed 2 years, 11 months, and 25 days of active service. He also completed 1 year and 4 days of other service of prior active service. His DD Form 214, in conjunction with a subsequently issued DD Form 215 (Correction to DD Form 214) show, in item 24 (Decorations, Medals, Badges, Commendations, Citations and Campaign Ribbons Awarded or Authorized):

- National Defense Service Medal
- Army Aviator Badge
- Good Conduct Medal (1st Award),
- Vietnam Service Medal
- Air Medal
- Republic of Vietnam Campaign Medal with Device "1960"
- Air Medal with "V" Device and one Oak Leaf Cluster
- Two Overseas Service Bars
- Army Commendation Medal
- Meritorious Unit Commendation
- Distinguished Flying Cross

9. The U.S. Army Human Resources Command (HRC) reviewed 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 Awards and Decorations Branch of HRC, failed to reveal additional orders awarding him the any Air Medals.

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. The evidence of record shows the applicant served in Vietnam from 13 September 1968 to 12 September 1969. Regulatory guidance states recommendations for award of the Air Medal for crewmembers or non-crewmembers on flying status would be submitted on USARV Form 157-R. The recommendation for award must also have stated that the individual met the required number of missions and hours for award of the Air Medal. The Board found insufficient evidence to support awarding him the Air Medal (40th Award).

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

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

BOARD DETERMINATION/RECOMMENDATION:

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.

3/26/2025

X

CHAIRPERSON

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 found evidence sufficient to amend his DD Form 214 for the period ending 25 June 1971 by adding:

- Vietnam Service Medal with four bronze service stars
- Republic of Vietnam Gallantry Cross with Palm Unit Citation
- Expert Marksmanship Qualification Badge Rifle Bar (M-16)
- Marksman Marksmanship Qualification Badge Rifle Bar (M-14)
- Marksman Marksmanship Qualification Badge with Pistol Bar (.45 Caliber)

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. AR 600-8-22 (Military Awards) states a bronze service star is authorized with the Vietnam Service Medal award for each Vietnam campaign a member is credited with participating in. Appendix B shows that during his service in Vietnam, participation credit was awarded for the following four campaigns:

- Vietnam Counteroffensive Phase V, from 1 July to 1 November 1968
- Counteroffensive Phase VI, from 2 November 1968 to 22 February 1969
- Tet 69/Counteroffensive, 23 February 1969 to 8 June 1969
- Summer Fall 1969, 9 June 1969 to 31 October 1969

3. Department of the Army Pamphlet 672-3 (Unit Citation and Campaign Participation Credit Register), paragraph 6d states DAGO Number 8, dated 1974, announced award of the RVN Gallantry Cross with Palm Unit Citation to Headquarters, United States Army Vietnam, and its subordinate units during the period 20 July 1965 through 28 March 1973.

4. AR 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 and the DA Form 759-1.

5. 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

6. AR 600-8-22 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. The version of the regulation in effect at the time the applicant served stated that an oak leaf cluster would be awarded to denote the second and subsequent awards of the Air Medal. However, the regulation currently in effect provides that Arabic numerals are now used instead of oak leaf clusters for the second and succeeding awards of the Air Medal. The Numeral "2" denotes the second award of the Air Medal.

7. United States Army Vietnam (USARV) Regulation 672-1 (Decorations and Awards) provided, in pertinent part, guidelines for award of the Air Medal. It established 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.

8. 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.

9. To be recommended for award of the Air Medal, an individual must have completed a minimum of 25 category I missions, 50 category II missions, or 100 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 time and adjust it to a common denominator.

//NOTHING FOLLOWS//