

IN THE CASE OF: ██████████

BOARD DATE: 4 January 2024

DOCKET NUMBER: AR20230005472

APPLICANT REQUESTS: Correction of his DD Form 214 to show award of the Defense Superior Service Medal (DSSM).

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

- DD Form 149 (Application for Correction of Military Record)
- Statement from the applicant's daughter

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, in effect, that he was awarded the DSSM as a retirement award but it was not included on his DD Form 214. He would like to have the record corrected for the purpose of having this award inscribed on his headstone when he dies and for his survivors' benefit.
3. The applicant enlisted in the US Army Reserve on 6 November 1950 and was commissioned on 8 June 1954 and entered active duty on 4 November 1954. He retired in the grade of O-6 on 31 July 1981.
4. The applicant's digitalized records include documentation for his award of the:
 - Legion of Merit (2nd award)
 - Distinguished Flying Cross
 - Meritorious Service Medal
 - Bronze Star Medal (2nd award)
 - Army Commendation Medal
 - Purple Heart
 - Air Medal (2nd award)

The available records do not contain any documentation of an award of the DSSM.

5. The applicant's daughter provided a statement in support of her father indicating that she is helping the applicant following her mother's death and the applicant's poor health. Their process of obtaining records was significantly delayed due to the COVID-19 pandemic and it was at this time that it was discovered that the DSSM was not on the applicant's DD Form 214.

6. The DSSM is awarded to members of the U.S. Armed Forces who perform "superior meritorious service in a position of significant responsibility. It is the second highest award bestowed by the Department of Defense, ranking below the Defense Distinguished Service Medal. The DSSM is most often presented to general and flag officers, followed by a lesser number of Army, Marine Corps, Air Force, and Space Force colonels and Navy and Coast Guard captains.

7. The authority granted by Title 10, U.S. Code, Section 1552 (Correction of Military or Naval Records) is not unlimited. The ABCMR has the authority to correct only Army records. The Board has no authority to correct records created by the Department of Defense (DoD), other branches of the Services, Department of Veterans Affairs, or any other governmental agency.

BOARD DISCUSSION:

1. After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found relief is not warranted.
2. The Board found no documentation confirming the applicant was awarded the DSSM when he retired in 1981. Unfortunately, in the absence of official documentation confirming a proper authority approved this award, the Board determined there is insufficient evidence to support correcting his record to show he received this award.

BOARD VOTE:

<u>Mbr 1</u>	<u>Mbr 2</u>	<u>Mbr 3</u>	
:	:	:	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.

3/20/2024

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.

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 600-5-22 (Military Awards) states that the DSSM is the DoD's second-highest non-combat-related military award and the second-highest joint service decoration. It is given by the Secretary of Defense to members of the United States Armed Forces who render superior meritorious service in a position of great responsibility. This service must be part of a joint activity. The award is generally awarded for a period of time exceeding 12 months and encompassing an entire joint assignment. Service members assigned to or attached to a Joint Task Force as individuals, not members of a specific military service's unit, are eligible.

3. The Defense Superior Service Medal (DSSM) is awarded to members of the U.S. Armed Forces who perform "superior meritorious service in a position of significant responsibility. It is the second highest award bestowed by the Department of Defense, ranking below the Defense Distinguished Service Medal. The DSSM is most often presented to general and flag officers, followed by a lesser number of Army, Marine Corps, Air Force, and Space Force colonels and Navy and Coast Guard captains.

//NOTHING FOLLOWS//