

IN THE CASE OF: ██████████

BOARD DATE: 14 December 2023

DOCKET NUMBER: AR20230006095

APPLICANT REQUESTS: in effect, correction of his DD Form 214 (Certificate of Release or Discharge from Active Duty) to reflect the following:

- award of the Bronze Star Medal
- award of the Southwest Asia Service Medal

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

- DD Form 149 (Application for Correction of Military Record)
- Desert Shield/Storm Roster, dated 4 March 1991
- DA Form 4980-14 (Army Commendation Medal Certificate), dated 6 March 1991
- DA Form 4980-1, dated 15 March 1991
- DD Form 214

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 the correction he is requesting is award of the Southwest Asia Service Medal plus a Bronze Star Medal. He believes he should have these awards on his record due to his service in Iraq during the Gulf War.
3. The Southwest Asia Service Medal with two Bronze Service Stars is reflected on the applicant's DD Form 214 and will no longer be discussed in this record of proceedings.
4. The applicant enlisted in the Regular Army on 2 November 1982 and was awarded the Military Occupational Specialty (MOS) 19K (M1 Armor Crewman).
5. The applicant provided a Desert Shield/Storm Roster, dated 4 March 1991, which shows he deployed in support of Operation Desert Shield Desert Storm from 1 December 1990 through 1 February 1991.

6. The applicant's DA Form 2-1 (Personnel Qualification Record – Part II) shows the following:

a. Item 5 (Oversea Service) shows 2 months of service in Saudi Arabia from 1 December 1990 through 8 February 1991.

b. Item 9 (Awards, Decorations and Campaigns) shows the following:

- Army Service Ribbon
- Army Good Conduct Medal (2nd Award)
- Overseas Service Ribbon
- National Defense Service Medal
- Noncommissioned Officer (NCO) Professional Development Ribbon (2)
- Army Achievement Medal (2nd Award)
- Army Commendation Medal (1)
- Southwest Asia Service Medal with two Bronze Service Stars
- Kuwait Liberation Medal
- Campaigns: Defense of Saudi Arabia; Liberation and Defense of Kuwait

7. The applicant's service records contain a Recommendation for Award of MSM and Below submitted by his first sergeant on 22 February 1991, which shows the following:

a. The applicant was recommended for an Army Commendation Medal for service for the following four achievements:

- receiving a commendable rating on the brigade inspection
- achieving an Army Physical Fitness Test (APFT) score of 290 or above and shooting expert with his .45 caliber pistol
- qualifying his Tank, A-13; assisting other tank crews down range and evaluating their performances
- deployment to Saudi Arabia for 66 days with the mission of off-loading vehicles and equipment during Operation Desert Shield/Desert Storm and acted as platoon sergeant for 13 men

b. His entire chain of command recommended approval of the award and on 7 March 1991, the award approval authority, Colonel (COL) [REDACTED] approved award of the Army Commendation Medal.

c. The orders issuing authority issued the award orders number 20-7 for the Army Commendation Medal on 8 March 1991.

8. The applicant provided a DA Form 4980-1, dated 6 March 1991, which shows COL [REDACTED] approved award of the Army Commendation Medal for the applicant for the period of service from 1 May 1988 through 4 March 1991. It was awarded for meritorious service while service as a gunner and the drug and alcohol noncommissioned officer (NCO) for Company A. His leadership and application of professionalism earned this unit commendable ratings on all drug and alcohol inspections. Throughout Operation Desert Shield/Storm, he served as a platoon sergeant and led his men to the successful completion of the unit mission. The certificate does not contain an orders number, although the award recommendation does contain an orders number.

9. A copy of this signed DA Form 4980-1 is also in the applicant's service records.

10. The applicant also provided a second DA Form 4980-1, dated 15 March 1991, which shows COL [REDACTED] approved award of the Army Commendation Medal for the applicant for the period of service from 1 December 1990 through 7 February 1991. It was awarded for exceptionally meritorious achievement in Saudi Arabia while serving as the off-load NCO in charge of Company A, 3rd Battalion, 34th Armored Regiment. His leadership and expertise directly contributed to the successful off-load of over 125 cargo vessels and over 33,000 pieces of equipment. His efforts proved invaluable in readying VII Corps for Operations Desert Shield and Desert Storm. This certificate does not contain an orders number.

11. This second DA Form 4980-1, dated 15 March 1991, is not in the applicant's available service records and his available service records do not contain an approved award recommendation with orders number or corresponding orders.

12. The applicant's DD Form 214 shows the following:

- a. He was honorably discharged on 4 May 1993.
- b. He was credited with 10 years, 5 months, and 25 days of net active service.
- c. Item 13 (Decorations, Medals, Badges, citations and Campaign Ribbons Awarded or Authorized) shows the following:

- Army Service Ribbon
- National Defense Service Medal
- Army Lapel Button
- Army Achievement Medal with two oak leaf clusters
- Southwest Asia Service Medal with two bronze service stars
- Kuwait Liberation Medal
- NCO Professional Development Ribbon (2)

- Army Good Conduct Medal (2nd Award)
- Overseas Service Ribbon
- Sharpshooter Marksmanship Qualification Badge with rifle bar (M-16)
- Expert Marksmanship Qualification Badge with pistol bar
- Expert Qualification Badge with grenade bar

13. The applicant's DD Form 214 does not reflect award of the Army Commendation Medal or the Bronze Star Medal.

14. The applicant's available records do not contain an approved award recommendation, award certificate, or award orders for the Bronze Star Medal.

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 evidence showing the applicant was recommended for award of the Bronze Star Medal during his period of service. In the absence of such evidence, the Board determined there is no basis for adding this medal to his record.

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.

2/15/2024

X [REDACTED]

CHAIRPERSON
[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.

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 Army Commendation Medal may be awarded to any member of the Armed Forces of the United States who, while serving in any capacity with the Army after 6 December 1941, distinguishes himself or herself by heroism, meritorious achievement, or meritorious service. As with all personal decorations, formal recommendations, approval through the chain of command, and announcement in orders are required.

b. The Bronze Star Medal is awarded in time of war for heroism and for meritorious achievement or service, not involving participation in aerial flight, in connection with military operations against an armed enemy, or while engaged in military operations involving conflict with an opposing armed force in which the United States is not a belligerent party. As with all personal decorations, formal recommendations, approval through the chain of command, and announcement in orders are required.

//NOTHING FOLLOWS//