

IN THE CASE OF: ██████████

BOARD DATE: 3 April 2024

DOCKET NUMBER: AR20230009596

APPLICANT REQUESTS: award of the Armed Forces Reserve Medal (AFRM) with Bronze "M."

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

- DD Form 149 (Application for Correction of Military Record)
- DD Form 214 (Certificate of Release or Discharge from Active Duty)
- AFRM information sheet

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, he was discharged from active duty on 13 June 1991. He, along with his Reserve unit, met the criteria for the Armed Forces Reserve Medal with Bronze "M," which denotes Reservists mobilized and called to active duty; however, he was not awarded the medal nor was it reflected on his DD Form 214. He turned 60 recently and is interested in obtaining the medal to honor his service in the U.S. Army during the Gulf War.
3. The applicant provides:
 - a. DD Form 214 shows he was transferred back to his parent unit on 13 June 1991. It also reflects the following:
 - Item 13 (Decorations, Medals, Badges, Citations and Campaign Ribbons Awarded or Authorized) Army Service Ribbon // National Defense Service Medal // Army Good Conduct Medal // Overseas Service Ribbon // Marksman Badge Pistol // Sharpshooter Badge Rifle // Army Lapel Button

- Item 18 (Remarks) “ordered to active duty in support of Operation Desert Shield/Storm in accordance with 10 USC 673B // Service in Southwest Asia 18 November 1990 to 14 May 1991”
- b. Information sheet on the Armed Forces Reserve Medal.
4. A review of the applicant’s service record shows:
- a. Upon completion of his 3-year active-duty enlistment commitment on 7 December 1984, he was honorably transferred to the U.S. Army Reserve (USAR) Control Group (Reinforcement) to finish his Military Service Act obligation.
- b. U.S. Army Reserve Personnel Center orders C-11-050227, dated 5 November 1986, 265 Combat Support Company, Cumberland, Maryland, with an effective date 10 November 1986, reason: voluntary.
- c. On 27 March 1988, the applicant reenlisted in the Army Reserve for six (6) years.
- d. Headquarters, First U.S. Army and Fort George G. Meade Permanent Orders 164-16, dated 19 November 1990, reflects the applicant was issued Temporary Change of Station (TCS) assigning him to Army Central (ARCENT) Forward in support of Operation Desert Shield, effective 18 November 1990, not to exceed 179 days.
- e. DD Form 214, for the period covering 27 September 1990 to 13 June 1991, reflects he was honorably released from active duty and transferred back to his unit, under the provisions of Army Regulation (AR) 635-200 (Personnel Separations – Enlisted Personnel), chapter 4, expiration of term of service, separation code LBK. He served 8 months and 16 days of net active service this period. It also shows in:
- Item 13 (Decorations, Medals, Badges, Citations and Campaign Ribbons Awarded or Authorized) Army Service Ribbon // National Defense Service Medal // Army Good Conduct Medal // Overseas Service Ribbon // Marksman Badge Pistol // Sharpshooter Badge Rifle // Army Lapel Button
 - Item 18 (Remarks) “ordered to active duty in support of Operation Desert Shield/Storm in accordance with 10 USC 673B // Service in Southwest Asia 18 November 1990 to 14 May 1991”
- f. Two (2) DD Forms 215 (Correction to DD Form 214) were issued on (date illegible) October 1992 and 21 March 2011, which notably added the following awards and decorations to item 13:
- Southwest Asia Service Medal, with 3 Bronze Service Starts
 - Kuwait Liberation Medal – Kuwait

- Expert Marksmanship Badge - Grenade

g. Headquarters 97th USAR Command orders 123-20-P, dated 5 July 1991, reflects he applicant was relieved from his current unit and reassigned to the USAR Control Group (Reinforcement), effective 5 July 1991, reason: voluntary.

5. Army Regulation (AR) 600-8-22 (Decorations and Awards) prescribes Army policy, criteria, and administrative instructions concerning individual military awards.

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 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 based on regulatory guidance the applicant did not meet the 10-year requirement for award of the Armed Forces Reserve Medal (AFRM) with Bronze "M.". Evidence shows the applicant reenlisted in the Army Reserve for a period of six (6) years on 27 March 1988. The Board agreed there is insufficient evidence to support the applicant's contentions for award of the Armed Forces Reserve Medal (AFRM) with Bronze "M.". Therefore, relief is denied.

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.

5/14/2024

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 (AR) 600-8-22 (Military Awards) prescribes Department of the Army (DA) policy, criteria, and administrative instructions concerning individual and unit military awards.

a. Paragraph 2–26b states, the Armed Forces Reserve Medal (AFRM) recognizes Servicemembers or former Servicemembers of the RC (including Active Guard Reserve (AGR)) who have:

- (1) Completed a total of 10 years of honorable military service in the RC
- (2) Been called to active duty and served under specific statutory conditions
- (3) Volunteered and served on active duty in support of designated US military operations or contingencies.

b. Paragraph 2-26c states, the AFRM is awarded by the unit commander for honorable and satisfactory Service as a member or former member of one or more of the RCs of the Armed Forces of the United States, including the USCG Reserve and the USMC Reserve, for a period of 10 years under the following conditions:

(1) Such years of service must have been performed within a period of 12 consecutive years.

(2) Each year of active or inactive status honorable service prior to 1 July 1949 in any RC listed in AR 135–180, will be credited toward award. For service performed on or after 1 July 1949, a member must accumulate, during each anniversary year, a minimum of 50 retirement points as prescribed in AR 135–180.

(3) Service in a Regular Component of the Armed Forces, including the USCG, is excluded except that service in a RC which is concurrent in whole or in part with service in a Regular Component will be included. (Officers holding Reserve commissions serving on the active-duty list are, by statute, members of the RC. Time served as a Reserve officer on the active-duty list counts toward eligibility for the AFRM. For example, if a Reserve officer on active-duty list serves 10 active years prior to going Regular Army, or also received retirement points for other RC service, which, when added together with their active duty list service adds up to 10 years, then that officer is eligible for the AFRM.)

(4) Any period during which Reserve service is interrupted by one or more of the following will be excluded in computing, but will not be considered as a break in the period of 12 years:

- Service in a Regular Component of the Armed Forces.
- During tenure of office by a State official chosen by the voters of the entire State, territory, or possession.
- During tenure of office of member of the legislative body of the United States or of any State, territory, or possession.
- While serving as judge of a court of record of the United States, or of any State, territory, possession, or the District of Columbia

c. Paragraph 2-26e states, The “M” device is authorized for wear on the AFRM by members of the RCs who are called to or who volunteer and serve on active duty in support of specific U.S. military operations or contingencies designed by the SECDEF, as defined in 10 USC 101(a)(13).

(1) When a member qualifies for the “M” device, the Bronze “M” will be awarded, positioned on the ribbon and medal, and a number will be included on the ribbon and medal. No more than one AFRM may be awarded to any one person. Multiple periods of service during one designated contingency (under provisions of paras 2–26c(4)(a) and (b)) will count as one “M” device award. Designated contingency operations are outlined in table 6–1.

(2) If no hourglass is authorized, the "M" device will be positioned in the center of the ribbon, followed by Arabic numerals indicating the number of times the device has been awarded, starting with the second award, no number is worn for the first award.

//NOTHING FOLLOWS//