

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 11 September 2024

DOCKET NUMBER: AR20230015025

APPLICANT REQUESTS: award of two Army Superior Unit Awards (ASUA).

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) for the period ending 13 November 1996

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 he was initially assigned to 130th Engineer (Eng) Brigade (Bde) in Croatia as the unit's Brigade Safety Officer as part of Operation Joint Endeavor when he was called up to active duty from 12 March 1996 to 1 November 1996. He received two OERs from the unit before their return to Germany and recently read that 130th Eng Bde was recognized for their outstanding accomplishments in Croatia and Bosnia during the time he was assigned to them. He remained in Croatia as the Safety Officer for 1st Armored Division until his tour was completed on 1 November 1996. He states 130th Eng Bde received two Superior Unit Awards and he believes he qualifies for these two awards and any other Operation Joint Endeavor awards. As a member of 130th Eng Bde he provided the commander and his units daily safety assessments and served temporarily as the Bde S-1; additionally, the 1st Armored Division G-1 said he was the best Reserve Safety Officer he had serve under him.
3. The applicant provides a DD Form 214, for the period ending 13 November 1996, to be referenced in the service record.
4. A review of the applicant's service record shows:

a. Having had prior enlisted service in the United States Navy, he was appointed as a Kansas Army National Guard (KAARNG) commissioned officer and executed an oath of office on 15 June 1979.

b. His DA Form 2-1 (Personnel Qualification Record – Part II) shows in section 9 (Awards, Decorations & Campaigns) that he was awarded or authorized:

- National Defense Service Medal (NDSM)
- Vietnam Service Medal (VSM)
- Republic of Vietnam Campaign Medal (RVNCM)
- Armed Forces Expeditionary Medal (AFEM)
- Good Conduct Medal (GCMDL)
- Army Service Ribbon (ASR)
- Navy Unit Commendation (NUC)
- Republic of Vietnam (RVN) Gallantry Cross Unit Citation with Palm
- Combat Action Badge (CAB) – Navy
- Army Achievement Medal (AAM)

c. DA Form 67-8 (US Army Officer Evaluation Report) dated 26 November 1996 that indicates in Part III (Duty Description) the applicant was an extremely competent Task Force Safety Officer for Headquarters, 1st Armored Division, for Task Force Eagle deployed in support of Operation Joint Endeavor from 1 July 1996 until 19 October 1996.

d. A Certificate of Achievement for outstanding service in support of Operation Joint Endeavor dated 12 June 1996 and a certificate of his NATO Medal indicating his service in the former Republic of Yugoslavia from 31 March 1996 until 4 November 1996. Neither certificate show the deployed unit of assignment for the applicant.

e. On 13 November 1996, he was honorably released from active duty. His DD Form 214 shows he completed 6 months and 10 days of net active service this period. It also shows he served in support of Operation Joint Endeavor in Germany 13 March 1996 to 30 March 1996 and 19 October 1996 to 1 November 1996, in Hungary 31 March 1996 to 31 March 1996 and 18 October 1996 to 18 October 1996 and in Croatia 1 April 1996 to 17 October 1996 and was awarded or authorized:

- Meritorious Service Medal (MSM)
- Army Commendation Medal (ARCOM)
- AAM (3rd Award)
- NUC
- Armed Forces Service Medal and Award for Operations Relating Former Republic of Yugoslavia

- Navy Good Conduct Medal
- NDSM (2nd Award)
- AFEM
- VSM (8th Award)
- Armed Forces Reserve Medal (AFRM) (10 year device) (2d award)
- AFRM with "M" device
- Army Service Ribbon (ASR)
- Overseas Service Ribbon (OSR)
- Army Reserve Components Overseas Training Ribbon
- NATO Medal
- RVN Gallantry Cross Unit Citation with Palm
- RVN Campaign Medal

f. The available service record is void of further documentation showing the applicant was assigned or attached to the 130th Engineer Brigade.

5. By regulation (AR 635-5), the DD Form 214 is a summary of the Soldier's most recent period of continuous active duty. It provides a brief, clear-cut record of all current active, prior active, and prior inactive duty service at the time of release from active duty, retirement, or discharge. The information entered thereon reflects the conditions as they existed at the time of separation.

6. By regulation (AR 600-8-22) the Army Superior Unit Award was created in 1985 to recognize outstanding meritorious performance by a unit in completing a difficult and challenging mission under extraordinary circumstances during peacetime. The criteria for award also requires that the unit display such outstanding devotion and superior performance so as to set it apart from and above other units with similar missions, defines "peacetime" as any period where wartime awards were not authorized in the geographic area in which the mission was executed, precludes award for purely humanitarian operations, and precludes award if the act has already been recognized by another unit award.

7. Department of the Army General Orders (DAGO) Number 25, dated 8 June 2001, awarded the Army Superior Unit Award to Headquarters and Headquarters, 1st Armored Division, for service in Task Force Eagle (IFOR) for the period of 15 October 1995 to 31 January 1997.

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 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 there is sufficient evidence to show the applicant was assigned to Headquarters 1st Armored Division and authorized the Army Superior Unit Award in accordance with regulatory guidance. However, the Board found the applicant's record is absent any evidence he was assigned to the 130th Engineer Brigade from 12 March 1996 to 1 November 1996 while deployed in support of Operation Joint Endeavor and authorized a second Army Superior Unit award. Based on this, the Board granted partial relief to award the applicant the Army Superior Unit Award.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

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

BOARD DETERMINATION/RECOMMENDATION:

1. 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 adding to the applicant's DD Form 214 for the period ending 13 November 1996 the entry in Item 13 (Decorations, Medals, Badges, Citations and Campaign Ribbons Awarded or Authorized): Army Superior Unit Award.
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 the applicant being awarded the Army Superior Unit Awards (ASUA) (2nd Award).

■ [REDACTED]

[REDACTED] [REDACTED]

[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.

ADMINISTRATIVE NOTE(S):

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 635-5 (Separation Documents) states the DD Form 214 is a summary of the Soldier's most recent period of continuous active duty. It provides a brief, clear-cut record of all current active, prior active, and prior inactive duty service at the time of release from active duty, retirement, or discharge. The information entered thereon reflects the conditions as they existed at the time of separation. The information entered thereon reflects the conditions as they existed at the time of separation.

3. Army Regulation 600-8-22 (Military Awards) states the Army Superior Unit Award was created in 1985 to recognize outstanding meritorious performance by a unit in completing a difficult and challenging mission under extraordinary circumstances during peacetime. The criteria for award also requires that the unit display such outstanding devotion and superior performance so as to set it apart from and above other units with similar missions, defines "peacetime" as any period where wartime awards were not authorized in the geographic area in which the mission was executed, precludes award for purely humanitarian operations, and precludes award if the act has already been recognized by another unit award.

4. Department of the Army Pamphlet 672-3 (Unit Citations and Campaign Participation Credit Register) assist commanders and personnel officers in determining or establishing the eligibility of individual members for campaign participation credit, assault landing credit, and unit citation badges awarded during the Vietnam Conflict. Department of the Army General Orders (DAGO) Number 25, dated 8 June 2001, awarded the Army Superior Unit Award to Headquarters and Headquarters, 1st Armored Division, for service in Task Force Eagle (IFOR) for the period of 15 October 1995 to 31 January 1997.

//NOTHING FOLLOWS//