

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 9 December 2024

DOCKET NUMBER: AR20240004524

APPLICANT REQUESTS: correction of his DD Form 214 (Certificate of Release or Discharge from Active Duty) ending 31 March 1997, by adding the –

- Meritorious Unit Commendation
- Valorous Unit Award

APPLICANT'S SUPPORTING DOCUMENT(S) CONSIDERED BY THE BOARD:
DD Form 149 (Application for Correction of Military Record)

FACTS:

1. The applicant did not file within the 3-year time frame provided in Title 10, U.S. Code (USC), 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:

a. The 218th Military Police (MP) Company (CO) was awarded the Meritorious Unit Citation [Commendation] in Department of the Army General Orders (DAGO) 1994-12-Section XIII, page 24. Furthermore, 2nd Platoon of the 218th MP CO was awarded the Valorous Unit Award in DAGO 1994-27, Section VII, page 14. Due to permanent change of station/expiration term of service dates, and awards not being issued by the Department of the Army until 1994, are missing from his official DD Form 215 (Correction to DD Form 214). He recognizes each is a unit award/citation, however, as a direct participant in the units listed within the DAGOs, he is authorized for recognition of extraordinary heroism and extraordinary meritorious service during the Persian Gulf War. He is requesting these awards be added as part of the permanent orders.

b. He is missing awards/decorations from service during Desert Storm/Desert Shield while serving with 2nd Platoon of the 218th MP CO. The record for deployment is as follows; 595th MP CO to 218th MP CO, second platoon (Munich) to Saudi Arabia/Desert Shield. During Desert Storm ground operations, second platoon was assigned directly to the 1st Armored Division (Saudi Arabia, Kuwait, and Iraq) as shown

in research evidence. Redeployment from Saudi Arabia to Germany and reassigned to the 595th MP CO (Fuerth/Zimdorf/APO 09070 (Germany)).

3. A review of the applicant's military service records show:

a. He enlisted in the Regular Army on 26 July 1989 and reenlisted on 1 April 1993.

b. DA Form 2-1 (Personnel Qualification Record – Part II) shows in:

- Item 5 (Oversea Service) – he served in Saudi Arabia (Southwest Asia) from 3 December 1990 to 18 May 1991
- Item 9 (Awards, Decorations and Campaigns) – no entry for the Meritorious Unit Commendation nor Valorous Unit Award
- Item 35 (Record of Assignments) – he was assigned to the 595th MP CO in Germany on or about 18 December 1989, and departed Germany on 29 January 1992; it does not show his unit of assignment in Saudi Arabia

c. On 3 January 1997, while serving in the Regular Army he enlisted in the U.S. Army Reserve (USAR) for 3 years.

d. On 31 March 1997, DD Form 214 shows the applicant was honorably released from active duty and was transferred to his USAR unit in North Dakota. He completed 7 years, 8 months, and 5 days net active service this period. Item 13 (Decorations, Medals, Badges, Citations and Campaign Ribbons Awarded or Authorized) does not show an entry for the Meritorious Unit Commendation nor Valorous Unit Award.

e. On 29 July 1997, the USAR Personnel Center published Orders Number D-07-757685, which honorably discharged the applicant from the USAR.

f. The applicant's record did not contain evidence showing he was assigned to the 218th MP CO, and he provided no evidence.

4. The Army Review Boards Agency's Gulf War Roster shows the applicant served with the 1st Armored Division in Saudi Arabia (Southwest Asia) from on or about 3 December 1990 to 16 May 1991.

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 applicant was assigned to the 595th MP Company in Germany on or about 18 December 1989, and departed Germany on 29 January 1992. He served in Southwest

Asia from 3 December 1990 to 18 May 1991. There is no indication anywhere in his records that shows he was assigned or attached to the 218th MP Company. In the absence of additional evidence reflecting his assignment or attachment to the MP unit at the time the unit was cited for both awards, the Board determined there is insufficient evidence to grant him the requested relief. If the applicant can provide supporting documentation that show he was attached or assigned to the unit that was cited these awards, he may reapply to this Board for reconsideration.

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.

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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, USC, 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) 15–185 (Army Board for Correction of Military Records) prescribes the policies and procedures for correction of military records by the Secretary of the Army, acting through the Army Board for Correction of Military Records (ABCMR). In pertinent part, it states that the ABCMR begins its consideration of each case with the presumption of administrative regularity. The applicant has the burden of proving an error or injustice by a preponderance of the evidence. The ABCMR will decide cases based on the evidence of record. The ABCMR is not an investigative agency.

3. AR 600-8-22 (Military Awards) implements a part of the Army Awards Program.

a. Paragraph 7-13 (Valorous Unit Award (VUA)) states, the VUA may be awarded to units of the Armed Forces of the United States and cobelligerent nations for extraordinary heroism in action against an armed enemy of the United States while engaged in military operations involving conflict with an opposing foreign force or while serving with friendly foreign forces engaged in an armed conflict against an opposing armed force in which the United States is not a belligerent party for actions occurring on or after 3 August 1963.

b. Paragraph 7-14 (Meritorious Unit Commendation (MUC)) is awarded to units for exceptionally meritorious conduct in the performance of outstanding services for at least 6 continuous months during the period of military operations against an armed enemy occurring on or after 1 January 1944. Service in a combat zone is not required but must be directly related to the combat effort. Units based in the continental United States are excluded from this award, as are other units outside the area of operation. Effective 1 March 1961, the MUC was authorized for units and detachments of the Armed Forces of the United States for exceptionally meritorious conduct in performance of outstanding services for at least 6 continuous months in support of military operations. Services, as used in this paragraph, is interpreted to relate to combat service support type activities and not to the type of activities performed by senior headquarters, combat, or combat support units. Effective 11 September 2001, the MUC is authorized for units and detachments of the Armed Forces of the United States for exceptionally meritorious performance for at least 6 continuous months (a month is considered 30 calendar days) during military operations against an armed enemy without regard to type of duties performed or the type of unit performing the duties.

4. AR 635-8 (Separation Processing and Documents) prescribes the transition processing function of the military personnel system. It provides principles of support, standards of service, policies, tasks, rules, and steps governing required actions in the field to support processing personnel for separation and preparation of

separation documents. Paragraph 5-6 (Rules for completing the DD Form 214) provides detailed instructions for data required in each block of the DD Form 214. The instructions for Block 13 (Decorations, Medals, Badges, Citations, and Campaign Ribbons Awarded or Authorized) state to list all federally recognized awards and decorations for all periods of service. Do not use abbreviations. Do not enter foreign or State level awards on DD Form 214.

//NOTHING FOLLOWS//