

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 22 November 2024

DOCKET NUMBER: AR20240004525

APPLICANT REQUESTS: in effect, correction of his DD Form 214 (Certificate of Release or Discharge from Active Duty) to show award of 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)
- Corporal (CPL) ASA, Letter to Headquarters Department of the Army, 17 February 2024
- CPL ASA Army Commendation Medal Certificate, 26 August 1991
- CPL ASA DA Form 214, 10 September 1991
- CPL ASA DA Form 215 (Correction to DD Form 214), 31 January 1997
- Department of the Army General Order Number 1994-27, Valorous Unit Award
- Department of the Army General Order Number 27, 27 December 1994
- Department of the Army General Order Number 1994-12, Meritorious Unit Commendation
- Department of the Army General Order Number 12, 13 May 1994
- Memorandum for Record, 595th Military Police Company, 22 May 1991
- Memorandum, 218th Military Police Company, 10 October 1991
- DD Form 214, 15 October 1991
- DD Form 215 (Correction to DD Form 214, 16 June 1992
- Two DA Forms 2-1 (Personnel Qualification Record – Part II)

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 deployed as a member of the 595th Military Police Company, 2nd Platoon (Munich), to Saudi Arabia for Desert Shield. During Desert

Storm ground operations, 2nd Platoon was assigned directly to the 1st Armored Division (Saudi Arabia, Kuwait, and Iraq). He subsequently redeployed from Saudi Arabia to Germany and was reassigned to the 595th Military Police Company.

3. The applicant enlisted in the Regular Army on 8 June 1988. He served in military occupational specialty 95B (Military Police).

4. His DA Form 2-1 shows:

- he received credit for foreign service in Germany from 1 April 1990 to 12 October 1991
- he was assigned to the 595th Military Police Company, Germany on 3 April 1990
- he received credit for foreign service in Saudi Arabia from 4 December 1990 to 15 May 1991

5. There is no evidence in the applicant's Official Military Personnel File which shows he was assigned or attached to 2nd Platoon, 218th Military Police Company. However, the applicant provides:

a. Memorandum for Record, Commander, 595th Military Police Company, 22 May 1991, states, in effect, the applicant deployed to Southwest Asia for Operation Desert Shield/Storm on 6 December 1990, executing missions in Saudi Arabia, Iraq, and Kuwait.

b. Memorandum to the Commander, 595th Military Police Company from the Commander, 218th Military Police Company, dated 10 October 1991, states the applicant was attached to the 218th Military Police Company from 4 December 1990 to 16 May 1991, in Southwest Asia in support of Operations Desert Shield/Storm. The memorandum does not specify the platoon to which he was attached.

6. On 15 October 1991, he was honorably released from active duty at the convenience of the government as directed by the Secretary of the Army. The DD Form 214 and subsequently issued DD Form 215 he was issued show:

- a. block 12f (Foreign Service) - "01 06 12"
- b. block 13 (Decorations, Medals, Badges, Citations, and Campaign Ribbons Awarded or Authorizes) -
  - Army Service Ribbon
  - National Defense Service Medal
  - Overseas Service Ribbon
  - Southwest Asia Service Medal with 3 bronze service stars

- Army Achievement Medal
- Noncommissioned Officer Professional Development Ribbon
- Marksman Marksmanship Qualification Badge with Pistol Bar (.45 caliber)
- Marksman Marksmanship Qualification Badge with Rifle Bar (M-16)
- Expert Marksmanship Qualification Badge with Grenade Bar
- Sharpshooter Marksmanship Qualification Badge with Pistol Bar (9 MM)
- Southwest Asia Service Medal with 3 bronze service stars
- Kuwait Liberation Medal - Kuwait

c. block 18 (Remarks) includes the entry "SERVICE IN SWA 3 DEC 1990 TO 15 MAY 1991."

7. There is no evidence in the available records that shows he was awarded the Army Good Conduct Medal nor is there evidence of a commander's disqualification for the award. Additionally, there is no evidence of any convictions by court-martial or receipt of nonjudicial punishment under Article 15, Uniform Code of Military Justice.

8. The applicant provides:

a. The Narrative for the Valorous Unit Award, Department of the Army General Order Number 27, dated 27 December 1994, describes the actions of 3rd Brigade, 3rd Infantry, 2nd Platoon, 218th Military Police Company among other cited units.

b. The Narrative for the Meritorious Unit Commendation, Department of the Army General Order Number 12, dated 13 May 1994, describes the actions of the 14th Military Police Brigade among other cited units to include the 218th Military Police Company from 8 November 1990 to 30 May 1991.

c. 2-page letter from CPL ASA, 17 February 2024, in which he claims, in effect, Soldiers to include the applicant were attached to 2nd Platoon, 218th Military Police Company during their service in Southwest Asia during Desert Shield/Storm and therefore are entitled to award of a Meritorious Unit Commendation and a Valorous Unit Award.

#### BOARD DISCUSSION:

1. 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 review based on law, policy, and regulation. The evidence of record shows the applicant served on active duty between

8 June 1988 to 15 October 1991, with service in Germany and Saudi Arabia. The applicant requested award of the Meritorious Unit Commendation and Valorous Unit Award; however, the record is void of documentation to support the applicant was assigned to a unit awarded the requested awards. Therefore, the Board denied relief.

2. Prior to closing the discussion, the Board determined the applicant served a period of service, 8 June 1988 to 15 October 1991, which warranted award of the Army Good Conduct Medal.

BOARD VOTE:

Mbr 1      Mbr 2      Mbr 3

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

BOARD DETERMINATION/RECOMMENDATION:

1. 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. Prior to closing the discussion, the Board determined the evidence presented is sufficient to warrant award of the Army Good Conduct Medal. As a result, the Board recommends that all Department of the Army records of the individual concerned be corrected by amending the applicant's DD Form 214, for the period ending 15 October 1991 by:

- awarding him the Army Good Conduct Medal (First Award) for the qualifying period 8 June 1988 to 15 October 1991
- adding the Army Good Conduct Medal (First Award) to his DD Form 214

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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.

ADMINISTRATIVE NOTE(S): correct the applicant's DD Form 214 ending on 15 October 1991 by adding the Kuwait Liberation Medal – Saudi Arabia.

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 and states:

a. The Kuwait Liberation Medal awarded by the Kingdom of Saudi Arabia was approved on 3 January 1992 and is awarded to members of the Armed Forces of the United States who participated in the Persian Gulf War between 17 January 1991 and 28 February 1991.

b. The Valorous Unit Award is awarded 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 in which the United States is not a belligerent party for actions occurring on or after 3 August 1963. This award requires a lesser degree of gallantry, determination, and esprit de corps than required for the Presidential Unit Citation. Nevertheless, the unit must have performed with marked distinction under difficult and hazardous conditions in accomplishing its mission so as to set it apart from and above other units participating in the same conflict. The degree of heroism required is the same as that which would warrant award of the Silver Star to an individual.

c. The Meritorious Unit Commendation 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. Units based in the continental United States are excluded from this award, as are other units outside the area of operations.

d. The Army Good Conduct Medal is awarded to individuals who distinguish themselves by their conduct, efficiency, and fidelity. This period is 3 years except in those cases when the period for the first award ends with the termination of a period of active Federal military service. There is no right or entitlement to the medal until the immediate commander has approved the award and the award has been announced in permanent orders. Although there is no automatic entitlement to the Army Good Conduct Medal, disqualification must be justified.

//NOTHING FOLLOWS//