

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 28 March 2025

DOCKET NUMBER: AR20240007277

APPLICANT REQUESTS: correction of his DD Form 214 (Certificate of Release or Discharge from Active Duty), for the period ending 31 July 2000, to add the Valorous Unit Award (2nd Award) and upgrade of his existing Air Medal to add the "V" Device.

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

- DD Form 149 (Application for Correction of Military Record)
- Army Service Records, dated 1 April 1991 to 31 March 1999
- Permanent Order Number 84-20, dated 27 February 1991
- Award Narrative for Distinguished Flying Cross, undated
- letter, from applicant to Senator [REDACTED] dated 10 June 1992
- DA Form 4980-16 (Valorous Unit Award (VUA) Certificate), dated 17 May 2013, with corresponding citation

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 recently became aware that the VUA was awarded to 4/7 Cavalry on 17 May 2013. He wishes to amend his record accordingly. His initial paperwork for award of the Distinguished Flying Cross (DFC) was lost. A second citation was sent forward for award of the Air Medal. Of the four personnel involved in that specific action, one individual was awarded the DFC, and two individuals were awarded the Air Medal with "V" device. He would like to be considered for an upgrade of his existing Air Medal to add the "V" device for his participation in that same action.
3. After a period of honorable enlisted service, the applicant was appointed as a Reserve Warrant Officer of the Army on 4 March 1980.

4. He served in Southwest Asia in support of Operation Desert Shield/Storm from 24 December 1990 to 16 May 1991. He was assigned to D Troop, 4th Squadron, 7th Cavalry Regiment.

5. The applicant was awarded the Air Medal (2nd Award) for his participation in aerial flight on 27 February 1991.

6. He was honorably retired on 31 July 2000. He completed 21 years, 5 months, and 11 days of net active service. He was awarded or authorized the following:

- Legion of Merit
- Bronze Star Medal
- Meritorious Service Medal
- Air Medal (3rd award)
- Army Commendation Medal (7th award)
- Army Achievement Medal (4th award)
- Joint Meritorious Unit Award
- Valorous Unit Award
- National defense Service Medal
- Armed Forces Expeditionary Medal (2nd award)
- Southwest Asia Service Medal with three bronze service stars
- Humanitarian Service Medal
- Army Service Ribbon
- Overseas Service Ribbon (2nd award)
- Army (Retired) Lapel Button
- United Nations Medal
- Kuwait Liberation Medal (K)
- Master Army Aviator Badge

7. The applicant provides:

a. In reference to the applicant's letter to Senator [REDACTED] Permanent Orders Number 84-20 shows the applicant's co-pilot, B.S., was awarded the Air Medal with "V" device for his heroism while participating in aerial flight on 27 February 1991.

b. An award narrative for the DFC states the applicant displayed extreme valor and skill as an aviator on 27 February 1991. His actions were an example of his courage as the pilot in command of an AH-1 Cobra Attack Helicopter. (no documentation pertaining to the processing of this award recommendation in the service record)

c. In a letter from the applicant to Senator [REDACTED] dated 10 June 1992, the applicant stated with the re-designations of his organization upon return from Southwest

Asia, many important issues were not attended to properly, to include awards and decorations. During the war in Iraq, he was a member of an aerial scout/weapons team. For their bravery, the scout helicopter pilot was awarded the DFC; the scout helicopter aerial observer and the applicant's co-pilot were awarded the Air Medal with "V" device. Although the applicant was recommended for the DFC, after five re-writes and re-submissions, he was finally awarded the Air Medal (2nd award). He was told by his command to accept the award graciously and drop it, even though the award did not match the awards given to the other members of his team.

d. A VUA Certificate and corresponding citation, awarded the VUA to 4th Squadron, 7th Cavalry Regiment for the period 24 February 1991 to 28 February 1991, for distinguishing themselves while engaged in combat in the Kuwait theater of operations in support of Operation Desert Storm. The award was given on 17 May 2013, almost thirteen years after the applicant's DD Form 214 was issued.

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 evidence of record shows the applicant was not in the unit when the unit received the second Valorous Unit Award; therefore, he is not eligible to receive the award. Additionally, the found Board insufficient evidence to show the applicant was awarded the "V" Device on his Air Medal. The applicant's original Air Medal must also have stated that the individual met the required number of missions and hours for award of the Air Medal and that it met the criteria for valor in order to receive the Air Medal with "V" Device; which it not. As a result, the Board found no merit in the applicant's request and denied relief.

BOARD VOTE:

<u>Mbr 1</u>	<u>Mbr 2</u>	<u>Mbr 3</u>	
:	:	:	GRANT FULL RELIEF
:	:	:	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
XX	XX	XX	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.


X //SIGNED//

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 600-8-22 (Military Awards) states:

a. The Air Medal (AM) is awarded to any person who, while serving in any capacity in or with the Armed Forces of the United States, has distinguished themselves by meritorious achievement while participating in aerial flight. When the AM is awarded for valor, a bronze letter "V" (for valor) is worn on the suspension and service ribbon of that medal. Awards may be made to recognize single acts of valor, merit, or heroism or for meritorious service as described below:

(1) Awards may be made for acts of heroism 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, which are of a lesser degree than required for award of the Distinguished Flying Cross (DFC).

(2) Awards may be made for a single act of meritorious achievement, involving superior airmanship, which are of a lesser degree than required for award of the DFC, but nevertheless were accomplished with distinction beyond that normally expected.

(3) Awards for meritorious service may be made for sustained distinction in the performance of duties involving regular and frequent participation in aerial flight for a period of at least 6 consecutive months (a month is considered 30 calendar days). In this regard, accumulation of a specified number of hours and missions will not serve as the basis for award of the AM.

b. The Valorous Unit Award 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.

//NOTHING FOLLOWS//