

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 5 January 2023

DOCKET NUMBER: AR20230005428

APPLICANT REQUESTS: reconsideration of his previous request to correct his DD Form 214 (Certificate of Release or Discharge from Active Duty) to show his service in Southwest Asia, associated awards, and a personal appearance before the Board.

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

- DD Form 149 (Application for Correction of Military Record), 24 February 2023
- DD Form 214
- several Leave and Earning Statement
- Army Achievement Medal Certificate, 3 September 1991
- DA Form 638 (Recommendation for Award), Permanent Order Number 256-16, Army Achievement Medal, 13 September 1991
- Army Board for Correction of Military Records (ABCMR), Record of Proceedings, AR20200003776, 8 December 2020
- Wikipedia, 197th Infantry Brigade
- U.S. Army Fort Knox Human Resources Mailbox, 27 January 2023
- Witness Statement, A____ S____, 12 February 2023
- A____ S____, DD Form 214
- DA Form 2-1 (Personnel Qualification Record), Section VIII

FACTS:

1. Incorporated herein by reference are military records which were summarized in the previous consideration of the applicant's case by the Army Board for Correction of Military Records (ABCMR) Docket Number AR20200003776, on 8 December 2020.

2. The applicant states the correction to his DD Form 214 will support his disability claim. It is important that he can display these ribbons on his military uniform. His Leave and Earning Statement (LES) for January 1991 shows his temporary duty (TDY) began on 9 December 1990 at 1000 hours. His LES for March 1991 shows his TDY ended on 29 March 1991 at 2050 hours. This request is related to his post-traumatic stress disorder (PTSD), and service in the Persian Gulf War.

3. There is sufficient evidence of record to justify the administrative correction of the applicant's DD Form 214 without action by the Board to add the following awards:

- Southwest Asia Service Medal with two bronze service stars
- Kuwait Liberation Medal - Government of Kuwait
- Kuwait Liberation Medal - Kingdom of Saudi Arabia

4. On 18 July 1990, the applicant enlisted in the Regular Army. He completed training and he was awarded military occupational specialty (MOS) 19K (Armor Crewman).

5. His DA Form 2-1 (Personnel Qualification Record) shows in:

a. items 5 (Oversea Service) and 35 (Record of Assignments) –he served in Korea from 19 April 1993 to 15 July 1994, a period of 1 year, 2 months, and 26 days, neither items 5 nor 35 reflect foreign service in Southwest Asia.

b. item 9 (Awards, Decorations and Campaigns) – Marksman Marksmanship Qualification Badge with Pistol Bar (9 mm), Marksman Marksmanship Qualification Badge with Hand Grenade Bar, Army Service Ribbon, National Defense Service Medal, Army Achievement Medal.

c. item 27 (Remarks) does not show he received hostile fire/imminent danger pay (HF/IDP) for any period of service.

6. The applicant provides:

a. Several LES's covering cover a period from December 1990-March 1991, which show in part:

- 1 December 1990 - danger pay
- 10 December 1990 - overseas pay
- 1-31 January 1991 - danger pay and overseas pay
- 1-28 February 1991 - danger pay and overseas pay
- 1-31 March 1991 - danger pay and overseas pay
- 28 March 1991, stop overseas pay
- 31 March 1991, stop danger pay

b. A Certificate that shows award of the Army Achievement Medal, dated 3 September 1991, for the applicant's meritorious achievement while in Operation Desert Shield as a Support Platoon Driver, Headquarters and Headquarters Company, 2nd Battalion, 69th Armor.

c. A DA Form 638 (Recommendation for Award), which shows in part his award of the Army Achievement Medal, for the period from 21 August 1990 to 16 January 1991, Permanent Orders Number 256-16, dated 13 September 1991. Part B - (Justification and Citation Data) also shows a proposed citation for the applicant's meritorious achievement while serving as a member of support platoon, Headquarters and Headquarters Company, 2nd Battalion, 69th Armor while conducting operations in the Kingdom of Saudi Arabia.

7. On 17 July 1994, he was honorably released from active duty. He completed 4 years of active service. The DD Form 214 he was issued shows:

a. item 12f (Foreign Service) - 1 year, 2 months, and 10 days of foreign service

b. item 13 (Decorations, Medals, Badges, Commendations and Campaign Ribbons Awarded or Authorized) -

- Army Service Ribbon
- Army Lapel Button
- National Defense Service Medal
- Army Achievement Medal
- Marksman Marksmanship Qualification Badge with pistol Bar
- Sharpshooter Marksmanship Qualification Badge with Hand Grenade Bar
- Army Good Conduct Medal

c. item 18 (Remarks) does not show any entry pertaining to service in Southwest Asia or any hazardous fire/imminent danger pay area.

8. On 8 December 2020, in ABCMR Docket Number AR20230003776, the Board found that relief was not warranted. The applicant's contentions, the military record, and regulatory guidance were carefully considered. The applicant's record is void evidence, and he did not provide evidence that shows he was deployed to Southwest Asia. The Board determined there is insufficient evidence to grant relief.

9. On 16 September 1991, the applicant was issued a DD Form 215 (Correction to DD Form 214), which added the Korea Defense Service Medal to item 13.

10. The applicant also provides:

a. A Wikipedia article that shows the 197th Infantry Brigade served in Operation Desert Storm with the 24th Infantry Division. During Operation Desert Storm, the brigade was composed of 2nd Battalion, 69th Armored.

b. An email, issued by the U.S. Army Human Resources Center mailbox, dated 27 January 2023 which shows in part, the provided LES's do not establish the location or exact start and end dates of applicant's deployment, nor can they be established through the unit history he included. His record is devoid of any documentation between September 1990 and July 1992, and his DA 2-1 makes no mention of this period also; as such, there is nothing they can do to assist unless they receive new evidence. If applicant has any service documents that clearly show the exact start and end date, as well as location, of his deployment, he can re-submit for reconsideration.

c. A witness statement, issued by A____ S____, dated 12 February 2023, which shows he and the applicant was assigned to Headquarters and Headquarters Company, 2nd Battalion, 69th Armor, and were deployed to Saudi Arabia as a part of 197th Infantry Brigade. He also attached a copy of his DD Form 214 which shows his service in Southwest Asia from 2 September 1990 to 29 March 1991, and associated awards.

11. Review of the Gulf War Roster, compiled by the Defense Manpower Data Center, Desert Shield/Storm data base shows that the applicant served in the Gulf War from 1 September 1990 to 30 March 1991, a period of 7 months.

BOARD DISCUSSION:

1. The applicant's request for a personal appearance hearing was carefully considered. In this case, the evidence of record was sufficient to render a fair and equitable decision. As a result, a personal appearance hearing is not necessary to serve the interest of equity and justice in this case.

2. After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that relief was warranted. The Board carefully considered the applicant's contentions, the military record, and regulatory guidance. The Board noted the administrative notes showing awards reflective of a period of service in Southwest Asia and the Gulf War Roster, compiled by the Defense Manpower Data Center, Desert Shield/Storm data base shows that the applicant served in the Gulf War from 1 September 1990 to 30 March 1991, a period of 7 months. After due consideration of the applicant's request the Board determined the evidence presented sufficient to warrant a recommendation for relief.

2. Prior to closing the case, the Board did note the analyst of record administrative notes below, and recommended the correction is completed to more accurately depict the military service of the applicant.

by the Army Board for Correction of Military Records (ABCMR) Docket Number AR20200003776, on 8 December 2020.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

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

BOARD DETERMINATION/RECOMMENDATION:

The Board determined the evidence presented is sufficient to warrant amendment of the ABCMR's decision in Docket Number AR20200003776, dated 8 December 2020. As a result, the Board recommends that all Department of the Army records of the individual concerned be corrected by amending to show in block 18 (REMARKS):

- SERVICE IN SOUTHWEST ASIA FROM 900901 - 910330



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 NOTES: Make the following corrections to the Applicant's DD Form 214:

- Southwest Asia Service Medal with two bronze service stars
- Kuwait Liberation Medal - Government of Kuwait
- Kuwait Liberation Medal - Kingdom of Saudi Arabia

REFERENCES:

1. Army Regulation 600-8-22 (Military Awards) states:

a. The Southwest Asia Service Medal is awarded to members of the Armed Forces of the United States serving in Southwest Asia and contiguous waters or airspace there over, on or after 2 August 1990 to 30 November 1995. A bronze service star is authorized for wear with this medal for participation in each credited campaign. Approved designated campaigns are:

- Defense of Saudi Arabia (2 August 1990 to 16 January 1991)
- Liberation and Defense of Kuwait (17 January to 11 April 1991)
- Cease-Fire Campaign (12 April 1991 to 30 November 1995)

b. The Kuwait Liberation Medal awarded by the Government of Kuwait (KLM-K) was approved on 9 November 1995 and is awarded to members of the Armed Forces of the United States who participated in the Persian Gulf War between 2 August 1990 and 31 August 1993.

c. The Kuwait Liberation Medal awarded by the Kingdom of Saudi Arabia (KLM-SA) 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.

2. Army Regulation 635-5 (Separation Documents), in effect at the time, provided guidance for making required entries on the DD Form 214.

a. This regulation required entry of the total amount of foreign service completed during the period covered in block 12c (Net Active Service This Period). Obtain the foreign service listed in item 5, DA Form 2-1 for enlisted Soldiers to compute this entry. If necessary, verify the foreign service in the Military Personnel Record Jacket.

b. Later versions of this regulation and Army Regulation 635-8 (Separation Processing and Documents) provide for entries in item 18 (Remarks). These regulations state, for active duty Soldiers, list any/all OCONUS deployments completed during the period of the DD Form 214 as follows: "SERVICE IN (NAME OF COUNTRY DEPLOYED) FROM (inclusive dates)."

3. Army Regulation 15-185 (Army Board for Correction of Military Records), paragraph 2-11, shows applicant's do not have a right to a hearing before the ABCMR. The Director or the ABCMR may grant a formal hearing whenever justice requires.

//NOTHING FOLLOWS//