

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 19 December 2023

DOCKET NUMBER: AR20230005761

APPLICANT REQUESTS: in effect, correction of his DD Form 214 (Certificate of Release or Discharge from Active Duty) ending on 10 June 1991, by adding –

- Southwest Asia Service Medal, Kuwait Liberation Medal (Government of Kuwait), and Kuwait Liberation Medal (Kingdom of Saudi Arabia)
- Louisiana Army National Guard (LAARNG) Ribbon
- Military Occupational Specialty (MOS) 88M (Motor Transport Operator)

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

- DD Form 149 (Application for Correction of Military Record)
- DD Form 214, ending on 10 June 1991

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 he earned the following awards that are not on his DD Form 214; the Southwest Asia Service Medal, Kuwait Liberation Medal, and the Louisiana National Guard Ribbon. Also, his original MOS was 88M. He trained at Fort Leonard Wood, MO. He would like to have the medals and ribbons added to his DD Form 214 in addition to his MOS 51B (Carpentry and Masonry Specialist). He earned these awards and trained and qualified for both MOSs and would like to have his DD Form 214 reflect that. He appreciates any help he will receive in this matter.

3. This case contains administrative corrections. The Board should only consider the applicant's contentions related to adding MOS 88M and LAARNG Ribbon.

4. A review of the applicant's military records show the following:

- a. He enlisted in the LAARNG on 3 March 1988.

b. He entered active duty for training (ADT) on 30 May 1989 and he was released from ADT on 28 July 1989 with an uncharacterized discharge. His DD Form 214 shows He completed 1 month and 29 days net active service this period. It also shows in:

- item 11 (Primary Specialty Number, Title and Years and Months in Specialty) – "88M10 Motor Transport Operator 00YRS 00MOS"
- item 13 (Decorations, Medals, Badges, Citations and Campaign Ribbons Awarded or Authorized) – Army Service Ribbon; Marksman Qualification Badge Rifle M-16; and Expert Qualification Badge Hand Grenade
- item 14 (Military Education) – "Motor Transport Operator 9 Weeks July 89"

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

- item 5 (Oversea Service) –Saudi Arabia from 9 February to 14 May 1991
- item 6 (Military Occupational Specialties) – Secondary MOS 88M10 and Primary MOS 51B10
- item 9 (Awards, Decorations and Campaigns) – the entry "Campaigns: Liberation and Defense of Kuwait/Defense of Saudi Arabia"; and Army Service Ribbon, National Defense Service Medal, Army Lapel Button, Southwest Asia Service Medal with bronze service star, Army Reserve Component Achievement Medal, and Kuwait Liberation Medal

d. On 13 June 1990, Orders Number 2-7 published by Detachment 1, Company B, 527th Engineer Battalion (Combat Heavy), LAARNG, withdrew primary MOS 88M10 and awarded the applicant primary MOS 51B and secondary MOS 88M10, effective 23 June 1990.

e. On 6 December 1990, the applicant entered active duty in support of Operation Desert Shield/Desert Storm.

f. On 10 June 1991, DD Form 214 shows he was honorably released from active duty and transferred to his LAARNG unit. He completed 6 months and 5 days net active service this period. It also shows in:

- item 11 (Primary Specialty Number, Title and Years and Months in Specialty (Additional specialty numbers and titles involving periods of one or more years)) – 51B10 Carpentry and Masonry Specialist
- item 13 (Decorations, Medals, Badges, Citations and Campaign Ribbons Awarded or Authorized) – Army Service Ribbon, Army Lapel Button, and National Defense Service Medal
- item 18 (Remarks) – Ordered to Active Duty in support of Operation Desert Shield/Desert Storm and Service in Southwest Asia from 9 February to 14 May 1991

g. The applicant's NGB Form 22 (Report of Separation and Record of Service) shows he was honorably released from the LAARNG and transferred the U.S. Army Reserve (USAR) Control Group (Individual Ready Reserve) on 3 March 1995. In pertinent part, item 13 (Primary Specialty Number, Title and Date Awarded) shows primary MOS 51B10, 23 June 1990 and secondary MOS 88M10, 28 July 1989.

h. Orders Number D-11-600018 published by the USAR Personnel Center honorably discharged the applicant from the USAR, effective 26 November 1996.

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.

a. The evidence shows the applicant was ordered to active duty on 6 December 1990 in support of Operation Desert Shield/Desert Storm and he was honorably released from active duty 10 June 1991. During his mobilization, he performed duties in his primary specialty of 51B. Although he was previously trained in and held secondary MOS 88M, he did not perform duties in the additional specialty for a period of one year or more, during the period covered by his DD Form 214.

b. By regulation only Federal awards are listed on the DD Form 214. The Louisiana Army National Guard (LAARNG) Ribbon is not a federal award and such its listing on the DD Form 214 is not authorized.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

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

BOARD DETERMINATION/RECOMMENDATION:

Except for the correction addressed in Administrative Note(s) below, the Board found 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.

ADMINISTRATIVE NOTE(S):

1. The applicant's DD Form 214 (Certificate of Release or Discharge from Active Duty) ending on 28 July 1989, should be corrected by:
 - a. Deleting in item 24 (Character of Service) uncharacterized.
 - b. Adding in item 24; honorable.
2. The applicant's DD Form 214 ending on 10 June 1991, should be corrected by adding in item 13 to add the following:
 - Southwest Asia Service Medal with two bronze service stars

- Kuwait Liberation Medal (Government of Kuwait)
- Kuwait Liberation Medal (Kingdom of Saudi Arabia)
- Marksman Marksmanship Qualification Badge with Rifle Bar (M-16)
- Expert Qualification Badge with Hand Grenade Bar

3. A review of the records listed below (enclosed) is sufficient to substantiate correction of the DD Form 214 without action by the Board.

- DD Forms 214
- DA Form 2-1
- AR 600-8-22 (Military Awards)
- AR 635-8 (Separation Processing and Documents)

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 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 635-8 (Separation Processing and Documents) prescribes the transition processing function of the military personnel system. It provides policies, tasks, rules, and steps for processing separation documents.

a. Paragraph 5-1 (When to prepare the DD Form 214) states, the DD Form 214 is a summary of the Soldier's most recent period of continuous active duty. It provides a brief, clearcut record of all current active, prior active, and prior inactive duty service at the time of release from active duty, retirement, or discharge. The DD Form 214 is not intended to have any legal effect on termination of a Soldier's service.

b. 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:

(1) Block 11 (Primary Specialty) state to enter the titles of all MOSs or areas of concentration (AOCs) awarded and held for at least 1 year during the current period of service and include for each MOS/AOC the number of years and months held. For time determinations, 16 or more days counts as a month. Do not count time in training (basic training, advanced individual training, Basic Officer's Leader Course, or MOS-producing school). Primary specialty MOS or AOC is awarded by Service school completion or by publication of orders awarding the MOS or AOC.

(2) Block 13 (Decorations, Medals, Badges, Citations, and Campaign Ribbons Awarded or Authorized) 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. State awards and decorations will be entered on NGB Form 22 (National Guard Report of Separation and Record of Service) upon separation from the Army National Guard of the United States.

4. AR 600-8-22 (Military Awards) prescribes Department of the Army (DA) policy, criteria, and administrative instructions concerning individual and unit military awards.

a. Paragraph 2-15 (Southwest Asia Service Medal (SWASM) states, the SWASM is awarded to all Servicemembers of the Armed Forces of the United States serving in Southwest Asia (SWA) and contiguous waters or airspace there over, on or after 2 August 1990 to 30 November 1995. To be eligible, a Servicemember must meet one or more of the following criteria: (1) Be attached to or regularly serving for 1 or more days with an organization participating in ground or shore (military) operations. (2) Be attached to or regularly serving for 1 or more days aboard a U.S. naval vessel directly supporting military operations. (3) Be actually participating as a crewmember in one or more aerial flights directly supporting military operations in the areas designated above. (4) Be serving on TDY for 30 consecutive days or 60 nonconsecutive days. These time limitations may be waived for people participating in actual combat operations. One bronze service star will be worn on the suspension and service ribbon of the SWASM for participation in each designated campaign (see paragraph 6-11 for further information on the bronze service star). (The designated campaigns for SWA are listed in appendix B.)

b. The Kuwait Liberation Medal-Saudi Arabia (KLM-SA) is awarded by the Government of Saudi Arabia to Servicemembers of the Armed Forces of the United States and authorized by the Department of Defense (DOD) on 3 January 1992. It is awarded to Servicemembers of the Armed Forces of the United States who participated in Operation Desert Storm between 17 January 1991 and 28 February 1991.

c. The Kuwait Liberation Medal-Government of Kuwait (KLM-KU)) is awarded by the government of Kuwait to Servicemembers of the Armed Forces of the United States and authorized by DOD on 7 August 1995. It is awarded to Servicemembers of the Armed

Forces of the United States who served in support of Operations Desert Shield and Desert Storm between 2 August 1990 and 31 August 1993.

d. Paragraph 6-11 (Service stars (campaign and/or battle stars)) states, service stars are worn on campaign and service medals to denote participation in a named campaign (for example, SWASM) and on the service ribbons (for example the NDSM) to denote an additional award. Service stars are authorized for wear on the Southwest Asia Service Medal.

e. Appendix B, Table B-1 (Campaigns, service requirements, and inscriptions prescribed for streamers) provides that bronze service stars are authorized for the following named campaigns –

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

//NOTHING FOLLOWS//