

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 9 April 2024

DOCKET NUMBER: AR20230010008

APPLICANT REQUESTS: correction of his DD Form 214 (Certificate of Release or Discharge from Active Duty) by adding the following:

- Service in the Sinai, Egypt, from 19890404 to 19890926
- Expert Infantryman Badge (EIB)
- Multinational Force and Observers (MFO) Medal
- Second Army Achievement Medal (AAM) and National Defense Service Medal (NDSM), awarded during his U.S. Army Reserve (USAR) service

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

- DD Form 149 (Application for Correction of Military Record)
- Two-Star Note
- MFO Certificate
- Permanent Orders
- USAR Commander's note
- Certificate of Training
- Certificate of Achievement
- U.S. Army Reserve Personnel Center (ARPERCEN) Orders

FACTS:

1. The applicant did not file within the 3-year time frame provided in Title 10 (Armed Forces), United States Code (USC), section 1552 (b) (Correction of Military Records: Claims Incident Thereto). 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 his DD Form 214, for the period ending 30 November 1989, is missing his service in the Sinai, his MFO Medal, EIB, and two awards he received during his USAR service: the NDSM and a second AAM. He is working on getting benefits from the Department of Veterans Affairs, and he needs these corrections for his appeal. In support of his requests, he provides documents from his service record.

3. A review of the applicant's service record reveals the following:

a. On 22 September 1987, the applicant enlisted into the Regular Army for 3 years and 14 weeks. Upon completion of initial entry training and the award of military occupational specialty 11B (Infantryman), orders assigned him to an infantry battalion at Fort Ord, CA; he arrived, on 8 January 1988.

b. On 21 August 1989, Permanent Orders (PO) awarded the applicant the EIB. On 25 September 1989, PO awarded the applicant the AAM (1st Award); the associated DA Form 4980-18 (AAM Certificate) cites the applicant's meritorious service with the MFO, from 8 April to 19 September 1989 (165 days). On or about 26 September 1989, the MFO Contingent and Force Commanders awarded the applicant a certificate certifying the applicant's service with the MFO, from 4 April to 26 September 1989 (176 days).

c. On 30 November 1989, the Army honorably released the applicant from active duty and transferred him to the USAR Control Group (Annual Training (AT)); his DD Form 214 shows he completed 2 years, 2 months, and 9 days of his 3-year, 14-week enlistment contract. The report additionally reflects the following:

(1) Item 13 (Decorations, Medals, Badges, Citations, and Campaign Ribbons Awarded or Authorized): Army Service Ribbon, Army Lapel Button, Sharpshooter Marksmanship Qualification Badge with Rifle and Grenade Bars, Expert Marksmanship Qualification Badge with "Grenade Launcher" Bar, Army Achievement Medal

(2) Item 18 (Remarks): No entry showing service in the Sinai.

(3) Item 25 (Separation Authority): Army Regulation (AR) 635-200 (Personnel Separations – Enlisted Personnel), paragraph 6-3b (2) (Separation Because of Dependency or Hardship – Criteria – Hardship – Sole Parents)

(4) Item 28 (Narrative Reason for Separation): Sole Parent.

d. Effective 15 April 1991, ARPERCEN (Army Reserve Personnel Center) transferred the applicant from the USAR Control Group (AT) to a Troop Program Unit (TPU). On 21 September 1992, Headquarters, 95th Division (Training) Orders transferred the applicant to the USAR Control Group (Reinforcement) due to unsatisfactory participation.

e. On 14 April 1994, based on the applicant's request, ARPERCEN issued a DD Form 215 (Correction to DD Form 214) that added the EIB to the DD Form 214, ending 30 November 1989.

- f. On 26 September 1995, ARPERCEN honorably discharged him from the USAR.
4. AR 635-8 (Separation Processing and Documents), currently in effect, states the DD Form 214 is a summary of the Soldier's most recent period of continuous active duty. It provides a brief, clear-cut record of all current active, prior active, and prior inactive duty service at the time of release from active duty, retirement, or discharge; awards given after the end of the report are not reflected on the DD Form 214 unless they specifically pertain to the period covered by the report.
5. The ABCMR does not grant requests for upgraded characters of service solely to make someone eligible for Veterans' benefits; however, in reaching its determination, the Board can consider the applicant's petition, his evidence and assertions, and his service record in accordance with the published equity and injustice guidance.

#### BOARD DISCUSSION:

After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that relief was partially warranted. The applicant's contentions, the military record, and regulatory guidance were carefully considered. The applicant served on active duty from 22 September 1987 to 30 November 1989 and in the USAR from 1 December 1989 to 26 September 1995.

- a. Expert Infantryman Badge (EIB): No Action. The applicant was previously issued a DD Form 215 that added this badge.
- b. Multinational Force and Observers (MFO) Medal: Deny. By regulation, the MFO Medal may be awarded to service members who served with the MFO. Effective 15 March 1985, personnel must serve 6 months (170 days minimum) with the MFO to qualify for the award. The evidence shows he served with the MFO, from 8 April 1989 to 19 September 1989 (165 days). He does not meet the criteria.
- c. Second Army Achievement Medal (AAM): Deny. The record contains a permanent order awarding him the AAM. There is no second set of orders that shows he was recommended for or awarded a second award.
- d. Service in the Sinai, Egypt, from 19890404 to 19890926: Grant. The applicant's AAM certificate shows he served with the MFO, from 8 April to 19 September 1989.
- e. National Defense Service Medal (NDSM): Deny. During the period for Persian Gulf, members of the Selected Reserve in good standing, and servicemembers of other than the Selected Reserve who were called to active duty are eligible for this award.

The applicant was neither in good standing (unsatisfactory participation) nor called to active duty. He does not meet the criteria.

BOARD VOTE:

| <u>Mbr 1</u> | <u>Mbr 2</u> | <u>Mbr 3</u> |                      |
|--------------|--------------|--------------|----------------------|
| :            | :            | :            | GRANT FULL RELIEF    |
| █            | █            | █            | GRANT PARTIAL RELIEF |
| :            | :            | :            | GRANT FORMAL HEARING |
| :            | :            | :            | DENY APPLICATION     |

BOARD DETERMINATION/RECOMMENDATION:

1. The Board determined the evidence presented is sufficient to warrant a recommendation for partial relief. 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 to show in Block 18 "Service in Sinai, Egypt, from 8 April 1989 to 19 September 1989.

2. The Board further determined the evidence presented is insufficient to warrant a portion of the requested relief. As a result, the Board recommends denial of so much of the application that pertains to:

- Multinational Force and Observers (MFO) Medal
- Second Army Achievement Medal (AAM)
- National Defense Service Medal (NDSM), awarded during his U.S. Army Reserve (USAR) service

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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. AR 600-8-22 (Military Awards), currently in effect, states the MFO Medal may be awarded to service members who served with the MFO. Effective 15 March 1985, personnel must serve 6 months (170 days minimum) with the MFO to qualify for the award. Awards are made by the Director General, MFO or in their name by officials to whom they delegate awarding authority.

3. AR 600-8-22 also provides for award of the National Defense Service Medal (NDSM). The NDSM may be awarded for both active and reserve service, as defined by section 10 USC 10143. It is awarded for honorable active service for any period between (dates inclusive)

- 27 June 1950 and 27 July 1954 (Korea).
- 1 January 1961 and 14 August 1974 (Vietnam).
- 2 August 1990 and 30 November 1995 (Persian Gulf).
- 11 September 2001 to 30 December 2022 (GWOT).

During the period for Persian Gulf, Servicemembers on active duty, members of the Selected Reserve in good standing, and Servicemembers of other than the Selected Reserve who were called to active duty will also be eligible. Servicemembers in the following categories will not be eligible for the NDSM:

- Any Servicemember on active duty for the sole purpose of undergoing a physical examination.
- Any Soldier of the Individual Ready Reserve, Inactive National Guard, or the Standby or Retired Reserve whose active duty service was for training only or to serve on boards, courts, commissions, and like organizations.

4. AR 635-8 (Separation Processing and Documents), currently in effect, states:

a. The DD Form 214 is a summary of the Soldier's most recent period of continuous active duty. It provides a brief, clear-cut record of all current active, prior active, and prior inactive duty service at the time of release from active duty, retirement, or discharge; awards given after the end of the report are not reflected on the DD Form 214 unless they specifically pertain to the period covered by the report.

b. Paragraph 5-6r (1) (g) (Rules for Completing the DD Form 214 – Block 18 (Remarks) – Mandatory Entry) states, for active duty Soldiers, list any/all OCONUS (outside the continental United States) deployments completed during the period of the DD Form 214. The entry should state, "SERVICE IN (NAME OF COUNTRY DEPLOYED) FROM (inclusive dates)."

//NOTHING FOLLOWS//