

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 4 June 2024

DOCKET NUMBER: AR20230012781

APPLICANT REQUESTS: in effect, a correction to his DD Form 214 (Certificate of Release or Discharge from Active Duty) for the period ending 26 June 1993, by adding the following:

- Armor Association Award
- two Certificates of Appreciation
- three Army Achievement Medals (AAM)
- two Certificates of Achievement
- two Guardian of Freedom certificates
- two deployments

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

- DD Form 149 (Application for Correction of Military Record)
- a letter from the applicant
- MOS 19K Certificate, 14 June 1991
- the Armor Association Award, 14 June 1991
- Certificate of Appreciation, 15 February 1992
- AAM, 7 February 1992
- Certificates of Achievement, 18 March 1992 and 13 July 1992
- Guardian Of Freedom certificate, 20 December 1992
- Certificate of Appreciation, 25 February 1993
- Guardian Of Freedom certificate, 1 March 1993
- AAM Orders Number 57-006, 20 March 1993
- AAM Orders Number 56-001, 10 June 1993
- a partial DA Form 2-1 (Personnel Qualification Record)
- DD Form 214
- Department of Veterans Affairs (VA) letter, 14 August 1995
- Orders Number 219-042, 13 November 1998
- NGB (National Guard Bureau) Form 22 (Department of the Army and the Air Force NGB Report of Separation and Record of Service)
- NGB Form 55 (Honorable Discharge Certificate for the Army National Guard), 16 November 1998

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, in effect, he is requesting that all his awards, achievements and deployments be added to his military record. He has tried to correct his records in the past and he was unsuccessful. He has included copies of all documents needed for the Board to make the corrections he has requested. Correcting his records never seemed like a priority before, but now that he is a grandfather, he would like for his family to have a record of his service.
3. Army Regulation 635-8 (Separation Processing and Documents), the regulation that governs the DD Form 214 requires an entry to all Federally recognized awards and badges. It does not have a provision to list Certificates of Achievement, Appreciation or Recognition, Guardian of Freedom Certificates and the Armor Association Award. As a result, this portion of the applicant's request will not be discussed further in this Record of Proceedings.
4. The applicant provides:
 - a. An AAM Certificate, 7 February 1992, for meritorious service from 21 January 1992 to 14 February 1992; no permanent orders are listed on this certificate.
 - b. An AAM Certificate, 20 March 1993, for meritorious service from 13 January to 3 March 1993, by Permanent Order Number 57-006 issued by Headquarters, 3rd Battalion, 8th Cavalry, Fort Hood, TX.
 - c. DA Form 638 (recommendation for Award), 10 June 1993, awarding him the Army Achievement Medal for meritorious service from June 1990 to June 1993 by Permanent Order Number 56-001 issued by Headquarters, 3rd Battalion, 8th Cavalry, Fort Hood, TX.
 - d. A letter from the VA dated 14 August 1995, states in effect, he is to complete part I of the Persian Gulf Registry Code Sheet before his next appointment.
 - e. Orders Number 219-042 dated 13 November 1998 reflects he was being honorably discharged from the Army National Guard and as a Reserve of the Army on 16 November 1998.

f. NGB Form 22 for the period ending on 16 November 1998 shows he has honorably discharged. He served 3 years, 2 months, 9 days of net service this period. This document does not reflect any AAMs.

g. NGB Form 55 shows he has honorably discharged from the Army National Guard on 16 November 1998.

5. The applicant's service record reflects the following information:

a. The applicant's DD Form 4 (Enlistment Reenlistment Document United States Army) shows he enlisted in the Regular Army on 21 February 1991, for 2 years and 18 weeks. He held military occupational specialty 19K, M-1 Armor Crewman.

b. His DA Form 2-1 does not reflect any oversea service.

c. The applicant's DD Form 214 shows he was honorably released from active duty on 26 June 1993 due to expiration of his term of service. He completed 2 years, 4 months, and 6 days of net active service this period. This document also shows in:

- item 12f (Foreign Service): 0 years, 0 months, 0 days
- item 13 (Awards and Decorations): National Defense Service Medal, Army Service Ribbon, Expert Badge Pistol, Expert Badge Grenade, Army Lapel Button
- item 18 (Remarks) no listing of deployments.

d. The applicant enlisted in the Army National Guard from 8 September 1995, and he was honorably separated on 16 November 1998.

6. An email from the Defense Finance Accounting Service shows that the applicant served in Kuwait from 20 October 1992 to 31 March 1993.

BOARD DISCUSSION:

After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that partial relief was warranted. The applicant's contentions, the military record, and regulatory guidance were carefully considered.

a. The evidence shows the applicant was awarded two awards of the Army Achievement Medal as evidenced by the Permanent Orders that announced the two awards. The certificate he provides does not contain permanent order.

b. The evidence shows the applicant served in Kuwait from 20 October 1992 to 31 March 1993, as evidenced by the DFAS email. The Board found no evidence of a second deployment.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

: : : GRANT FULL RELIEF

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: : : GRANT FORMAL HEARING

: : : DENY APPLICATION

BOARD DETERMINATION/RECOMMENDATION:

1. In addition to the correction addressed in Administrative Note(s) below, 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 adding to his DD Form 214

- Block 13, the Army Achievement Medal (2nd Award)
- Block 18, Service in Kuwait 20 October 1992 to 31 March 1993.

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 adding a third award of the Army Achievement Medal or a second deployment.

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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):

A review of the applicant's records shows he has foreign service and is authorized additional awards not listed on his DD Form 214 for the period ending 26 June 1993. As a result, amend his DD Form 214 as follows:

- a. Item 12f (Foreign Service) Amend to read: "00 years, 05 months, 12 days".
- b. Item 13 (Awards) by adding the following awards: Southwest Asia Service Medal and Army Achievement Medal (2nd Award)
- c. Item 18 (Remarks): Amend to read: "Service in Kuwait: 20 October 1992 through 31 March 1993".

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. Chapter 3-20 Army Achievement Medal. The AAM was established by the SECARMY, 10 April 1981, as announced in AGO 1990-15. The AAM is awarded to any member of the Armed Forces of the United States, or to any member of the armed forces of a friendly foreign nation, who distinguished himself or herself by meritorious service or achievement of a lesser degree than required for award of the ARCOM.
3. Army Regulation 635-8 (Separation Documents) in effect at the time, states that the DD Form 214 will reflect the conditions and circumstances that existed at the time the records were created. The purpose of the separation document is to provide the individual with documentary evidence of his or her military service at the time of release from active duty, retirement, or discharge. It is important that information entered on the form be complete and accurate and reflects the conditions as they existed at the time of separation. In addition Certificates of Achievement, Appreciation or Recognition, are not authored entries on the DD Form 214.
4. Army Regulation 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. 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.

//NOTHING FOLLOWS//