

IN THE CASE OF: [REDACTED]

BOARD DATE: 11 July 2024

DOCKET NUMBER: AR20230012986

APPLICANT REQUESTS: correction of his DD Form 214 (Certificate of Release or Discharge from Active Duty) for the period ending 31 August 1991 by adding to item 13 (Decorations, Medals, Badges, Citations and Campaign Ribbons Awarded or Authorized):

- Meritorious Service Medal (MSM)
- Certifications of two foreign airborne operations
- Army Commendation Medal (ARCOM)
- Kuwait Liberation Medal-Government of Kuwait (KLM-KU)

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

- Two DD Forms 149 (Application for Correction of Military Record)
- Arabic School of Rangers Certification of Joint Training and the Parachute Jump, dated 16 February 1984
- Philippine and United States (US) Special Forces (SF) Joint Field Training Certification, dated 10 May 1985
- Philippine Joint Airborne Operations Certification, dated 10 May 1985
- Permanent Orders 200-96 for the ARCOM, dated 26 October 1989
- DA Form 638-1 (Recommendation for Award) (page 1), dated 1 October 1991
- The MSM Certificate, dated 5 November 1991

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 that he is requesting the MSM, the ARCOM, the KLM-KU, and the certifications from his foreign airborne operations to be added to his DD form 214, for the period ending 31 August 1991. The aforementioned awards and badges were not annotated on his DD Form 214 at the time of his retirement.

3. The applicant provides the following documents:

a. A document, dated 16 February 1984, in which he was issued a translation for his Arabic School of Rangers Certification of Joint Training and the Parachute Jump, that shows he successfully completed the training for the period of 11 August to 29 August 1983.

b. A certificate for participating in the Philippine and United States (US) Special Forces (SF) Joint Field Training, at Fort Magsaysay in the Republic of the Philippines, for the period of 13 April 1985 to 10 May 1985.

c. The Novice Parachutist Certification, for his participation in the Philippine Joint Airborne Operations with the elements of the Special Operations School, dated 10 May 1985.

d. DA Form 638-1 (Recommendation for Award) (page 1), dated 1 October 1991, shows the applicant was recommended to receive the MSM for exceptionally meritorious service during his 20 year career. This is a partial document and does not provide the permanent orders number.

e. On 5 November 1991, he was presented with the MSM Certificate for outstanding meritorious service from 1 September 1981 to 31 August 1991. This document does not provide Orders for this award.

4. The applicant is authorized additional awards not currently listed on his DD Form 214 in addition to the KLM-KU. Therefore, these awards will be administratively corrected in the "Administrative Notes" section of this document without the need for Board action and will not be discussed further in these proceedings.

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

a. The applicant's DD Form 4 (Enlistment Contract – Armed Forces of the United States) shows he enlisted in the Regular Army on 16 August 1971, followed by multiple reenlistments.

b. Permanent Orders 200-96, dated 26 October 1989, reflect he was awarded the ARCOM for the period of 24 November 1986 to 29 August 1989. This award is not reflected in the applicant's DD Form 214, therefore it will be administratively corrected in the "Administrative Notes" section of this document without Board action and will not be discussed further in these proceedings.

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

- item 5 (Oversea Service): 28 August 1990 through 25 March 1991 Asia, Middle East, and Africa (AMEA) Saudi Arabia, 7 months
- item 9 (Awards and Decorations): this document does not reflect the MSM

d. His DD Form 214 shows he was honorably retired on 31 August 1991. He completed 13 years, 8 months, 1 day of net service during this period and 6 years, 4 months, 14 days of total prior active service, with 4 years, 6 months of foreign service. Additionally, this document shows in item 18 (Remarks) "Service in Southwest Asia from 28 August 1990 through 24 March 1991" This document does not reflect the MSM, KLM-SA, KLM-KU, or the ARCOM.

BOARD DISCUSSION:

1. After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found partial relief is warranted.
2. The Board found the MSM documents provided by the applicant sufficient to confirm he was awarded the medal as his retirement award. The Board determined the MSM should be added to his DD Form 214.
3. The governing regulation stated the Philippine Parachutist Badge was honorary and not authorized for wear on the U.S. Army uniform. Also, the regulation governing preparation of the DD Form 214 did not provide for documenting foreign certificates of training on the form. The Board determined there is no basis for adding an entry to the applicant's DD Form 214 documenting participation in Saudi or Philippine airborne operations on his DD Form 214.
4. The Board found the evidence sufficient to confirm the applicant was authorized the Saudian Parachutist Badge. Unlike the Philippine Parachutist Badge, the Saudian Parachutist Badge was authorized for acceptance and wear. The Board determined this badge should be added to his DD Form 214.
5. The Board concurred with the corrections described in Administrative Note(s) below.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

:	:	:	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 adding the MSM and Saudian Parachutist Badge to his DD Form 214 and by making the corrections described in Administrative Note(s) below.
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 any relief in excess of that described above.

12/26/2024

X

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.

ADMINISTRATIVE NOTE(S):

A review of the applicant's records shows he is authorized additional awards not listed on his DD Form 214. As a result, amend his DD Form 214 by adding the following awards:

- Kuwait Liberation Medal-Saudi Arabia
- Kuwait Liberation Medal-Kuwait
- Army Commendation Medal

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 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.

3. Army Regulation 600-8-22 (Military Awards) prescribes Army policy, criteria, and administrative instructions concerning individual and unit military awards.

a. The KLM-SA is awarded by the Government of Saudi Arabia to Service members of the Armed Forces of the United States and authorized by DOD on 3 January 1992. It is awarded to Service members of the Armed Forces of the United States who participated in Operation DESERT STORM between 17 January 1991 and 28 February 1991 in one or more of the following areas: Persian Gulf; Red Sea; Gulf of Oman; that portion of the Arabian Sea that lies north of 10 degree north latitude and west of 68 degree east longitude; the Gulf of Aden; or the total land areas of Iraq, Kuwait, Saudi Arabia, Oman, Bahrain, Qatar, and the United Arab Emirates.

b. The KLM-KU is awarded by the government of Kuwait to Service members of the Armed Forces of the United States and authorized by DOD on 7 August 1995. It is awarded to Service members 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 in one or more of the following areas: the Arabian Gulf; the Red Sea; the Gulf of Oman; that portion of the Arabian Sea that lies north of 10 degree north

latitude and west of 68 degree east longitude; the Gulf of Aden; or the total land areas of Iraq, Kuwait, Saudi Arabia, Oman, Bahrain, Qatar, and the United Arab Emirates.

c. Table D-1 of the regulation in effect at the time provided that the Philippines Parachutist Badge was honorary and not allowed for wear on the U.S. Army uniform.

d. Table D-1 shows the Saudian Parachutist Badge is authorized for acceptance and wear.

e. The Meritorious Service Medal is awarded to any service member of the Armed Forces of the United States or to any member of the armed forces of a friendly foreign nation who has distinguished himself or herself by outstanding meritorious achievement or service.

4. Army Regulation 635-5 (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.

//NOTHING FOLLOWS//