

IN THE CASE OF: [REDACTED]

BOARD DATE: 22 August 2024

DOCKET NUMBER: AR20230013510

APPLICANT REQUESTS: correction of his DD Form 214 (Certificate of Release or Discharge from Active Duty) ending 3 March 1993 to show:

- Army Commendation Medal with "V" device
- Southwest Asia Service Medal
- Kuwait Liberation Medal
- deployment dates to Southwest Asia

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

- DD Form 149 (Application for Correction of Military Record)
- DD Form 214
- Department of Veterans Affairs (VA) Form 21-4138 (Statement in Support of Claim) (third-party statement)

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 the requested awards are missing on his DD Form 214.
3. The Board will only consider the applicant's request for the Army Commendation Medal with "V" device, as there is sufficient evidence to justify an administrative correction to the applicant's DD Form 214 to address the remaining portions of his request.
4. The applicant enlisted in the Regular Army on 17 January 1984.
5. The Defense Manpower Data Center (DMDC) compiled the Operations Desert Shield/Desert Storm database. The primary Operations Desert Shield/Desert Storm file contains one record for each active duty member who participated in theater between

2 August 1990 and 31 July 1991. A Phase II file lists active duty personnel who served in theater between 1 August 1991 and 31 December 1993. This database shows the applicant served in Southwest Asia from 2 October 1990 to 18 March 1991.

6. The applicant's DA Form 2-1 (Personnel Qualification Record – Part II) shows in item 5 (Oversea Service) he served in Korea from 21 August 1992 to 20 August 1993 (1 year).

7. The applicant's DD Form 214, as corrected by a DD Form 215 (Correction to DD Form 214), dated 26 April 1995, shows he was honorably discharged on 3 March 1993.

a. Block 13 (Decorations, Medals, Badges, Citations and Campaign Ribbons Awarded or Authorized) of his DD Form 214 does not show awards authorized for his service in Southwest Asia and Korea or the Army Commendation Medal with "V" device.

b. Block 18 (Remarks) of the DD Form 214 does not show his deployment dates to Southwest Asia.

7. There are no orders or any other evidence in the applicant's available records showing he was awarded or recommended for the Army Commendation Medal with "V" device.

8. The applicant provided a VA Form 21-4138, which he obtained from a former member of his unit, attesting to the applicant's service in Southwest Asia.

BOARD DISCUSSION:

After reviewing the application and all supporting documents, the Board determined partial relief was warranted. The applicant's contentions, the military record, and regulatory guidance were carefully considered. Based upon the available documentation failing to show the applicant was submitted for and was awarded the ARCOM with V device, the Board concluded there was insufficient evidence of an error or injustice warranting adding the adding.

However, based upon the administrative notes below from the analyst of record, the Board recommends those changes be completed to more accurately reflect the military service of the applicant.

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 information annotated below in the administrative notes to more accurately reflect the military service of the applicant.

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 awarding and adding the ARCOM with V device.

2/13/2025

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): administratively correct the following blocks of the applicant's DD Form 214 ending 3 March 1993:

a. Block 13 to show the:

- Korea Defense Service Medal
- Southwest Asia Service Medal with two bronze service stars
- Kuwait Liberation Medal-Saudi Arabia
- Kuwait Liberation Medal-Kuwait

b. Block 18 to show the entry: SERVICE IN SOUTHWEST ASIA 19901002-19910318

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) states:

a. The Army Commendation Medal may be awarded to any member of the Armed Forces of the United States who, while serving in any capacity with the Army after 6 December 1941, distinguishes himself or herself by heroism, meritorious achievement, or meritorious service. As with all personal decorations, formal recommendations, approval through the chain of command, and announcement in orders are required.

b. The bronze "V" device indicates acts of heroism involving conflict with an armed enemy and authorizes the device in conjunction with awards of the Army Commendation Medal, the Air Medal, and the Bronze Star Medal.

c. The Korea Defense Service Medal is authorized for award to members of the Armed Forces of the United States who have served on active duty in support of the defense of the Republic of Korea. The period of eligibility is 28 July 1954 to a date to be determined by the Secretary of Defense.

d. 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)

e. The Kuwait Liberation Medal awarded by the Kingdom of Saudi Arabia 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 and 28 February 1991.

f. The Kuwait Liberation Medal awarded by the Government of Kuwait 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.

3. Army Regulation 635-8 (Separation Processing and Documents) prescribes the separation documents prepared for Soldiers upon retirement, discharge, or release from active military service or control of the Army. It established standardized policy for the preparation of the DD Form 214. It states for:

a. Block 13, list awards and decorations for all periods of service in the priority sequence specified in Army Regulation 600-8-22.

b. Block 18, for an active duty Soldier deployed to a foreign country with their unit during their continuous period of active service, enter the statement "SERVICE IN (name of country deployed) FROM (inclusive dates for example, YYYYMMDD-YYYYMMDD)."

//NOTHING FOLLOWS//