

IN THE CASE OF: [REDACTED]

BOARD DATE: 6 December 2024

DOCKET NUMBER: AR20240002477

APPLICANT REQUESTS: correction to his DD Form 214 (Certificate of Release or Discharge from Active Duty) to reflect award of the Southwest Asia Service Medal for service in Saudi Arabia from August 1990 to March 1991.

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

- DD Form 149 (Application for Correction of Military Record)
- DD Form 1610 (Request and Authorization for Temporary Duty (TDY) Travel of DoD Personnel), dated 21 August 1990
- Orders Number 08-671 excerpt, dated 24 August 1990
- DD Form 214 effective 25 April 1997

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 he served in Saudi Arabia in support of Operation Desert Shield but was never out processed properly from Camp Lejeune, North Carolina. It took a long time for him to receive his DD Form 214 and he subsequently noticed he was missing awards and credit for his deployment.
3. The applicant provides the DD Form 1610, dated 21 August 1990 showing authorization for his TDY travel from Fort Benning, Georgia to Operation Desert Shield and return to Form Benning, Georgia with a report date of 24 August 1990 for a period of approximately 179 days. The excerpt of Orders #08-671 only contains a list of names.
4. A review of the applicant's available service record reflects the following:
 - a. He enlisted in the Regular Army on 9 June 1982.

b. His DA Form 2-1 (Personnel Qualification Record – Part II), does not include a foreign service location. Block 9 (Awards, Decorations, & Campaigns) shows:

- National Defense Service Medal
- Army Service Ribbon
- Good Conduct Medal (4th Award)
- Army Commendation Medal
- Army Achievement Medal

c. On 10 July 1995, charges were preferred against the applicant for misconduct in November and December 1994. His punishment included confinement and discharge with a bad conduct discharge.

d. He was discharged on 25 April 1997 with a bad conduct characterization of service. His DD Form 214 shows he completed 14 years, 3 months, and 13 days of active service with 213 days of lost time due to confinement. It also shows:

- Block 12f (Foreign Service): 0000 00 00
- Block 13 (Decorations, Medals, Badges, Citations, and Campaign Ribbons Awarded or Authorized):
 - Army Commendation Medal
 - Army Achievement Medal (4th Award)
 - Army Good Conduct Medal (4th Award)
 - National Defense Service Medal
 - Noncommissioned Officer Professional Development Ribbon
 - Army Service Ribbon
- Block 18 (Remarks): no deployment identified

5. The Defense Manpower Data Center (DMDC) compiled the Desert Shield/Storm Data Base. The primary Desert Shield/Storm file contains one record for each active duty member who participated in-theater between 2 August 1990 and 31 July 1991. This file shows the applicant served in Southwest Asia from 1 September 1990 to 29 March 1991, a period of 6 months and 29 days.

6. By regulation, (AR 635-5) 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. The information entered thereon reflects the conditions as they existed at the time of separation.

a. Item 12f (Foreign Service) will show the total amount of foreign service performed during the period covered by block 12c (Net Active Service This Period).

b. Item 18 (Remarks), for Soldiers who deployed with his or her unit during their continuous period of active service, enter a statement "SERVICE IN (name of country deployed) FROM (inclusive dates for example, YYYYMMDD-YYYYMMDD)."

7. By regulation (AR 600-8-22):

a. The Southwest Asia Service Medal is awarded to members of the Armed Forces of the United States who participated in Operations Desert Shield/Desert Storm in the designated area 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)

b. The Kuwait Liberation Medal awarded by the Kingdom of Saudi Arabia (KLM-SA) 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 1991 and 28 February 1991.

c. The Kuwait Liberation Medal awarded by the Government of Kuwait (KLM-K) 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.

BOARD DISCUSSION:

After reviewing the application and all supporting documents, the Board determined relief was warranted. The applicant's contentions, the military record, and regulatory guidance were carefully considered. Based upon the information reflected in the DMDC database, the Board concluded there was sufficient evidence to grant the requested relief.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

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

BOARD DETERMINATION/RECOMMENDATION:

The Board determined the evidence presented is sufficient to warrant a recommendation for relief. As a result, the Board recommends that all Department of Army records of the individual concerned be corrected by amending the applicant's DD Form 214 by:

- awarding and adding the Southwest Asia Service Medal
- awarding and adding the Kuwait Liberation Medal awarded by the Kingdom of Saudi Arabia (KLM-SA)
- awarding and adding the Kuwait Liberation Medal awarded by the Government of Kuwait (KLM-K)
- changing block 12f to reflect: "0000 06 29"
- adding to block 18: "SERVICE IN SAUDI ARABIA FROM 19900901-19910329"

12/27/2024

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.

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 635-5 (Separation Documents), in effect at the time, 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. The information entered thereon reflects the conditions as they existed at the time of separation.

a. Item 12f (Foreign Service) will show the total amount of foreign service performed during the period covered by block 12c (Net Active Service This Period).

b. Item 18 (Remarks), for Soldiers who deployed with his or her unit during their continuous period of active service, enter a statement "SERVICE IN (name of country deployed) FROM (inclusive dates for example, YYYYMMDD-YYYYMMDD)."

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

a. The Southwest Asia Service Medal is awarded to members of the Armed Forces of the United States who participated in Operations Desert Shield/Desert Storm in the designated area 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:

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//NOTHING FOLLOWS//