

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 28 October 2024

DOCKET NUMBER: AR20240004444

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

- Army Achievement Medal
- Southwest Asia Service Medal
- Humanitarian Service Medal
- Driver and Mechanic Badge
- Expert Marksmanship Qualification Badge with Rifle, Machine Gun, and Grenade Bars
- Kuwait Liberation Medal – Saudi Arabia
- Kuwait Liberation Medal – Government of Kuwait

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

- DD Form 149 (Application for Correction of Military Record)
- Temporary Duty Orders
- Reassignment Orders
- DA Form 4187 (Personnel Action)
- DA Form 4980-18 (Army Achievement Medal Certificate)
- DA Form 638 (Recommendation for Award of Army Achievement Medal (AAM), Army Commendation Medal (ARCOM), and Meritorious Service Medal (MSM))) (first page only)
- DA Form 638T (Recommendation for Award of MSM and Below)
- DD Form 214

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 proudly earned the above cited awards and would like them reflected on his DD Form 214.

a. When he separated from the Army, the applicant brought up the fact that some awards were missing from his DD Form 214, but because his unit had already deployed to Somalia, they told him he needed to wait until his unit returned. Unfortunately, the unit redeployed after he left.

b. On his DD Form 149, the applicant has checked the box for PTSD (post-traumatic stress disorder), and he states, in order to receive treatment for his PTSD, he needs his DD Form 214 to show he deployed to Southwest Asia. He points out that he received an Army Commendation Medal for his service in Operations Desert Shield/Desert Storm, and the Army Achievement Medal was for his participation in humanitarian efforts after Hurricane Andrew.

3. The applicant's requested relief for adding the Army Achievement Medal and Humanitarian Service Medal are supported by sufficient evidence; as a result, that portion of the requested relief will be addressed in the "ADMINISTRATIVE NOTE(S)" section and will not be considered by the Board. With regard to his request to add the Expert Marksmanship Qualification Badge with Rifle Bar, his DD Form 214 already shows this award; as such, no correction is required.

4. A review of the applicant's service record shows the following:

a. On 20 September 1990, the applicant enlisted into the Regular Army for 2 years and 21 weeks. Following the completion of basic combat training, orders transferred the applicant to Fort Lee, VA (now renamed Fort Gregg-Adams) for advanced individual training in military occupational specialty (MOS) 77F (Petroleum Supply Specialist); the U.S. Army Quartermaster School awarded him the MOS, on 1 February 1991.

b. The applicant supplies orders, which, while not showing the applicant by name, indicate that the U.S. Army Combined Arms Support Command sent Soldiers on temporary duty (deployment) to ARCENT (The U.S. Army Central Command) in support Operation Desert Storm; the Soldiers were to proceed, on 10 February 1991. On or about 18 February 1991, the applicant arrived at the 240th Supply and Service (S&S) Company (a fuel supply unit within the 2nd Corps Support Command, 1st Armored Division).

(1) Effective 1 March 1991, the 240th S&S leadership promoted him to specialist (SPC)/E-4.

(2) On 16 March 1991, the applicant's 240th S&S platoon sergeant submitted a DA Form 638T, recommending the applicant for the Army Commendation Medal, based on the applicant's service between 18 February and 10 March 1991. The recommendation cited four achievements, which included that the applicant was "assigned to augment the POL (Petroleum, Oil, and Lubricants) Platoon on their fuel

mission," and the applicant "participated in fuel mission taskings in support of Operation Desert Storm in Saudi Arabia and Iraq." On 7 April 1991, the 7th Corps Support Group issued a Permanent Order, awarding the applicant the Army Commendation Medal.

c. In or around April 1991, the applicant returned Fort Gregg-Adams, and permanent change of station orders reassigned him to Fort Drum, NY; he arrived at his new unit, on or about 13 May 1991. On 14 February 1993, the Army honorably released the applicant from active duty, based on having reached the expiration of his term of service. His DD Form 214 shows he completed 2 years, 4 months, and 25 days of net active duty service.

(1) Item 12f (Foreign Service) reflects no service completed outside the continental United States.

(2) Item 13 (Decorations, Medals, Badges, Citations, and Campaign Ribbons Awarded or Authorized) lists the following: Army Service Ribbon, National Defense Service Medal, Army Commendation Medal, Army Lapel Button, and Expert Marksmanship Qualification Badge with Rifle Bar.

(3) Item 18 (Remarks) does not show the applicant's deployment to Southwest Asia.

d. A review of item 9 (Awards, Decorations, and Campaigns) on the applicant's DA Form 2-1 (Personnel Qualification Record – Part II) does not indicate the applicant received Expert Marksmanship Qualification Badges for either the M-60 machine gun or the grenade, and there is no entry confirming the award of the Driver and Mechanic Badge. Additionally, the applicant's available service record is void of Permanent Orders for the Driver and Mechanic Badge.

5. The Defense Manpower Data Center (DMDC) compiled a listing (Gulf War Operations Desert Shield/Desert Storm Database Roster), which identifies Soldiers who were scheduled for and may have completed deployed service in support of Operations Desert Shield/Desert Storm. The roster states Soldiers' deployment dates and their assigned units and has been used to verify Southwest Asia service. This listing states the applicant was in Southwest Asia with the 1st Armored Division, from 16 March to 15 May 1991.

6. The ABCMR does not grant requests 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:

1. After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that partial relief was warranted. The Board carefully considered the applicant's record of service, documents submitted in support of the petition and executed a comprehensive and standard review based on law, policy and regulation. Upon review of the applicant's request and available military records, the Board determined there is sufficient evidence to support correction of his DD Form 214 to show awards for his deployment to the Persian Gulf War. However, the Board found insufficient evidence to show the applicant met the qualification for the Driver and Mechanic Badge. The applicant's available service record is void of Permanent Orders for the Driver and Mechanic Badge. Based on the Gulf War roster and sufficient evidence to support the applicant's request for correction to his DD Form 214, partial relief is granted.

2. Prior to closing the case, the Board did note the analyst of record administrative notes below, and recommended the correction is completed to more accurately depict 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. In addition to the administrative notes annotated by the Analyst of Record (below the signature), 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 by entering:

- in item 12f (Foreign Service) "02 months 15 days."
- in item 13 ((Decorations, Medals, Badges, Citations and Campaign Ribbons Awarded or Authorized) –
 - Southwest Asia Service Medal
 - Kuwait Liberation Medal – Saudi Arabia
 - Kuwait Liberation Medal – Government of Kuwait
- in item 18 (Remarks) "SERVICE IN SOUTHWEST ASIA FROM 16 March to 15 May 1991."

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 award of the Driver and Mechanic Badge.

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):

1. Permanent Orders Number 01-09, dated 21 June 1993, awarded the applicant the Army Achievement Medal for his participation in Hurricane Andrew Disaster Relief.
2. The Department of Defense has published a list of approved operations that qualify for the Humanitarian Service Medal; the list includes two qualifying periods of Hurricane Andrew Disaster Relief.

3. Based on the foregoing, amend the applicant's DD Form 214, ending 14 February 1993, by adding the Army Achievement Medal and Humanitarian Service 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 (AR) 600-8-22 (Military Awards), currently in effect, states:

a. The Southwest Asia Service Medal is awarded to all Service members who served in Southwest Asia between 2 August 1990 and 30 November 1995.

b. The Kuwait Liberation Medal – Saudi Arabia 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 – Government of Kuwait 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. AR 672-5-1 (Military Awards), in effect at the time, stated:

a. The Driver and Mechanic Badge was awarded to denote the attainment of a high degree of skill in the operation and maintenance of motor vehicles. Eligibility requirements were as follows; the Soldier had to:

- Be qualified for and possess a current U.S. government motor vehicle operator's identification card; and
- Have performed assigned duty as a driver or assistant driver of Army vehicles for at least a 12-month period, or for a duration of at least 8,000 miles, and had no accidents; or
- Have performed satisfactorily for a minimum period of 1 year as an active qualified driver instructor or motor vehicle examiner

b. Basic marksmanship qualification badges were awarded to indicate the degree in which a Soldier had qualified in a prescribed record course and an appropriate bar was furnished to denote each weapon with which he/she qualified. Each bar was to be attached to the basic badge which indicated the level of qualification last attained with

the respective, weapon. Basic qualification badges were of three classes. Expert, Sharpshooter, and Marksman. Weapons component bars included Rifle, Machine Gun, and Grenade. Permanent badges, except for basic marksmanship qualifications, are announced in permanent orders.

3. AR 15-185 (Army Board for Correction of Military Records (ABCMR)), currently in effect, states:

a. Paragraph 2-2 (ABCMR Functions). The ABCMR decides cases on the evidence of record; it is not an investigative body.

b Paragraph 2-9 (Burden of Proof) states:

(1) The ABCMR begins its consideration of each case with the presumption of administrative regularity (i.e., the documents in an applicant's service records are accepted as true and accurate, barring compelling evidence to the contrary).

(2) The applicant bears the burden of proving the existence of an error or injustice by presenting a preponderance of evidence, meaning the applicant's evidence is sufficient for the Board to conclude that there is a greater than 50-50 chance what he/she claims is verifiably correct.

//NOTHING FOLLOWS//