

IN THE CASE OF: [REDACTED]

BOARD DATE: 24 April 2025

DOCKET NUMBER: AR20240007587

APPLICANT REQUESTS: in effect, correction of his DD Form 214 (Certificate of Release or Discharge from Active Duty) to show his foreign service in Kuwait/Iraq, that he served in a hazardous duty area, and earned awards during his deployment.

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

- DD Form 149 (Application for Correction of Military Record)
- DD Form 214
- Army Commendation Medal (ARCOM) Certificate

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 his country honorably in Kuwait and Iraq where he was deployed. His DD Form 214 has no mention of his deployment or show the awards he earned. He states that he deserves this change not only for the purpose of benefits, but most important for the honorary service he rendered to our country.
3. The applicant provided a copy of his ARCOM Certificate, Permanent Orders #105-038, dated 24 June 1991, for his meritorious achievement in contributing greatly to the preparation for combat operations in Tactical Assembly Area Garcia from 17 January to 28 February 1991 during Operation Desert Storm.
4. A review of the applicant's service record shows:
  - a. He enlisted in the Regular Army on 26 June 1990.
  - b. His DA Form 2-1 (Personnel Qualification Record) shows he served in Germany

from 14 December 1990 through 24 April 1992. Foreign service in Kuwait/Iraq is not listed.

c. He was honorably discharged from active duty on 25 June 1994. His DD Form 214 shows he completed 4 years of active service. It also shows he was awarded or authorized:

- Army Service Ribbon
- Army Label Button
- National Defense Service Medal
- Overseas Service Ribbon
- Army Good Conduct Medal
- Army Achievement Medal (3OLC)
- Army Commendation Medal (2OLC)
- Marksmanship Qualification Badge with Rifle Bar (M-16)
- Expert Marksmanship Qualification Badge with Hand Grenade

5. The applicant's name is listed on the Gulf War Operations Desert Shield/ Desert Storm Data Base Roster, a list compiled by Defense Manpower Data Center with service dates from 1 January 1991 to 3 May 1991.

#### BOARD DISCUSSION:

After reviewing the application, the Board carefully considered the applicant's record of service, documents submitted in support of the petition and executed a comprehensive review based on law, policy, and regulation. The Board determined there was sufficient evidence to warrant relief. Based on the Gulf War Operations Desert Shield/Storm Data Base Roster, evidence shows he served in a hazardous duty area in Kuwait/Iraq from 1 January 1991 through 3 May 1991. The Board also granted relief to correct the applicant's record to reflect he received the following awards: Kuwait Liberation Medal – Kuwait, Kuwait Liberation Medal – Saudia Arabia, and Southwest Asia Service Medal with three bronze service stars, that he was entitled to additional foreign service time of 4 months and 3 days while in Kuwait/Iraq from 1 January 1991 to 3 May 1991.

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 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, for the period ending 24 June 1994 by:

- Amending item 13 to add: Kuwait Liberation Medal – Kuwait, Kuwait Liberation Medal – Saudia Arabia, and Southwest Asia Service Medal with three bronze service stars
- Amending item 12f to add: 4 months and 3 days
- Adding item 18 to add: "Service in Kuwait/Iraq from 19910101 to 19910503"

5/5/2025

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CHAIRPERSON

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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.

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 (ABCMR) 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, which is that what the Army did was correct. The ABCMR is not an investigative body and decides cases based on the evidence that is presented in the military records provided and the independent evidence submitted with the application. The applicant has the burden of proving an error or injustice by a preponderance of the evidence.
3. Army Regulation 635-5, 30 September 2000, prescribed the separation documents that must be prepared for Soldiers upon retirement, discharge, or release from active duty service or control of the Active Army. It established standardized policy for preparing and distributing the DD Form 214. The specific instructions for an active duty Soldier deployed with his or her unit during their continuous period of active service stated to enter "SERVICE IN (name of country deployed) FROM (inclusive dates for example, YYYYMMDD-YYYYMMDD)" in the remarks block.
4. Army Regulation 600-8-22 (Military Awards) provides Army policy, criteria, and administrative instructions concerning individual military decorations.
  - a. 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.
  - 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 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)

//NOTHING FOLLOWS//