

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 27 February 2025

DOCKET NUMBER: AR20240007821

APPLICANT REQUESTS: Correction of his DD Form 214 (Certificate of Release or Discharge from Active Duty) to show his deployment to Southwest Asia and all authorized service medals.

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

- DD Form 149 (Application for Correction of Military Record)
- 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 while a member of the 101st Airborne Division, he deployed to Southwest Asia in support of Operations Desert Shield/Desert Storm. Upon redeployment, he immediately began outprocessing and, on 5 July 1991, the Army honorably discharged him; he never received any service ribbons, and his DD Form 214 does not reflect his deployment. He is asking the Board to make this correction because he is seeking membership in the Veterans of Foreign Wars.
3. The applicant's complete service records are unavailable for review; the National Personnel Records Center was only able to provide a copy of the applicant's DD Form 214. With that document, the Board can address the applicant's request.
4. The applicant's DD Form 214 shows that, on 9 February 1984, he enlisted into the Regular Army; 5 July 1991, the Army honorably discharged him, based upon the completion of his required active service. The DD Form 214 shows the following additional information:
 - a. Item 12c (Record of Service – Net Active Service This Period) – 7 years, 4 months, and 27 days.

b. Item 12f (Foreign Service) – 6 months and 27 days.

c. Item 13 (Decorations, Medals, Badges, Citations, and Campaign Ribbons Awarded or Authorized):

- Army Good Conduct Medal (1st Award)
- Noncommissioned Officer Professional Development Ribbon
- Army Service Ribbon
- Expert Marksmanship Qualification Badge with Rifle and Hand Grenade Bars
- Army Lapel Button
- Army Achievement Medal
- Air Assault Badge

d. Item 18 (Remarks) – No entry showing a deployment to Southwest Asia.

5. A review of the Operations Desert Shield/Desert Storm Database compiled by the Defense Manpower Data Center (DMDC) contains an entry showing the applicant deployed to the Gulf region during the period 1 October 1990 to 15 April 1991 (a total of 6 months and 14 days). The DMDC database is a file that contains one record for each active duty member who deployed or was scheduled to deploy to the Southwest Asia Theater of Operations.

BOARD DISCUSSION:

After reviewing the application and all supporting documents, the Board found that relief was warranted. 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. Upon review of the applicants petition and available military records, the Board determined there is sufficient evidence to grant full relief, including an entry from the Defense Manpower Data Center (DMDC) indicating the applicant served in Southwest Asia from 1 October 1990 to 15 April 1991.

BOARD VOTE:

<u>Mbr 1</u>	<u>Mbr 2</u>	<u>Mbr 3</u>	
:XX	:XX	:XX	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 his DD Form 214, for the period ending 9 February 1984 to show in:

- item 12f (Foreign Service): 6 months and 14 days
- item 18 (Remarks): Service in Southwest Asia from 1 October 1990 to 15 April 1991



X //SIGNED//

CHAIRPERSON
Signed by:

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 (AR) 635-8 (Separation Processing and Documents), currently in effect, includes guidance for the DD Form 214 preparation. Regarding the inclusion of deployments in item 18 (Remarks), the regulation states, for active duty Soldiers, list any/all outside the continental United States (OCONUS) deployments completed during the period of the report.

3. AR 600-8-22 (Military Awards), currently in effect, states:

a. Paragraph 2-14 (Southwest Asia Service Medal). The Southwest Asia Service Medal is awarded to all Servicemembers of the Armed Forces of the United States serving in Southwest Asia on or after 2 August 1990 to 30 November 1995. One bronze service star is worn on service ribbon for participation in designated campaigns, which include the following:

- Defense of Saudi Arabia (2 August 1990 to 16 January 1991)
- Liberation and Defense of Kuwait (17 January 1991 to 11 April 1991)
- Cease-Fire (12 April 1991 to 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.

4. 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//