

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 9 February 2024

DOCKET NUMBER: AR20230007814

APPLICANT REQUESTS: correction of his DD Form 214 (Certificate of Release or Discharge from Active Duty), for the period ending 30 June 1993, to show he was awarded the following awards:

- Armed Forces Expeditionary Medal (AFEM) (El Salvador)
- Southwest Asia Service Medal with one bronze service star (SWASM)
- Kuwait Liberation Medal-Saudi Arabia (KLM-SA)
- Kuwait Liberation Medal-Kuwait (KLM-KU)
- Shoulder Sleeve Insignia-Former Wartime Service (SSI-FWTS)
- Combat Service Identification Badge (CSIB) (El Salvador and Persian Gulf)

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

- DD Form 149 (Application for Correction of Military Record), 5 April 2023
- DA Form 638 (Recommendation for Award), 9 July 1991 (Meritorious Service Medal (MSM) with 2nd Oak Leaf Cluster)
- DD Forms 1610 (Request and Authorization for TDY Travel of DOD Personnel), 13 November 1991, 24 December 1991, and 10 February 1992
- DA Forms 4187 (Personnel Action), 21 November 1991, 6 February 1992, and 31 March 1992
- Memorandum for Record (MFR), U.S. Army Materiel Agency, Frederick, Maryland, 22 April 1992, subject: Award Eligibility for Service in Southwest Asia RE--Soldiers Listed Below, 22 April 1992
- DD Form 214, for the period ending 30 June 1993

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:

a. After his retirement he learned about his eligibility for the AFEM for service in El Salvador and the SWASM for service during the Cease Fire Campaign 1991 to 1995.

b. Upon inquiry, he received an amended DD Form 214 from the personnel officer that processed his original DD Form 214.

c. Last year he received his documents via VetRecs and discovered the AFEM and SWASM and temporary duty dates were redacted from his DD Form 214.

c. His is eligible for the KLM for service in Kuwait and Saudi Arabia.

d. He is authorized to wear the Shoulder Sleeve Insignia (SSI) for Military Operations in Hostile Conditions and related Combat Service Identification Badge (CSIB).

3. The applicant's records contain sufficient evidence to support corrections not shown on his DD Form 214. His DD Form 214 will be administratively corrected to show the additional awards. The Board will consider the shoulder sleeve insignia and combat service identification badge.

4. The applicant provides:

a. A DA Form 638 showing he was awarded the MSM with 2 Oak Leaf Clusters.

b. A MFR issued by U.S. Army Materiel Agency, Frederick, Maryland, 22 April 1992, listing his name among other Soldiers authorized to wear SSI-FWTS and Overseas Service Bars.

5. A review of the applicant's service records shows:

a. Following previous enlisted service, he was appointed as a Reserve commissioned officer on 16 February 1982.

b. His records contain two DD Forms 1610:

- dated 24 December 1991, showing he was authorized travel for temporary duty in Kuwait from 9 January 1992 for approximately 23 days
- dated 3 January 1992, showing he was authorized travel for temporary duty in Saudi Arabia from an unspecified date for approximately 30 days

c. His records contain three DA Forms 4187 showing:

- on an illegible date he was authorized IDP (imminent Danger Pay) from 14 November 1991 to 21 November 1991 in Saudi Arabia
- on 6 February 1992, he was authorized IDP from 11 January 1992 to 17 January 1992 in Saudi Arabia; and from 17 January 1992 to 2 February in Kuwait
- on 31 March 1992, he was authorized IDP from 15 February 1992 to 19 March 1992 in Saudi Arabia

d. A MFR, dated 22 April 1992, authorizing him the SWASM (3rd Campaign) and SSI-FWT during his time in theater during Operation Desert Shield/Desert Storm.

e. His DA form 2-1 (Personnel Qualification Record) shows in:

- item 5 (Oversea Service): Alaska from 24 August 1976 to 6 December 1978
- item 35 (Record of Assignments): Egypt from 11 July 1984 to an unspecified date

f. His Officer Record Brief shows in Section I, he completed overseas duty in El Salvador for 12 months beginning in July 1991.

g. On 30 June 1993, he was honorably retired for length of service. His DD form 214 shows in:

(i) item 13 (Decorations, Medals, Badges, Citations and Campaign Ribbons Awarded or Authorized):

- Meritorious Service Medal (3rd Award)
- Army Commendation Medal (6th Award)
- Army Achievement Medal (4th Award)
- Joint Meritorious Unit Award
- Noncommissioned Officer Professional Development Ribbon with Numeral 2
- Army Good Conduct Medal (Second Award)
- National Defense Service Medal (2nd Award)
- SWASM with one bronze service star
- Army Service Ribbon
- Overseas Service Ribbon (3rd Award)
- Multinational Force and Overseas Medal (3rd Award)
- Expert Marksmanship Qualification Badge with Rifle and Hand Grenade Bar

(ii) item 18 (Remarks): no remarks for deployments

**BOARD DISCUSSION:**

1. After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that a portion of relief was warranted. The applicant's contentions, the military record, and regulatory guidance were carefully considered. The evidence of record shows the applicant received imminent danger pay from 14 November 1991 to 21 November 1991 (Saudi Arabia), from 11 January 1992 to 17 January 1992 (Saudi Arabia), from 17 January 1992 to 17 January 1992 (Kuwait), and from 15 February 1992 to 19 March 1992 (Saudi Arabia).
2. The Board determined the evidence presented is sufficient to warrant a portion of the requested relief, the Board recommends denial so much of the application that pertains to the Shoulder Sleeve Insignia-Former Wartime Service (SSI-FWTS) and Combat Service Identification Badge (CSIB) (El Salvador and Persian Gulf) noting that there is no provision to annotate items of wear on the DD Form 214.

BOARD VOTE:

Mbr 1      Mbr 2      Mbr 3

:            :            :            GRANT FULL RELIEF

■           ■           ■           GRANT PARTIAL RELIEF

:            :            :            GRANT FORMAL HEARING

:            :            :            DENY APPLICATION

BOARD DETERMINATION/RECOMMENDATION:

Other than the corrections addressed in the Administrative Note below, the Board determined the evidence presented does not demonstrate the existence of a probable error or injustice. Therefore, the Board determined the overall merits of this case are otherwise insufficient as a basis for correction of the records of the individual concerned.



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:

The applicant's records contain sufficient evidence to support additional awards not shown on his DD Form 214, for the period ending 30 June 1993, and should be administratively corrected without Board action to show award of:

- AFEM (El Salvador)
- one additional bronze service star added to his SWASM with one bronze service star
- KLM-KU

- KLM-SA

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) in effect on 5 March 2019, prescribes Army policy, criteria, and administrative instructions concerning individual and unit military awards.

a. The AFEM may be awarded to service members of the Armed Forces of the United States who, after 1 July 1958:

(1) Participate, or have participated, as members of the U.S. military units in a U.S. military operation in which service members of any military department participate, in the opinion of the Joint Chiefs of Staff, in significant numbers.

(2) Encounter during such participation foreign-armed opposition, or are otherwise placed, or have been placed, in such position that, in the opinion of the Joint Chiefs of Staff, hostile action by foreign armed forces were imminent even though it did not materialize.

(3) The AFEM may be authorized for the following three categories of operations:

- U.S. military operations (see table 2-3)
- U.S. operations in direct support of the United Nations (UN) (table 2-4)
- U.S. operations of assistance for friendly foreign nations (table 2-5)

(4) Table 2-5. AFEM - designated U.S. military operations of assistance to a friendly nation. The AFEM was authorized for service in El Salvador from 1 January 1981 to 1 February 1992.

(5) Service members must be bona fide members of a unit participating in or be engaged in the direct support of the operation for 30 consecutive days in the area of operations (or for the full period when an operation is less than 30 days duration) or for 60 nonconsecutive days provided this support involved entering the area of operations and meets one or more of the following criteria:

(a) Be engaged in actual combat, or duty, which is equally as hazardous as combat duty, during the operation with armed opposition, regardless of time in the area.

(b) Is wounded or injured and requires medical evacuation from the AOE while participating in the operation, regardless of time.

(c) Accumulates required days service (consecutive or nonconsecutive) while participating as a regularly assigned air crewmember of an aircraft flying sorties into, out of, within, or over the area in direct support of the military operation. One day's service is credited for the first sortie flown on any day. Additional sorties flown on the same day receive no further credit.

b. The SWASM is awarded to all 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. Southwest Asia and contiguous waters, as used herein, is defined as an area which includes the Persian Gulf, Red Sea, Gulf of Oman, Gulf of Aden, that portion of the Arabian Sea that lies north of 10 degrees N. latitude and west of 68 degrees E. longitude, as well as the total land areas of Iraq, Kuwait, Saudi Arabia, Oman, Bahrain, Qatar, and United Arab Emirates. One bronze service star will be worn on the suspension and service ribbon of the SWASM for participation in each designated campaign. The authorized campaigns and periods for this conflict were:

- 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

c. The KLM awarded by the Government 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 1991 and 28 February 1991.

d. The KLM 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 680-29 (Military Personnel, Organization, and Type of Transaction Codes), effective 1 March 1989, prescribes the data code structures used to report and record personnel data via the automated Personnel Information System (PERSINS). Appendix C provides foreign country codes. The country code for El Salvador was shown as ES.

4. Army Regulation 670-1 (Wear and Appearance of Army Uniforms and Insignia) prescribes Department of the Army policy for proper wear and appearance of Army uniforms and insignia as worn by members of the active Army and U.S. Army Reserve, as well as by former Soldiers. Paragraph 28-17 states the wear of a shoulder sleeve



insignia for former wartime service (SSI-FWTS) is reserved for individuals who were members of U.S. Army units deployed to a hostile environment in the theater or area of operations during the designated combat operations and must be approved for wear by the Chief of Staff of the Army.

5. Army Regulation 635-5 (Separation Documents), in effect at the time, prescribed the separation documents prepared for Soldiers upon retirement, discharge, or release from active military service or control of the Army. It provided standardized policy for preparation of the DD Form 214. In block 18 of the DD Form 214, for an active duty Soldier deployed to a foreign country with his or her unit during their continuous period of active service, enter the statement "SERVICE IN (name of country deployed) FROM (inclusive dates for example, YYYYMMDD-YYYYMMDD)."

6. Army Regulation 635-8 (Separation Processing and Documents), currently in effect, prescribes the transition processing function of the military personnel system. It provides principles of support, standards of serve, policies, tasks, rules, and steps governing actions in the field to support processing personnel for separation and preparation of separation documents.

a. In block 13 list all federally recognized awards and decorations for all periods of service. Do not use abbreviations. Do not enter foreign or State level awards on DD form 214. State awards and decorations will be entered on NGB Form 22 upon separation from the ARNGUS.

b. In block 18 (Remarks), use this block for HQDA mandatory requirements when a separate block is not available; as a continuation for entries in blocks 9, 11, 13, and 14; or for conditional entries.

c. There is no provision to list SSI-Shoulder Sleeve Insignia-Former Wartime Service (SSI-FWTS) or the Combat Service Identification Badge (CSIB) in block 13 of DD Form 214.

//NOTHING FOLLOWS//