

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 16 July 2024

DOCKET NUMBER: AR20230014112

APPLICANT REQUESTS: correction of his DD Form 214 (Certificate of Release or Discharge from Active Duty) to show award of the Armed Forces Expeditionary Medal.

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

- DD Form 149 (Application for Correction of Military Record)
- Embassy and Observer Card
- Boarding Pass/Ticket/Receipt
- MAC Transportation Authorization
- Two DD Forms 1610 (Request and Authorization for Temporary Duty (TDY) Travel of Department of Defense (DOD) Personnel), dated 25 January and 20 March 1984

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 after his separation date President Clinton authorized the Armed Forces Expeditionary Medal for those that served in El Salvador between January 1981 to February 1992. He served there in 1983 to 1984. The Armed Forces Expeditionary Medal should be added to his DD Form 214.
3. On 16 September 1981, the applicant enlisted in the Regular Army. His DA Form 2-1 (Personnel Qualification Record – Part II) shows in:
 - a. item 5 (Oversea Service) – service in Panama, 1 February 1983 to 24 July 1984.
 - b. item 9 (Awards, Decorations and Campaigns) – Marksman Marksmanship Qualification Badge with Rifle Bar (M-16), Sharpshooter Marksmanship Qualification Badge with Grenade Bar, Army Service Ribbon, Army Good Conduct Medal, and Army Achievement Medal.

c. item 35 (Record of Assignments) – shows in part, he was assigned to 114th Aviation Company, from 1 February 1983 to 22 July 1984, in Panama.

4. The applicant provides:

a. An Embassy Card, that shows in part, San Salvador, El Salvador; Embassy of the U.S. of America; 30 November 1984; Classification: U.S. Military Group, signed and dated 14 November 1983.

b. An Observer Card, that shows in part, Republic of El Salvador, 31 March 1984.

c. An MAC Transportation Authorization that shows in part, Destination: In item 10 (Report to) - Howard Air Force Base, Panama; and in item 10c (Destination) - San Salvador, El Salvador.

d. Boarding Pass/Ticket/Receipt that shows, in departure date “12 March 1984.”

e. Two DD Forms 1610:

(1) Dated 25 January 1984, requesting 12 days TDY, to proceed on 30 January 1984, with a current duty station at Fort Kobbe, Panama to San Salvador, El Salvador.

(2) Dated 25 March 1984, requesting 7 days TDY, to proceed on 21 March 1984, with a current duty station at Fort Kobbe, Panama to San Salvador, El Salvador.

5. On 13 September 2004, he was honorably released from active duty. His DD Form 214 for this period shows he completed 2 years, 11 months, and 28 days of active service. It also shows:

a. item 12f (Foreign Service) – shows 1 year, 5 months, and 24 days.

b. He was awarded or authorized: Army Service Ribbon, Overseas Service Ribbon, Army Achievement Medal, Army Good Conduct Medal, Marksman Marksmanship Qualification Badge with Rifle Bar (M-16), and Sharpshooter Marksmanship Qualification Badge with Grenade Bar.

BOARD DISCUSSION:

After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that relief was warranted. The applicant's contentions, the military record, and regulatory guidance were carefully considered. The evidence shows the applicant served in Panama from 1 February 1983 to 24 July 1984. He provides TDY trips from Panama to El Salvador for 7 and 12 days respectively. To

be awarded the Armed Forces Expeditionary Medal for El Salvador, an individual, who was not engaged in actual combat or equally hazardous activity, must have been a bona fide member of a unit participating in, or be engaged in the direct support of, the operation for 30 consecutive or 60 nonconsecutive days provided this support involved entering the area of operations. Although he only provides two TDY orders, given he was stationed in Panama, the Board found it reasonable to presume he made multiple other trips to El Salvador that would qualify him for the award.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

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:	:	:	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 the Army records of the individual concerned be corrected by adding the Armed Forces Expeditionary Medal to his DD Form 214.

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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 600-8-22 prescribes Army policy, criteria, and administrative instructions concerning individual and unit military awards. The Armed Forces Expeditionary Medal is authorized for qualifying service after 1 July 1958 in military operations within specific geographic areas during specified time periods. An individual, who was not engaged in actual combat or equally hazardous activity, must have been a bona fide member of a unit participating in, or be engaged in the direct support of, the operation for 30 consecutive or 60 nonconsecutive days provided this support involved entering the area of operations. Shows for Panama-Operation Just Cause: 20 December 1989 to 31 January 1990 and El Salvador, 1 January 1981 to 1 February 1992.

//NOTHING FOLLOWS//