

IN THE CASE OF: [REDACTED]

BOARD DATE: 31 December 2024

DOCKET NUMBER: AR20240005759

APPLICANT REQUESTS: correction of his DD Form 214 (Certificate of Release or Discharge from Active Duty) to add:

- the Combat Infantryman Badge
- foreign service credit for service in El Salvador
- in effect, any approved unit awards

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

- DD Form 149 (Application for Correction of Military Record)
- Army Achievement Medal Certificate, 27 April 1983
- A Certificate in Spanish, 20 February 1984
- Joint Service Commendation Medal Certificate, 28 December 1984
- Army Achievement Medal (Second Award) Certificate, 30 December 1984
- Joint Service Achievement Medal Certificate, 29 August 1985
- Air Force Achievement Medal Certificate, 12 December 1985
- Military Freefall Parachutist Badge, 19 August 1986
- Army Achievement Medal (Third Award) certificate, 25 August 1986
- Army Achievement Medal (Fourth Award) Certificate, 26 November 1986
- Special Forces Operations and Intelligence Course Certificate, 16 December 1987
- 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 his awards were not awarded during his service but were later approved awards.
3. The applicant provides:

a. An Army Achievement Medal Certificate, dated 27 April 1983, which he was awarded for meritorious achievement while in El Salvador, from 10 November 1982 through 14 April 1983.

b. A Joint Service Commendation Medal Certificate, dated 28 December 1984, which he was awarded for a meritorious achievement while in Honduras, from 3 February 1984 through 10 July 1984.

c. An Army Achievement Medal (Third Award) Certificate, dated 25 August 1986, which he was awarded for an exceptionally meritorious achievement while in Honduras, from 21 November 1985 through 20 December 1985.

d. An Army Achievement Medal (Fourth Award) Certificate, dated 26 November 1986, which he was awarded for a meritorious achievement while in Honduras, from 12 May 1986 through 26 June 1986. During this period of service, a Honduran Soldier received a fatal gunshot wound to the head, the applicant rendered advanced medical aid until he was relieved by medical personnel.

4. The applicant is authorized additional awards, foreign service credit, and military schools, currently not annotated on his DD Form 214. The additional awards, foreign service credit, and military schools will be administratively corrected in the "Administrative Notes" section of this document without Board action. Therefore, this issue will no longer be discussed in these proceedings. The Board will consider the applicant's request for the Combat Infantryman Badge and foreign service credit for his service in El Salvador.

5. The applicant's service record shows:

a. He enlisted in the Regular Army on 31 May 1977.

b. DA Form 2-1 (Personnel Qualification Record – Part II) shows in:

(1) Item 5 (Oversea Service): Panama from 29 September 1981 to 20 January 1986.

(2) Item 9 (Awards):

- Army Service Ribbon
- Overseas Service Ribbon
- Special Forces Tab
- Noncommissioned Officer Professional Development Ribbon (second award)
- Army Achievement Medal (Fifth Award)

- Joint Service Achievement Medal
- Army Commendation Medal
- Air Force Achievement Medal
- Joint Meritorious Unit Award
- Joint Service Commendation Medal
- Master Parachutist Badge
- El Salvadorian Parachutist Badge
- Honduran Parachute Badge
- Army Good Conduct Medal (Third Award)

(3) Item 17 (Civilian Education and Military Schools):

- Basic Airborne Course (three weeks)
- Army Parachute Rigger Military Specialty Occupation (MOS) 43E (11 weeks)
- Reconnaissance and Surveillance Leaders Course (RSLC) (three weeks)
- Command Leadership Course (two weeks)
- Jungle Operations Training Course (four weeks)
- Basic AMPH Training Course (unknown course) (one week)
- Special Forces Qualification Course (SFQC) (16 weeks)
- Primary Leadership Course
- Nuclear, Biological, and Chemical (NBC) Defense Course (two weeks)
- Faculty Development Program (Spanish) (eight weeks)
- Faculty Development Program (English) (eight weeks)
- Military Free Fall Parachutist Course (four weeks)
- Jumpmaster Course (two weeks)
- Jungle Expert Operations Training Course (three weeks)
- Special Forces Operations and Intelligence Course (15 weeks)

(4) Item 35 (Record of Assignments): A Company, 3rd Battalion, 7th Special Forces Group (Airborne).

c. His DD Form 214 shows he was honorably discharged from active duty on 26 July 1988. He completed 11 years, 1 month, and 20 days of active service, and 4 years, 3 months, and 22 days of foreign service. His DD Form 214 also shows in:

(1) Item 11 (Primary Specialty):

- 11B (Infantryman)
- 18E (Special Operations Communications Sergeant)

(2) Item 13 (Awards):

- Army Lapel Button
- Hand Grenade Expert Badge
- Overseas Service Ribbon
- M16 Rifle Expert Badge
- Jungle Expert Badge
- Air Force Achievement Medal
- Joint Service Achievement Medal
- Joint Service Commendation Medal




BOARD DISCUSSION:

After reviewing the application and all supporting documents, the Board determined partial relief was warranted. The applicant's contentions, the military record, and regulatory guidance were carefully considered. Based upon the available documentation, the Board made the following findings and recommendations related to the requested relief:

- Add CIB: DENY. Based upon the applicant's record failing to show he participated in direct ground combat with an armed enemy, the Board concluded there was insufficient evidence of an error or injustice.
- Add foreign service (El Salvador): GRANT. Based upon the information reflected on the applicant's AAM certificate, the Board recommended adding "SM served in El Salvador from 10 November 1982 to 15 April 1983."
- Add approved unit awards: DENY. Based upon the unit served and regulatory guidance, the Board found no unit awards earned.

BOARD VOTE:


Mbr 1 Mbr 2 Mbr 3

:	:	:	GRANT FULL RELIEF
			GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
:	:	:	DENY APPLICATION

BOARD DETERMINATION/RECOMMENDATION:

1. 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 adding the following additional statement to block 18 (Remarks) of his DD Form 214: "SM served in El Salvador from 10 November 1982 to 15 April 1983."
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 all other requested relief..

3/31/2025


XCHAIRPERSON


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):

A review of the applicant's records shows he is authorized additional awards, foreign service credit, and military schools, currently not on his DD Form 214. As a result, amend his DD Form 214 for the period ending 26 July 1988, by amending item the following:

- a. Item 11 (Primary Specialty), by adding: MOS 43E (Army Parachute Rigger)
- b. Item 13 (Awards) to show he was authorized the following awards:
 - Army Superior Unit Award
 - Army Service Ribbon
 - Noncommissioned Officer Professional Development Ribbon (second award)
 - Army Achievement Medal (fifth award)
 - Army Commendation Medal
 - Joint Meritorious Unit Award
 - Master Parachutist Badge
 - El Salvadorian Parachutist Badge

- Honduran Parachute Badge
- Army Good Conduct Medal (third award)
- Military Freefall Parachutist Badge
- Parachute Rigger Badge
- Special Forces Tab

c. Item 14 (Military Education) by adding the following:

- Basic Airborne Course (three weeks)
- Army Parachute Rigger Military Specialty Occupation (MOS) 43E (11 weeks)
- Reconnaissance and Surveillance Leaders Course (RSLC) (three weeks)
- Command Leadership Course (two weeks)
- Jungle Operations Training Course (four weeks)
- Basic AMPH Training Course (unknown course) (one week)
- Special Forces Qualification Course (SFQC) (16 weeks)
- Primary Leadership Course
- Nuclear, Biological, and Chemical (NBC) Defense Course (two weeks)
- Faculty Development Program (Spanish) (eight weeks)
- Faculty Development Program (English) (eight weeks)
- Military Free Fall Parachutist Course (four weeks)
- Jumpmaster Course (two weeks)
- Jungle Expert Operations Training Course (three weeks)
- Special Forces Operations and Intelligence Course (15 weeks)

d. Item 18 (Remarks) to show: "Service in Panama from 29 September 1981 through 20 January 1986."

REFERENCES:

1. Title 10 (Armed Forces), 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), prescribes Department of the Army (DA) policy, criteria, and administrative instructions concerning individual and unit military awards. the Combat Infantryman Badge is awarded to infantry officers and to enlisted and warrant officer persons who have an infantry military occupational specialty (MOS), assigned, or attached to an infantry unit. They must have served in active ground combat while assigned or attached to an infantry unit of brigade, regimental or smaller size. Additionally, Appendix V of U.S. Army Vietnam (USARV) Regulation 672-1 states that during the Vietnam era the Combat Infantryman Badge was awarded only to enlisted individuals who held and served in MOS 11B, 11C, 11D, 11F, 11G, or 11H.

3. Department of the Army Pamphlet 672-3 (Unit Citation and Campaign Participation Credit Register), shows Department of the Army General Orders Number 30, dated 1987, announced that the 3rd Battalion, 7th Special Forces Group (Airborne) was awarded the Army Superior Unit Award, for service from 1 March 1985 through 1 September 1986.

4. Army Regulation 635-5 (Separation Documents) in effect at the time, states that the DD Form 214 will reflect the conditions and circumstances that existed at the time the records were created. The purpose of the separation document is to provide the individual with documentary evidence of his or her military service at the time of release from active duty, retirement, or discharge. It is important that information entered on the form be complete and accurate and reflects the conditions as they existed at the time of separation.

5. Army Regulation 15-185 (Army Board for Correction of Military Records), currently in effect, 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. The applicant has the burden of proving an error or injustice by a preponderance of the evidence.

//NOTHING FOLLOWS//