

IN THE CASE OF: [REDACTED]

BOARD DATE: 11 January 2024

DOCKET NUMBER: AR20230006099

APPLICANT REQUESTS: correction of his DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge) to show the Armed Forces Expeditionary Medal for his service in Lebanon during the period July-November 1958.

APPLICANT'S SUPPORTING DOCUMENT(S) CONSIDERED BY THE BOARD:
DD Form 149 (Application for Correction of Military Record)

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 was assigned to the 28th Base Post Office in Frankfurt, Germany, and he was sent to Lebanon for about six months.
3. The applicant enlisted in the Regular Army on 12 August 1957.
4. His DA Form 20 (Enlisted Qualification Record) shows in item 29 (Foreign Service) he served in Germany from 11 January 1958 to 22 July 1960. His DA Form 20 does not show service in Lebanon in item 29 (Foreign Service) or item 33 (Record of Assignments).
5. The applicant's DA Form 24 (Service Record) does not show service in Lebanon in section 4 (Chronological Record of Military Service) or in section 5 (Service Outside Continental United States).
6. The applicant's DD Form 214 shows he was released from active duty and transferred to the U.S. Army Reserve on 28 July 1960. The DD Form 214 also shows he served 2 years, 6 months, and 14 days of foreign service and that he was awarded the Army Good Conduct Medal.

7. A review of the applicant's available military records failed to locate documentary evidence showing service in Lebanon.

BOARD DISCUSSION:

1. After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found relief is not warranted.
2. The Board found no evidence in the available service records that corroborates the applicant's claim that he served in Lebanon for approximately 6 months. In the absence of documentation confirming the applicant's claim, the Board determined the available evidence is insufficient as a basis for confirming his eligibility for the Armed Forces Expeditionary Medal.



BOARD VOTE:

<u>Mbr 1</u>	<u>Mbr 2</u>	<u>Mbr 3</u>	
:	:	:	GRANT FULL RELIEF
:	:	:	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
■	■	■	DENY APPLICATION

BOARD DETERMINATION/RECOMMENDATION:

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 insufficient as a basis for correction of the records of the individual concerned.

4/1/2024


 CHAIRPERSON


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 (Military Awards) states the Armed Forces Expeditionary Medal is authorized for qualifying service after 1 July 1958 in U.S. 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. Qualifying service for this award includes service in Lebanon from 1 July to 1 November 1958.
3. Army Regulation 15-185 (ABCMR) provides Department of the Army policy, criteria, and administrative instructions regarding an applicant's request for the correction of a military record. Paragraph 2-9 states 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 evidence.

//NOTHING FOLLOWS//