

IN THE CASE OF: [REDACTED]

BOARD DATE: 27 March 2024

DOCKET NUMBER: AR20230009738

APPLICANT REQUESTS: award of the Armed Forces Expeditionary Medal.

APPLICANT'S SUPPORTING DOCUMENTS CONSIDERED BY THE BOARD:

- DD Form 149 (Application for Correction of Military Record)
- Orders Number 8-268, dated 15 August 1983
- DD Form 214, effective 31 January 1995
- [REDACTED] Congressional District [REDACTED] Inquiry, date 9 February 2016
- Record of Proceedings for Docket Number AR20160017231, dated 1 August 2018

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 that he is requesting to be awarded the Armed Forces Expeditionary Medal for his service in Honduras and participation in Operation AHUAS TARA II. He says he was deployed to Palmerola Air Base in the Republic of Honduras and was a bona fide member of the 43rd Support Group.
3. The applicant provides:
  - a. Orders Number 8-268, issued by Headquarters, 4th Infantry Division (Mechanized) on 15 August 1983, that ordered the applicant to Temporary Duty (TDY) to the Republic of Honduras to participate in Exercise AHUAS TARA II, for travel on or about 30 August 1983.
  - b. A Congressional Inquiry to the 5th Congressional District of Colorado requesting assistance in regard to award of the Armed Forces Expeditionary Medal for his service in Honduras.

c. A Record of Proceeding for Docket Number AR20160017231, dated 1 August 2018, that grants full relief to the applicant's request of correcting his DD Form 214 to show his service in Honduras, while assigned to the 40th Supply and Service Company from 1 September 1983 to 8 February 1984. DD Form 215 corrected Item 18 (Remarks) and added "Service in Honduras 19830831 – 19840226."

4. A review of the applicant's service record shows:

a. The applicant enlisted in the Regular Army on 13 December 1978.

b. A certificate of award of the Joint Service Commendation Medal, issued on 5 May 1984 for "exceptionally meritorious achievement while serving in support of Exercise AH AUS TARA II... in the Republic of Honduras, during the period of 1 September 1983 to 8 February 1984."

c. Permanent Order 18-32, issued by Headquarters, United States Southern Command on 18 May 1984, awarded the applicant the Joint Service Commendation Medal for outstanding meritorious achievement from 1 September 1983 to 8 February 1984.

d. He retired from active duty on 31 January 1995. His DD Form 214 shows he completed 16 years, 1 month, and 12 days of active service. Item 13 (Decorations, Medals, Badges, Commendations, Citations and Campaign Ribbons Awarded or Authorized) shows:

- Legion of Merit
- Meritorious Service Medal (3rd Award)
- Joint Service Commendation Medal
- Army Commendation Medal (3rd Award)
- Army Achievement Medal
- Army Good Conduct Medal (7th Award)
- National Defense Service Medal (2nd Award)
- Noncommissioned Officer's Professional Development Ribbon with Numeral 4
- Army Service Ribbon
- Overseas Service Ribbon (4th Award)
- Expert Marksmanship Qualification Badge with Rifle Bar
- Sharpshooter Marksmanship Qualification Badge with Pistol Bar

5. By regulation, 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. Exercise AHUAS TARA II is not listed among the designated military operations for the period 31 August 1983 to 26 February 1984.

BOARD DISCUSSION:

1. After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that relief was not warranted. The Board carefully considered the applicant's record of service, documents submitted in support of the petition and executed a comprehensive and standard review based on law, policy and regulation. Upon review of the applicant's petition and available military records, the Board determined the record is absent sufficient evidence that his unit engaged in direct support or combat activity. The Board agreed burden of proof rest on the applicant to provide sufficient documentation to support his claim for hazardous duty pay for service in direct support of operations.

2. During deliberation the Board noted for award of the Armed Forces Expeditionary Medal (AFEM) the requirements are that 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. The Board noted based on regulatory guidance Honduras does not fall on the criteria list for award of the Armed Forces Expeditionary Medal (AFEM). The Board determined there is insufficient evidence to support award of the AFEM. Based on regulatory guidance, the Board denied relief.

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.

4/8/2024

X 

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 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.
  
3. Army Regulation 600-8-22 (Military Awards) defines "area of operation" as the foreign territory upon which troops have actually landed or are present and specifically deployed for the direct support of the designated military operation; adjacent water areas in which ships are operating, patrolling, or providing direct support of operations; and the airspace above and adjacent to the area in which operations are being conducted. "Direct support" is defined as services being supplied to participating forces in the area of eligibility by ground units, ships, and aircraft provided it involves actually entering the designated area of eligibility. This includes units, ships, and aircraft providing logistic, patrol, guard, reconnaissance, or other military support within the

designated area of eligibility. "Area of eligibility" is defined as the foreign territory on which troops have actually landed or are present and specifically deployed for the operation; adjacent water areas in which ships are operating, patrolling, or providing direct support of the operation; and the air space above and adjacent to the area in which operations are being conducted.

//NOTHING FOLLOWS//