

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 6 September 2024

DOCKET NUMBER: AR20230014915

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 (AFEM).

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

- DD Form 149 (Application for Correction of Military Record)
- Applicant's Statement
- 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 he had orders for the AFEM, but they were lost or destroyed. He also states he and his son were stationed at Guantanamo Bay for Operation Sea Signal from 1993 to 1994.
3. The applicant enlisted in the Regular Army on 23 September 1992 for 6 years. He held military occupational specialty 68G (Aircraft Structure Repairer).
4. His DA Form 2-1 (Personnel Qualification Record) shows in:
 - a. Item 5 (Oversea Service): he served in Korea from 21 April 1993 through 20 April 1994.
 - b. Item 35 (Record of Assignments) shows:
 - from 24 April 1993 to 19 April 1994, he was assigned to Company B, 501st Aviation Regiment, Camp Humphreys, Korea

- from 18 to 23 May 1994, he was assigned to 19th Replacement Detachment, Fort Bragg, NC
- from 24 May to 21 November 1994, he was assigned to Headquarters and Headquarters Troop, 4th Squadron, 2nd Armored Cavalry Regiment (ACR), Fort Bragg, NC
- from 22 November 1994 to 3 May 1997, he was assigned to F Troop, 4th Squadron, 2nd ACR, Fort Bragg, NC
- from 9 May 1997 to [22 January 1998], he assigned to S Troop, 4th Squadron, 2nd ACR, Fort Polk, LA

5. On 22 January 1998, he was honorably released from active duty under the provisions of chapter 13, Army Regulation 635-200, due to unsatisfactory performance, in the rank of specialist four/E-4. He completed 5 years and 4 months of active service. The DD Form 214 he was issued shows he was awarded or authorized:

- Army Achievement Medal
- Army Good Conduct Medal
- National Defense Service Medal
- Army Service Ribbon
- Aircraft Crewman Badge

6. By regulation (AR) 600-8-22 (Military Awards), Table C1, Joint Task Force 160 Operation Sea Signal occurred between 20 May 1994 and 15 April 1996, in the geographic area of Guantanamo, Cuba. The available evidence does not show the applicant deployed in support of this operation.

7. The AFEM is authorized for service in Korea from 1 October 1966 to 30 June 1974. Servicemembers who qualified for the AFEM by reasons of service between 1 October 1966 and 30 June 1974 in an area for which the KDSM was subsequently authorized are eligible for both the AFEM and KDSM. Award of the KDSM for this time period is a one-time exception to policy to 10 USC. The available evidence does not show he served during a qualifying period in Korea for entitlement to the AFEM.

8. The applicant is authorized an award that is not listed on his DD Form 214 that will be addressed in the Administrative Notes portion of these proceedings.

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 review based on law, policy, and regulation. The evidence of record shows the applicant served on active duty from 23 September 1992 to 22 January 1998. The Board noted the applicant's service in Korea from 21 April 1993 to 20 April 1994; however, regulatory guidance authorizes award of the Armed Forces Expeditionary Medal for service in Korea from 1 October 1966 to 30 June 1974, a qualifying period outside of the applicant's service in Korea.

2. Prior to closing the discussion, the Board reviewed and concurred with the administrative note below to award the applicant the Korea Defense Service Medal for his 12 month permanent change of station tour in Korea.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

:	:	:	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.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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):

1. AR 635-5 (Separation Documents), in effect at the time, stated the DD Form 214 was to list all decorations, service medals, campaign credits, and badges awarded or authorized.
2. As a result, amend his DD Form 214, ending 22 January 1998, by adding the Korea Defense Service Medal.

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. AR 600-8-22 (Military Awards) prescribes Army policy, criteria, and administrative instructions concerning individual and unit military awards.

a. The AFEM is authorized for participants in military operations within a specific geographic area during a specified time period. 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. The AFEM will be awarded only for operations for which no other U.S. campaign medal is approved. The AFEM is authorized for service in Korea from 1 October 1966 to 30 June 1974. Servicemembers who qualified for the AFEM by reasons of service between 1 October 1966 and 30 June 1974 in an area for which the KDSM was subsequently authorized are eligible for both the AFEM and KDSM. Award of the KDSM for this time period is a one-time exception to policy to 10 USC.

b. The Korea Defense Service Medal is authorized for award to members of the Armed Forces of the United States who served on active duty in support of the defense of the Republic of Korea. The period of eligibility is 28 July 1954 to a date to be determined by the Secretary of Defense.

//NOTHING FOLLOWS//