

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 13 September 2024

DOCKET NUMBER: AR20240002434

APPLICANT REQUESTS: 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)

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 DD Form 214 (Certificate of Release or Discharge from Active Duty) does not list the Armed Forces Expeditionary Medal. He was assigned to the 555th Military Police Company when he deployed to Haiti in 1994. Upon his return, he soon changed stations to Fort Gordon and was not presented the award he believes he was entitled to receive. He did not notice the error at the time of discharge and recently realized it when he joined the Veterans of Foreign Wars (VFW).
3. A review of the applicant's service record shows:
 - a. He enlisted in the Regular Army on 16 August 1990.
 - b. His DA Form 2-1 (Personnel Qualification Record – Part II) shows the applicant served in Panama from 1 November 1993 through 24 February 1994. The Armed Forces Expeditionary Medal is not listed in Block 9 (Awards, Decorations, & Campaigns).
 - c. On 6 April 1997, he was honorably released from active duty. His DD Form 214 shows he completed 6 years, 7 months, and 21 days of active service. Item 13 (Decorations, Medals, Badges, Commendations, Citations and Campaign Ribbons Awarded or Authorized) shows:
 - Army Commendation Medal (2nd Award)

- Army Achievement Medal (4th Award)
- Army Good Conduct Medal (2nd Award)
- National Defense Service Medal
- Army Service Ribbon
- Expert Marksmanship Qualification Badge with Grenade Bar
- Marksman Marksmanship Qualification Badge with Rifle Bar
- Marksman Marksmanship Qualification Badge with Pistol Bar
- Driver and Mechanic Badge with Wheeled Driver Bar

4. 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. Qualifying service for this award includes participation in Panama in support of Operation Just Cause from 20 December 1989 through 31 January 1990.

BOARD DISCUSSION:

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 between 16 August 1990 to 6 April 1997, with service in Panama from 1 November 1993 to 24 February 1994. The applicant requested award of the Armed Forces Expeditionary Medal; however, the award is awarded for participation in Panama in support of Operation Just Cause from 20 December 1989 through 31 January 1990, a period in which the applicant did not service. Therefore, the Board denied relief.

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.

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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 (Military Awards) prescribes Department of the Army policy, criteria, and administrative instructions concerning individual and unit military awards.

a. 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. Qualifying service for this award includes participation in Panama in support of Operation Just Cause from 20 December 1989 through 31 January 1990.

b. Area of operation is defined 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//