

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 15 May 2024

DOCKET NUMBER: AR20230010896

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

- Korea Defense Service Medal (KDSM)
- Armed Forces Service Medal (AFSM)
- Armed Forces Expeditionary Medal (AFEM)
- Kosovo Campaign Medal (KCM)
- Global War on Terrorism Service Medal (GWOTSM)
- Global War on Terrorism Expeditionary Medal (GWOTEM)

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

- DD Form 149 (Application for Correction of Military Record)
- Extract, Armed Forces Expeditionary Medal – Authorized Operations
- Extract, Kosovo Campaign Medal – Authorized Kosovo Operations
- Unit Order 98-46 (Change 2), Headquarters, 1st Armored Division, 19 June 1998
- Memorandum, Headquarters, 1st Armored Division Artillery, 5 August 1998
- Memorandum for Record, Headquarters, 1st Armored Division Artillery, 25 July 1998
- Permanent Orders 100-04, Alpha Detachment, 90th Personnel Services Battalion, 10 April 2001

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's record contains a DD Form 215 (Correction to DD Form 214), dated 26 April 2022, which added the KDSM.
3. The applicant states, in effect, many of the awards he requests were authorized after he left active service. The AFSM and AFEM were authorized for wear while serving with

Battery C, 25th Target Acquisition Battery and Battery D, 1st Battalion, 94th Target Acquisition Battery. At the time he left service, the administrator completing his DD Form 214 would not add the awards without proof. His chain of command stated they would give him a letter but never did.

4. The applicant enlisted in the Regular Army on 11 October 1994. He served in military occupational specialty 13R (Field Artillery Fire Finder/Radar Operator). Evidence shows he served in Bosnia from 26 July 1999 to 5 August 1999 (a period of 11 days).

5. On 17 January 2002, he was honorably released from active duty upon completion of his required active service. The DD Form 214 he was issued shows he was awarded or authorized the:

- Army Commendation Medal
- Army Achievement Medal (3rd Award)
- Army Good Conduct Medal (2nd Award)
- National Defense Service Medal
- Noncommissioned Officer Professional Development Ribbon
- Army Service Ribbon
- Overseas Service Ribbon (2nd Award)
- Parachutist Badge
- Driver and Mechanic Badge

6. The applicant provides a/an:

a. Table listing designated U.S. military operations that have been approved for award of the AFEM.

b. Extract listing authorized Kosovo Operations and task forces eligible for the KCM.

c. Unit Order 98-46 (Change 2), Headquarters, 1st Armored Division, 19 June 1998, for Battery C, 25th Target Acquisition Battery, deploying the unit to Bosnia-Herzegovina, Task Force Eagle, effective no earlier than 19 June 1998.

d. Memorandum for the Commander, 1st Armored Division, dated 5 August 1998, certifying the applicant and others from Charlie Battery, 25th Field Artillery were certified in accordance with FRAGO 4 to OPORD 97-147.

e. Group TDY Orders, Headquarters, 1st Armored Division Artillery, dated 25 July 1998, which states the applicant and others were to participate in increased force protection during the Balkan Summit meeting 26 July to 5 August 1999.

f. Permanent Orders 100-04, Alpha Detachment, 90th Personnel Service Battalion, 10 April 2001, showing the applicant assigned to Company D, 1/94 Field Artillery Battalion, when awarded the Army Good Conduct Medal (2nd Award).

7. Army Regulation 635-8 (Separation and Processing and Documents), establishes the standardized policy for preparing and distributing the DD Form 214. Chapter 5 contains guidance on the preparation of the DD Form 214, to include entering foreign service and remarks pertaining to deployment locations, through dates, and awards and decorations.

BOARD DISCUSSION:

1. After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that partial relief was 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 applicant did not meet the regulatory guidance criteria for award of Armed Forces Service Medal (AFSM) or Armed Forces Expeditionary Medal (AFEM). The Board noted service members must be bona fide members of a unit participating in or engaged in direct support of the operation for 30 consecutive days in the area of eligibility (AOE) (or for the full period when an operation is of less than 30 days' duration) or 60 nonconsecutive days provided this support involves entering the AOE.

2. The Board noted the applicant served in Bosnia from 26 July 1999 to 5 August 1999 for a period of 11 days. In accordance with regulatory guidance the criteria for award of the Kosovo Campaign Medal (KCN) a service member must have 30 consecutive or 60 nonconsecutive days that began during the Air Campaign (began on 24 March 1999 and ended on 10 June 1999) and continued into the Defense Campaign (began on 11 June 1999 to 31 December 2013). However, the Board found the applicant met the criteria for award of the Global War on Terrorism Service Medal. Therefore, the Board granted partial relief to award the Global War on Terrorism Service Medal (GWTSM).

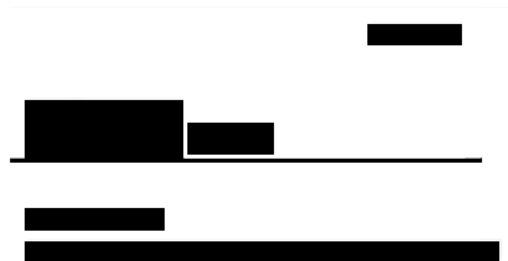
BOARD VOTE:

<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:

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 amending the applicant's DD Form 214 for the period ending 17 January 2002 by adding the Global War on Terrorism Service Medal.

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 award of Armed Forces Service Medal (AFSM), Armed Forces Expeditionary Medal (AFEM), Kosovo Campaign Medal (KCM) and Global War on Terrorism Expeditionary Medal (GWOTEM).



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): N/A

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:

a. The GWOTSM is authorized for award to members of the Armed Forces of the United States who have participated in Global War on Terrorism operations outside of the areas of eligibility (AOE) designated for award of the GWOTEM, Afghanistan Campaign Medal, or ICM. All Soldiers on active duty, including Reserve Component Soldiers mobilized or National Guard Soldiers activated, on or after 11 September 2001 to a date to be determined having served 30 consecutive days or 60 nonconsecutive days are authorized the GWOTSM. The GWOTSM may be awarded posthumously. Only one award of the GWOTSM may be authorized to any individual; second and subsequent awards will not be awarded.

b. The AFSM may be awarded to members of the Armed Forces of the United States for operations for which no other U.S. campaign or service medal is approved and who, after 1 June 1992 participate or have participated as members of U.S. military units in a U.S. military operation deemed to be a significant activity and encounter no foreign armed opposition or imminent threat of hostile action. Service members must be bona fide members of a unit participating in or engaged in direct support of the operation for 30 consecutive days in the area of eligibility (AOE) (or for the full period when an operation is of less than 30 days' duration) or 60 nonconsecutive days provided this support involves entering the AOE or meet the following criteria:

- While participating as a regularly assigned aircrew member, accumulates 15 days service (consecutive/nonconsecutive flying sorties into, out of, within, or over the area in direct support of the military operations
- One day's service is credited for the first sortie flown on any day. Additional sorties flown on the same day receive no further credit

c. The AFEM 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. Table 2-4 (AFEM designated U.S. military operations in direct support of the United Nations), Army Regulation 600-8-22, states the AFEM is

authorized for participants deployed in Bosnia-Herzegovina and Croatia, during Operation Joint Forge during the period 21 June 1998 to 2 December 2004.

d. The KCM is awarded to members of the Armed Forces of the United States who, after 24 March 1999, participated in or served in direct support of designated operations, including Operation Allied Force (24 March 1999 through 10 June 1999) AOE. Service members must be bona fide members of a unit participating in or be engaged in direct support of the operation for 30 consecutive days in the AOE or for 60 nonconsecutive days provided this support involves entering the operation's AOE or meet one or more of several other, specified criteria. One bronze service star will be worn for participation in each campaign (Kosovo Air Campaign and Kosovo Defense Campaign). Qualification for a second bronze service star requires meeting the criteria for both campaigns. The 30 consecutive or 60 nonconsecutive days that began during the Air Campaign (began on 24 March 1999 and ended on 10 June 1999) and continued into the Defense Campaign (began on 11 June 1999 to 31 December 2013) entitles a member to only one bronze service star.

e. The GWOTEM is authorized for award to members of the Armed Forces of the United States who deployed abroad for service in Global War on Terrorism operations on or after 11 September 2001 to a date to be determined. The general AOE encompasses all foreign land, water, and air spaces outside the fifty states of the United States and outside 200 nautical miles of the shores of the United States in operations approved by the Secretary of Defense. Under no conditions will units or personnel within the United States or the general region excluded above be deemed eligible for the GWOTEM. Army Regulation 600-8-22 further states service members must be assigned, attached, or mobilized to a unit participating in designated operations for 30 consecutive days or 60 nonconsecutive days in the AOE, or meet other, specified criteria. Initial award of the GWOTEM was limited to service members deployed abroad in Operations Enduring Freedom and Iraqi Freedom in designated specific geographic areas of eligibility, including Bosnia.

3. Army Regulation 15-185 (ABCMR) prescribes the policies and procedures for correction of military records by the Secretary of the Army, acting through the ABCMR. The ABCMR considers individual applications that are properly brought before it. The ABCMR will decide cases on the evidence of record. It is not an investigative body. 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//