

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 9 July 2024

DOCKET NUMBER: AR20230012409

APPLICANT REQUESTS: all medals or decorations he was authorized for his deployment to Bosnia-Herzegovina and correction of his DD Form 214 (Certificate of Release or Discharge from Active Duty) to show these awards.

APPLICANT'S SUPPORTING DOCUMENT(S) CONSIDERED BY THE BOARD: DD Form 149 (Application for Correction of Military Record), 18 September 2023.

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:
 - a. His unit, Delta Company, 1st Battalion, 6th Infantry, was deployed to Albania for Kosovo Force (KFOR) in 1998. Then he moved into Kosovo and established Fort Bondsteel.
 - b. When they returned from deployment his expiration of term of service date was up and he left active duty. He did not receive any award for being deployed. His friends said they received a few awards for that deployment.
3. A review of the applicant's service records show:
 - a. On 7 November 1996, he enlisted in the Regular Army.
 - b. A DA Form 4980-18 (Army Achievement Medal Certificate), dated 6 February 1998, shows Permanent Orders Number 036-023 were issued from Headquarters, 1st Battalion, 6th Infantry, awarding him the Army Achievement Medal for meritorious achievement while serving in the ninth rotation of the United Nations Preventative Deployment Force in the former Yugoslav Republic of Macedonia. The dates of this award are for the period 26 August 1997 to 22 February 1998.

d. His DA Form 2-1 (Personnel Qualification Record – Part II) shows:

- foreign service in Europe, Germany, from 20 March 1997 to 19 March 1999
- he was awarded or authorized: Army Service Ribbon and Army Achievement Medal
- no reductions
- no entries of time lost under Section 971 of Title 10 U.S.C.

e. On 6 November 1999, he was honorably released from active duty and transferred to control of the U.S. Army Reserve Control Group (Reinforcement). His DD Form 214 shows he completed 3 years of active duty.

(1) Block 12f (Foreign Service) shows he completed 2 years, 7 months, and 17 days of active service

(2) Block 13 (Decorations, Medals, Badges, Citations and Campaign Ribbons Awarded or Authorized): he was awarded or authorized:

- Army Achievement Medal
- Armed Forces Service Medal (AFSM)
- Army Service Ribbon
- Overseas Service Ribbon
- United Nations Medal

(3) Block 18 (Remarks) does not list any deployments.

f. His records are void of any disciplinary actions or a commander's disqualification for award of the Army Good Conduct Medal for the period 7 November 1996 through 6 November 1999.

g. His records are void of orders awarding him the Army Good Conduct Medal (First Award) for the period 7 November 1996 to 6 November 1999 and void of special orders awarding him marksmanship badges.

BOARD DISCUSSION:

After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that partial relief was warranted. The applicant's contentions, the military record, and regulatory guidance were carefully considered.

a. Deployment to Macedonia: Grant. The applicant’s Army Achievement Medal reflects the applicant’s deployment to Macedonia from 26 August 1997 to 22 February 1998. This deployment is not listed in Block 18 of his DD Form 214

b. Army Good Conduct Medal: Grant. The evidence shows the applicant served on active duty from 7 November 1996 to 6 November 1999, completing 3 years of active service. His records are void of any disciplinary actions or a commander’s disqualification for award of the Army Good Conduct Medal. Therefore, the Board determined he qualifies for this award.

c. Bosnia: Deny. The applicant’s award of the Army Achievement Medal show she deployed to Macedonia. There is no evidence in the record and the applicant does not provide documentary evidence that he served in Bosnia-Herzegovina. Therefore, the Board determined there is insufficient evidence to list his Bosnia deployment or establish his eligibility for associated awards.

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

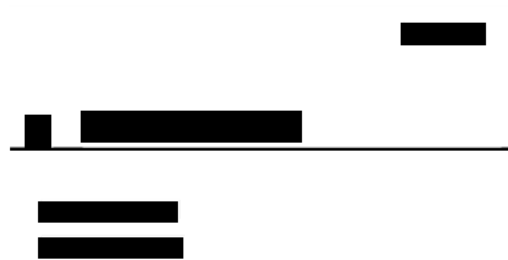
BOARD DETERMINATION/RECOMMENDATION:

1. In addition to the correction addressed in Administrative Note(s) below, 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:

- Awarding the applicant, the Army Good Conduct Medal for service during the period 7 November 1996 through 6 November 1999
- Amending the applicant’s DD Form 214 as follows:

- Block 13, add the Army Good Conduct (1st Award)
- Block 18, add Service in Macedonia from 26 August 1997 to 22 February 1998

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 his deployment to Bosnia and associated awards. 2.



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 Army policy, criteria, and administrative instructions concerning individual and unit military awards.

a. The AFEM may be authorized for the following three categories of operations:

- U.S. military operations (see table 2-3)
- U.S. operations in direct support of the United Nations (UN) (table 2-4)
- U.S. operations of assistance for friendly foreign nations (table 2-5)

b. Service members must be bona fide members of a unit participating in or be engaged in the direct support of the operation for 30 consecutive days in the area of operations (or for the full period when an operation is less than 30 days duration) or for 60 nonconsecutive days provided this support involved entering the area of operations or and meets one or more of the following criteria:

(1) Be engaged in actual combat, or duty, which is equally as hazardous as combat duty, during the operation with armed opposition, regardless of time in the area.

(2) Is wounded or injured and requires medical evacuation from the AOE while participating in the operation, regardless of time.

(3) Accumulates required days service (consecutive or nonconsecutive) while participating as a regularly assigned air crewmember of an aircraft flying sorties into, out of, within, or over the area in direct support of the military operation. 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 Army Good Conduct Medal is awarded to on a selective basis to each Soldier who distinguishes himself or herself from among his or her fellow Soldiers by exemplary conduct, efficiency, and fidelity throughout a specified period of continuous enlisted active Federal military service. There is no right or entitlement to the medal until the immediate commander has approved the award and the award has been announced in permanent orders.

(1) The periods of service of qualifying service are: (1) each 3 years completed on or after 27 August 1940; (2) for the first award only, 1 year served entirely during the period 7 December 1941 to 2 March 1946; (3) for the first award only, upon termination of service on or after 27 June 1950 of less than 3 years but more than 1 year; (4) for the first award only, upon termination of service on or after 27 June 1950 of less than 1 year when final separation was by reason of physical disability incurred in line of duty; or (5) for the first award only, for those individuals who died before completing 1 year of active Federal military service or if the death occurred in the line of duty.

(2) Throughout a qualifying period of service, the enlisted Soldier's character must have been above reproach and must meet all of the following criteria for award of the Army Good Conduct Medal as indicated in the Soldier's record: willingly complied with the demands of the military environment, been loyal and obedient to his or her superiors, faithfully supported the goals of his or her organization and the Army, and conducted himself or herself in an exemplary manner as to distinguish him or her from fellow Soldiers.

3. Military Personnel Message number 99-157 authorized award of either the AFEM or AFSM to service members participating in Operation Joint Forge effective 21 June 1998 to a date to be determined. The AFEM was limited to those participants in or providing direct support to Operation Joint Forge who were deployed in the countries of Bosnia-Herzegovina and Croatia. The AFSM was limited to those participants in or providing direct support to Operation Joint Forge who were deployed in Slovenia, Montenegro, Macedonia, Serbia, and Hungary. No service member will be awarded both the AFEM

and the AFSM for participation in or direct support of Operation Joint Forge under any circumstances.

4. Army Regulation 635-8 (Separations Processing and Documents), currently in effect, provides for the preparation and distribution of the DD Form 214.

a. Block 13: Decorations, Medals, Badges, Citations, and Campaign Ribbons Awarded or Authorized. List all federally recognized awards and decorations for all periods of service. Do not use abbreviations.

b. Block 18 (Remarks) shows conditional and mandatory entries. For active duty Soldiers deployed with their unit during their continuous period of active service, enter only the statement "SERVICE IN (NAME OF COUNTRY DEPLOYED) FROM (inclusive dates)."

//NOTHING FOLLOWS//