

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 9 July 2024

DOCKET NUMBER: AR20230014410

APPLICANT REQUESTS: correction of his DD Form 214 (Certificate of Release or Discharge from Active Duty) for the period ending 14 January 2000 to show the following awards:

- Armed Forces Expeditionary Medal
- Army Achievement Medal (3rd Award)
- Army Commendation Medal (2nd Award)
- Army Good Conduct Medal (2nd Award)

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

- DD Form 149 (Application for Correction of Military Record)
- listing of Armed Forces Expeditionary Medal authorized operations, undated
- Army Achievement Medal Certificate (Permanent Orders (PO) 3-5), 24 March 1995
- Army Achievement Medal Certificate (PO 203-05), 23 July 1997
- Army Achievement Medal Certificate (PO 238-31), 26 August 1999
- Army Commendation Medal Certificate (PO 299-3), 26 October 1998
- Army Commendation Medal Certificate (PO 003-02), dated 3 January 2000
- Army Good Conduct Medal Certificate (PO 163-202), for the period 15 September 1993 to 14 September 1996
- DD Form 214
- DA Form 2-1 (Personnel Qualification 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, in effect, he believes he is authorized the above awards to include the Army Good Conduct Medal (2nd Award) and the Armed Forces

Expeditionary Medal. He states served 6 years and 4 months without disciplinary action being taken against him and he was issued the Army Good Conduct Medal (1st Award) for the period 15 September 1993 to 14 September 1996, and it is listed on his DD Form 214. He also deployed in support of Operation Joint Guard as indicated on his DA Form 2-1 (Personnel Qualification Record), this authorizes award of the Armed Forces Expeditionary Medal.

3. The Board will only consider the applicant's request for the Army Good Conduct Medal (2nd Award). The remainder of the applicant's request will be addressed through an administrative correction without action by the Board.

4. The applicant enlisted in the Regular Army on 15 September 1993.

5. His DA Form 2-1 (Personnel Qualification Record shows he was assigned to the following overseas locations:

- Germany (Permanent Change of Station)- 21 November 1996 to 17 November 1998
- Bosnia-Herzegovina (Temporary Change of Station) - 30 December 1996 to 17 May 1997

6. On 14 January 2000, he was honorably released from active duty after completing 6 years and 4 months of net active service this period. His DD Form 214 shows in:

- Block 12f (Foreign Service), 11 months and 7 days
- Block 13 (Decorations, Medals, Badges, Citations and Campaign Ribbons Awarded or Authorized) shows he was awarded or authorized the:
  - Army Lapel Button
  - Army Commendation Medal
  - Army Achievement Medal (2nd Award)
  - Army Good Conduct Medal
  - National Defense Service Medal
  - Army Service Ribbon
  - Overseas Service Ribbon
  - North Atlantic Treaty Organization Medal
  - Expert Marksmanship Qualification Badge with Rifle Bar
  - Aircraft Crewman Badge
  - Driver and Mechanic Badge with Driver-W Bar
- Block 18 (Remarks) does not record his deployment to Bosnia-Herzegovina from 30 December 1996 to 17 May 1997.

7. The available evidence does not show he was awarded the Army Good Conduct Medal (2nd Award), neither is there evidence of a commander's disqualification for the award. Additionally, there is no evidence of any convictions by courts-martial or receipt of nonjudicial punishment under Article 15, Uniform Code of Military Justice.

8. The applicant provided the following certificates of award, which include order numbers, these which are sufficient for correction of his DD Form 214, without action by the Board, to show he was awarded or authorized the:

- Army Achievement Medal (1st Award), PO 3-5, 24 March 1995
- Army Achievement Medal (2nd Award), PO 203-05, 23 July 1997
- Army Achievement Medal (3rd Award), PO 238-31, 26 August 1999
- Army Commendation Medal (1st Award), PO 299-3, 26 October 1998
- Army Commendation Medal (2nd Award), PO 003-02, 3 January 2000
- Army Good Conduct Medal (1st Award) PO 163-202, 15 September 1993 to 14 September 1996

#### BOARD DISCUSSION:

After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that relief was warranted. The applicant's contentions, the military record, and regulatory guidance were carefully considered. The applicant served on active duty from 15 September 1993 to 14 January 2000, completing 6 years and 4 months of net active service this period. He was awarded his first award of the Army Good Conduct Medal for the period 15 September 1993 through 14 September 1996. The available evidence does not show he was awarded the Army Good Conduct Medal (2nd Award), neither is there evidence of a commander's disqualification for the award. Additionally, there is no evidence of any conviction by courts-martial, lost time, or receipt of NJP under Article 15, Uniform Code of Military Justice. Therefore, the Board determined he meets the criteria for a second award.

BOARD VOTE:

Mbr 1      Mbr 2      Mbr 3

█	█	█	GRANT FULL RELIEF
:	:	:	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
:	:	:	DENY APPLICATION

BOARD DETERMINATION/RECOMMENDATION:

In addition to the correction addressed in Administrative Note(s) below, the Board determined the evidence presented is sufficient to warrant a recommendation for 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 (2nd Award) for service during the period 15 September 1996 through 14 September 1999.
- Adding the Army Good Conduct Medal (2nd Award) to his DD Form 214

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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.

ADMINISTRATIVE NOTE(S):correct the applicant's DD Form 214, ending 14 January 2000 by

adding the following awards to item 13:

- Army Achievement Medal (3rd Award)
- Army Commendation Medal (2nd Award)
- Armed Forces Expeditionary Medal
- Armed Forces Service Medal

b. adding the following entry to item 18, "SERVICE IN BOSNIA-HERZEGOVINA FROM 19961230 - 19970517".

#### 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) provides:

a. The Army Good Conduct Medal is awarded to individuals who distinguish themselves by their conduct, efficiency, and fidelity. The Army Good Conduct Medal is awarded for each 3 year period of continuous enlisted active Federal military service completed on or after 27 August 1940. Although there is no automatic entitlement to the Army Good Conduct Medal, disqualification must be justified.

b. The Armed Forces Expeditionary Medal and may be awarded to Servicemembers of the Armed Forces of the United States who, after 1 July 1958participate, or have participated, as members of the U.S. military units in a U.S. military operation in which Servicemembers of any military department participate, in the opinion of the Joint Chiefs of Staff, in significant numbers. Additionally, they must encounter during such participation foreign-armed opposition, or are otherwise placed, or have been placed, in such position that, in the opinion of the Joint Chiefs of Staff, hostile action by foreign armed forces were imminent even though it did not materialize. Servicemembers 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 is 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. Table 2–4

shows the Armed Forces Expeditionary Medal is authorized for Operation Joint Guard, which took place from 20 December 1996 to 20 June 1998, but only for participants deployed in support of the Former Republic of Yugoslavia in Bosnia-Herzegovina.

c. The Armed Forces Service Medal is awarded to Servicemembers of the Armed Forces of the United States who, after 1 June 1992, participate or have participated, as Servicemembers of U.S. military units, in a U.S. military operation that is deemed to be a significant activity and encounter no foreign-armed opposition or imminent threat of hostile action. Servicemembers must be permanently assigned or attached to a unit that deployed to participate in a designated U.S. military operation within the area of operations for 30 consecutive days (or for the full period when an operation is less than 30 days duration). Designated U.S. military operations approved for award of the Armed Forces Service Medal are provided in table 2–6. Table 2–6 shows the Armed Forces Service Medal is authorized for Operation Joint Guard, which took place from 20 December 1996 to 20 June 1998, but only for participants deployed in Hungary, Italy, Former Republic of Yugoslavia, and that portion of the Adriatic Sea that lies north of 40 degrees north latitude.

(1) The Secretary of Defense approved award of the Armed Forces Expeditionary Medal and Armed Forces Service Medal to certain participants of Operation Joint Endeavor and Operation Joint Forge as a one-time exception to Department of Defense and Service policies.

(2) The Area of Eligibility is the total land area and airspace of the Former Republic of Yugoslavia to include Bosnia-Herzegovina, Croatia, Hungary, and the airspace above the portion of the Adriatic Sea that lies north of the 40 degrees north latitude.

3. Army Regulation 635-5 (Separation Documents), in effect at the time, provided guidance for completing the entries in the various blocks of the DD Form 214. This regulation provides, in item 18 (Remarks), for active duty Soldiers deployed with their units during their continuous period of active service, enter "SERVICE IN (NAME OF COUNTRY DEPLOYED) FROM (specify dates)".

//NOTHING FOLLOWS//