

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 27 February 2024

DOCKET NUMBER: AR20230008434

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

- North Atlantic Treaty Organization (NATO) Medal
- Kosovo Campaign Medal
- Afghanistan Campaign Medal
- Combat Infantryman Badge
- Global War on Terrorism Service Medal
- Global War on Terrorism Expeditionary Medal

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

- DD Form 149 (Application for Correction of Military Record)
- DD Form 214, 17 August 2002
- Partial page of Permanent Orders 071-670, Combined Joint Task Force (CJTF) Mountain
- Page 1 of General Orders Number 10, Headquarters Department of the Army, 25 September 2006
- National Personnel Records Center, letter, 9 May 2023
- Handwritten notes regarding awards

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, his records were never corrected, and the original documents were lost. He was awarded the Army Achievement Medal for his service in Operation Joint Guardian in January 1999, but not awarded the campaign medal. He served in Operation Enduring Freedom in February 2001 and his unit was awarded a Valorous Unit Award. He further claims he was awarded a Combat Infantryman Badge

on a blanket unit order. When he was younger, he never thought the correction was important; however, now that he is older, he would like his record corrected.

3. The Board will consider the applicant's request for the North Atlantic Treaty Organization (NATO) Medal, Afghanistan Campaign Medal, and the Combat infantryman Badge, and whether to add the applicant's period and location of foreign service in item 18 (Remarks) of his DD Form 214. The remaining portion of his request will be addressed through an administrative correction without action by the Board.

4. The applicant enlisted in the Regular Army on 18 August 1999. He served in military occupational specialty (MOS) 11B (Infantryman).

5. According to his DA Form 2-1 (Personnel Qualification Record), on 1 February 2000, he was assigned to Company C, 1st Battalion, 187th Infantry Regiment, Fort Campbell, KY.

6. Permanent Orders Number 221-117, 8 August 2000, issued by Headquarters, 1st Battalion, 187th Infantry awarded him the Army Achievement Medal for meritorious service during Operation Joint Guardian while assigned to Company B, 1st Battalion, 187th Infantry Regiment from 22 February to 31 August 2000 (a period of 6 months and 10 days). This certificate also notes, the applicant and his unit greatly contributed to the success of the mission in Kosovo and is already reflected on his DD Form 214.

7. On 17 August 2002, he was honorably discharged upon the completion of his required active service. Block 12f (Foreign Service) contains the entry, "0000 00 00." The DD Form 214 he was issued shows he was awarded or authorized the:

- Army Achievement Medal (2nd Award)
- Army Good Conduct Medal
- National Defense Service Medal
- Army Service Ribbon
- Expert Marksmanship Qualification Badge with Rifle (M16) and Grenade Bars
- Expert Infantryman Badge
- Air Assault Badge

8. His record is void of a certificate or any other documentation which shows he was awarded the NATO Medal by the Secretary General of the United Nations.

9 The applicant provides:

a. Page 1 of General Orders Number 10 (Units Credited with Assault Landings), Headquarters Department of the Army, 25 September 2006, which shows 1st Battalion, 187th Infantry Regiment, Detachment, was designated by the Senior Army Commander

in the theater of operations as having participated in a parachute (to include free fall), amphibious, or helicopter assault landing in the Shahi Khowt Valley, Afghanistan (Helicopter), 0211Z-1045Z hours, 2 March to 3 March 2002.

b. Partial page of Permanent Orders 071-670, Combined Joint Task Force Mountain. Presumably, the applicant wrote, "CIB-order" in the upper left corner; however, his name is not present.

9. During the processing of this case, the Defense Finance and Accounting Service (DFAS) provided his Master Military Pay Account, which shows:

a. he received Hostile Fire/Imminent Danger Pay (HF/IDP) for service in Macedonia from 22 February 2000 to 5 September 2000 (a period of 6 months and 14 days).

b. he received Hostile Fire/Imminent Danger Pay (HF/IDP) for service in Saudi Arabia from 4 February 2001 to 31 October 2001 (a period of 8 months and 28 days).

c. he received Hostile Fire/Imminent Danger Pay (HF/IDP) for service in Uzbekistan from 5 January to 20 February 2002 (a period of 1 month and 16 days).

d. The total for this foreign service, as reflected in the information provided by DFAS is 1 year, 4 months, and 28 days.

e. (Note: DFAS only verifies receipt of HF/IDP. DFAS does not verify inclusive dates of deployed service or deployment locations beyond the first qualifying country (e.g., Kuwait versus Iraq). DFAS pay records are not considered "source documents," but may be considered as supporting documents leading to a preponderance of the evidence. A second source document is required).

10. 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 and through dates.

BOARD DISCUSSION:

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

a. Block 13 (Decorations, Medals, Badges, Citations and Campaign Ribbons Awarded or Authorized):

(1) Global War on Terrorism Expeditionary Medal. Grant. The applicant received Hostile Fire/Imminent Danger Pay (HF/IDP) for service in Uzbekistan from 5 January to 20 February 2002. He qualifies for this award.

(2) Global War on Terrorism Service Medal. Grant. A related award. The applicant served a qualifying period of service for this award.

(3) Kosovo Campaign Medal: Grant. Permanent Orders awarded him the Army Achievement Medal for meritorious service during Operation Joint Guardian while assigned to 1st Battalion, 187th Infantry Regiment from 22 February to 31 August 2000 (a period of 6 months and 10 days). This certificate also notes, the applicant and his unit greatly contributed to the success of the mission in Kosovo.

(4) NATO Medal: Deny. In order to add the NATO Medal to a Soldier's record the Soldier must have been issued a certificate. The applicant does not provide such certificate.

(5) Afghanistan Campaign Medal: Deny. The Board did not find evidence and the applicant does not provide any to show he served in Afghanistan.

(6) Combat Infantryman Badge: Deny. The applicant held an infantry MOS and was assigned to an infantry unit. However, there are no orders that show he was awarded the CIB and he does not provide evidence he was personally and actively participated in ground combat while his infantry unit was engaged with the enemy.

b. Blocks 12f (Foreign Service) and 18 (Remarks): Grant. The applicant received Hostile Fire/Imminent Danger Pay (HF/IDP) for service in Macedonia from 22 February 2000 to 5 September 2000 (a period of 6 months and 14 days), Saudi Arabia from 4 February 2001 to 31 October 2001 (a period of 8 months and 28 days), and Uzbekistan from 5 January to 20 February 2002 (a period of 1 month and 16 days), for a total foreign service, as reflected in the information provided by DFAS is 1 year, 4 months, and 28 days.

BOARD VOTE:

Mbr 1      Mbr 2      Mbr 3

:            :            :            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 to show in:

- Block 12f: Add 0001-04-28
- Block 13: Add Global War on Terrorism Service Medal, Global War on Terrorism Expeditionary Medal, and Kosovo Campaign Medal with 1 bronze service star
- Block 18 Add Service in Macedonia from 22 February 2000 to 5 September 2000; Service in Saudi Arabia from 4 February 2001 to 31 October 2001, and Service in Uzbekistan from 5 January to 20 February 2002

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 the NATO Medal, Combat Infantryman Badge, and Afghanistan Campaign Medal.



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 635-8, 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 and through dates:

a. block 12f enter the total amount of service performed Outside Continental United States (OCONUS) during the period covered by the DD Form 214, to include deployments. List periods of deployed service in block 18 (Remarks).

b. block 18 (Remarks) for an active duty Soldier, list any/all OCONUS deployments completed during the period of the DD Form 214 being created, the statement "Service in (Name of Country Deployed) From (inclusive dates)."

3. Army Regulation 600-8-22 prescribes Army policy, criteria, and administrative instructions concerning individual and unit military awards:

a. The Afghanistan Campaign Medal is awarded to members who have served in direct support of Operation Enduring Freedom. The area of eligibility encompasses all the land area of the country of Afghanistan and all air spaces above the land area. The period of eligibility is on or after 11 September 2001 to 31 December 2014, and Operation Freedom Sentinel from 1 January 2015 to a future date to be determined by the Secretary of Defense or the cessation of Operation Enduring Freedom. A bronze service star is authorized for wear with this medal for participation in each credited campaign.

b. The Secretary-General of NATO authorized the NATO Medal for specific designated NATO operations. The Secretary of Defense may approve acceptance and wear by U.S. service members who meet the criteria specified by the Secretary-General of NATO. Effective 1 January 2011, NATO revised its policy to state that all NATO Medal requests must be submitted within 2 years of leaving the operational area. Requests for medals for operations that ended 2 years or more prior to the date of request will not be processed. The U.S. Army Human Resources Command website contains a "frequently asked questions" section concerning military awards. The website

notes that to add the NATO Medal to a Soldier's record the Soldier must have been issued a certificate.

c. The Kosovo Campaign Medal is awarded to Servicemembers of the Armed Forces of the United States who, between 24 March 1999 to 31 December 2013, meet the following criteria:

(1) Participated in or served in direct support of Kosovo Operations: Allied Force; Joint Guardian; Allied Harbour; Sustain Hope/Shining Hope; Noble Anvil; or Kosovo Task Forces Saber, Hunter, Hawk, or Falcon within the Kosovo Air Campaign or Kosovo Defense Campaign areas of eligibility (AOEs).

(a) Kosovo Air Campaign. The Kosovo Air Campaign began on 24 March 1999 and ended on 10 June 1999. The AOE for the air campaign includes the total land area and airspace of Serbia (including Kosovo), Montenegro, Albania, Macedonia, Bosnia, Croatia, Hungary, Romania, Greece, Bulgaria, Italy, and Slovenia; and the waters and airspace of the Adriatic and Ionian Sea north of the 39th north latitude.

(b) Kosovo Defense Campaign. The Kosovo Defense Campaign began on 11 June 1999 to 31 December 2013. The AOE for the defense campaign includes the total land area and airspace of Serbia (including Kosovo), Montenegro, Albania, Macedonia, and the waters and airspace of the Adriatic Seas within 12 nautical miles of the Montenegro, Albania, and Croatia coastlines south of 42 degrees and 52 minutes north latitude.

(2) Servicemembers 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 operations AOE or meets one or more of the following criteria:

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

(b) While participating in the operation, regardless of time, is wounded or injured and requires medical evacuation from the AOE.

(c) While participating as a regularly assigned air crewmember flying sorties into, out of, within, or over the AOE in direct support of the military operations.

(3) One bronze service star will be worn on the suspension and service ribbon of the Kosovo Campaign Medal 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 begin during the air campaign and continues into the defense campaign entitles a Servicemember to only one bronze service star.

(4) Any Servicemember who qualified for Armed Forces Expeditionary Medal (AFEM) and Armed Forces Service Medal (AFSM) by reasons of service in Kosovo between 24 March 1999 and 1 May 2000 will remain qualified for those medals. Upon application, any such Servicemember may be awarded the Kosovo Campaign Medal in lieu of the AFEM or the AFSM, but no person may be awarded more than one of these three medals by reason of service in Kosovo, and no person will be entitled to more than one award of the Kosovo Campaign Medal for the same action, time period, or service.

c. The Global War on Terrorism Service Medal is authorized for award to members of the Armed Forces of the United States who participated in Global War on Terrorism operations outside of the areas of eligibility designated for award of the Global War on Terrorism Expeditionary Medal, Afghanistan Campaign Medal, or Iraq Campaign Medal. All Soldiers on active duty on or after 11 September 2001 to a date to be determined having served 30 consecutive or 60 nonconsecutive days are authorized the Global War on Terrorism Service Medal.

d. The Global War on Terrorism Expeditionary Medal 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 Global War on Terrorism Expeditionary Medal. 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 Global War on Terrorism Expeditionary Medal was limited to service members deployed abroad in Operations Enduring Freedom and Iraqi Freedom in a designated specific geographic AOE to include Uzbekistan.

e. Units Credited with Assault Landings. When entering individual credit on the Enlisted Record Brief or Officer Record Brief, the general orders may be cited as authority for such entries for Soldiers who were present for duty as a member of or attached to a unit listed herein and actually participated in a combat parachute jump, free fall combat jump, helicopter assault landing, combat glider landing, or amphibious assault landing at the place and time during the period indicated. A Soldier must actually exit the aircraft or landing craft to receive assault landing credit.



f. For award of the Combat Infantryman Badge a Soldier must meet the following three requirements:

(1) Be an infantry Soldier satisfactorily performing infantry duties. A Soldier must be an Army infantry or Special Forces (SF) officer (Career Management Field or Area of Concentration 11 or 18) in the grade of Colonel/O-6 or below, or an Army enlisted Soldier or warrant officer with an infantry or SF MOS who, subsequent to 6 December 1941, has satisfactorily performed duty while assigned or attached as a member of an infantry, ranger, or SF unit of either a brigade, regimental, or smaller size during any period such unit was engaged in active ground combat.

(2) Be assigned to an infantry unit during such time as the unit is engaged in active ground combat. A recipient must be personally present and under hostile fire while serving in an assigned infantry or SF primary duty, in a unit actively engaged in ground combat with the enemy. The unit in question must be a brigade, regiment, or smaller size. Battle or Campaign Participation Credit alone is not sufficient; the unit must have been in active ground combat with the enemy during the period. Improvised Explosive Devices, Vehicle Borne Improvised Explosive Devices, and the like are direct fire weapons. While no fixed, qualifying distance from an explosion of these devices can be established, commanders should consider the entirety of the combat situation when considering award of the Combat Infantryman Badge.

(3) Actively participate in such ground combat. Campaign or battle credit alone is not sufficient for award of the Combat Infantryman Badge.

f. The definition of requirement to be "engaged in active ground combat" has generated much dialogue over the years as to the original intent of the Combat Infantryman Badge. The intent has been clarified over time as being personally present, under fire, and engaging in action against the enemy in ground forces combat. It is not awarded for battle participation credit.

g. Wartime awards approval authority. When delegated wartime awards approval authority by the Secretary of the Army (or his or her designee), the following authorities apply: (1) Brigade commander level for Soldiers assigned to, attached to, or under the operational control of brigade-level or smaller units; (2) The first general officer in the chain of command for Soldiers assigned to units at echelons above brigade; (3) The next higher general officer in the chain for award to a general officer.

(4) Authority to award the Combat Infantryman Badge is also delegated to regional medical center commanders receiving casualties directly from the wartime theater. Medical center commanders must ensure the Soldier meets the requirements in paragraph 8-6b. Award of the Combat Infantryman Badge is not automatic and will not be awarded solely based on award of the Purple Heart.

(5) When no authority applies or has not been delegated, recommendations will be submitted through command channels to the Army Human Resources Command (AHRC), Army Decorations Board, for processing.

h. Retroactive award processing for the Combat Infantryman Badge. Retroactive award of the Combat Infantryman Badge is authorized for time periods specified for fully qualified individuals.

(1) The wartime command retains wartime awards approval authority for 12 months after redeployment and can approve award of the Combat Infantryman Badge for Soldiers who deployed with their command, and qualified for, but did not receive the Combat Infantryman Badge during the deployment.

(2) Soldiers redeployed more than 12 months or reassigned to a command other than their wartime command and qualified for the Combat Infantryman Badge while deployed may request award through command channels to Commander, AHRC, 1600 Spearhead Division Avenue, Fort Knox, KY 40122-5408. Applications for retroactive award to active duty Soldiers and Reserve Component Soldiers will be forwarded through command channels to the first general officer (for endorsement) to AHRC for processing. The first general officer in the chain of command of the Soldier recommended for award of the Combat Infantryman Badge may disapprove the recommendation. Retirees and veterans should address their applications to AHRC, Army Decorations Board for processing. The DA Form 4187 with endorsement by the first general officer is not required. All other criteria must be met. Requests for retroactive award of the Combat Infantryman Badge will not be made except where evidence of injustice is presented. Requests submitted must include justification explaining why the Combat Infantryman Badge was not awarded in theater.

3. Army Regulation 15-185 prescribes the policies and procedures for correction of military records by the Secretary of the Army, acting through the ABCMR. Paragraph 2-9 contains guidance on the burden of proof. It states, in pertinent part, that the ABCMR begins its consideration of each case with the presumption of administrative regularity, which is that what the Army did was correct. The ABCMR is not an investigative body and decides cases based on the evidence that is presented in the military records provided and the independent evidence submitted with the application. The applicant has the burden of proving an error or injustice by a preponderance of the evidence.

//NOTHING FOLLOWS//