

IN THE CASE OF: [REDACTED]

BOARD DATE: 29 August 2024

DOCKET NUMBER: AR20230013956

APPLICANT REQUESTS: correction of block 18 (Remarks) of his DD Form 214 (Certificate of Release or Discharge from Active Duty) to show "//SERVICE IN EGYPT, ISRAEL, AND RED SEA FROM 19990714-20000117//."

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

- DD Form 149 (Application for Correction of Military Record)
- Self-Authored Statement
- DD Form 214, Applicant
- Leave and Earnings Statement (LES), 1-30 November 1999
- DA Form 638 (Recommendation for Award)
- Permanent Orders Number 010-004, 10 January 2000
- DD Form 215 (Correction to DD Form 214), 21 March 2006
- Notarized Statement, [REDACTED] 30 October 2022
- DD Form 214, EH

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. In 2006, he applied for a correction to his DD Form 214. He received a DD Form 215 granting partial relief including a correction to block 18 to read, "Service in Egypt: 14 July 1999 to 17 January 2000"; this is in error. Block 18 should read, Service in Egypt, Israel, and Red Sea: 14 July 1999 to 17 January 2000, as this more accurately reflects his foreign service.

b. It is in the interest of justice that the Board review his case since he recently discovered the legal, social, and medical ramifications of this omission during the last two years. With the burn pit registry, the Pact Act and other Department of Veterans

Affairs legislation being extremely precise about locations and dates of service, it is very important that his records reflect the entire area of his foreign service. He understands that typical service in the Multinational Force and Observer (MFO) mission is characterized by service in the Southern Sinai Peninsula of Egypt; however, his service was not typical. He was an intelligence Soldier assigned to the civil affairs section and an Arabic speaker.

c. Part of his duties involved crossing the border and serving in Israel, and he did so on at least 50 occasions. He was placed under the operational control of foreign officers whose record keeping was poor. Fortunately, he was awarded an Army Achievement Medal and the write up includes evidence of his service in Israel. However, the award period was only from 22 July 1999 to 18 September 1999, a mere 3.5 weeks out of the 22 weeks he spent on that mission. His service on the Red Sea is also haunted by a lack of records. He was assigned to work with the Italian Liaison Officer and was repeatedly required to go out on floats aboard Italian Naval Coastal Patrol Boats. In addition, his duties required service aboard Egyptian Marine Police Small Watercraft. He served on both Tiran Island and Pharaoh's Island traveling by helicopter and boat respectively. He served in the Red Sea on both sides of the Straights of Tiran and was out on various boats in an official capacity at least 25 times. A look at his LES from November 1999 shows he received a combat zone exemption which was not being granted for Egypt or Israel at the time. That combat zone exemption was granted to him for service in the waters of the Red Sea.

d. Last year some guys from his Veterans of Foreign Wars post were going on a hunting trip [REDACTED] with a veteran's organization and asked him to accompany them. They said that the only requirement was service in a combat zone. He told them he had served in the Red Sea but after careful inspection of his DD Form 214 and DD Form 215 it was not there. He told them they had to look at his pay stubs and eventually they saw the proof. During the entire hunting trip, he was the butt of jokes. Everyone kept saying that if the game warden stopped them, he would have to show him his bank statement to prove he bought a license. This was embarrassing and he respectfully requests his records be corrected to reflect the actual locations he served.

3. The applicant enlisted in the Regular Army on 10 October 1996. He served in military occupational specialty 98G (Voice Interceptor).

4. On 9 October 2001, he was honorably released from active duty upon the completion of his required active duty. The DD Form 214 he was issued did not list any foreign service; however, the form showed he was awarded or authorized the:

- Army Good Conduct Medal
- Army Service Ribbon
- Sharpshooter Marksmanship Qualification Badge with Rifle Bar (M-16)

5. On 21 March 2006, his DD Form 214 was corrected by DD Form 215 to show in:

- block 12f (Foreign Service): 0000 06 04
- block 13 (Decorations, Medals, Badges, Citations and Campaign Ribbons Awarded or Authorized): Army Achievement Medal (1st oak leaf cluster), Multinational Force and Observers Medal, Noncommissioned Officer Professional Development Ribbon, Air Assault Badge
- block 14 (Military Education): Primary Leadership Development Course, 4 weeks, May 2000; and
- block 18: Service in Egypt: 14 July 1999 to 17 January 2000

6. The applicant provides a DA Form 638 which notes in Achievement #1 and #2, his movements to a hospital in Eilat, Israel, at dates between 22 July and 18 September 1999.

7. He further provides a notarized statement from the Soldier who replaced him on rotation. Specialist [REDACTED] stated, in effect,

a. While stationed at Fort Campbell, KY, he, and the applicant deployed as part of the MFO mission. The applicant's deployment was from July 1999 to January 2000 while he deployed from January to July 2000. The six-month rotation included overlapping time in January of 2000. They were both at the MFO during the transition between units. During this time the applicant trained him on the tasks of the deployment since he was his replacement.

b. As Arabic speaking members of the S-5, Civil Affairs Section, their service was required in all zones of the MFO mission (three zones in Egypt, the Israeli zone, and the Italian Coastal Patrol Unit zone on the Red Sea). They were required to conduct 3-week rotations to OP-3A, a remote observation post located near the Egyptian-Israeli international border. Their daily duties consisted of participating in liaison meetings with both Egyptian and Israeli liaison officers on both sides of the border at Taba/Eilat. They also were frequently required to cross the border into Israel for a multitude of reasons.

c. Like the applicant, he would accompany the rotational MFO Liaison officer as they conducted daily MFO business at the border. Their commanding liaison officers were from New Zealand, Norway, Hungary, Fiji, and Columbia. The applicant had just completed his tour when he was sent to the border. There he met his first liaison officer, Major R of Norway. He asked about the applicant by his first name and spoke very fondly of him. Their Egyptian border officers, Major [REDACTED] and Major [REDACTED], knew the applicant well and asked him how [REDACTED] was when he arrived in Taha. He remembers in Eilat, Israel, Sergeant [REDACTED] and Sergeant [REDACTED] of the Israeli Defense Force Liaison Unit also held the applicant in high regard. The applicant left quite an impression on all sides from what he observed. The MFO was always busy at the border. In

sensitive matters which could adversely affect either country, the MFO was there to ensure mutual understanding and cooperation prevailed. Whether an Egyptian terrorist in a car ramming the border, or a doped up, half naked Russian female national crossing over illegally into Egypt, the MFO Liaison branch helped to mediate issues before they escalated into a problem.

d. Although stationed at OP-3A, he spent a lot of time in Israel. He remembers once when an Egyptian-American national had a heart attack and needed to get to a hospital in Eilat Israel, as soon as possible. The nearest hospital in Nuweiba, Egypt, was very substandard-not a place to be treated. Unfortunately, he was held up at the border for quite some time even though he was an American citizen. The MFO liaison team was required to conduct missions in Israel daily. Back at the MFO's South camp which is located in Sharm El-Sheik, Egypt, on the Red Sea, their liaison duties included 3-week stints working for an Italian Liaison officer. Italy's role in the MFO is in support of MFO naval operations on the Red Sea. As the Italian Liaison officer was assigned to the Italian Coastal Patrol Unit, this brought us many times on board the vessels. The Esploratore was the name of the Italian Naval Coastal Patrol Vessel that he and the applicant boarded during the "left seat/right seat" transitioning phase where the applicant introduced him to the Italian Liaison officer, his subordinates and began familiarizing him with the duties it entailed.

e. Conducting MFO Liaison branch business with the Italian Liaison officer meant going out from time to time on various naval missions including training and operational patrols. He was also summoned to accompany the Italian Liaison officer whenever an Egyptian or other foreign dignitary visited the vessels. These naval missions would usually last several hours at sea as the ship patrolled up and down the coast, he remembered having lunch onboard; the Italians insisted he drink wine during the meal even though he explained that he was in uniform and on duty. But an order is an order so he complied. During the rotational team transition, the applicant described his service with the Italian contingent and trained him up. Sharing his experiences aboard the Esploratore really helped him understand what to expect once he took over the job. The applicant carried out additional missions on the Red Sea. To the north, near the Egyptian Israeli border, there is an Egyptian Police Station very close to the MFO remote observation post at OP-3A. The Egyptian Police officers used to invite the applicant to go out on Red Sea boat patrols with them from time to time. And finally, the Egyptian Liaison officers took the applicant to Saladin Castle Island which is also not far from the border.

8. During the processing of this case, the Defense Finance and Accounting Service (DFAS) reviewed his Master Military Pay Account, which shows service in the Red Sea from 1 October to 31 October 1999. 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.

BOARD DISCUSSION:

After reviewing the application and all supporting documents, the Board determined partial relief was warranted. The applicant's contentions, the military record, and regulatory guidance were carefully considered. Based upon the current entry on the applicant's DD Form 215, dated 31 March 2006, and the DFAS email confirming a portion of that service was in the Red Sea, the Board concluded there was sufficient evidence to amend the current entry on the applicant's DD Form 215 to show "Service in Egypt/Red Sea: 14 July 1999 to 17 January 2000."

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 entry on the applicant's DD Form 215, dated 31 March 2006, to reflect "Service in Egypt/Red Sea: 14 July 1999 to 17 January 2000."
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 any other language not reflected above.
3. Prior to closing the case, the Board also noted the administrative note below from the analyst of record and recommended that change also be completed to more accurately reflect the military service of the applicant.

3/6/2025

XCHAIRPERSON


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 DD Form 214 for the period ending 9 October 2001, by adding the National Defense Service Medal.

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:
 - block 12f (Foreign Service) 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)
 - block 18 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 (Military Awards) prescribes Army policy, criteria, and administrative instructions concerning individual and unit military awards. The regulation states the National Defense Service Medal is awarded for honorable active service for any period between 27 July 1950 and 27 July 1954, 1 January 1961 and 14 August 1974, 2 August 1990 and 30 November 1995, and 11 September 2001 and a date to be determined.
4. 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//