

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 22 November 2024

DOCKET NUMBER: AR20240004428

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

- foreign service
- deployment to Kosovo and Albania from 19 April to 21 September 1999
- deployment to Egypt on 15 July 2000
- Army Achievement Medal

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

- DD Form 149 (Application for Correction of Military Record)
- Certificate of Participation, Operation Allied Force, 17 April 1999 – 25 September 1999
- DD Form 1351-2 (Travel Voucher or Subvoucher), 19 April 1999 – 22 September 1999
- Permanent Order Number 334-23, Headquarters, 3rd Brigade, 82nd Airborne Division, 30 November 1999
- Certificate of Participation, Rotation Number 39, Sinai, Egypt, July 2000 – January 2001
- DD Form 1351-2, 15 July 2000 – 14 January 2001
- DD Form 214, for the period ending 13 June 2002

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 Board will only consider the portion of the applicant's request that pertains to correction of block 18 (Remarks) of his DD Form 214 to show he deployed to Kosovo and Albania from 19 April to 21 September 1999. The remaining portions of his request will be addressed through an administrative correction without action by the Board.

3. The applicant enlisted in the Regular Army on 8 September 1992.
4. Permanent Orders (PO) Number 28-4, published by Headquarters, 3rd Brigade, 82nd Airborne Division, on 26 January 1999, awarded him the Army Commendation Medal.
5. A Certificate of Participation for Operation Allied Force notes his service in Kosovo from 17 April 1999 to 25 September 1999.
6. A DD Form 1351-2 shows, he:
 - departed Fort Bragg, NC on 19 April 1999
 - was in Albania from on 20 April 1999 - 12 June 1999
 - was in Kosovo from 12 June 1999 - 22 September 1999
 - arrive Fort Bragg, NC on 22 September 1999
7. A Certificate of Participation for Rotation Number 39 notes his service in Sinai, Egypt from July 2000 to January 2001.
8. DD Form 1351-2 shows, he:
 - departed Fort Bragg, NC on 15 July 2000
 - arrived and departed from Bangor, Maine on 16 July 2000
 - arrived and departed from Oostende, Belgium on 16 July 2000
 - was in Sharm El Sheikh, Sinai, Egypt from 16 July 2000 to 14 January 2001
 - arrived and departed from Schiphol, Netherlands on 14 January 2001
 - arrived Fort Bragg, NC on 14 January 2001
9. PO Number 010-31, published by the 82nd Soldier Support Battalion (Airborne), 82nd Airborne Division, 10 January 2002, awarded him the Army Good Conduct Medal (3rd Award).
10. He was honorably discharged on 13 June 2002. He completed 9 years, 9 months, and 6 days of active service. Item 12f (Foreign Service) of the DD Form 214 he was issued does not show he performed any foreign service. The form shows he was awarded or authorized the:
 - Army Lapel Button
 - National Defense Service Medal
 - Army Service Ribbon
 - Expert Marksmanship Qualification Badge with Rifle Bar
 - Parachutist Badge

11. During the processing of this case, the Defense Finance and Accounting Service (DFAS) reviewed his Master Military Pay Account (MMPA).

a. The MMPA shows he performed foreign duty and received hostile fire pay/imminent danger pay for service in Albania from 20 April to 12 September 1999 (a period of 4 months and 24 days).

b. DFAS further noted he served in Egypt from 15 July 2000 to 14 January 2001 (a period of 6 months).

c. Note: DFAS only verifies receipt of hostile fire/imminent danger pay. 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.

BOARD DISCUSSION:

After reviewing the application and all supporting documents, the Board found that relief was warranted. The Board carefully considered the applicant's record of service, documents submitted in support of the petition and executed a comprehensive review based on law, policy and regulation. Upon review of the applicants petition and available military records, the Board determined there is sufficient evidence to grant full relief, including his travel vouchers and statement of timelines. Based on a preponderance of the evidence, the Board determined relief was appropriate for the administrative notes reflected below and his deployment to Kosovo and Albania from 19 April to 21 September 1999.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

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

BOARD DETERMINATION/RECOMMENDATION:

The Board determined the evidence presented is sufficient to warrant a recommendation for relief. As a result, the Board recommends that all Department of Army records of the individual concerned be corrected by amending his DD Form 214, for the period ending 13 June 2002 to show in:

- item 12f (Foreign Service): 0001 03 27
- item 18 (Remarks): Service in Kosovo and Albania from 19 April 1999 to 21 September 1999

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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): a review of the applicant's service records indicates the following corrections to his DD Form 214 ending 13 June 2002 should be made:

a. add to block 13 (Decorations, Medals, Badges, Citations and Campaign Ribbons Awarded or Authorized) the -

- Army Achievement Medal
- Army Good Conduct Medal (3rd Award)
- Army Commendation Medal
- Global War on Terrorism Service Medal
- Kosovo Campaign Medal with 2 bronze service stars

b. add to block 18 (Remarks) the entry "SERVICE IN EGYPT FROM 20000715-20010114".

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 Army Achievement Medal is awarded to members of the Armed Forces of the United States, who while serving in a noncombat area on or after 1 August 1981, distinguished themselves by meritorious service or achievement. As with all personal decorations, formal recommendations, approval through the chain of command, and announcement in orders are required.

b. The Army Good Conduct Medal is awarded to individuals who distinguish themselves by their conduct, efficiency, and fidelity. This period is 3 years except in those cases when the period for the first award ends with the termination of a period of 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. Although there is no automatic entitlement to the Army Good Conduct Medal, disqualification must be justified.

c. The Army Commendation Medal may be awarded to any member of the Armed Forces of the United States who, while serving in any capacity with the Army after 6 December 1941, distinguishes himself or herself by heroism, meritorious achievement, or meritorious service. As with all personal decorations, formal recommendations, approval through the chain of command, and announcement in orders are required.

d. The Global War on Terrorism Service Medal 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 Global War on Terrorism Expeditionary Medal, Afghanistan Campaign Medal, or Iraq Campaign Medal. 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 Global War on Terrorism Service Medal. The Global War on Terrorism Service Medal may be awarded posthumously. Only one award of the Global War on Terrorism Service Medal may be authorized to any individual; second and subsequent awards will not be awarded.

e. The Kosovo Campaign Medal is awarded to Servicemembers of the Armed Forces of the United States who, after 24 March 1999, participated in or served in direct support of Kosovo Operation(s): Allied Force; Joint Guardian; Allied Harbour; Sustain Hope/Shining Hope; Noble Anvil; or Kosovo Task Forces(s): Saber, Hunter, Hawk, or Falcon within the Kosovo Air Campaign or Kosovo Defense Campaign areas of eligibility. 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. 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. 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:

(1) 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.

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

(3) 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.

f. 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.

3. 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. It states for:

- block 12f enter the total amount of foreign service completed during the period covered by the DD Form 214

- block 18 for an active duty Soldier deployed with their unit during their continuous period of active service, the statement "Service in (Name of Country Deployed) From YYYYMMDD - YYYYMMDD)"

//NOTHING FOLLOWS//