

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 4 February 2025

DOCKET NUMBER: AR20240005376

APPLICANT REQUESTS: correction of his DD Form 214, Certificate of Release or Discharge from Active Duty, to show his foreign service in Egypt during Bright Star Exercise October to November 1998.

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

- DD Form 149 (Application for Correction of Military Record)
- DD Form 214 ending on 1 March 1995
- DA Form 638, Recommendation for Award, and Army Achievement Certificate, 12 April 1994
- Leave and Earnings Statement, December 1993
- Statement in Support of Claim
- Officer Record Brief

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 his DD Form 214 for the period ending on 1 March 1995 does not reflect any Foreign Service in Section 12, line f. He has enclosed documentation that shows he served on Active Duty in Egypt (Operation Bright Star) in November 1993. He asks the Board to make appropriate corrections. He currently has pending PACT Act claims with the VA. Evidence of serving in Egypt in 1993 on his DD 214/DD 215 will expedite processing of his claims. He did not know that he could make changes and/or corrections to his DD Form 214 until now.
3. The Board will consider adding the foreign service to Block 18 (Remarks) as a deployment versus training exercise. Also, the Board will consider the Army Good Conduct Medal.

a. The applicant enlisted in the Regular Army on 3 November 1992. He held military occupational specialty 13B, Cannon Crewmember.

b. Permanent Orders Number 14-07, issued by Headquarters, 3rd Battalion, 41st Field Artillery, on 12 April 1994, awarded him the Army Achievement Medal for "Meritorious achievement during Operation Bright Star 94, for the period 23 October 1993 to 28 November 1993."

c. The applicant provides his Leave and Earnings Statement for the period 1 through 31 December 1993. It shows he was on "Field Duty between 2 November and 27 November 1993" and his "Foreign Duty Pay" stopped on 27 November 1993.

d. He was honorably released from active duty in the rank/grade of specialist/E-4 on 1 March 1994, after completing 2 years, 3 months and 28 days of active service. His DD Form 214 shows in:

- Block 12f, Foreign Service) zero foreign service
- Block 13, Decorations, Medals, Badges, Citations, and Campaign Ribbons Awarded or Authorized, lists the Army Achievement Medal, National Defense Service Medal, Army Service Ribbon, and Expert Badge with Rifle Bar
- Block 18, Remarks, does not list any deployments

4. The applicant's service record does not contain order awarding him the Army Good Conduct Medal. Likewise, his service record does not contain any derogatory information (lost time, court-martial conviction) which would have disqualified him from receiving this award.

5. After his release from active duty (as an enlisted Soldier), the applicant was appointed a Reserve commissioned officer on 27 June 1997. His Officer Record Brief reflects 1 month of overseas duty in Egypt, in November 1993.

6. Hostile Fire/Imminent Danger Pay (HFP/IDP) is a monthly special pay paid to service members when assigned to a designated Imminent Danger Pay (IDP) area. DOD Financial Management Regulation lists these areas. The commander determines HFP based on whether a member is:

- Subject to hostile fire or mine explosions
- In an area near hostile fire or mine explosions which endanger the member
- Killed, injured, or wounded by hostile fire, mines, or any hostile action

7. "Exercise Bright Star" is a series of combined and joint military exercises led by the United States and Egypt. The exercises began in 1980, rooted in the 1977 Camp David Accords. After its signing, the United States Armed Forces and the Egyptian Armed

Forces agreed to conduct training together in Egypt. Bright Star is the oldest multilateral military exercise in the Middle East and Africa first occurring in 1980. The biannual multinational exercise is designed to enhance interoperability among participating nations and support their ability to confront security and military challenges at regional and international levels.

8. Army Regulation 635-5 (Separation Documents), in effect at the time, provided detailed instructions for completing separation documents, including the DD Form 214.

- Block 12f, enter total amount of foreign service completed during the period by the DD Form 214
- Block 13, enter all awards and decorations
- Block 18, for an active duty Soldier deployed with his or her unit during their continuous period of active service, enter the statement "Service in (Name of County Deployed), Form (inclusive dates YYYYMMDD - YYYYMMDD)

BOARD DISCUSSION:

After reviewing the application and all supporting documents, the Board determined relief was warranted. The applicant's contentions, the military record, and regulatory guidance were carefully considered. Based upon the information reflected on the applicant's ERB (Overseas Duty) and the award documentation provided, the Board concluded there was sufficient evidence of an error related to the applicant's foreign duty service reflected on his DD Form 214. As such, the Board recommended granting the requested relief.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

:X	:X	:X	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 the applicant's DD Form 214 by changing the entry in box 12f (Foreign Service) to reflect 0000 01 06.

X

CHAIRPERSON

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 NOTES:

Add award of the Army Achievement Medal to his DD Form 214, awarded by Permanent Orders Number 14-07, issued by Headquarters, 3rd Battalion, 41st Field Artillery, on 12 April 1994, for meritorious achievement during Operation Bright Star 94, for the period 23 October 1993 to 28 November 1993.

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) states 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. Although there is no automatic entitlement to the Army Good Conduct Medal, disqualification must be justified. Also, any one of the following periods of continuous enlisted active Federal military service qualifies for award:

- Each 3 years completed on or after 27 August 1940
- For first award only, 1 year served entirely during the period 7 December 1941 to 2 March 1946
- For first award only, upon termination of service on or after 27 June 1950 of less than 3 years but more than 1 year
- For 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
- For first award only, for those individuals who died before completing 1 year of active Federal service if the death occurred in the line of duty

3. Army Regulation 635-5 (Separation Documents), in effect at the time, prescribed the separation documents that must be prepared for Soldiers upon retirement, discharge, or release from active duty service or control of the Active Army. It established standardized policy for preparing and distributing the DD Form 214. The general instructions stated all available records would be used as a basis for preparation of the DD Form 214. The specific instructions for:

- Block 12f, enter total amount of foreign service completed during the period by the DD Form 214
- Block 13, enter all awards and decorations
- Block 18, for an active duty Soldier deployed with his or her unit during their continuous period of active service, enter the statement "Service in (Name of County Deployed), Form (inclusive dates YYYYMMDD - YYYYMMDD)

//NOTHING FOLLOWS//