

IN THE CASE OF: [REDACTED]

BOARD DATE: 1 August 2024

DOCKET NUMBER: AR20230013187

APPLICANT REQUESTS: correction of his DD Form 214 (Certificate of Release or on Discharge from Active Duty) ending on 17 September 2003 to show award of the:

- Iraq Campaign Medal with 2 bronze service stars
- Army Commendation Medal
- Army Reserve Components Achievement Medal
- Army Good Conduct Medal
- Overseas Service Ribbon
- Overseas Service Bar

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

- DD Form 149 (Application for Correction of Military Record)
- Orders R059-01, Headquarters, U.S. Army Special Operations Command, 28 February 2003
- memorandum, B Company, 13th Psychological Operations Battalion, Subject: Award of the Army Reserve Components Achievement Medal (1st Award), 17 March 2003
- Permanent Orders Number 211-017, Headquarters, 800th Military Police Brigade, Army Commendation Medal, 30 July 2003
- DD Form 214
- DA Form 2-1 (Personnel Qualification Record)
- extract reference Overseas Service Ribbon

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 enlisted in the U.S. Army Reserve (USAR) on 17 March 2000. He served in military occupational specialty 37F (Psychological Operations Specialist).

3. On 17 March 2003, the Commander of 13th Psychological Operations Battalion awarded him the Army Reserve Components Achievement Medal (1st Award)
4. He was ordered to active duty in accordance with Title 10, U.S. Code, section 12302 on 12 February 2003. He served in Iraq from 20 March to 20 August 2003 (a period of 5 months).
5. On 17 September 2003, he was honorably released from active duty upon the completion of his required active service. The DD Form 214 he was issued shows he completed 7 months and 6 days of active service. He was awarded or authorized the:
 - Army Achievement Medal (2nd Award)
 - National Defense Service Medal
 - Armed Forces Reserve Medal and Mobilization
 - Army Service Ribbon
6. Permanent Orders 211-017, issued by Headquarters, 800th Military Police Brigade on 30 July 2003, awarded him the Army Commendation Medal for service from 12 February 2003 to 1 August 2003.

BOARD DISCUSSION:

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

a. Iraq Campaign Medal with 2 bronze service stars: Grant. The applicant served in Iraq from 20 March to 20 August 2003 (a period of 5 months) through 2 campaigns. He qualifies for award of the Iraq Campaign Medal with 2 bronze service stars and correction of his DD Form 214 to show it.

b. Army Commendation Medal: Grant. Permanent Orders awarded him the Army Commendation Medal for service from 12 February 2003 to 1 August 2003. His DD Form 214 does not reflect this award.

c. Army Reserve Components Achievement Medal: Grant. The applicant's commander awarded him this award. It is not shown on his DD Form 214.

d. Global War on Terrorism Service Medal: Grant. The applicant served a qualifying period of service for this award, and it should be listed on his DD Form 214.

e. Army Good Conduct Medal: Deny. The applicant did not serve continuously on active duty for 3 years. He does not meet the criteria for this award.

f. Overseas Service Ribbon: Deny. The applicant completed 5 months of foreign service in Iraq. This period is not long enough to qualify him for this award.

g. Overseas Service Bar: Deny. This is an item of clothing; it is not an award.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

: : : GRANT FULL RELIEF

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: : : 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 adding to his DD Form 214:

- Iraq Campaign Medal with 2 bronze service stars
- Army Commendation Medal
- Army Reserve Components Achievement Medal
- Global War on Terrorism Service Medal

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: Army Good Conduct Medal, Overseas Service Ribbon, and overseas service bar

8/1/2024

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CHAIRPERSON

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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.

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 and states:

a. The Iraq Campaign Medal is awarded to members who have served in direct support of Operation Iraqi Freedom. The area of eligibility encompasses all the land area of the country of Iraq, the contiguous water area out to 12 nautical miles, and all air spaces above the land area of Iraq and above the contiguous water area out to 12 nautical miles. The Iraq Campaign Medal period of eligibility is on or after 19 March 2003 through 31 December 2011. A bronze service star is authorized for wear with this medal for participation in each credited campaign. Approved campaigns are: Liberation of Iraq (19 March 2003-1 May 2003) and Transition of Iraq (2 May 2003-28 June 2004).

b. 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.

c. The Army Reserve Components Achievement Medal is authorized for award to Army personnel, including Active Guard Reserve officers, in the rank of colonel and below for exemplary behavior, efficiency, and fidelity while serving as a member of an Army National Guard or Army Reserve troop program unit or as an individual mobilization augmentee. Individuals must have completed 4 years of qualifying service on or after 3 March 1972 and before 28 March 1995. Beginning on 28 March 1995, the period of qualifying service for award of the Army Reserve Components Achievement Medal was reduced from 4 to 3 years. This change is not retroactive. Such years of qualifying service must have been consecutive. A period of more than 24 hours between Reserve enlistments or an officer's service will be considered a break in service. Credit toward earning the award must begin anew after a break in service. The bronze oak leaf cluster is awarded to denote the second and succeeding awards of the Army Reserve Components Achievement Medal.

d. 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.

e. 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 Army Good Conduct Medal until the immediate commander approves the award and the award is announced in permanent orders, however, although there is no automatic entitlement to the Army Good Conduct Medal, disqualification must be justified.

f. The Overseas Service Ribbon is awarded for successful completion of overseas tours. Numerals are used to denote the second and subsequent awards of the overseas service ribbon. Information received from U.S. Army Human Resources Command on 29 November 2011 stated they were provided guidance from G-1 in January 2006 to award short tour credit to those Soldiers who served a combat deployment/operational deployment (non-combat) tour for 9 months or 8 months and 16 days or more. Therefore, the Overseas Service Ribbon may be granted if the applicant served at least 8 months and 16 days on his/her tour.

3. Army Regulation 670-1 (Uniforms and Insignia) governs the requirements for the Overseas Service Bar. It states a bar is authorized for wear for each period of active Federal service as a member of the U.S. Army outside of the continental limits of the United States for the specific time frames and areas of operation cited in Army Regulation 670-1 or appropriate Department of the Army message. There are special provisions regarding authorization for the Overseas Service Bar for service in a hostile fire zone and for combining service to calculate award of the bars. The Overseas Service Bar is normally not entered on the DD Form 214 because it is an item of uniform wear, not an award or decoration.

4. Army Regulation 15-185 prescribes the policies and procedures for correction of military records by the Secretary of the Army, acting through the ABCMR. 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//