

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 28 August 2024

DOCKET NUMBER: AR20240000511

APPLICANT REQUESTS: correction of his DD Form 214 (Certificate of Release or Discharge from Active Duty) ending 18 February 2009, to show:

- his deployment to Afghanistan from 17 December 2007 to 15 November 2008
- award of the Afghanistan Campaign Medal

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

- DD Form 149 (Application for Correction of Military Record)
- Self-Authored Statement
- Orders 07-290-00001, U.S. Army Reserve Readiness Command, 17 October 2007
- Orders 311-4, U.S. Army Installation Management Campaign, 7 November 2007
- DA Form 67-9, Officer Evaluation Report (OER), 1 August 2007 to 31 July 2008
- Permanent Orders Number 308-007, 3 November 2008, Bronze Star Medal
- Defense Finance Accounting Service (DFAS) Master Military Pay Account (MMPA), December 2008
- DD Form 214, 18 February 2009
- U.S. Department of Veterans Affairs (VA) Identification Card
- U.S. Department of Defense Uniform Services Identification Card
- Auto Driver License
- VA Rating Decision, 8 March 2023

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 summary, his DD Form 214 does not show he performed duty in Afghanistan. Order number 07-290-00001 assigns him to the Logistics Civil Augmentation Program. Order Number 311-4 further assigned him to Afghanistan. A copy of his OER shows the duties he performed in Afghanistan and his Bronze Star

Medal Narrative shows he performed duties in Afghanistan. His MMPA from 2008 shows he received combat pay of over \$65,000.00, and he received hostile fire pay (HFP) from January 2008 to October 2008. A letter from the VA further shows he suffers from combat related post-traumatic stress disorder.

3. The Board will only consider the applicant's request to correct his DD Form 214 ending 18 February 2009, to show his deployment to Afghanistan. The Board will not consider the remainder of his request, as there is sufficient evidence to justify an administrative correction of his DD Form 214 ending 18 February 2009, without action by the Board to add the Afghanistan Campaign Medal with 1 bronze service star.

4. Having 5 years, 10 months and 9 days total prior active service, the applicant was ordered to active duty as a member of the U.S. Army Reserve in support of Operation Enduring Freedom. He entered active duty this period on 13 November 2007.

a. Orders 07-290-00001, U.S. Army Reserve Readiness Command, 17 October 2007, which ordered him to active duty at Fort Belvoir, VA, in support of Operation Enduring Freedom for a period not to exceed 400 days.

b. Orders 311-4, U.S. Army Installation Management Campaign, 7 November 2007, which reassigned and/or deployed him to Afghanistan in support of Operation Enduring Freedom with a proceed date of 15 December 2007.

5. His DA Form 67-9 for the period 1 August 2007 to 31 July 2008 notes his mobilized status and forward deployed service in Afghanistan.

6. Permanent Orders Number 308-007, dated 3 November 2008, awarded him the Bronze Star Medal for meritorious service in support of Operation Enduring Freedom while serving as Operations Officer from 15 December 2007 to 31 October 2008.

7. A DFAS MMPA, dated December 2008 notes his receipt of hostile fire pay from January to October 2008.

8. The applicant was honorably released from active duty upon the completion of his required active duty on 18 February 2009. His DD Form 214 contains the following information/entries:

a. Block 12f (Foreign Service) shows the entry, "0000 00 00."

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

- Bronze Star Medal

- Joint Service Commendation Medal
- Meritorious Service Medal
- Army Commendation Medal (3rd Award)
- Global War on Terrorism Service Medal
- Army Service Ribbon
- Overseas Service Ribbon
- Army Reserve Components Overseas Training Ribbon
- Armed Forces Reserve Medal with "M" Device and "20 Year" Device

c. Block 18 (Remarks) does not include any remarks regarding foreign/deployed service.

9. The applicant provides a Letter from the VA dated 8 March 2023, which certified his wartime service-connected disability as totally disabling.

10. During the processing of this case, the Defense Finance and Accounting Service (DFAS) reviewed his MMPA.

a. DFAS verified his deployed service in Afghanistan from January to October 2008.

b. 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:

1. After reviewing the application, all supporting documents, and the evidence found within the military record, 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 and standard review based on law, policy and regulation. Upon review of the applicant's petition and available military records, the Board determined there is sufficient evidence to correct the applicant's DD Form 214 to show the applicant was deployed to Afghanistan from 17 December 2007 to 15 November 2008 and be awarded the Afghanistan Campaign Medal.

2. The Board noted, the applicant's officer evaluation report (OER) shows the duties he performed in Afghanistan and his Bronze Star Medal Narrative shows he performed duties in Afghanistan. Furthermore, the applicant's MMPA from 2008 shows he received combat pay and he received hostile fire pay (HFP) from January 2008 to October 2008. Based on the preponderance of evidence, the Board granted relief to correct the

applicant's record awarding him the Afghanistan Campaign Medal and adding his foreign service credit for his deployment.

3. Prior to closing the case, the Board did note the analyst of record administrative notes below, and recommended the correction is completed to more accurately depict the military service of the applicant.

BOARD VOTE:

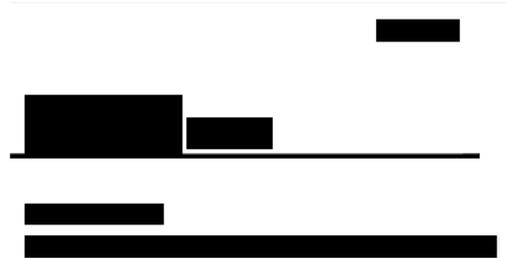
Mbr 1      Mbr 2      Mbr 3

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

BOARD DETERMINATION/RECOMMENDATION:

In addition to the administrative notes annotated by the Analyst of Record (below the signature), the Board determined the evidence presented is sufficient to warrant a recommendation for 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 for the period ending 18 February 2009 to show in:

- Item 12f (Foreign Service) 00 YEARS 10 MONTHs and 26 DAYS
- Item 13(Decorations, Medal, Badges, Citations and Campaign Ribbons, Awarded or Authorized): Afghanistan Campaign Medal with 1 bronze service star
- Item 18(Remarks): SERVICE IN AFGHANISTAN (OPERATION ENDURING FREEDOM) FROM 20071217 UNTIL 20081115



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):

Administratively correct t block 13, (Decorations, Medals, Badges, Citations and Campaign Ribbons Awarded or Authorized) of the applicant's DD Form 214 ending on 18 February 2009 without action by the Board, by deleting the Army Reserve Components Overseas; and adding the -

- Army Reserve Components Overseas Training Ribbon (3rd Award) (per DD Form 214 ending 25 January 2005)
- Parachutist Badge (per DD Form 214 ending 19 January 1987)
- Air Assault Badge (per DD Form 214 ending 25 January 2005)
- 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, (Separation 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. 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)"

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

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's Sentinel from 15 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. Approved designated Afghanistan campaign: Consolidation II (1 October 2006 to 30 November 2009).

b. 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. 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//