

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 7 August 2024

DOCKET NUMBER: AR20240002012

APPLICANT REQUESTS: reconsideration of his previous requests to:

- Upgrade his Silver Star (SS) to the Distinguished Service Cross (DSC)
- Personal appearance before the Board

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

- DD Form 149 (Application for Correction of Military Record)
- Continuation of DD Form 149
- Tab A - DSC Recommendation and New Additional Information
- Tab B - DSC Original Recommendation Packet
- Recommendation of the DSC from General (GEN) P-

FACTS:

1. Incorporated herein by reference are military records which were summarized in the previous consideration of the applicant's cases by the Army Board for Correction of Military Records (ABCMR) in Docket Numbers AR20130001706 on 14 May 2013 and AR20140001068 on 14 April 2015.

2. The applicant states:

a. He is requesting the Board correct his military record by recommending to the Secretary of the Army that his award of the SS be upgraded to an award of the DSC as originally recommended by both GEN R- O-, Multinational Iraq Commander, and GEN D- P-, Multinational Force Iraq (MNF-I) approved in 2007 in Baghdad, Iraq. The factual, legal and equitable bases for this request are set forth herein with the attached supporting evidence.

b. The DSC recommendation for him contains additional key information that was not part of the original support packet submitted in 2007. Officers in Eagle Company were present and eyewitnesses to each of the combat actions in the statements that further clarifies the actions of the applicant in Baghdad, Iraq in 2007.

c. The original award recommendation for the DSC for him highlighted his extraordinary heroism in leading the defense of Eagle Company's Combat Outpost (COP) Blackfoot in south Baghdad's al-Dora district on 4 September 2007, during an eight hours long complex attack by a larger enemy force. However, this event was just one of numerous instances during Eagle Company's deployment where the applicant displayed extraordinary leadership under fire.

d. To fully comprehend his combat leadership of Eagle Company, it is important to provide, for consideration, additional key information, which was not part of the original award recommendation.

e. The Board should conduct a full review of the original DSC recommendation to include the new additional information that has not been reviewed or considered previously with this award recommendation. After reviewing these documents, the Board members will be able to make a fully informed decision and provide their final recommendation to the Secretary of the Army that should result in this error being corrected.

f. Facts relevant to the application: Senator Marco Rubio has petitioned the Army on behalf of the applicant to correct the error to award the DSC that had been previously recommended and approved by two four star generals in command in Iraq, at the time of this combat action.

g. After Senator Rubio petitioned the United States Army on 23 January 2024, the response form the U.S. Army Office of the Chief Legislative Liaison provided guidance to have the new information that has not been previously reviewed in the original award recommendation submitted to the Board. This will allow the Board to conduct a full transparent review with all the information supporting the DSC recommendation which will enable the Board to provide an accurate and fair recommendation to the Secretary of the Army in this case.

3. The applicant provides the following documents:

a. Email from GEN R- O-, 22 August 2008, states it is leaders like [the applicant] who set tough standards and hold their Soldiers accountable and prepare them for the toughest situations that make our Army what it is. The applicant earned the recommendation and the GEN was disappointed he was not receiving the DSC. The entire email is available for the Board's review.

b. DSC additional information signed by Mr. P- R-, former captain (CPT), Eagle Company; Special Agent F- P-, former CPT, Eagle Company; and Major (MAJ) J- W-, Eagle Company, states:

(1) DSC recommendation for the applicant. As officers in Eagle Company, each one of them were present and eyewitnesses to each of the combat actions in the statement that further clarifies the actions of the applicant in Baghdad, Iraq in 2007.

(2) The original award recommendation for the DSC for the applicant highlighted his extraordinary heroism in leading the defense of Eagle Company's COP Blackfoot in south Baghdad's al-Dora district, on 4 September 2007, during an eight hours long complex attack by a larger enemy force. However, this event was just one of numerous instances, during Eagle Company's deployment where the applicant displayed extraordinary leadership under fire. To fully comprehend his combat leadership of Eagle Company, which they believe is so notable and extraordinary to be deserving of the DSC, they feel it is important to provide, for consideration, additional key information, which was not part of the original award recommendation.

(3) Before discussing additional engagements in which he distinguished himself by leading Eagle Company, it is important to emphasize the highly kinetic and contested nature of Eagle Company's assigned sector, during the approximately two-month period beginning with Eagle Company assuming operational control of the sector and COP Blackfoot in early September 2007 through the end of the clearance operation Eagle Company performed in late October 2007. During this time, Eagle Company patrols in the sector, as well as COP Blackfoot itself, were being engaged by the enemy on a near daily basis.

(4) They have no doubt that Eagle Company would have suffered additional casualties but for the applicant's extraordinary heroism and leadership. From the defense of COP Blackfoot, on 4 September 2007, to the subsequent enemy engagements discussed, they strongly believe his actions, during this period of intense combat, involved acts that merit award of the DSC. They respectfully request the Army Senior Decorations Review Board reassess the award recommendation for the DSC for the applicant and consider the additional key information in the document, as a supplemental to the original award recommendation.

(5) 11 September 2007 Baghdad, Iraq: The battle that took place on 4 September 2007 was just the beginning for Eagle Company. After this attack, they went on the offensive to destroy the enemy in their assigned sector. There were many rough days ahead where the applicant made the difference. After the initial battle that took place on 4 September 2007 and several skirmishes with the enemy, it was determined that a much larger force needed to be sent into the sector to clear it; house to house and street to street.

(6) The force that was sent into East Rashid to help clear the sector with Eagle Company was their regiment's 3d Squadron of the 2nd Stryker Cavalry Regiment (3/2 SCR). During the initial clearance of the sector, 3d Squadron took several casualties

from House Borne Improvised Explosive Devices (HBIED). This is where the enemy would place homemade explosives in houses and detonate them once our Soldiers were inside. HBIEDs were exceedingly difficult to find and the unit lost six Soldiers killed in action in two consecutive days from HBIEDs. At the onset of this operation there were over 200 improvised explosive devices (IED) located in the streets in their sector that had to be removed by Explosive Ordnance Disposal (EOD) teams. This went on for many days before the roads and buildings were cleared.

(7) Eagle Company had hit one of these devices on 11 September 2007, during an operation targeting an Al Qaeda Media Center. During a 24 hour period, Eagle Company conducted three different combat operations without pause that were planned and led at the company level by the applicant. The first operation was a counter-sniper operation conducted by 1st Platoon, led by First Lieutenant (1LT) F- P-. This mission resulted in the engagement of Al Qaeda in Iraq (AQI) sniper teams, significantly impeding the enemy's freedom of maneuver, and immediately halting all sniper attacks directed at COP Blackfoot.

(8) The second operation was conducted by Eagle Company's 2nd Platoon, led by 1LT J- W-. This operation supported a raid that was conducted by the 22nd Special Air Service, which resulted in significant contact with the enemy and an AC-130 Gunship being called in to suppress the enemy at the target location.

(9) The last operation on 11 September 2007 was conducted by Eagle Company's 3d Platoon, led by 1LT C- T-. Third Platoon was tasked with establishing two observation posts in separate buildings in Eagle Company's sector. The enemy discovered the two locations and conducted a hasty attack against the 3d Platoon. During the fight, 1LT T- ordered the consolidation of his platoon into one location. The relocating section was led by Staff Sergeant (SSG) J- H- and SSG D- C-. As SSG C- left the building, he directed Specialist (SPC) J- P- to button hook to the right to pull security for the rest of the element that was moving to the other building. As soon as he went right, SPC P- stepped on a crush wire that detonated an IED. The blast caused SPC P- to lose his left leg below the knee and wounded several other Soldiers from the squad. SSG C- was blown into the street. He received shrapnel wounds throughout the back of his legs and temporarily lost hearing from the explosion.

(10) Once the dust cleared, SSG C- got up and continued to lead his squad into the building they were consolidating at. Immediately, 1LT T- and SSG H- requested a casualty evacuation (CASEVAC). The applicant who was providing command and control for the operations, alerted the Quick Reaction Force (QRF) and directed 1LT P- to conduct a CASEVAC for the 3d Platoon casualties.

(11) The 1st Platoon QRF departed from the COP within five minutes of being directed by the applicant. The response to this event was a direct result of Standard

Operating Procedures (SOP) established, and reinforced through training by the applicant. In this case, the SOP was to have a QRF ready to support the main effort platoon, within minutes, during every operation. This was one of many occasions where SOPs and the training in Kuwait and upon arrival in theater were put into practice in real-world situations. The preparedness of Eagle Company was a direct result of the lessons learned training the applicant imparted on his Soldiers.

(12) Another standard for Eagle Company, established by the applicant, was to have a preestablished communications plan for Close Air Support and Intelligence Surveillance and Reconnaissance (ISR) assets. Accordingly, the applicant made the request for the Air Weapons Team (AWT) as soon as the contact with the enemy began.

(13) The AWT was comprised of two AH-64 Apache Attack Helicopters that arrived within minutes of contact. The applicant took charge of communication with the AWT to allow 1LT T- to maneuver his Soldiers. Having a different perspective of the situation, he confirmed friendly and enemy locations and directed the aircraft to conduct strafing runs to suppress the enemy during the CASEVAC.

(14) As soon as 1st Platoon linked up with 3d Platoon to conduct MEDEVAC, the enemy increased their fire from the rooftops and windows overlooking the Strykers. As the Soldiers were returning fire and getting behind cover, one of the Soldiers with 1st Platoon, Private First Class T- M- , stood fearlessly in the middle of the street returning fire with the M249 Squad Automatic Weapons (SAW). He effectively suppressed the enemy while SPC P- was loaded into the Stryker. At this point, communication between the COP and the platoons became erratic. The applicant took a radio in a rucksack and moved to the roof of COP Blackfoot to assist in relaying radio communication between 3d Platoon, 1st Platoon, the Apache helicopters, and the Squadron Tactical Operations Center (TOC).

(15) While on the roof of COP Blackfoot, the applicant spotted a vehicle pulling up on the same street on which the two platoons were located. The vehicle stopped and several men exited. They began emplacing an IED in a hole in the road to target the 1st Platoon vehicles when they departed enroute to the Combat Support Hospital (CSH) with SPC P-.

(16) This same vehicle had been spotted, during previous engagements with Eagle Company. The applicant directed the AH-64 Helicopters to where the enemy was emplacing the IED and cleared them hot to engage. They fired one hellfire missile into the vehicle, which detonated the IED and killed the enemy fighters. First Platoon safely transported SPC P- to the CSH and 3rd Platoon returned to the COP. The engagement concluded without further friendly casualties.

(17) By the end of 11 September 2007, over a 24-hour period, the applicant provided leadership, direction, and command and control (C2) for Eagle Company, during three exceptionally difficult missions. Without his leadership and courage the company would have suffered an untold number of casualties.

(18) 14-15 September 2007 COP Blackfoot East Rashid, Baghdad: During the afternoon of 14 September 2007, at COP Blackfoot six to ten AQI fighters engaged Eagle Company and houses east of the COP with small arms fire. At the onset, the applicant was conducting physical training inside the COP. As he heard the Soldiers on the roof engage the enemy, he put on his body armor and grabbed his rifle. He immediately ran up to the roof. He took a knee behind the cover of the wall next to Tower 3 and 4 of the COP.

(19) When the enemy fighters changed building locations, he immediately engaged them with his M-4 then started directing the fires of the M240 Machine Gun in Tower 3 and the M249 SAW in Tower 4. He directed SSG H- to engage the enemy with a Shoulder-Launched Multipurpose Assault Weapon (SMAW-D rocket). That system was ideal for the concrete buildings in that part of Baghdad. The SMAW-D hit the target directly and the enemy stopped firing at the COP and at the house to the east. The applicant called cease fire, and this ended the contact with the enemy.

(20) 15 September 2007 COP Blackfoot East Rashid, Baghdad: On 15 September 2007, the applicant was directed by Cougar TOC to conduct a Battle Damage Assessment (BDA) from the contact that happened the day before. He directed 1st Platoon to move to the location of the building that was engaged with the SMAW-D to conduct the BDA. During the BDA, 1st Platoon was attacked by enemy fighters firing from the north and east of COP Blackfoot. The applicant immediately went to the roof and started directing fires in order to suppress the enemy that was firing at 1st Platoon. Once the 1st Platoon was able to get back in behind the walls of the COP, the Soldiers of Eagle Company continued to engage the enemy to the north and the east.

(21) As this was taking place, they could see a man running across an open field between the COP and the enemy positions and the applicant immediately ordered the company to cease fire. As the man got closer, they could see he was carrying the body of a child. Then the company ceased fire, the applicant ran downstairs, picked up a litter, went outside of the walls of the outpost and ran out into the field, which was being peppered with enemy gunfire just a moment before. When he got out in the field with two other Soldiers that followed him, the enemy stopped firing for unknown reasons. The applicant took the child from the Iraqi man and the Soldier with him laid out the litter and searched the man to ensure he was not armed or wearing a suicide vest. The applicant laid the child on the litter and they carried the boy back into the outpost, taking the boy's father with them. They carried the boy, who was about 6 to 9 years old, to the aid station that was set up in the COP where they tried to stabilize the child. The

applicant then directed 2nd Platoon to take the boy and his father to the U.S. CSH in the Green Zone in Baghdad.

(22) The applicant and the two Soldiers disregarded their own lives and personal safety by exposing themselves to the enemy to save an Iraqi child. These actions also confused the enemy as they watched the applicant and the other two Soldiers run into the open field to treat a local national, while placing their own lives at risk. The enemy was probably wondering why the Americans would risk themselves to save a local Iraqi child who was one of their own,. The actions of the applicant, SSG C- and the other Eagle Company Soldier were in keeping with the highest traditions of military service and reflected great credit upon themselves, Eagle Company, 2/ 2 SCR, and the United States Army.

(23) 27 September 2007 East Rashid, Baghdad: On 27 September 2007, Eagle Company received a mission to conduct several deliberate raids to kill or capture Al Qaeda leaders operating within East Rashid. The main effort went to 2nd Platoon. They were assigned to capture an AQI Amir from Arab Jabur who was commanding over thirty fighters who were conducting attacks against coalition forces (CF) in East Rashid.

(24) Before this raid, as with all raids conducted by Eagle Company, the applicant helped the platoon leaders and platoon sergeants (PSG) with planning. He received back briefs of the plan and led the company leadership in a full rehearsal of the operation. He also made it an SOP to accompany the main-effort platoon, during operations to assist the platoon leadership, set an example by leading from the front, and be at the most dangerous part of the operation so he could assist if something went wrong.

(25) At 0200 hours, 2nd Platoon began the raid as the main effort in the Regimental operation. The other Eagle Company platoons had other targets at separate locations. Each platoon moved through Al Hadar on foot from COP Blackfoot to their target location. Second Platoon's out cordon, inner cordon, and assault went exactly as planned and rehearsed. The applicant moved along with the assault element and helped to confirm the identity of the High Value Individual (HVI) that was detained, the AQI Direct Action Cell Leader.

(26) While the platoon was conducting sensitive site exploitation (SSE) on the objective, SSG G-, the 2nd Platoon PSG, started reporting movement in the buildings across the street from his cordon position. A few minutes later, the machine guns at SSG G-'s position opened fire at several enemy fighters who were heading toward the courtyard of the objective. The gunfire from that outer cordon position killed the enemy fighters that were maneuvering.

(27) The platoon then began to receive accurate heavy machine gun fire from a four-story building across the street. The platoon returned fire as the enemy countered with several rifle grenades into the courtyard. Under direct enemy fire, the applicant moved from the courtyard to the roof of the building where Soldiers were actively engaging the enemy.

(28) He immediately contacted the AWT that he had coordinated, during mission planning, to support the company mission. He directed Soldiers to mark positions on the roof and to mark the enemy's position with tracer fire from machine guns. He ensured the pilots confirmed each location and cleared the pilots not to engage the enemy position with two hellfire missiles, immediately silencing the enemy machine gun, and effectively stopping further attacks. The platoon then consolidated and reorganized, per SOP, and withdrew from the objective with the HVI and other intelligence that ultimately resulted in follow-on operations in the sector.

(29) The mission was successfully completed with no friendly casualties. The applicant's guidance in planning, his participation in the main effort of the raid, and his command presence directly contributed to the success and safety of 2nd Platoon. His decisiveness and quick action in directing the AWT ceased all effort by the enemy to continue attacking the platoon position. The applicant's dedication to the mission and tactical prowess were displayed repeatedly in Eagle Company's operations. He never wavered in performing heroically, and well above his responsibilities, ensuring the success of Eagle Company in an extremely dangerous sector.

(30) 4 October 2007 East Rashid, Baghdad: In early October 2007, because of the numerous engagements in which Eagle Company was involved during September, the Multinational Division Baghdad decided to conduct a deliberate squadron operation in Eagle Company's sector. The main effort of the deliberate clearance of Al Hadar, East Rashid was 3/2 SCR. Eagle Company was tasked with supporting the squadron mission. To support the mission, Eagle Company was initially tasked with sending one platoon to conduct a raid and then establish a blocking position on the left flank of 3/2 SCR. When the company received the mission, the applicant initiated the planning process.

(31) Right away, he became concerned with the company's proposed mission. Based on the company's experience, during the previous month, he requested two platoons instead of one for the operation. He also requested to eliminate the proposed raid. The squadron leadership agreed. This decision would be a critical element in how the events of the day would unfold.

(32) Eagle Company planned every mission as a team with the applicant guiding the process. This consisted of all the platoon leaders, PSGs, and the company fire support/intelligence officer, 1LT P- R-. Once this was complete, the applicant would

back brief the plan to the squadron leadership and ensure the company had the support assets needed to complete the mission. The new plan consisted of sending in two platoons dismounted to establish the blocking position in order to protect the left flank of 3/2 SCR as they conducted a house to house clearance of Al Hadar. The applicant felt that two platoons could mutually support each other in case of contact with the enemy. The squadron operations officer approved the change in plan and the concept of the operation.

(33) The mission was conducted by 2nd Platoon, led by 1LT J- W- and his PSG SSG G-, and 1st Platoon, led by 1LT F- P- and his PSG Sergeant First Class B-. Both platoons occupied buildings adjacent to each other for mutual support. Third Platoon remained at COP Blackfoot as QRF. The applicant headed up the C2 element for the Eagle Company's portion of the operation.

(34) Both platoons moved into position without incident as 3/2 SCR started their attack in the early morning hours of 4 October 2007. As daylight came, the two platoons observed several daisy chained IEDs directly in front of their blocking positions. EOD was dispatched to clear the IED threat. This action gave away the platoon positions but was necessary to support 3/2 SCR's attack. Not long after, the enemy initiated an attack with sniper fire that hit SPC A- M-, a machine gunner in 1st Platoon.

(35) SPC M- was scanning his sector with his binoculars and was fatally wounded by a bullet from a sniper in the vicinity of a Mosque Complex that had a school inside. The enemy followed this sniper fire with a full attack directed at both 1st and 2nd Platoons. At the COP Command Post (CP), a Soldier alerted the applicant that the platoons were in contact and that a Soldier was killed in action (KIA). The applicant immediately manned the radio and contacted both platoons to receive a situation report (SITREP). 1LT P- confirmed their friendly KIA. 1LT W- reported that 1st Platoon was in contact with a large enemy force.

(36) The applicant directed 3rd Platoon, led by 1LT C- T-, to get his platoon mounted in the Strykers and ready to respond. He also directed the use of one of the Stryker Medical Evacuation Vehicles (MEV) available for a potential response. He then sent these SITREPs to the squadron TOC and requested an AWT to support 1st and 2nd Platoons. After a few minutes, he was told by the TOC there were no aircraft available to support Eagle Company. From the COP, he could observe two Apache Attack Helicopters overhead. Seeing the Apache Helicopters in sector, he repeatedly requested air support. After multiple requests, he was able to communicate directly with the 3/2 SCR commander, Lieutenant Colonel (LTC) C-. The applicant explained Eagle Company's situation; the enemy was directly attacking two platoons. LTC C- immediately directed control of the aircraft supporting 3/2 SCR to the applicant. He placed the aircraft in contact and under control of 1LT P- of 1st Platoon.

(37) 1LT P- had the aircraft engage the enemy sniper position killing those that killed SPC M-. Second Platoon and the rest of 1st Platoon continued to engage the enemy forces with machine guns, rifles, snipers, and grenade launchers. As this was going on, the applicant directed 3d Platoon to load additional ammunition in the QRF vehicles. He prepared to accompany the QRF to retrieve their fallen brother. The applicant was getting his gear on and moving to the 3d Platoon vehicles, LTC M- R- the squadron commander and Command Sergeant Major (CSM) F- W- arrived at the COP. They asked the applicant where he was going. He replied, "I am going to get our Soldier, I sent him out there, it is my responsibility to bring him back." LTC R- and CSM W- moved to the CP while the applicant departed with the QRF to the location of 1st and 2nd Platoon.

(38) The QRF led by the applicant arrived quickly to the blocking position. The applicant dismounted with several Soldiers from 3d Platoon and the company medic, Sergeant W-. As they approached the doorway to 1st Platoon's location, they started to carry the body of SPC M- out of the building. The applicant and the Soldiers from 3rd Platoon loaded the body of SPC M- onto a litter. As the applicant, 1LT P- and two other Soldiers were carrying the body of SPC M- to the MEV, the enemy directed gunfire at the Soldiers conducting the CASEVAC. They were being fired on from various rooftops. The QRF safely loaded all Soldiers on the vehicles and moved towards COP Blackfoot. The Stryker drivers were driving aggressively because the enemy had set up IEDs in the road to target the responding vehicles. At this point, the applicant held onto SPC M-'s body so he would not fall off the litter from the vehicle's motion.

(39) Once at the COP, the applicant and several Soldiers from 3d Platoon carried SPC M- to the company aid station. As soon as they put his body in the aid station, LTC R- and CSM W- walked in and looked at the applicant and asked who it was. He replied to LTC R "It's M-, Sir". He held M-'s hand and said a prayer. He then went to remove M-'s pistol, binoculars, and night vision goggles before taking his body to the CSH.

(40) After CPT B-, the physician's assistant at the COP, documented SPC M-'s time of death LTC R- and CSM W- loaded his body onto a Stryker to take him to the CSH to begin the process of getting his remains back to his family. This allowed the applicant to maintain C2 of the company for the rest of the operation, which eventually led to the clearing of most of the enemy's forces in Eagle Company's sector in East Rashid.

(41) 28 November 2007 East Rashid, Baghdad: The applicant recognized that intelligence was critical to driving operations in a counterinsurgency fight and led the effort to ensure Eagle Company had robust intelligence collection, development, and analysis capabilities to continuously maintain pressure on the enemy. Eagle Company's high intensity combat operations and targeted raids throughout September and October

2007 along with 3/2 SCR's clearance operation in October 2007 decimated AQI's combat capabilities and destroyed their ability to conduct complex coordinated attacks in Eagle Company's assigned sector. By November 2007, Eagle Company's focus turned to preventing AQI from reestablishing operational capabilities in an area that had been their main stronghold in Baghdad only two months prior.

(42) The cornerstone of this effort for Eagle Company was establishing the Sons of Iraq (SOI) program, which employed local men to serve as armed security guards at checkpoints near their homes. The applicant was tasked by the 2nd Squadron Commander, LTC R-, to establish this effort in Eagle Company's sector and led the company's effort, which resulted in the creation of a 1,200 member SOI security force with dozens of checkpoints throughout Eagle Company's sector.

(43) Overseeing this large local national security force was a complex and challenging task, but the applicant proved highly adept at managing the local SOI leaders, quickly earning their respect to the point where they would frequently reach out to him directly via the company's cell phone or arrive at COP Blackfoot requesting to meet with him. These relationships that he expertly cultivated with the local SOI leaders proved invaluable throughout the remainder of Eagle Company's time at COP Blackfoot and were essential to ensuring AQI did not regain a foot hold in the area.

(44) One example that underscores how valuable these strong relationships with local SOI leaders were occurred on the evening of 27 November 2007. While meeting with the applicant at COP Blackfoot, a local SOI leader provided a tip that a man named Abu Raquyyah had recently moved into the neighborhood from the Yusafiyah area. The SOI leader believed the man was wanted by U.S. Forces. The applicant asked the SOI leader to try to identify on a map in which house Abu Raquyyah was located. The SOI leader identified a house within 200 meters northeast of COP Blackfoot. He stated this was where Abu Raquyyah was living. The applicant instructed the author to find reporting that could verify this tip and to begin building a target packet on Abu Raquyyah.

(45) The area from which Abu Raquyyah was reported to have entered Eagle Company's sector, Yusafiyah, was of interest. Yusafiyah was approximately 15 miles northwest of Baghdad and was part of the region that was referred to as the Baghdad belts, which was the term for the vast agricultural areas surrounding Baghdad that were often hotbeds of insurgent activity and support. A common tactic for insurgent groups looking to project power in Baghdad, at the time, was to regroup and rearm in their support zones in the Baghdad belts and then send fighters and weapons into areas of Baghdad where they were seeking to assert control.

(46) Since Eagle Company's sector was a prior stronghold for AQI, with many houses still unoccupied due to residents having fled the sectarian violence, the concern

was that Abu Raquyyah could be an AQI advanced party sent from Yusafiyah, to help AQI reestablish a presence in Eagle Company's sector. Also, the fact that he chose to move into an empty house only 200 meters away from COP Blackfoot raised concerns that he may have selected that location to try to observe the COP and Eagle Company's movements as part of the planning process for a future attack.

(47) 1LT R-'s efforts to verify the tip and build a target packet on Abu Raquyyah continued until 28 November 2007, but did not turn up relevant reporting. At the time, there was not enough information to verify the tip or to obtain enough evidence against Abu Raquyyah for detention if he were located. The applicant reached out to his previous unit, 3rd Brigade, 101st Airborne Division, which was the battlespace owner for Yusafiyah, at the time, to see if they had any reporting on Abu Raquyyah. The Brigade Operations Officer, for the 3d Brigade, 101st Airborne Division, LTC C-, emailed a target packet his unit had on Abu Raquyyah to the applicant.

(48) From this packet, Eagle Company learned that Abu Raquyyah was a division level high value target suspected of being a member of the AQI cell that had attacked a platoon from 2nd Brigade, 10th Mountain Division in May 2007. Four U.S. Soldiers were killed and three were abducted by the AQI cell, during the attack. One of the three abducted U.S. Soldiers was found deceased shortly after the attack, but at the time the other two U.S. Soldiers, were still missing and listed as duty status whereabouts unknown. Upon learning this information, the applicant immediately began coordinating with squadron headquarters to request AWT and ISR assets. He began planning a raid to capture or kill Abu Raquyyah that night. The applicant led the pre-mission rehearsal at COP Blackfoot before leading the main element of the raid resulting in the capture of Abu Raquyyah. He oversaw the SSE of the target house, which resulted in the recovery of evidence that confirmed Abu Raquyyah's link to the AQI cell responsible for the May 2007 attack and abductions of Soldiers from 2nd Brigade, 10th Mountain Division.

(49) The applicant's leadership in developing and managing the 1,200 member SOI program in Eagle Company's sector were an invaluable part of the Company's effort to develop intelligence and drive operations that prevented insurgent groups from reestablishing operational capabilities in the area through the remainder of Eagle Company's time at COP Blackfoot. Were it not for the applicant's highly proficient management of the SOI program, Eagle Company would not have been as effective in holding the urban terrain cleared, during the high-intensity combat of September and October 2007, or in developing key intelligence that facilitated company operations and maintained pressure on insurgent groups attempting to reestablish operational capabilities within the sector.

(50) This additional information exemplifies how the applicant's extraordinary leadership throughout Eagle Company's time at COP Blackfoot was truly exceptional

and, when considered along with the other additional key information in this document and the original award packet, merits the award of the DSC. Thus, they respectfully request the Army Senior Decorations Review Board review the award of the DSC for the applicant and consider the additional key information in this document as a supplement to the original award recommendation.

c. *Stars and Stripes* article Dragoons catch suspect linked to May abductions, 29 November 2007, describes the raid on the house with Abu Raquyyah who was linked to the 12 May abduction of three Soldiers. The entire article is available for the Board's review.

d. DA Form 638 (Recommendation for Award) DSC, 8 August 2010, for extraordinary heroism in action on 4 September 2007, during combat operations against a highly armed Al Qaeda in Iraq insurgent force. LTC R- recommended approval, Colonel J- S. R- recommended approval, Major General J- W. H- recommended approval, GEN R- O- recommended approval, and GEN D- H. P- recommended upgrade to DSC. Part V - Orders Data is blank. The DA Form 638 includes the narrative and citation to accompany the award of the DSC for the Board's review.

e. Endorsement of Silver Star Upgrade to DSC, 7 October 2009, from LTC M- J. R- states:

(1) As the former commander of 2/2 SCR during Operation Iraqi Freedom (OIF) 07-09, which includes the events of 4 September 2007, he strongly recommended upgrading the award.

(2) The squadron assumed command and control responsibilities for its new sector on 1 September 2007, marking the beginning of "left seat" relief-in-place activities. The official transfer of authority was scheduled to occur on 7 September 2007.

(3) The squadron did not receive all authorized theater provided equipment until 7 September 2007. This equipment was provided by a third party unit and did not come directly from the unit being relieved. Therefore, Eagle Company did not have its full complement of protective equipment available, at the time of the attack.

(4) Neither the company commander nor the company executive officer were present at the COP, during the attack, due to ongoing relief-in-place and property accountability coordination elsewhere. The applicant assumed command of the company in absentia and personally directed the defense of the COP.

(5) These factors better describe the unfamiliar and ambiguous environment in which the applicant stepped forward to lead his company on 4 September 2007. Viewed

in this light, his actions are even more incredible and inspiring. The applicant's instincts to immediately upgrade the COP's defensive posture and his heroic leadership in a desperate situation resulted in no loss of American life and only one Soldier wounded. His personal courage and example overcame uncertainty, spurred action, and saved lives.

f. Justification of reconsideration, 9 September 2009, from CPT P- A. R-, states:

(1) The CPT wrote the statement, which he believes provides the necessary new and substantive information required that was not available, at the time the original award recommendation was submitted in September 2007. The additional intelligence information provides details of the enemy situation, which was either not included in the original award citation, or not known when the original citation was submitted. The information illustrates that the severity of the enemy threat faced by Eagle Company on 4 September 2007, was greater than originally thought. It also serves to underscore how the applicant's heroic leadership and actions under fire on 4 September 2007, prevented enemy forces from decisively engaging CF in the way they had intended and planned; undoubtedly saving the lives of numerous Eagle Company Soldiers.

(2) The CPT fully recommended and endorsed to the approving authority that the applicant be recognized for his courageous leadership and valor under fire for his actions, during the battle that took place at COP Blackfoot in East Rashid, Baghdad on 4 September 2007; The CPT knows the applicant should be awarded the DSC without any doubts. His actions saved many lives that day and on many other occasions, during their time in Baghdad, Iraq.

g. CPT R-'s statement of justification states:

(1) The purpose of the statement was to provide a detailed description of the enemy situation in 2/2 SCR's area of operations on 4 September 2007. The information was intended to help provide the reader with the most accurate date concerning the enemy forces, which initiated a complex attack against an Eagle Company patrol and COP Blackfoot on 4 September 2007. The information was obtained through debriefings with local nationals that were vetted by the 2/2 SCR, and routinely provided reliable information concerning activities to CF in meetings at COP Blackfoot.

(2) CPT R- was the Fire Support Officer (FSO) for Eagle Company from March 2007 through February 2009 and functioned as a company level S-2 for the duration of the company's deployment to OIF 07-09. In the time since the original packet was submitted, new information detailing the enemy's strength, composition, and intent during the 4 September 2007 attack against COP Blackfoot, was reported to Eagle Company by local national residents of al-Hadar, whose reporting credibility was proven, and substantial during Eagle Company's eight months operating from COP

Blackfoot. The additional intelligence information provides details of the enemy situation, which was either not included in the original award citation or not known when the original situation was submitted. The information illustrates that the severity of the enemy threat faced by Eagle Company on 4 September 2007, was greater than originally thought. It also serves to underscore how the applicant's heroic leadership and actions under fire on 4 September 2007, prevented enemy forces from decisively engaging CF in the way they intended and planned; undoubtedly saving the lives of numerous Eagle Company soldiers.

(3) On 29 August 2007, during relief in place operations, Eagle Company leaders were shadowing leaders from 2-23 Infantry, during a propane distribution taking place on Yohamama Road, which is the east-west running street immediately north of COP Blackfoot. Security cameras monitoring the main north-south running street in al-Hadar observed a silver Chevy Suburban making numerous passes on the road north of Yohamama. Reporting at the time indicated a vehicle matching this description was known to be used by South Baghdad's AQI Emir, Abu Yassir (who was later detained by Special Operations Forces near Monsour, Baghdad in approximately January 2008). A local national with previous ties to Abu Yassir confirmed to them in January 2008 that Abu Yassir and other high-level AQI leaders were conducting reconnaissance of COP Blackfoot in the days prior to the 4 September 2007 attack. Al-Hadar was AQI's center of gravity, during this time, and last significant urban stronghold for AQI in Baghdad, at the time. The local national informed them that AQI was aware a new unit was taking over COP Blackfoot and Abu Yassir wished to "cripple" the new unit in order to maintain AQI's freedom and maneuver in al-Hadar. Later the same evening, a call to the COP Blackfoot tipline was received by 2/23 Infantry's FSO, CPT S-, that claimed 50 fighters from the AQI linked al-Tawhid al-Jihad group had been sent to al-Hadar from Adamiyah in order to conduct kinetic operations against CF.

(4) The same local national informed them, in January 2008, that the culmination of the enemy's plan to cripple the new unit occurred on 4 September 2007, when they launched a hasty attack against a patrol (from 3d Platoon), that had traveled dismounted, deep into the enemy's support zone to investigate a possible vehicle borne IED (VBIED) bus in Mahalla 834. The firepower of the mounted QRF, which the applicant dispatched from COP Blackfoot, reportedly thwarted the enemy's efforts to ambush the patrol along their route of march back to the COP. The enemy reportedly thought Eagle Company had taken casualties, during the engagement, so enemy leaders made the decision to launch their planned, complex attack against COP Blackfoot, at that time, in order to capitalize on a perceived advantageous situation.

(5) Additional details of the complexity of the 4 September 2007 attack against COP Blackfoot were reported to Eagle Company by another local national with direct ties to the kinetic leader of the attack against COP Blackfoot, Ghassan al-Aswd

(detained by Eagle Company on 13 October 2007). This information was gathered, during a meeting with the local national, I at COP Blackfoot in April 2008.

(6) The local national reported additional information, detailing the methods and intent of the enemy, during this attack. The new information highlighted how the applicant's actions to reconstruct the COP's defensive position in the 48 hours prior to the attack disrupted the enemy's battle plan, and how his actions, during the attack, prevented enemy forces from resupplying, reinforcing, and reestablishing additional battle positions.

(7) The local national informed them that in addition to sniper, rocket-propelled grenade (RPG), PKC [machine gun], and AK fires directed against COP Blackfoot, mortars were also fired at the COP from a small field approximately 100 meters southeast of the Tawhid Mosque in Mahalla 832. He said that Ghassan told him there were three sniper positions (as opposed to one previously thought) occupying buildings to the northwest of the COP. The snipers were supposed to fire at Eagle Company Soldiers in battle positions on the roof of the COP both initially, and after they were fixed by the enemy attack position directly north of the COP. The reinforced and reconstructed guard towers and camouflage netting emplaced on the COP's north side, which the applicant had ordered and supervised the construction of on 3 September 2007, was an unexpected hindrance for the enemy snipers and greatly disrupted their ability to acquire targets, preventing them from effectively engaging Eagle Company Soldiers on the roof of the COP. The local national said that Ghassan told him 120-150 enemy fighters participated in the attack against COP Blackfoot.

(8) Additionally, Ghassan had told him that there was supposed to be a group of 50 reinforcements who were tasked to resupply the enemy battle positions, and establish new battle positions to attack the COP from the northeast. The reinforcements were reportedly armed with additional ammunition for AKs, PKCs, as well as additional RPGs. These forces were consolidating at the Ahmed al-Muktar Mosque in south Mahala 834, and were to be led by Abu Ghofran (detained by 3/2 SCR in November 2007). The local national reported that after the AH-64s began engaging the battle positions, Abu Ghofran was unable to maneuver his element south to their planned location to conduct resupply, reinforcement, and establishment of additional positions. Thus, the applicant's adept and effective control of the AWT, while under intense enemy fire, prevented the enemy from maneuvering additional personnel and weapons to an area where they could effectively engage COP Blackfoot.

(9) Reports were received on the evening of 5 September 2007, that enemy fighters conducted a show-of-force parade through the northern half of Mahalla 832 earlier that day, which involved approximately 250 armed enemy fighters on foot and in vehicles. Also, five truck mounted DSHKA machine guns were displayed, during the parade.

(10) The extraordinary heroism displayed by the applicant, while leading Eagle Company against a numerically superior force of well armed and well organized unit of 120-150 enemy fighters, during a seven hour battle from COP Blackfoot on 4 September 2007 undoubtedly saved the lives of numerous Eagle Company Soldiers. Additionally, his simultaneous C2 of Eagle Company and the AWT, inflicted heavy losses on enemy forces, during the engagement and greatly weakened the ability and will of AQI to conduct large scale attacks against CF in AQI's final remaining urban support zone in Baghdad.

h. Endorsement for upgrade from the Silver Star to the DSC, 1 November 2009, from CPT F- P- states he would like to include his perspective of the applicant's actions, during the enemy contact on 4 September 2007. The applicant exercised extraordinary leadership and demonstrated skill and bravery that day. His actions throughout the encounter undoubtedly saved the lives of his Soldiers and served to diminish the enemy's ability to continue operating effectively in the company's sector. CPT P- recommended to the approving authority that the applicant be recognized for his heroism under fire, on 4 September 2007. He distinguished himself through extraordinary bravery and leadership. The CPT fully endorsed upgrading his award to a DSC.

i. CPT F- P-'s statement states:

(1) The CPT would like to make the statement concerning his perspective of circumstances surrounding the events of 4 September 2007. Particularly, he wanted to convey the actions of the applicant, during that day. The CPT served as a rifle platoon leader in Eagle Company 2/2 SCR from May 2009 until August 2009 [sic]. The applicant had a direct and lasting impact on his company and its Soldiers. There is no better example of the applicant's impact than his actions on 4 September 2007.

(2) During the last week of August 2007, the leadership of Eagle Company began to move into COP Blackfoot, located in southern Baghdad. The company began observing the actions of the company that had been occupying the COP. During that same time period, Eagle Company began sending Soldiers and equipment to the COP. Upon arriving to the COP, the applicant immediately noticed that the force protection status of the COP was inadequate.

(3) The first project the applicant undertook was to increase the defensive posture of the COP. He directed and oversaw the implementation of crew served weapons at key positions on the roof. Moreover, he fortified the guard towers and increased the cover and concealment at vulnerable points throughout the building.

(4) On 4 September 2007, the company commander and the executive officer were not present at the COP. There were only a handful of Soldiers from the previous company left in an advisory role. According to all intelligence reports that they had received, the enemy was well aware that a different unit had occupied the COP.

(5) That afternoon, at approximately 1400, 3d Platoon conducted a dismounted patrol to investigate a possible VBIED. The applicant set the conditions for the mission by calling in for an AWT to over watch the platoon's movement. The enemy had previously experienced a great amount of freedom of maneuver and was prepared to encounter a dismounted patrol, during the day.

(6) Third Platoon began to receive small arms fire, after searching the possible VBIED. The applicant directed the CPT's platoon, 1st Platoon, to act as QRF and assist 3d Platoon. The CPT moved to their location and engaged the enemy, while also loading some 3d Platoon Soldiers on his vehicles. The remaining dismounted Soldiers moved back to the COP with 1st Platoon and AWT as over watch.

(7) When they returned to the COP, the applicant lead an after action review to determine what had happened. During the review, there were explosions and small arm fire that was directed at the COP. The platoon leaders immediately executed the plan as previously briefed by the applicant for defense of the COP.

(8) Third Platoon reinforced the roof that 2nd Platoon was already providing security. As the QRF, 1st Platoon prepared the Strykers for a possible mission into the sector. Within minutes of the firefight, SPC H- was shot in the northeast tower. The applicant was one of the first Soldiers to assist him as he had been close to the tower when it happened.

(9) The applicant assisted in carrying SPC H- to the aid station and then continued to direct firepower against the enemy. He directed AWT against multiple different targets as well as directed the platoon level leadership to coordinate the fight.

(10) When the company gained superiority of the enemy, the applicant determined it was necessary to take SPC H- to the hospital. He sent 1st Platoon and the CPT to transport the wounded Soldier to the CSH.

(11) Throughout the engagement, the applicant maintained situational awareness of the developments on the battlefield. He controlled the company's assets from the roof of the COP without regard to his safety. His leadership was truly the determining factor in the company's success on that day. The impact of the company's success on 4 September 2009 [sic] was crucial to the Soldiers for the remaining 14 months of that deployment. They gained confidence in their leadership and against the

enemy. In addition to saving lives, the applicant's intrepidity set an invaluable example for his subordinates and superiors alike.

j. Memorandum for Record endorsement for upgrade from the SS to DSC, from CPT J- W- states:

(1) It was the CPT's honor and pleasure to recommend to the approving authority that the applicant be recognized for his selfless and heroic leadership under direct fire from a relentless and numerically superior enemy ,on 4 September 2007, while defending COP Blackfoot. The actions the applicant took, prior to the attack, and his extraordinary C2 of Eagle Company, during the attack, without a doubt saved numerous lives, during the seven hour firefight. The CPT wholeheartedly endorsed the upgrade to a DSC.

(2) He included his perspective of the 4 September 2007 attack on COP Blackfoot and why he believed that, if it wasn't for the applicant's unwavering courage and leadership, their company would have sustained numerous casualties, on that day. His statement would show how the demanding but necessary defensive preparations directed by the applicant never allowed the enemy to gain the initiative and achieve the number of casualties they were expecting to inflict and how, during the fight, the applicant exposed himself to direct enemy fire to personally evacuate one of the CPT's wounded Soldiers, saving the Soldier's life. The applicant then continued to flawlessly maneuver an infantry rifle company and AWT against a large, determined, and well armed enemy force of up to 150 fighters.

k. CPT J- J. W-'s statement states:

(1) The CPT served as a rifle platoon leader for Eagle Company, 2/2 SCR from January 2007 to January 2009. It was his utmost privilege to serve with the applicant from April 2007 to April 2008, seven of those months in combat operations in Baghdad. The applicant is hands down the best noncommissioned officer (NCO) and leader the CPT served with in combat. He is a dedicated and steadfast performer displaying selfless and fearless actions and leadership on numerous occasions, during their tour. The applicant's leadership and heroic attributes were exemplified on 4 September 2007, during a seven hour battle against AQI fighters when they mounted a well-coordinated, large scale attack on their company's COP.

(2) During the last week of August 2007, their company began the transition from Forward Operating Base (FOB) Falcon to COP Blackfoot. The applicant ensured that priority defensive equipment was pushed from the FOB to the COP, including PRO-glass, camouflage netting, crew-served weapons and mounts, and sandbags. Upon arriving to the COP, the applicant directed that the priority of work consisted of improving the degraded defensive measures, in particular, the rooftop. With his vast

experience and intuition, the applicant knew the enemy would soon be testing them. He gave the demanding but necessary directive for the company to continuously improve their force protection measures for 48 hours. In the CPT's opinion, the standard to which the applicant required the defensive positions to be improved would not have been reached had he not been present and it was this standard that proved crucial in the defense of the COP, especially in the initial moments of the attack.

(3) On 4 September 2007, not even a full day after defensive improvements had been completed, the CPT's platoon was on COP security. In the afternoon, their 3d Platoon conducted a dismounted patrol to confirm/deny a possible VBIED only to be nearly enveloped by a growing number of AQI fighters. Quickly and accurately assessing the situation, the applicant deployed the QRF to reinforce 3d Platoon. He also directed an AWT to overwatch the platoons' movement back to the COP, allowing them to safely return.

(4) Within fifteen minutes of their 3d Platoon and the QRF returning to the COP, the CPT's platoon was simultaneously engaged from three different positions to their north with AK-47s, PKM Machineguns, RPGs, and sniper fire. The enemy fire was accurate, immense, and sustained; however, due to the camouflage netting and improved battle positions that the applicant implemented, the enemy was unable to distinguish their positions and movement on the rooftop. Rounds and shrapnel impacted the PRO-glass and sandbags, where there had previously been no protection. Without a doubt, this saved numerous lives in the initial attack and throughout the firefight. Only one Soldier, SPC H-, was wounded in the initial volley of enemy fire. This was determined later to have been from an enemy sniper, as the round was recovered from his equipment.

(5) Immediately after the firefight began, the CPT moved to the northwest tower where SPC H- had been seriously wounded and where the majority of the enemy fire was being directed. Moments later, as SPC H- was being placed on a litter, the applicant arrived at the northwest tower. Under direct enemy fire, the applicant and another Soldier grabbed SPC H-'s litter and evacuated him to the aid station. Later in the firefight, during a lull in fighting, the applicant directed their QRF platoon to evacuate SPC H- to the CSH, saving his life.

(6) After brining SPC H- to the aid station, the applicant returned to the northwest tower to assess and coordinate the firefight. Without hesitation or regard for his safety, he moved from tower to tower under direct enemy fire, identifying enemy positions, repositioning weapon systems, and inspiring their Soldiers to fight tenaciously.

(7) In addition to commanding and controlling an entire company engaged in a complex attack from three different directions, as well as the evacuation of SPC H-, the

applicant also directed the AWT to conduct numerous engagements, during the entire firefight. He accurately directed the AWT to engage static and moving targets with both hellfire missiles and 30mm machine gun fire, resulting in the destruction of the insurgents involved in the attack. Under direct enemy fire on the rooftop, the applicant continuously moved between the company CP and the aid station, in order to defeat an attack by a well organized and resolute enemy force.

(8) The applicant's stoic and courageous leadership, during the seven hour battle on 4 September 2007, against 150 enemy fighters inspired and guided the Soldiers and leaders of Eagle Company to decimate the enemy's will to fight; as well as deal a crippling blow to AQI's ability to conduct large scale attacks in their last urban stronghold in Baghdad. With absolutely no doubt, the applicant's crucial preparations, flawless leadership, and extraordinary heroism saved the lives of an untold number of American Soldiers that day.

I. Endorsement for upgrade from the SS to the DSC, 17 September 2009, from CPT C- A. T-, states the CPT would like to include additional information regarding the applicant's actions during contact on 4 September 2007. The applicant's heroism displayed on that day saved countless lives. He never allowed the enemy to gain the initiative, during the fight. He successfully maneuvered an infantry rifle company against a large, extremely determined enemy force. The CPT recommended to the approving authority that the applicant be recognized for his unwavering heroism under fire on 4 September 2007, while defending COP Blackfoot. He distinguished himself through extraordinary bravery. The CPT fully endorsed the upgrade to a DSC.

m. CPT C- A. T-'s statement states:

(1) The CPT wanted the statement reviewed when considering the upgrade of the applicant's SS to a DSC. He served as a rifle platoon leader and executive officer in Eagle Company 2/2 SCR from May 2007 through May 2009. He was fortunate to serve with the applicant, during combat operations in Baghdad from August 2007 through April 2008, during which his actions and sold leadership saved the lives of countless U.S. Soldiers and Iraqi civilians.

(2) In the last week of August 2007, their company began to move personnel and equipment from FOB Falcon to COP Blackfoot. The applicant ensured the priority was force protection equipment, sniper screens, and crew served weapons. Within 48 hours of the company occupying COP Blackfoot, the applicant increased the amount of firepower and force protection of the defense plan of the previous unit by over 100 percent. The platoons worked 48 hours straight to ensure their positions on the roof were well built and able to be successfully defended. These efforts proved their merit when the enemy was unable to engage U.S. forces, and allowed their fire superiority.

(3) On the morning of 4 September 2007, the CPT's platoon went on patrol into the enemy's support zone to investigate a possible VBIED, when they were engaged by over 15 armed insurgents. Intelligence reports received later revealed the enemy attempted to cutoff their platoon to capitalize on reduced combat power at COP Blackfoot. The applicant quickly dispatched the mounted QRF from 1st Platoon to secure the platoon's movement and also redirected an AWT to over watch their location. His quick decision to reinforce his platoon in the afternoon of 4 September 2007 kept the enemy from enveloping their position, and allowed them to safely return to the COP.

(4) Within minutes of the CPT's platoon arriving back at to the COP, Eagle Company was in direct contact with the enemy from numerous locations. The CPT's platoon was the first to the roof to reinforce the security positions operated by 2nd Platoon. As the CPT climbed the stairs to the roof, he encountered the applicant in the stairwell of under tower 1. The applicant was carrying the litter, holding SPC H-, down to the aid station. SPC H- was shot in the torso, during the initial enemy contact. Once they reached the aid station, the applicant quickly returned to tower 1 on the rooftop to assess the situation and continue to communicate with the AWT.

(5) During the firefight, the applicant moved across the rooftop to each tower, while under direct enemy fire to maintain C2 of the company. His command presence under direct fire significantly inspired the Soldiers' will to fight. As a young platoon leader under fire the for the first time, the applicant's leadership, poise, and heroism set the example for the CPT to lead his platoon through the grueling firefight.

n. Endorsement for upgrade from the SS to the DSC, 23 September 2009, from CPT B- P. B-, states the CPT recommended to the approving authority that the applicant be recognized for the unparalleled leadership, valor, and heroism he displayed on 4 September 2007 at COP Blackfoot in East Rashid, Baghdad. The CPT was certain he was fully deserving of the DSC and made the recommendation without hesitation or reservation. The CPT included a statement, which contained his perspective of the events that occurred on 4 September 2007. The CPT was convinced that without the applicant's unparalleled leadership, courage, and tactical acumen that Eagle Company, 2/2 SCR would have had many more casualties that day. His foresight in reinforcing the defensive positions, personal courage during the battle, and flawless response to a complex attack by a large, resolute enemy force denied the enemy the initiative and inflicted heavy losses on the attackers.

o. CPT B- P. B-'s statement states:

(1) The CPT had been in the Army for 17 years and he served as the Squadron Physician Assistant for 2/2 SCR from July 2006 to March 2009. During his time in service, he never served with a more courageous and capable leader than the applicant. The CPT had the honor of providing forward medical support to Eagle

Company, 2/2 SCR for seven months, during combat operations at COP Blackfoot in Baghdad, Iraq. The applicant distinguished himself on countless occasions, during his time as the first sergeant for Eagle Company, but the selfless actions, decisive leadership, and keen tactical assessment he demonstrated on 4 September 2007 identify him as one of the greatest NCOs serving in the Army.

(2) The applicant had previously identified that there were potential weaknesses in the defensive measures at COP Blackfoot, while conducting his leader recon. He ensured priority was given to transportation of defensive equipment from FOB Falcon to COP Blackfoot. The applicant directed that the first priority of work was to improve the degraded defensive measures, with particular attention to be directed at the rooftop, which at the time had no overhead concealment and poorly constructed fighting positions. The rooftop of COP Blackfoot was key to defending the COP and the applicant knew that, without significant improvement, it would potentially be an enfilade from enemy fire. Immediately upon arriving to COP Blackfoot, he set a demanding schedule that, within 48 hours, resulted in the complete restoration of COP Blackfoot's defensive measures and significant improvement in the amount of firepower available. Throughout the entire 48 hours, the applicant could be found providing additional guidance and direction as the defensive measures were repaired and improved. The CPT had no doubt in his mind that the applicant's decisions, during the first 48 hours on COP Blackfoot, saved countless lives and prevented the enemy from gaining the initiative.

(3) On 4 September 2007, less than 12 hours after defensive measures had been improved to standard, 3d Platoon Eagle Company was dispatched into a known enemy support zone to investigate a suspected VBIED. Third Platoon was initially engaged by approximately 15 armed insurgents and was nearly enveloped as the number of insurgents escalated, during the engagement. The applicant precisely assessed the situation and rapidly deployed the QRF to reinforce 3d Platoon, before they were enveloped. He also directed an AWT to provide over watch for both platoons, as they maneuvered back to COP Blackfoot and placed AWT on standby once both platoons safely returned.

(4) Less than 15 minutes after both platoons entered the gate to COP Blackfoot, the rooftop defensive positions were simultaneously engaged from multiple buildings to the north with AK-47s, PKM machineguns, RPGs, and sniper fire. Despite the volume and prolonged intensity of fire directed at the rooftop positions, only one soldier was injured, during the initial volley. The carefully planned and improved fighting positions, as well as the sniper netting covering the roof, frustrated the enemy's attempts to overwhelm the rooftops with concentrated and sustained fire.

(5) Immediately after the firefight began, the applicant moved to the rooftop and began directing the AWT that he had the foresight to place on standby in the area. He

maneuvered under enemy fire to the northwest tower where SPC H- had been seriously wounded, during the initial moments of the attack, and assisted in evacuating the Soldier to the aid station. The applicant directly returned to the northwest tower where the majority of the enemy fire was being directed. While still maintaining direct control of the AWT, he proceeded to provide C2 to an entire company engaged in a complex, determined attack by 150 armed insurgents for the next seven hours.

(6) The applicant went and checked on the status of SPC H-, during a lull in the fighting, before he made the decision on when he would be able to ground evacuate the casualty to the CSH. After leaving the aid station, the CPT witnessed the applicant grabbing cans of ammunition to run back up to the positions on the rooftop.

(7) His courageous leadership, extensive combat experience, and tactical decisions, during the battle on 4 September 2007 and the 48 hours prior, saved the lives of countless Soldiers. The extraordinary leadership and selfless courage displayed by the applicant, while under direct enemy fire, inspired the Soldiers and leaders of Eagle Company throughout the seven hour battle and resulted in the successful defense of COP Blackfoot, as well as considerable enemy losses. In addition, his actions significantly weakened the ability of AQI to conduct large scale attacks in their urban stronghold in Baghdad.

p. Permanent Orders 133-02, published by U.S. Army Human Resources Command (AHRC), 13 May 2009 awarded the Valorous Unit Award for extraordinary heroism in action against an armed enemy from 1 September 2007 through 31 October 2007.

q. The Silver Star certificate for gallantry in action from 3 September 2007 to 4 September 2007.

r. Memorandum for the Chief of Staff of the Army, 10 February 2024, from GEN D-H. P-, states:

(1) The purpose of the memorandum was to convey to the chief and the Department of the Army that the GEN still strongly supported award of the DSC to the applicant for his heroic actions as a company first sergeant on 4 September 2007. In view of that, the GEN requested that the Army reconsider its decision to downgrade the recommendation for a DSC that the GEN and GEN O- made, when the original paperwork was submitted in August 2008.

(2) In 2010, the Department of the Army downgraded the award to a SS, and the GEN supported the effort to have the Army upgrade the award to a DSC, in accordance with the recommendation that he and GEN O- made. This is particularly the case, as the additional statements added to the packet since then very much buttress the case for a

DSC, and the GEN hoped the Army would finally approve a DSC given the extraordinary nature of the applicant's actions.

(3) The applicant's heroic, courageous, and inspirational actions, during an intense battle in East Rashid, Baghdad on 4 September 2007 saved numerous American lives and prevented Al Qaeda from achieving what would have been a strategic victory by overrunning a critical base and killing and capturing American Soldiers at an inflection point in the U.S. mission in Iraq, six months into the surge.

(4) Indeed, the GEN and Ambassador C- were scheduled to brief the U.S. Congress on the progress of the mission in Iraq on 10 September 2007. Al Qaeda undoubtedly knew this and intended to negatively influence the setting for that brief by overrunning a key base on the outskirts of Baghdad. Absent the applicant's heroic actions and effective leadership, during an intense eight hour battle, as the lone company level leader, Al Qaeda would have achieved its desired goal.

(5) GEN O-, who was the Multinational Corps-Iraq commander at the time, and the general as the MNF-I commander both understood the strategic implication of the applicant's achievement; beyond that, his selfless and valorous actions and exceptional leadership under intense fire clearly merited recognition by award of the DSC. The GEN still firmly stands by that conviction, and it has been strengthened by the additional statements added since the original packet was submitted.

4. The applicant's service record contains the following documents:

a. DD Form 4 (Enlistment/Reenlistment Document Armed Forces of the United States) shows he enlisted in the Regular Army and entered active duty on 9 August 1988. He remained in the Regular Army through immediate reenlistments.

b. DA Form 638 (Recommendation for Award), 3 January 2008, shows he was recommended for the SS.

c. DD Form 214 shows he was honorably transferred to U.S. Army Reserve Control Group (Retired) on 31 August 2014. He had completed 26 years and 22 days of active-duty service. He had service in Iraq from 1 January 2003 through 15 March 2004, 15 September 2005 through 21 September 2006, and 12 August 2007 through 1 May 2008. He was awarded or authorized the:

- Defense Superior Service Medal
- Silver Star
- Bronze Star Medal (3rd Award)
- Meritorious Service Medal (2nd Award)
- Army Commendation Medal with V Device

- Army Commendation Medal (4th Award)
- Joint Service Achievement Medal
- Army Achievement Medal (9th Award)
- Joint Meritorious Unit Award
- Meritorious Unit Commendation (2nd Award)
- Valorous Unit Award
- Army Superior Unit Award
- Army Good Conduct Medal (8th Award)
- National Defense Service Medal with Bronze Star
- National Defense Service Medal
- Global War on Terrorism Expeditionary Medal
- Global War on Terrorism Service Medal
- Korean Defense Service Medal
- Iraq Campaign Medal with Campaign Star (5th Award)
- Noncommissioned Officer Professional Development Ribbon (4th Award)
- Army Service Ribbon
- Overseas Service Ribbon (8th Award)
- Combat Infantryman Badge
- Expert Infantryman Badge
- Pathfinder Badge
- Parachutist Badge
- Air Assault Badge
- Driver and Mechanic Badge - Mechanic

d. His service record was void of a recommendation for award of the DSC.

5. On 14 May 2013, the Board, in ABCMR Docket Number AR20130001706, denied the applicant's request for an upgrade of his SS to a DSC stating the evidenced presented did not demonstrate the existence of a probable error or injustice. Therefore, the Board determined that the overall merits of the case were insufficient as a basis for correction of the applicant's records.

6. On 14 April 2015, the Board, in ABMCR Docket Number AR20140001068, denied the applicant's reconsideration request to upgrade his SS to a DSC stating the evidenced presented did not demonstrate the existence of a probable error or injustice. Therefore, the Board determined that the overall merits of the case were insufficient as a basis to amend the decision of the ABCMR set forth in AR20130001706, dated 14 May 2013. The award of the SS is the appropriate recognition. In making the determination, the applicant and all others concerned should know the action in no way diminished the sacrifices made by him in service to our Nation. All American should be justifiably proud of his service in arms.

7. On 30 October 2023, AHRC responded to Senator Rubio regarding a request to upgrade the applicant's SS to a DSC. AHRC stated:

a. AHRC acknowledged the applicant's statement that the original recommended award was the DSC; however, while GEN O- marked that the recommended award of the SS should be upgraded, their office has no record of any such award recommendation submitted by GEN O- or GEN P-, while they were in command of MNF-I. As their approval authority only extended to the level of the SS, any recommendations for higher awards would have required submission to the Army and Decorations Branch for further processing.

b. In regards to Senator Rubio's office's concern that factors outside of the award recommendation packet affected the decision of whether or not to upgrade the applicant's SS, the only factors which led to the decision for the applicant to retain his original award were the documents submitted on his behalf. The award packet was reviewed by the review board in August 2016, during the mandatory review of Service Crosses and Silver Stars considered awarded during current operations for possible upgrade was the same packet considered by the Army Decorations Board on 13 January 2011. The award was also considered by the ABCMR in January 2013 and April 2014, both times the Board denied the request to upgrade the ward to the DSC. As such, the applicant's SS has been reviewed a total of four times, by numerous board members, and has been denied for upgrade each time.

c. As this request for update has been denied by several Army Review Boards and ABCMR on multiple times, AHRC was unable to action the request. He could request the Board reconsider his request.

BOARD DISCUSSION:

1. After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that relief was not 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, available military records, the Board determined there is insufficient evidence to support the applicant's contentions for an upgrade his Silver Star (SS) to the Distinguished Service Cross (DSC). The Board agree based on regulatory guidance there is no error or justification to upgrade the applicant's silver star. Based on this, the Board denied relief.

2. Army awards system recognizes and reacts to distinguishing acts of valor and bravery for Soldiers. The commander on the ground acts as a steward to ensure the proper recognition of our brave men and women. The Army has always been fully

committed to the responsibility of properly recognizing Soldiers for their valor, heroism, and meritorious service through a fair and consistent decorations and awards policy and process.

a. The criteria for military awards are set forth in statutes, executive orders, and appropriate regulations. The criteria for the three highest valor awards are established by law and have not changed from what they were in past conflicts. Army regulation and policy establish the standards by which those awards are processed, approved, and presented.

b. Army policy allows any Soldier to recommend another Soldier for an award. The Army's awards program relies on those with first-hand knowledge of a Soldier's heroic or valorous action to recommend the Soldier for the appropriate award. Award recommendations are sent up through the Soldier's chain of command to company, battalion, brigade, division, and corps commanders. Commanders at every level of review can recommend approval or upgrade of the award based upon their authority. Commanders with authority to approve awards also have the authority to downgrade or disapprove awards based on their judgment, knowledge, and the criteria established for the award. Command involvement is critical for program success.

3. The applicant's request for a personal appearance hearing was carefully considered. In this case, the evidence of record was sufficient to render a fair and equitable decision. As a result, a personal appearance hearing is not necessary to serve the interest of equity and justice in this case.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

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

BOARD DETERMINATION/RECOMMENDATION:

The evidence presented does not demonstrate the existence of a probable error or injustice. Therefore, the Board determined the overall merits of this case are insufficient as a basis to amend the decisions of the ABCMR set forth in ABCMR Docket Numbers AR20130001706 on 14 May 2013 and AR20140001068 on 14 April 2015.



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. Army Regulation (AR) 15-185 (Army Board for Correction of Military Records (ABCMR), prescribes the policies and procedures for correction of military records by the Secretary of the Army, acting through the ABCMR.
 - a. It states, 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.
 - b. The ABCMR may, in its discretion, hold a hearing or request additional evidence or opinions. Additionally, it states in paragraph 2-11 that applicants do not have a right to a hearing before the ABCMR. The Director or the ABCMR may grant a formal hearing whenever justice requires.
2. Army Regulation 600-8-22 (Military Awards) prescribes Army policy, criteria, and administrative instructions concerning individual and unit military awards. It is the responsibility of any individual having personal knowledge of an act, achievement, or service believed to warrant the award of a decoration to submit a formal recommendation into military command channels for consideration. The Army does not condone self-recognition; therefore a Soldier may not recommend himself/herself for award of a decoration.

a. The Distinguished Service Cross is awarded to a person who, while serving in any capacity with the Army, distinguished himself or herself by extraordinary heroism not justifying the award of the Medal of Honor, while engaged in an action against an enemy of the United States; while engaged in military operations involving conflict with an opposing or foreign force; or while serving with friendly foreign forces engaged in armed conflict against an opposing Armed Force in which the United States is not a belligerent party. The act or acts of heroism must have been so notable and have involved risk of life so extraordinary as to set the individual apart from their comrades.

b. The Silver Star is awarded to a person who, while serving in any capacity with the U.S. Army, is cited for gallantry in action against an enemy of the United States, while engaged in military operations involving conflict with an opposing foreign force, or while serving with friendly foreign forces engaged in armed conflict against an opposing armed force in the United States is not a belligerent party. The required gallantry, while of a lesser degree than that required for the Distinguished Service Cross, must nevertheless have been performed with marked distinction.

//NOTHING FOLLOWS//