

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 15 April 2025

DOCKET NUMBER: AR20240010164

APPLICANT REQUESTS: correction of his DD Form 214 (Certificate of Release or Discharge from Active Duty) to reflect his foreign service in support of Operation Enduring Freedom (OEF).

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

- DD Form 149 (Application for Correction of Military Record)
- U.S. Army Field Artillery (FA) Center and Fort Sill Orders Number 022-302, 22 January 2003 shows Bravo Battery, 2nd Battalion (BN) 4th FA was deployed in a temporary change of station on or about 5 February 2003 in support of OEF and assigned to the Area of Operations Central Command, the applicant's name is shown on the personnel roster
- DD Form 2795 (Pre-Deployment Health Assessment)

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 effect, he requests the correction of his DD Form 214 to reflect his foreign service and support of OEF.
3. A review of the applicant's service record shows:
 - On 6 December 1983, the applicant enlisted in the Regular Army (RA) and had continuous service through extensions or reenlistments
 - DA Form 2-1 (Personnel Qualification Record) shows in:
 - Item 5 (Overseas Service) is void of service in support of OEF
 - Item 35 (Record of Assignments): shows the same overseas assignments as item 5, it shows he was assigned to Bravo Battery, 2nd BN 4th FA on or about 23 July 2001

- Enlisted Record Brief shows in Section VIII (Awards and Decorations) he was awarded or authorized:
 - Combat Action Badge
 - Global War on Terrorism Expeditionary Medal
 - Global War on Terrorism Service Medal
 - On 8 May 2003, he was awarded the Bronze Star Medal for meritorious achievement while serving as the first sergeant to liberate Iraq in support of Operation Iraqi Freedom (OIF) during the period of 11 January through 5 May 2003
 - DA Form 2166-8 (Noncommissioned Officer Evaluation Report) shows during the rating period of 1 July 2002 through 30 June 2003 he:
 - Was assigned to Bravo Battery, 2nd BN 4th FA
 - His area of special emphasis was on OIF
 - He performed during high operation tempo combat operations
 - He executed perimeter defense, convoy operations and logistics, allowed the battery to service 95 targets during OIF
 - He personally ensured no Soldier was left behind during combat operations covering more than 1000 kilometers in enemy territory
 - He led Soldiers from the front on the battlefield during OIF for 6-weeks without the loss of a Soldier
 - On 31 August 2006 he was released from active duty and placed on the retired list, effective 1 September 2006, by Orders Number 083-0046, dated 24 March 2006
 - On 30 May 2006, he was awarded the Combat Action Badge for actively engaging or being engaged by the enemy on 15 June 2003 by Orders Number 150-24
 - On 31 August 2006, he was honorably retired from active duty and assigned to the U.S. Army Reserve Control Group (Retired Reserve), DD Form 214 shows in:
 - Item 13 (Decorations, Medals, Badges, Citations and Campaign Ribbons Awarded or Authorized) as it pertains to deployment: Bronze Star Medal, Global War on Terrorism Expeditionary Medal and Combat Action Badge
 - Service in Saudi Arabia 2 October 1990 through 7 April 1991
4. On 10 April 2025, in the processing of this case, the Defense Finance and Accounting Service stated the applicant's finance record shows he was deployed to Kuwait during the period of 21 February through 15 June 2003 and provided his Master Military Pay Account which shows:

- He earned hostile fire pay in combat zone leave and tax-exempt leave balance during the period of 21 February through 15 June 2003
- He was paid hostile fire pay/imminent danger pay for the period of 1 February through 30 June 2003 in Kuwait

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. The governing regulation provides that at separation the service member's record will be used to enter accurate information when completing their DD Form 214. Upon review of the applicant's petition and available military record, the Board agreed that DFAS provided sufficient documentation to show he served in Kuwait/Iraq from 21 February 2003 to 15 June 2003 (3 months, 16 days); thereby warranting correction in this case.

2. The Board further determined the evidence presented is sufficient to warrant a correction the record not otherwise requested. The Board noted that the applicant also served in Saudi Arabia. As his record is void of awards, the Board agreed that he met the criteria for additional awards.

BOARD VOTE:

<u>Mbr 1</u>	<u>Mbr 2</u>	<u>Mbr 3</u>	
XXX	XXX	XXX	GRANT FULL RELIEF
:	:	:	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
:	:	:	DENY APPLICATION

BOARD DETERMINATION/RECOMMENDATION:

The Board determined the evidence presented is sufficient to warrant a recommendation for relief. As a result, the Board recommends that all Department of the Army records of the individual concerned be corrected by amending the DD Form 214 for the period ending 31 August 2006 showing in:

- Block 12f (Foreign Service) – add 3 months, 16 days
- Block 13 (Decorations, Medals, Badges, Citations and Campaign Ribbons Awarded or Authorized) – add Kuwait Liberation Medal – Kuwait and Kuwait Liberation Medal – Saudi Arabia
- Block 18 (Remarks) – add “Service in Kuwait/Iraq from 20030221 to 20030615”

X //SIGNED//

CHAIRPERSON

I certify that herein is recorded the true and complete record of the proceedings of the Army Board for Correction of Military Records in this case.

REFERENCES:

1. Title 10, USC, 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 (AR) 635-8 (Separation Documents) provides the separation documents which are prepared for individuals upon retirement, discharge, or release from active military service or control of the Army. For item 12f (Foreign Service) enter the total amount of service performed outside the continental United States (OCONUS) during the period covered in block 12c. In addition, list periods of deployed service in block 18. For item 18 (Remarks); use this block for entries required by Headquarters Department of the Army for which a separate block is not available and for completing entries that are too long for their blocks. Additionally, the remarks will state "SERVICE IN (NAME OF COUNTRY DEPLOYED) FROM (inclusive dates for example, YYYYMMDD -YYYYMMDD).

3. Army Regulation 600-8-22 (Military Awards) prescribes Department of the Army (DA) policy, criteria, and procedures for individual and unit military awards and foreign decorations and badges.

a. Paragraph 2-17 (Iraq Campaign Medal (ICM)), the ICM is authorized by Public Law 108-234, 28 May 2004 and Executive Order (EO) 13363, 29 November 2004. The ICM is awarded to service members who served in the area of eligibility (AOE) from or after 19 March 2003 to 31 December 2011. The AOE encompasses all land area of the country of Afghanistan and all airspaces above the land. Individuals authorized the ICM must have served in direct support of Operation Iraqi Freedom (OIF) or Operation New Dawn (OND). The AOE encompasses all land area of the country of Iraq and the contiguous water area out to 12 nautical miles and all airspaces above the land area of Iraq and above the contiguous water area out to 12 nautical miles. Servicemembers must have been assigned, attached, or mobilized to units operating in the AOE for 30 consecutive days or for 60 nonconsecutive days or meet one of the following criteria:

- Be engaged in combat during an armed engagement, regardless of the time in the AOE
- While participating in an operation or on official duties, is killed, wounded, or injured and required medical evacuation from the AOE
- While participating as a regularly assigned air crewmember flying sorties into, out of, within, or over the AOE in direct support of the military operations, each day of operations counts as 1-day of eligibility

b. The following rules apply to award the ICM:

- The ICM may be awarded posthumously
- Only one award of this medal may be authorized for any individual
- Under no condition will personnel receive the ICM, GWOTEM, GWOTSM, ACM, or AFEM for the same action, time period, or service
- One bronze service star will be worn on the suspension and service ribbon of the ICM for participation in each designated service
- Servicemembers qualified for the GWOTEM by reasons of service between 19 March 2003 and 30 April 2005 in Iraq will remain qualified for the medal
 - any such Soldier may be awarded the ICM in lieu of the GWOTEM for such service
 - Soldiers that elect to receive the GWOTEM in lieu of the ICM are not authorized bronze service stars for those campaigns in which the GWOTEM is awarded
 - no Soldier will be entitled to both medals for the same act, achievement, or period of service

//NOTHING FOLLOWS//