

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 30 May 2025

DOCKET NUMBER: AR20240010422

APPLICANT REQUESTS:

- award of the Combat Infantryman Badge (CIB)
- service credit for service in Afghanistan

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

- DD Form 149 (Application for Correction of Military Record), 18 July 2024
- DD Form 214 (Certificate of Release or Discharge from Active Duty), 4 January 2003
- two black and white photographs, undated
- statement, Major (MAJ) CDC____, 26 May 2021

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 he was assigned to B Company, 1-505th Infantry Regiment, 82nd Airborne Division, and deployed to Afghanistan from July 2002 to December 2002. He received an honorable discharge, but his DD Form 214 did not reflect his CIB or indicate he deployed to Afghanistan.
3. The applicant provides:
 - a. His DD Form 214 and two black and white photographs of Soldiers in uniform. One photo shows a group of Soldiers standing in front of a welcome sign with Bagram Army Base, Afghanistan with one of the Soldier's nameplates showing the applicant's last name.

b. A Statement from MAJ CDC____, noting he served with the applicant in 2003 in Afghanistan. When they deployed to Khost, Afghanistan, the engaged in ground combat.

c. The applicant was assigned as a machine gunner and team leader the entire time he knew him. He was responsible for carrying the M240B and regularly completed 12-mile foot marches carrying his equipment. He completed several static line jumps from various aircraft with this equipment. He had to seek medical attention for his injured back on multiple occasions. The applicant also injured his back while training and sought medical treatment on several occasions.

4. A review of the applicant's service record shows:

a. On 5 January 2000, he enlisted in the Regular Army for 3 years.

b. On 30 April 2000, he was awarded the Parachutist Badge.

c. On 15 June 2000, he was assigned to 1st Battalion, 505th Parachute Infantry Regiment, 82d Airborne Division.

d. On 12 December 2002, Headquarters, 3d Brigade, 82d Airborne Division, Fort Bragg, awarded him the Army Commendation Medal for meritorious service while serving as an infantryman for Bravo Company, 1st Battalion, 505th Parachute Infantry Regiment (PIR), 82nd Airborne Division, for the period 15 June 2000 to 4 January 2003. This command issued Permanent Orders Number 346-01, dated 12 December 2002 for this award.

e. His DA Form 2-1 shows:

(1) he was awarded:

- Army Service Ribbon
- Parachutist Badge

(2) no record of deployments or foreign service; and

(3) no record of weapons qualifications or designations.

f. On 4 January 2003, he was honorably released from active duty. His DD Form 214 shows:

(1) he was awarded:

- National Defense Service Medal
- Army Service Ribbon
- Expert Marksmanship Qualification Badge with Rifle Bar (M-16)
- Parachutist Badge

(2) In block 12f (Foreign Service), no entry.

g. His records are void of orders awarding him the CIB and void of orders showing service in Afghanistan.

BOARD DISCUSSION:

1. After reviewing the application and all supporting documents, the Board determined relief was not warranted. The applicant's contentions, the military record, and regulatory guidance were carefully considered. Based upon the lack of official records showing the applicant earned the CIB and/or was even deployed to a combat environment, the Board concluded there was insufficient evidence of an error or injustice warranting adding the CIB and/or adding foreign service to his DD Form 214.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

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

BOARD DETERMINATION/RECOMMENDATION:

1. 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 for correction of the records of the individual concerned.
2. Prior to closing the case, the Board noted the administrative note below from the analyst of record and recommended that change be completed to more accurately reflect the military service of the applicant.

//SIGNED//

X

CHAIRPERSON

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

ADMINISTRATIVE NOTE(S): The applicant's service records support amendment of his DD Form 214 to reflect award of the Army Commendation 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 15-185 (Army Board for Correction of Military Records) prescribes the policies and procedures for correction of military records by the Secretary of the Army acting through the ABCMR. 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.
3. Army Regulation 600-8-22 (Military Awards) provides:
 - a. The GWOTSM was established by Executive Order 13289, 12 March 2003. It is authorized for award to service members of the Armed Forces of the United States who have participated in or served in support of a Global War on Terrorism operations outside of the designated Area of Engagement (AOE) defined in paragraph 2-21d on or after 11 September 2001 to a future date to be determined.

b. The Afghanistan Campaign Medal (ACM) is authorized by Public Law 108–234, 28 May 2004, and Executive Order 13363, 29 November 2004, as amended by Executive Order 13289, 12 March 2003. Public Law 109–163, 6 January 2006, amended the beginning date for Operation Enduring Freedom (OEF) and the date of eligibility for the ACM to 11 September 2001.

(1) Individuals authorized the ACM must have served in direct support of OEF from 11 September 2001 to 31 December 2014, and Operation Freedom's Sentinel (OFS) from 1 January 2015 to a future date to be determined. The AOE encompasses all land area of the country of Afghanistan and all airspaces above the land. The ACM period of eligibility is on or after 11 September 2001 to a future date to be determined by the SECDEF or the cessation of OFS.

(2) 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 wounded or injured and requires 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

c. The CIB is awarded to infantry or special forces officers and enlisted and warrant officer persons who have an infantry or special forces MOS. They must have served in active ground combat while assigned or attached to an infantry, ranger, or special forces unit of brigade, regimental, or smaller size. Specifically, a recipient must be personally present and under hostile fire while serving in an assigned infantry or special forces primary duty in a unit actively engaged in ground combat with the enemy. The unit in question must be a brigade, regiment, or smaller size. For example, personnel possessing an infantry MOS in a rifle squad of a cavalry platoon in a cavalry troop would be eligible for award of the CIB. Battle or campaign participation credit alone is not sufficient; the unit must have been in active ground combat with the enemy during the period. Personnel with other than an infantry or special forces MOS are not eligible, regardless of the circumstances.

4. Army Regulation 635-5 (Separation Documents), in effect at the time, prescribed the separation documents that must be prepared for soldiers on retirement, discharge, release from active duty service, or control of the Active Army. It established standardized policy for preparing and distributing the DD Form 214.

a. Block 12f (Foreign Service), enter the total amount of foreign service completed during the period covered in Block 12c

b. For an active duty soldier deployed with his or her unit during their continuous period of active service, enter: "SERVICE IN (NAME OF COUNTRY DEPLOYED) FROM (inclusive dates for example, YYYYMMDD -YYYYMMDD)."

5. From July 2002 to January 2003 the 505th PIR deployed to Afghanistan for Operation Enduring Freedom. Based in Southeastern Afghanistan, the 505th PIR helped curb the flow of Taliban fighters as they crossed over from Pakistan.

//NOTHING FOLLOWS//