

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 15 July 2025

DOCKET NUMBER: AR20250007312

APPLICANT REQUESTS: The father of a deceased former service member (SM) requests his son be considered for the Medal of Honor.

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

- DD Form 149 (Application for Correction of Military Record)
- Birth Certificate
- Social Security Card
- DD Form 1300 (Report of Casualty)
- Extract from "I Have Your Back"
- Two letters
- Two emails
- Redacted investigation under Army Regulation (AR) 15-6 (Procedures for Investigating Officers and Boards of Officers), 227 pages

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:

- In August 2013, his son was an infantry staff sergeant (SSG) and squad leader deployed to Afghanistan
- The applicant provides an extract from chapter 12 of "I Have Your Back" (a 245-page account of the events surrounding the former SM's valorous actions on 28 August 2013)
- The extract describes in vivid detail how insurgents, dressed as Afghanistan Soldiers, set off a vehicle-borne improvised explosive device and launched a complex assault against the former SM's Forward Operating Base (FOB); the former SM:

- Ensured the safety of his squad
- Sought out survivors of the blast and participated with other Soldiers and Coalition Forces to fight the insurgents
- Defended a Coalition Forces officer when an insurgent wearing a suicide vest attacked and was mortally wounded when the suicide vest detonated
- The applicant contends:
  - "What sets (the former SM's actions) apart is not only (their) unquestionable bravery but its selflessness. [Former SM] did not act on impulse – he acted on principle. His willingness to give his life not only for a fellow Soldier but for a foreign comrade elevates his actions to a rare moral clarity, deserving of the nation's highest military recognition"
  - "In honoring him posthumously with the Distinguished Service Cross, the U.S. Army rightly recognized extraordinary valor. Yet, with these newly corroborated accounts (referring to the evidence he provides) and a fuller understanding of the scope of his actions, we now have the opportunity-and the responsibility-to ensure his sacrifice receives the enduring tribute it so fully deserves"
  - "Chapter 12 (of "I Have Your Back") sheds new light on the depth of [former SM's] bravery and situational awareness during the August 28, 2013, attack on FOB Ghazni."
  - "The chapter emphasizes not only the chaos and intensity of the assault-including multiple suicide bombers and complex enemy maneuvers-but also the clarity and heroism with which [former SM] responded."
  - "A key revelation is the conscious, intentional nature of his final act. After shielding a wounded Polish Soldier, Lieutenant K\_\_ C\_\_, [former SM] identified and engaged a final suicide bomber."
  - "According to the testimony, [former SM] deliberately positioned himself between the attacker and the vulnerable officer, absorbing the fatal blast with full awareness of the consequences"
  - The former SM "had the opportunity to retreat or seek cover but instead chose to confront the attacker head-on, fully understanding the personal cost. His action directly saved another man's life and prevented greater casualties, fulfilling the highest criteria of 'conspicuous gallantry and intrepidity at the risk of life, above and beyond the call of duty'"
  - "Furthermore, the chapter reinforces that [former SM's] heroism crossed international lines – earning him Poland's highest military decoration – but the full measure of his valor has yet to be formally recognized by the U.S. at the highest levels"

3. The applicant provides:

- Two letters and two emails, respectively from a government contractor who saw the aftermath of the attack; the former commander of Polish Coalition Forces during the attack; and two former platoon leaders from the former SM's unit; all lauded the former SM's heroic sacrifice and leadership
- Redacted AR 15-6 investigation, which includes summaries of events during the 28 August 2013 insurgent attack on FOB Ghazni; the heroic actions taken by the former SM and other members of the FOB; and a review of the medical care received by the former SM prior to his death

4. A review of the former SM's service record shows the following:

- On 3 August 2006, the former SM enlisted into the Regular Army for 4 years and 16 weeks; upon completion of initial entry training and the award of military occupational specialty 11B (Infantryman), orders assigned him to an infantry battalion in Germany, and he arrived, on or about 19 December 2006
- On 6 April 2008, he deployed to Iraq; he redeployed to Germany, on 21 May 2009; on 20 September 2009, the former SM completed his tour in Germany, and permanent change of station orders reassigned him to Fort Campbell, KY; he arrived at his new unit, on or about 28 September 2009
- On 4 June 2010, the former SM deployed to Afghanistan; he redeployed, on 28 May 2011; orders subsequently reassigned him to Fort Drum, NY, and he arrived, on or about 30 November 2011
- Effective 1 November 2012, the applicant's leadership promoted him to SSG; on 15 January 2013, he deployed to Afghanistan; on 28 August 2013, he died as a result of wounds incurred during an insurgent attack
- On 14 September 2013, the Army awarded the former SM the Silver Star for his gallantry in action, on 28 August 2013
- On 16 October 2019, following a directed review of Silver Star recipients, Department of the Army General Orders Number 32 announced the upgrade of the former SM's Silver Star to a Distinguished Service Cross; the narrative reads, in part:
  - "When a complex enemy attack involving vehicle-borne improvised explosive devices, suicide vests, indirect fire, and small arms fire against Forward Operating Base (FOB) Ghazni began, [former SM] ordered his fellow Soldiers...to move to bunkers..."
  - "After accounting for his Soldiers, he reentered the building to check for any casualties and then moved toward the enemy force, which had penetrated the perimeter of the FOB...[former SM] located a Coalition Forces Officer and together they moved toward the point of attack..."
  - "While fighting along the perimeter of the FOB, an insurgent came around a corner and immediately engaged them with small arms fire. With complete disregard for his own safety, [former SM] positioned himself between the

- insurgent and the Coalition Forces Officer who had been wounded in both legs..."
- "[Former SM] fired on the insurgent and incapacitated him, but as he approached the insurgent, the insurgent's suicide vest detonated, mortally wounding him"

#### BOARD DISCUSSION:

1. After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that partial relief was warranted. The Board carefully considered the SM's record of service, documents submitted in support of the petition, and executed a comprehensive review based on law, policy, and regulation. The Board determined the applicant's request to posthumously upgrade the Distinguished Service Cross awarded to the SM to the Medal of Honor is warranted. The evidence presented, including eyewitness testimonies, official investigations, and detailed narrative accounts, demonstrates that the SM's actions on 28 August 2013 meet the statutory criteria for consideration of the Medal of Honor. The Board noted:

a. The SM, fully aware of the lethal risk, shielded a wounded Polish officer from a suicide bomber, sacrificing his life to save another.

b. His valor earned Poland's highest military decoration, underscoring the international resonance of his actions and strategic significance of his heroism in a joint forces environment.

c. The extract from "*I Have Your Back*" and the corroborative Army Regulation 15-6 Investigation illuminate key facts: the SM actively sought out threats, coordinated defense under fire, and knowingly placed himself in mortal danger to protect others.

d. His decision to confront and neutralize a final suicide bomber, despite the option to retreat, shows a rare degree of intentional valor and moral clarity. The Board concluded this satisfies the "above and beyond" threshold outlined in statute.

2. The Board noted the applicant was recommended for the Silver Star and after a directed review was upgraded to the Distinguished Service Cross, which the Board determined is not in error; however, the Board also determined that in view of the additional evidence provided, an exception to refer the case to the Army Decorations Board is appropriate as a matter of justice.

BOARD VOTE:

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

BOARD DETERMINATION/RECOMMENDATION:

1. The Board determined the evidence presented is sufficient to warrant partial relief. As a result, the Board recommends that all Department of the Army records of the individual concerned be corrected by referring his case to the Army Decorations Board, at the U.S. Army Human Resources Command for consideration for award of the Medal of Honor.
2. The Board further determined that the evidence presented is insufficient to warrant a portion of the requested relief. As a result, the Board recommends denial of so much of the application that pertains to any relief in excess of that described above.

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, 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 (AR) 600-8-22 (Military Awards), currently in effect, prescribes policies and procedures for military awards.

a. Paragraph 1-16 (Reconsideration or Appeal of Previous Award Recommendations).

(1) A request for reconsideration or the appeal of a disapproved or downgraded award or a request for an upgrade of a previously approved recommendation must be placed in official channels within 1 year from the date of the awarding authority's decision. A one-time reconsideration by the award approval authority will be conclusive.

(2) Recommendations are submitted for reconsideration or appeal only if new, substantive, and material information is furnished. Additionally, only the award recommender or someone in the approving chain of command may request reconsideration.

(3) Requests for reconsideration must be forwarded through the same official channels as the original recommendation. The justification for reconsideration must be in letter format, not to exceed two single-spaced typewritten pages. A copy of the original recommendation, with all endorsements, and the citation must be attached. If the original recommendation is no longer available, a reconstructed recommendation must be submitted. Once the U.S. Army Human Resources Command (HRC) or the approval authority makes a decision on the award reconsideration, filing an application with the Army Board for Correction of Military Records is the submitter's only option.

b. Paragraph 3-9 (Medal of Honor). The Medal of Honor (Title 10 (Armed Forces), U.S. Code, section 7271 (Medal of Honor: Award) was established by Joint Resolution of Congress, 12 July 1862 (as amended by Acts of 9 July 1918 and 25 July 1963).

(1) The President of the United States awards the Medal of Honor and presents it in the name of the Congress. The Medal of Honor is awarded to a person who, while a member of the Army, distinguished themselves conspicuously by gallantry and intrepidity at the risk of their life above and beyond the call of duty while engaged in an 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 an armed conflict against an opposing armed force in which the United States is not a belligerent party.

(2) The deed performed must have been one of personal bravery or self-sacrifice so conspicuous as to clearly distinguish the individual above their comrades and must have involved risk of life. Incontestable proof of the performance of the service must be exacted and each recommendation for the award of this decoration will be considered on the standard of extraordinary.

c. Paragraph 3-10 (Distinguished Service Cross).

(1) A 1918 Act of Congress established the Distinguished Service Cross, and it is awarded to a person who, while serving in any capacity with the Army, distinguished themselves by extraordinary heroism not justifying the award of a MOH; 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 an 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.

(2) The Distinguished Service Cross is a valor award and will not be awarded for achievement or service.

//NOTHING FOLLOWS//