

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: ██████████

BOARD DATE: 1 May 2024

DOCKET NUMBER: AR20230010455

APPLICANT REQUESTS: removal of the Humanitarian Service Medal from his DD Form 214 (Certificate of Release or Discharge from Active Duty).

APPLICANT'S SUPPORTING DOCUMENT(S) CONSIDERED BY THE BOARD: DD Form 149 (Application for Correction of Military Record).

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 is requesting removal of the Humanitarian Service Medal from his DD Form 214. He further noted he was not part of any operation that received the award and was unsure how the error occurred. He was under the impression that the error was likely due to two junior enlisted service members that were unsupervised and executed the DD Form 214.
3. A review of the applicant's service record shows:
 - a. He enlisted in the Regular Army on 15 August 1999.
 - b. His DA Form 2-1 (Personnel Qualification Record) lists in Block 9 (Awards, Decorations & Campaigns) the Humanitarian Service Medal among other awards.
 - c. He was honorably discharged from active duty on 12 August 2000. His DD Form 214 shows he completed 9 years, 11 months, and 28 days of active service. It also shows he was awarded the Humanitarian Service Medal among other awards. Block 18 (Remarks) lists the following deployments:
 - Southwest Asia – 27 January 1991 to 4 April 1991
 - Bosnia – 22 February 1999 to 16 July 1999

d. A DD Form 4 (Enlistment/Reenlistment Document) shows he enlisted in the U.S. Army Reserve on 7 August 2000.

e. He entered active duty on 8 August 2007.

f. A memorandum for record dated 1 June 2008, shows the applicant was included in a roster of Soldiers that were awarded the below listed awards for service as members of the Multinational Forces-West from 16 September 2007 to 7 June 2008 with duty in Iraq. The applicant met the required period of service in the Central Asian Combined Joint Operations Area in support of Operation Enduring Freedom.

- Iraq Campaign Medal
- National Defense Service Medal
- Global War on Terrorism Expeditionary Medal
- Overseas Service Ribbon
- Armed Forces Reserve Medal w/M Device

g. He was honorably released from active duty on 18 August 2008. His DD Form 214 shows he completed 1 year and 11 days of active service. It also shows he was awarded the Humanitarian Service Medal among other awards. Block 18 identifies his service period in Iraq from 16 September 2007 to 7 June 2008.

4. By regulation (AR 600-8-22), the Humanitarian Service Medal is awarded to members who, after 1 April 1975, distinguished themselves by meritorious direct participation in a Department of Defense approved significant military act or operation of a humanitarian nature. A service member must be on active duty at the time of direct participation, must have directly participated in the humanitarian act or operation within the designated geographical area of operation and within specified time limits, and must provide evidence that substantiates direct participation.

BOARD DISCUSSION:

After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that relief was warranted. The Board carefully considered the applicant's record of service, documents submitted in support of the petition and executed a comprehensive and standard review based on law, policy and regulation. Upon review of the applicant's petition and available military records the Board determined there is sufficient evidence to support the applicant's contentions for removal of the Humanitarian Service Medal from his DD Form 214. The Board agreed the applicant's record is absent sufficient evidence to show the applicant was entitled to or met the criteria for award of the Humanitarian Service Medal. Based on the

preponderance of evidence the Board found removal of the HSM is warranted. Therefore, the Board granted relief.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

█	█	█	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 Army records of the individual concerned be corrected by amending the applicant's DD Form 214 by deleting the Humanitarian Service Medal.

█

█ █

█

█

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 600-8-22 (Military Awards) states the Humanitarian Service Medal is awarded to members who, after 1 April 1975, distinguished themselves by meritorious direct participation in a Department of Defense approved significant military act or operation of a humanitarian nature. A service member must be on active duty at the time of direct participation, must have directly participated in the humanitarian act or operation within the designated geographical area of operation and within specified time limits, and must provide evidence that substantiates direct participation.

//NOTHING FOLLOWS//