

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 23 January 2025

DOCKET NUMBER: AR20240006128

APPLICANT REQUESTS: award of the Humanitarian Service Medal (HSM) and any other awards authorized.

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

- DD Form 149 (Application for Correction of Military Record)
- DD Form 214 (Certificate of Release or Discharge from Active Duty)
- HSM Approved Operations

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 his DD Form 214 does not list any awards or decorations. He is requesting a review of his records for a possible Humanitarian Service Medal, and any additional medals he may have earned. He believes the award should have been made during the Marshall Islands cleanup in late 1979 or early 1980. He is requesting the record be corrected as the he participated in radiation cleanup of the Marshall Islands.
3. The applicant enlisted in the Regular Army on 5 January 1978. He held military occupational specialty 12B (Combat Engineer).
4. On 26 May 1978, he was assigned to 15th Engineer Battalion, Fort Lewis, WA.
5. On 18 July 1979, DD Form 1952 (Film Badge Application and Record of Occupational Radiation Exposure) shows DD Form 1141 (Record of Occupational Exposure to Ionizing Radiation) was initiated on 1 August 1979 and film badge was discontinued on 20 October 1979.
6. DD Form 1141 shows the activity as Enewetak Atoll from 18 July 1979 to 20 October 1979 exposure period.

7. The applicant provided DD Form 214 which shows he was honorably released from active duty and transferred to U.S. Army Reserve (USAR) Control Group on 16 December 1980. He completed 2 years, 11 months, and 12 days net active service this period. He was awarded the Marksman Marksmanship Qualification Badge (M-16).
8. He enlisted in the USAR on 8 October 1983, for a period of 3 years.
9. DA Form 2496 (Disposition Form) shows he was appointed to the decontamination team effective 25 June 1985.
10. Orders 183-23, issued by Headquarters, Fourth United States Army, Fort Sheridan, IL, on 8 October 1986, shows he was honorably discharged from the USAR on 8 October 1986.
11. His records do not contain orders awarding the HSM. His record does not contain any derogatory information that would preclude him from being awarded the Army Good Conduct Medal not does it contain orders awarding that award.
12. The applicant provides HSM approved operations which shows Operation Majuro Atoll Disaster Relief with a start date of 27 November and an end date of 8 January 1980 in the geographic area of Marshall Islands.
13. By regulation, Army Regulation 600-8-22 (Military Awards) provides Department of the Army policy, criteria, and administrative instructions concerning individual military decorations, Army Good Conduct Medals, service medals and ribbons, combat and special skill badges and tabs, unit decorations, trophies, and similar devices awarded in recognition of accomplishments. It prescribes the policies and procedures concerning U.S. Army awards to foreign military personnel and foreign decorations to U.S. Army personnel.

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 applicant's record of service, documents submitted in support of the petition, and executed a comprehensive review based on law, policy, and regulation. The applicant contends that he should have been awarded the Humanitarian Service Medal for his participation in the Marshall Islands cleanup operation during the period of late 1979 to early 1980. While the applicant's service during this time is acknowledged and appreciated, the criteria for award of the Humanitarian Service Medal are specific and require that the individual participated in a designated humanitarian operation approved by the Department of Defense.
2. Upon review of official records and designated operations eligible for the Humanitarian Service Medal, the Marshall Islands cleanup effort during the timeframe cited by the applicant does not appear on the list of approved humanitarian missions. Furthermore, available documentation does not support the applicant's duties during this period met the threshold of direct participation in a humanitarian act or operation as defined by the award's criteria.
3. The Board did find the applicant qualified for award of the Army Good Conduct Medal (First Award) for his period of service from 5 January 1978 to 16 December 1980.

BOARD VOTE:

<u>Mbr 1</u>	<u>Mbr 2</u>	<u>Mbr 3</u>	
:	:	:	GRANT FULL RELIEF
■	■	:	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:

- awarding the applicant the Army Good Conduct Medal (First Award) for the period 5 January 1978 to 16 December 1980
- amending the applicant's DD Form 214, for the period ending 16 December 1980 to show award of the Army Good Conduct Medal

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 award of the Humanitarian Service Medal.

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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) 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. Appendix C-1 of Army Regulation 600-8-22 shows approved HSM Operations.

a. Eniwetok Radiological Cleanup 24 January 1977 – 15 April 1980 Eniwetok, Marshall Islands (By-name eligibility listings were published for this operation. Individuals not listed who claim meritorious direct participation should submit evidence of such through command channels to the Director, Defense Threat Reduction Agency, 6200 Meade Road, Fort Belvoir, VA 22060–5264, for determination. Servicemembers involved in surveys and planning visits on Eniwetok Atoll between 1 April 1975 and 23 June 1977 are eligible. These individuals should write to the Director, Defense Threat Reduction Agency, through channels for confirmation of eligibility).

b. Majuro Atoll Disaster Relief 27 November 1979 – 8 January 1980 Marshall Islands.

3. AR 600-8-22 states the Army Good Conduct Medal is awarded to individuals who distinguish themselves by their conduct, efficiency, and fidelity. Although there is no automatic entitlement to the Army Good Conduct Medal, disqualification must be justified. Any one of the following periods of continuous enlisted active Federal military service qualifies for award:

- Each 3 years completed on or after 27 August 1940
- For first award only, 1 year served entirely during the period 7 December 1941 to 2 March 1946
- For first award only, upon termination of service on or after 27 June 1950 of less than 3 years but more than 1 year

- For first award only, upon termination of service, on or after 27 June 1950, of less than 1 year when final separation was by reason of physical disability incurred in line of duty
- For first award only, for those individuals who died before completing 1 year of active Federal service if the death occurred in the line of duty

//NOTHING FOLLOWS//