

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 12 March 2025

DOCKET NUMBER: AR20240008249

APPLICANT REQUESTS:

- award of the Global War on Terrorism Service Medal
- correction of his DD Form 214 (Certificate of Release or Discharge from Active Duty) item 8a (Last Duty Assignment and Major Command) as reads "EN BN HHC CBT HVY FC" to show "52ND EN CBT BN HVY"

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

- two DD Forms 149 (Application for Correction of Military Record)
- DA Form 638-1 (Recommendation for Award (for other than valor) of Army Achievement Medal, Army Commendation Medal, and Meritorious Service Medal), dated 16 April 1991
- three DA Forms 638 (Recommendation for Award), dated 21 November 1995 to 11 May 2001
- DA Form 4950 (Good Conduct Medal Certificate), dated 19 April 1998
- Permanent Orders 267-03, Headquarters, 52nd Engineer Combat Battalion (Heavy), Fort Carson, CO, dated 24 September 2001
- DD Form 214, for the period ending 31 October 2001

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 should have been awarded the Global War on Terrorism Service Medal as he was still on active duty when the war on terrorism started. He would like his last duty assignment changed for personal reasons.
3. Following a period of service in the Army National Guard, the applicant enlisted in the Regular Army on 20 April 1995 for a 3-year period.

4. Orders Number 268-0009, issued by Headquarters, 7th Infantry Division, Fort Carson, CO on 25 September 2001, show that at the time of his transition processing, the applicant was assigned to the EN BN HHC CBT HVY, Fort Carson, CO.

5. The applicant was honorably discharged on 31 October 2001, under the provisions of Army Regulation 635-40 (Physical Evaluation for Retention, Retirement, or Separation), paragraph 4-24b(3), by reason of disability, severance pay. He completed 6 years, 6 months, and 11 days of net active service. His DD Form 214 also shows:

a. In item 8a (Last Duty Assignment and Major Command) – EN BN HHC CBT HVY FC.

b. In item 13 (Decorations, Medal, Badges...) [see Administrative Note]

- Army Achievement Medal (3rd award)
- Army Good Conduct Medal
- National Defense Service Medal
- Army Lapel Button
- Southwest Asia Service Medal with three bronze service stars
- Army Service Ribbon
- Overseas Service Ribbon
- Kuwait Liberation Medal (Kuwait)
- Kuwait Liberation Medal (Saudi Arabia)
- Armed Forces Reserve Medal with "M" device

6. The applicant provides 11-pages of service records which are summarized, in pertinent part, in the Record of Proceedings above.

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. Upon review of the applicant's petition, available military record, the Board determined there was sufficient evidence to support correction to item 8a (Last Duty Assignment and Major Command) on his DD Form 214. The Board noted the applicant's orders for his Army Good Conduct Medal reflect the 52ND EN CBT BN HVY. Based on this, the Board granted relief to correct the applicant's DD Form 214.

2. Prior to closing the case, the Board did note the analyst of record administrative notes below, and recommended the correction is completed to more accurately depict the military service of the applicant.

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:

In addition to the administrative notes annotated by the Analyst of Record (below the signature), 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 for the period ending 31 October 2001 to show in item 8 (Last Duty Assignment and Major Command) to read 52ND EN CBT BN HVY.

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.

ADMINISTRATIVE NOTE(S):

Amend the applicant's DD Form 214 by adding to item 13 the Global War on Terrorism Service 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 Army Board for Correction of Military Records (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) prescribes Army policy, criteria, and administrative instructions concerning individual and unit military awards and states the Global War on Terrorism Service Medal (GWOTSM) is authorized for award to members of the Armed Forces of the United States who have participated in Global War on Terrorism operations outside of the areas of eligibility designated for award of the Global War on Terrorism Expeditionary Medal, Afghanistan Campaign Medal, or Iraq Campaign Medal. All Soldiers on active duty, including Reserve Component Soldiers mobilized or National Guard Soldiers activated, on or after 11 September 2001 to a date to be determined having served 30 consecutive days or 60 nonconsecutive days are authorized the GWOTSM. The GWOTSM may be awarded posthumously. Only one award of the GWOTSM may be authorized to any individual; second and subsequent awards will not be awarded.
3. Army Regulation 635-5 (Personnel Separations – Separation Documents) prescribes the separation documents which are prepared for individuals upon retirement, discharge, or release from active military service or control of the Army. The regulation states the DD Form 214 (Certificate of Release or Discharge from Active Duty) is a summary of a soldier's most recent period of continuous active duty. It provides a brief, clearcut record of active duty service at the time of release from active duty.

//NOTHING FOLLOWS//