

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 17 November 2023

DOCKET NUMBER: AR20230006081

APPLICANT REQUESTS: correction of his father's, a deceased former service member (FSM), DD Form 214 (Armed Forces of the U.S. Report of Transfer or Discharge) to show his award of the Korean Service Medal.

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

- DD Form 149 (Application for Correction of Military Record), 10 February 2023
- FSM DD Form 214 (Armed Forces of the U.S. Report of Transfer or Discharge)
- NOK Birth Certificate

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 FSM's complete military records are not available to the Board for review. A fire destroyed approximately 18 million service members' records at the National Personnel Records Center in 1973. It is believed that the FSM's records were lost or destroyed in that fire, however, there were sufficient documents remaining in a reconstructed records for the Board to conduct a fair and impartial review of the case.
3. The FSM's son states his father's DD Form 214 should be updated to reflect his award of the Korean Defense Service Medal. He was awarded the National Defense Service Medal; and has service in Korea during the Korea War from 22 December 1954 to 11 June 1956. The FSM has a total of 1 year, 4 months and 11 days of overseas service, which is also reflected on his DD Form 214.
4. The FSM DD Form 214 shows enlisted in the U.S. Army on 22 December 1954, and he was honorably released from active duty on 22 December 1957. He completed 2 years, 11 months, and 19 days of net service this period. His DD Form 214 shows he completed 1 year, 4 months and 11 days of foreign service, but does not make any

mention of where that service was performed, nor does it reflect award of the Korea Defense Service Medal.

BOARD DISCUSSION:

After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that relief was not warranted. The Board carefully considered applicant's contentions, the military record, and regulatory guidance. Army Regulation 600-8-22 (Military Awards) states the Korean Service Medal is awarded for qualifying service in the theater of operations between 27 June 1950 and 27 July 1954. Evidence of record does not reveal a period of service in Korea nor did documentation provided for consideration by the Board. After due consideration of the request, the Board determined the evidence presented insufficient to warrant a recommendation for relief.



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 Korean Service Medal is awarded for qualifying service in the theater of operations between 27 June 1950 and 27 July 1954.

//NOTHING FOLLOWS//