

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 2 April 2024

DOCKET NUMBER: AR20230010260

APPLICANT REQUESTS:

- Award of the Korea Defense Service Medal and Army Good Conduct Medal
- The addition of the foregoing two awards to his DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge)

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

- DD Form 149 (Application for Correction of Military Record)
- Three Special Orders

FACTS:

1. The applicant did not file within the 3-year time frame provided in Title 10 (Armed Forces), United States Code (USC), section 1552 (b) (Correction of Military Records: Claims Incident Thereto). 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, per the National Defense Authorization Act of Fiscal Year 2003, and as a result of his service in Korea, he believes he is authorized the Korea Defense Service Medal. In addition, he asks the Board to consider awarding him the Army Good Conduct Medal.

3. A review of the applicant's service record reveals the following:

a. On 8 July 1966, after obtaining his parent's permission, the applicant enlisted into the Regular Army for 3 years. Upon completion of initial entry training and the award of military occupational specialty 72B (Communications Center Specialist), orders assigned him to Korea; he arrived at his unit, a communications center, on 15 February 1967.

b. On or about 10 March 1968, the applicant completed his tour in Korea, and reassignment orders transferred him to Germany; he arrived at his new unit in Germany, on 11 May 1968.

c. On or about 12 September 1968, the applicant completed his tour in Germany, and after a brief assignment to Fort Sill, OK, orders assigned him to a signal unit at Fort Hood, TX (now renamed Fort Cavazos).

d. On 7 July 1969, the Army honorably released the applicant from active duty and transferred him to the U.S. Army Reserve. His DD Form 214 shows he completed his 3-year enlistment contract; item 24 (Decorations, Medals, Badges, Commendations, Citations, and Campaign Ribbons Awarded or Authorized) lists the following: Armed Forces Expeditionary Medal, National Defense Service Medal, and a marksmanship qualification badge.

e. The applicant's available service record contains no derogatory information; in addition DA Form 20 (Enlisted Qualification Record) reflects the following:

- Item 33 (Appointments and Reductions) – applicant's leadership progressively promoted him, and he attained the rank/grade of specialist four (SP4/E-4); no entries show a reduction in rank
- Item 38 (Record of Assignments – Conduct/Efficiency) – the applicant received "Excellent" rating throughout his term of active duty

#### 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 applicant's contentions, the military record, and regulatory guidance were carefully considered.

a. The applicant served in Korea from 15 February 1967 to or about 10 March 1968. Therefore, he is eligible for award of the Korea Defense Service Medal.

b. The applicant served on active duty from 8 July 1966 to 7 July 1969, attaining the rank/grade of SP4/E-4 and completing 3 years of continuous active service. His conduct and efficiency ratings were excellent, and there is no derogatory information on file to disqualify him from receiving the first award of the Army Good Conduct Medal. The Board determined he meets the criteria for this award.

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 the Army records of the individual concerned be corrected, in addition to the corrections addressed in Administrative Note(s) below, by:

- awarding him the Army Good Conduct Medal (1st Award) for service during the period 8 July 1966 through 7 July 1969
- adding award of the Korea Defense Service Medal and Army Good Conduct Medal (1st Award) to his DD Form 214

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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, USC, 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. AR 672-5-1, in effect at the time, prescribed policies and procedures for military awards; it stated the Army Good Conduct Medal was awarded for each 3 years of continuous enlisted active Federal military service completed on or after 27 August 1940. For the first award only, commanders could award the Army Good Conduct Medal, upon termination of the Soldier's service on or after 27 June 1950, if he or she had served less than 3 years but more than 1 year. Additionally, the Soldier had to have had all "Excellent" conduct and efficiency ratings and no court-martial convictions.

3. AR 600-8-22, currently in effect, states the Korea Defense Service Medal is authorized for award to members of the Armed Forces of the United States who have served on active duty in support of the defense of the Republic of Korea. The period of eligibility is 28 July 1954 to a date to be determined by the Secretary of Defense. Servicemembers who qualified for the Armed Forces Expeditionary Medal by reasons of service between 1 October 1966 and 30 June 1974 in an area for which the Korea Defense Service Medal was subsequently authorized are eligible for both.

//NOTHING FOLLOWS//