

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 4 November 2024

DOCKET NUMBER: AR20240003888

APPLICANT REQUESTS: correction of his DD Form 214 (Certificate of Release or Discharge from Active Duty) to show the Korea Defense Service Medal and Army Commendation Medal.

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

- DD Form 149 (Application for Correction of Military Record)
- DA Form 2-1 (Personnel Qualification Record)
- DD Form 214, 15 October 1987

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 served in the Republic of Korea from 860818 - 871014, Service Member is retroactively entitled to the Korea Defense Service Medal (KDSM) per Section 543 of the 2003 National Defense Authorization Act. For service performed after July 28, 1954, Service Member was discharged prior to the creation of the KDSM. He is also entitled to (1) U.S. Army Commendation Medal awarded on 871007 per attached DA Form 2-1.
3. The applicant enlisted in the Regular Army on 18 October 1984 and held military occupational specialty 13F, Fire Support Specialist.
  - a. He served in Korea from 18 August 1986 to 14 October 1987.
  - b. Permanent Orders 15-1 issued by Headquarters, 2nd Battalion, 35th Field Artillery on 30 June 1986 awarded him the Army Achievement Medal for service from 7 March 1985 to 24 July 1985.

c. Permanent Orders 185-34 issued by Headquarters, 2nd Infantry Division on 2 September 1987 awarded him the Army Good Conduct Medal for service from 18 October 1984 through 17 October 1987.

d. His DA Form 2-1 shows in Section 9 (Awards, Decorations, and Campaigns) the entries:

- ASR-1 (Army Service Ribbon)
- AAM-1 (Army Achievement Medal)
- ARCM (1st Award) 871007

e. He was honorably released from active duty on 15 October 1987. His DD Form 214 shows he was awarded or authorized:

- Army Achievement Medal (1 OLC (Oak Leaf Cluster))
- Good Conduct Medal
- Army Service Ribbon
- Overseas Service Ribbon
- Army Lapel Button
- M-16 Rifle Badge (Expert)
- Hand Grenade Badge (Expert)

4. The applicant's records do not contain, and he does not provide permanent orders showing he was awarded the Army Commendation Medal

5. By regulation (AR 600-8-22):

a. As with all personal decorations, the Army Commendation Medal requires a formal recommendation, approval through the chain of command, and announcement in orders.

b. The Korea Defense Service Medal is authorized for award to members 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.

### 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 and standard review based on law, policy and regulation. Upon reviewing the applicant's petition and available military records,

the Board determined that sufficient evidence supports correcting the applicant's DD Form 214 to reflect his service in Korea. Official documentation confirms that the applicant was stationed in Korea from 18 August 1986 to 14 October 1987..

2. However, the Board finds the record lacks adequate supporting evidence regarding any recommendations or orders for the Army Commendation Medal. The burden of proof remains with the applicant to provide clear and convincing documentation substantiating the request for this award. As a result, the Board grants partial relief by authorizing the correction of the applicant's records to reflect award of to the Korea Defense Service Medal.

BOARD VOTE:

Mbr 1      Mbr 2      Mbr 3

:	:	:	GRANT FULL RELIEF
XX	XXX	XXX	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
:	:	:	DENY APPLICATION

BOARD DETERMINATION/RECOMMENDATION:

1. The Board determined the evidence presented is sufficient to warrant a recommendation for partial relief. As a result, the Board recommends that all Department of the Army records of the individual concerned be corrected by amending the applicant's DD Form 214 to add in item 13 (Decorations, Medals, Badges, Citations and Campaign Ribbons Awarded or Authorized): Korea Defense Service Medal.
2. The Board further determined 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 award of the Army Commendation 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:
  - a. The Army Commendation Medal may be awarded to any member of the Armed Forces of the United States who, while serving in any capacity with the Army after 6 December 1941, distinguishes himself or herself by heroism, meritorious achievement, or meritorious service. As with all personal decorations, formal recommendations, approval through the chain of command, and announcement in orders are required.
  - b. 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.

//NOTHING FOLLOWS//