

IN THE CASE OF: [REDACTED]

BOARD DATE: 19 December 2024

DOCKET NUMBER: AR20240003941

APPLICANT REQUESTS: in effect, correction of his DD Form 214 (Report of Separation from Active Duty) to reflect the following awards:

- Combat Infantryman Badge
- Korea Defense Service Medal
- Unit Citations

APPLICANT'S SUPPORTING DOCUMENT(S) CONSIDERED BY THE BOARD:
DD Form 149 (Application for Correction of Military Record).

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 in effect, he would like his DD Form 214 corrected to show the Combat Infantryman Badge, the Korea Defense Service Medal/Demilitarized Zone Ribbon, and unit citation, if any.
3. A review of the applicant's service record shows:
 - a. Having had prior service in the Army National Guard (ARNG) as an 11B, Light Weapons Infantryman, he enlisted in the Regular Army on 4 September 1974.
 - b. His DA Form 2-1 (Personnel Qualification Record) shows the applicant was awarded military occupational specialty 76Y, Supply Specialist and Armorer on 18 December 1974. He served in Korea from 11 February 1976 through 4 March 1977. It also shows he was assigned as on 8 March 1976 as 76Y20, Supply Specialist and Armorer, Company A, S&T U.S. Army Pacific (USARPAC) Korea. There were no conduct and efficiency ratings noted. The applicant's promotions were listed as follows:
 - 4 May 1974 – private (PVT), E-1

- 19 February 1975 – private (PV2), E-2
- 19 February 1975 – private first class (PFC), E-3
- 30 May 1975 – specialist (SPC), E-4

c. The available service record was void of documentation showing the applicant received disciplinary action, nonjudicial punishment, or any awards.

d. He was honorably released from active duty on 3 March 1978. His DD Form 214 shows he completed 3 years and 6 months of active service with 4 months of prior active service. It also shows the applicant completed 1 year and 24 days of foreign service with no awards or decorations listed. He was not awarded or authorized any awards.

4. A review of the applicant's record confirms he is eligible for an award that is not recorded on his DD Form 214. The entry will be added to his DD Form 214 as an administrative correction and will not be considered by the Board.

5. By regulation (AR 672-5-1):

a. Special provisions exist for Soldiers who served in Korea subsequent to 4 January 1969. Soldiers must have served in the hostile fire area at least 60 days and be authorized hostile fire pay. The Soldier must have been engaged with the enemy in the hostile fire area or in active ground combat involving an exchange of small arms fire at least five times. The Soldier must have been recommended personally by each commander in the chain of command and approved at the division level. There are no provisions for retroactive award of the Combat Infantryman Badge for Korean veterans.

b. The Army Good Conduct Medal is awarded to individuals who distinguish themselves by their conduct, efficiency, and fidelity during a qualifying period of active duty enlisted service. This period is 3 years except in those cases when the period for the first award ends with the termination of a period of Federal military service. Although there is no automatic entitlement to the Army Good Conduct Medal, disqualification must be justified.

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

a. Combat Infantryman Badge. Deny. The evidence shows the applicant was trained and held an infantry MOS. He was also awarded military occupational specialty

76Y, Supply Specialist and Armorer on 18 December 1974 and served in Korea from 11 February 1976 to 4 March 1977, as Supply Specialist with Company A, Supply and Transport, U.S. Army Pacific. The Board found no evidence he was assigned and attached to an infantry unit and was personally present while his infantry unit engaged the enemy. Therefore, the Board determined there is insufficient evidence he met the criteria for the Combat Infantryman Badge.

b. Army Good Conduct Medal: Grant. As a related award, the Board noted that the applicant served continuously on active duty from 4 September 1974 through 3 March 1978, completing 3 years and 4 months of net active service. His record does not reflect any lost time or any derogatory information that would have disqualified him from receiving his first award of the Army Good Conduct Medal, or a commander's disqualifying memorandum for this award. The Board determined he met the criteria to be awarded the Army Good Conduct Medal (1st Award).

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:

Mbr 1 Mbr 2 Mbr 3

:	:	:	GRANT FULL RELIEF
■	■	■	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
:	:	:	DENY APPLICATION

BOARD DETERMINATION/RECOMMENDATION:

1. In addition to the correction addressed in Administrative Note(s) below, 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:

- awarding the applicant the Army Good Conduct Medal (1st Award) for service during the period 4 September 1974 through 3 September 1977
- adding award of the Army Good Conduct (1st Award) to his DD Form 214

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 to award of the Combat Infantryman Badge.

12/20/2024

X

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):

A review of the applicant's service records show he is authorized an additional award not annotated on his DD Form 214. As a result, amend his DD Form 214 to show award of the Korea Defense 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 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 672-5-1 (Military Awards) states the objective of military awards is to provide tangible recognition for acts of valor, exceptional service or achievement, special skills or qualifications, and acts of heroism not involving actual combat.

a. Special provisions exist for Soldiers who served in Korea subsequent to 4 January 1969. Soldiers must have served in the hostile fire area at least 60 days and be authorized hostile fire pay. The Soldier must have been assigned to an infantry unit of company or smaller size and must have been an infantry officer in the grade of captain or lower or in the case of warrant officers and enlisted men must have had an infantry military occupational specialty. The Soldier must have been engaged with the enemy in the hostile fire area or in active ground combat involving an exchange of small arms fire at least five times. The Soldier must have been recommended personally by each commander in the chain of command and approved at the division level. There are no provisions for retroactive award of the Combat Infantryman Badge for Korean veterans.

b. The Army Good Conduct Medal is awarded to individuals who distinguish themselves by their conduct, efficiency, and fidelity during a qualifying period of active duty enlisted service. This period is 3 years except in those cases when the period for the first award ends with the termination of a period of Federal military service. Although there is no automatic entitlement to the Army Good Conduct Medal, disqualification must be justified.

//NOTHING FOLLOWS//