

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 4 June 2025

DOCKET NUMBER: AR20240011043

APPLICANT REQUESTS:

- Correction of his DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge) ending on 22 September 1971, to show:
 - He was awarded or authorized the Army Commendation Medal (ARCOM) and Korea Defense Service Medal (KDSM)
 - Rank/grade as sergeant (SGT)/E-5
 - Military Occupational Specialty (MOS) 11E (Armor Crewman) vice 11B (Light Weapons Infantryman)
- A personal Board appearance via video/telephone

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

- DD Form 149 (Application for Correction of Military Record)
- General Orders Number 168 dated 22 July 1971, awarding him the ARCOM

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:
 - His DD Form 214 does not list his ARCOM, nor the KDSM; it also does not list his rank/grade of SGT/E-5, and his MOS 11E
 - After returning to Korea from Japan, playing with the All-Army volleyball team, he was appointed noncommissioned officer in charge of the gymnasium and all recreational activities at Camp Hovey

- Before he left Korea to return to the states, Lieutenant J_ told him he was awarded the ARCOM, and he would file the paperwork for the applicant to be promoted to the grade of E-5
- He did not receive the paperwork for his promotion, neither the correct rank nor the ARCOM is listed on his DD Form 214
- He would like his DD Form 214 to correctly reflect his military service
- He noticed some of these mistakes before, but he did not know about the creation of the KDSM in 2004 until he recently investigated Illinois license plates to reflect military service

3. This case contains administrative corrections adding the ARCOM and KDSM to the applicant's DD Form 214. The Board should only consider the applicant's contentions related to his MOS and rank.

4. A review of the applicant's military service record shows:

- On 21 January 1970, he was inducted into the Army of the United States
- DA Form 20 (Enlisted Qualification Record) shows in:
 - Item 22 (Military Occupational Specialties) – MOS 11E, lined through and MOS 11B20
 - Item 31 (Foreign Service) – he served in Korea from 14 June 1970 to 13 July 1971
 - Item 33 (Appointments and Reductions) – the highest rank/grade he held was specialist four (SP4)/E-4 with a date of rank of 9 February 1971
 - Item 41 (Awards and Decorations) – no entries for the ARCOM or KDSM
- On 22 February 1971, Special Orders Number 053 appointed/promoted the applicant to the rank of SP4, awarded him primary MOS 11B20, and withdrew primary MOS 11E10, effective 9 February 1971
- On 22 September 1971, the applicant was honorably released from active duty and was transferred to the U.S. Army Reserve Control Group (Annual Training); his DD Form 214 shows in:
 - Item 5a (Grade, Rate or Rank) – SP4
 - Item 6 (Date of Rank) – 9 February 1971
 - Item 23a (Specialty Number and Title) – 11B20
 - Item 24 (Decorations, Medals, Badges, Commendations, Citations and Campaign Ribbons Awarded or Authorized) – no entries for the ARCOM or KDSM

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 review of the applicant's petition and available military records, the Board concluded the evidence of record was sufficient to show the applicant held MOS 11E. Therefore, the Board granted partial relief.
2. 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. The board concluded the evidence of record did not support that the applicant held the rank of SGT during his period of service. Therefore, the Board denied relief.
3. The applicant's request for a personal appearance hearing was carefully considered. In this case, the evidence of record was sufficient to render a fair and equitable decision. As a result, a personal appearance hearing is not necessary to serve the interest of equity and justice in this case.
4. 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
XXX	XXX	XXX	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
:	:	:	DENY APPLICATION

BOARD DETERMINATION/RECOMMENDATION:

1. 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 relief. As a result, the Board recommends that all Department of the Army records of the individual concerned be corrected by amending his DD Form 214, ending on 22 September 1971 by adding MOS 11E (Armor Crewman) in item 23a.
2. The Board further determined that 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 amending his DD Form 214 to show the rank of SGT.

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):

1. Reference the request for correction of military records from the applicant to correct his DD Form 214 for the period ending 22 September 1971, by adding the following awards:
 - Army Commendation Medal
 - Korea Defense Service Medal
 - Marksman Marksmanship Qualification Badge with Pistol Bar (.45 Caliber Pistol)
2. A review of the records listed below (enclosed) is sufficient to substantiate correction of the DD Form 214 without action by the Board.
 - DD Form 214 ending 22 September 1971
 - DA Form 20 (Enlisted Qualification Record)
 - Special Orders Number 79 dated 4 May 1970
 - General Orders Number 168 dated 22 July 1971
 - Army Regulation (AR) 635-5 (Personnel Separations – Separation Documents)

- AR 600-8-22 (Military Awards)

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 (AR) 15-185 (ABCMR) prescribes the policies and procedures for correction of military records by the Secretary of the Army, acting through the ABCMR. In part, the regulation states that the ABCMR begins its consideration of each case with the presumption of administrative regularity. It will decide cases based on the evidence of record and it is not an investigative body. The applicant has the burden of proving an error or injustice by a preponderance of the evidence. Paragraph 2-11 states that applicants do not have a right to a hearing before the ABCMR. The Director or the ABCMR may grant a formal hearing whenever justice requires.

3. AR 635-5 (Personnel Separations - Separation Documents), in effect at the time, prescribes the separation documents that will be furnished each individual who is separated from the Army and establishes standardized procedures for the preparation and distribution of these documents. In pertinent part, the instructions for:

- Item 5a; enter grade in which serving at time of separation
- Item 23a; enter primary MOS code number and title

//NOTHING FOLLOWS//