

IN THE CASE OF: [REDACTED]

BOARD DATE: 15 December 2023

DOCKET NUMBER: AR20230007170

APPLICANT REQUESTS: in effect, correction of her DD Form 214, Certificate of Release or Discharge from Active Duty, to show her foreign service in Korea, Japan, and Germany.

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

- DD Form 149, Application for Correction of Military Record
- Service Request
- National Personnel Records Center letter, 9 March 2023

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, her foreign service in Korea, Japan, and Germany is not listed on her DD Form 214.
3. A review of the applicant's record shows she enlisted in the Regular Army on 5 August 1969.
4. Item 5, Oversea Service, of her DA Form 2-1, Personnel Qualification Record, shows the applicant served in:
  - Japan from 18 June 1972 to 17 December 1973
  - Korea, from 28 August 1975 to 25 September 1976
  - Germany from 10 June 1981 to 27 April 1984
5. The applicant retired on 31 August 1989. Her DD Form 214 shows she completed 3 years, 1 month, and 20 days of foreign service during the period covered and the

Overseas Service Medal with numeral "3" is among the list of her authorized awards, but the does not reflect award of the Korea Defense Service Medal.

6. Army Regulation 635-5, Personnel Separations-Separation Documents, in effect at the time, did not require permanent duty station assignments in foreign locations to be listed on the DD Form 214.

BOARD DISCUSSION:

1. After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that relief was warranted. The Board carefully considered the applicant's contentions, the military record, and regulatory guidance. Although applicable regulatory guidance at the time did not require permanent duty station assignments in foreign locations to be listed on the DD Form 214, in fairness to the applicant the Board agreed that her DD214 should be corrected to show her foreign service to more accurately depict her service and a recommendation for relief is warranted.

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:

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 by reissuing a DD214 for the period ending 31 August 1989 show in:

- item 18 (Remarks) :
  - SERVICE IN OKINAWA 720619 - 731217
  - SERVICE IN KOREA 750828 – 7609325
  - SERVICE IN GERMANY 810610 - 840427
- item 13 (Decorations, Medals, Badges): Korea Defense Service Medal.

2/28/2024

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):

1. The applicant's foreign service in Korea from 28 August 1975 to 25 September 1976 authorizes her award of the Korea Defense Service Medal.
2. Correct her DD Form ending 31 August 1989 to add 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 Army Board for Correction of Military Records (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) 635-5, Personnel Separations-Separation Documents, in effect at the time, provided the instructions for preparing the DD Form 214. It stated that the total amount of foreign service completed during the period covered by the form will be entered in Item 12f of the DD Form 214. There was no provision to add overseas assignments on the DD Form 214.
3. AR 600-8-22, Military Awards, 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.
4. AR 15-185, Army Board for Correction of Military Records, prescribes the policies and procedures for correction of military records by the Secretary of the Army acting through the ABCMR. The ABCMR begins its consideration of each case with the presumption of administrative regularity. The ABCMR will decide cases on the evidence of record. It is not an investigative body. The applicant has the burden of proving an error or injustice by a preponderance of the evidence.

//NOTHING FOLLOWS//