

IN THE CASE OF: [REDACTED]

BOARD DATE: 9 September 2024

DOCKET NUMBER: AR20230008527

APPLICANT REQUESTS: Award of the Korea Defense Service Medal (KDSM).

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

- DD Form 149 (Application for Correction of Military Record)
- DD Form 214 (Certificate of Release or Discharge From Active Duty)

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 Korea assigned to the 201st Aviation Company, 8th Army at Camp Humphries from November 1977 to December 1978.
3. A review of the applicant's service record shows he was commissioned as a Field Artillery Officer in the U. S. Army Reserve (USAR) on 28 March 1975. He completed basic Field Artillery Officer training in 1975 and the Officer's Rotary Wing Aviators Course in 1977.
4. The applicant's records do not contain any documentation of his duty assignments. However, it does contain medical treatment records that show he was treated by the Flight Surgeon's Office, 548th General Dispensary, APO San Francisco, on 30 November 1977 and on 10 and 16 November 1978. A review of APO locations shows this unit was assigned to duty in Korea.
5. He requested and was granted release from active duty on 3 July 1980.
6. The applicant was released from active duty on 1 October 1980 in the rank of captain and transferred to the USAR (Reinforcement). The DD Form 214 issued at that time shows:

- 5 years, 6 months, and 4 days of creditable active duty service
- 11 months and 18 days of foreign service
- 4 years and 7 months as a Cannon Field artillery Officer and 3 years as a General Aviation Officer
- award of the Army Commendation Medal and the Aviator Badge
- an honorable characterization of service
- Separation Authority of Army Regulation 635-100, Chapter 3 for individual reasons

7. The applicant was honorably discharged from the USAR on 13 March 1987

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. The Board noted that award of the Korea Defense Service Medal requires assignment, attachment, or mobilization to units in the Area of Eligibility for 30 consecutive or for 60 nonconsecutive days. One of the medical documents provided and is available to the Board shows he was treated in Korea by the Flight Surgeon's Office, 548th General Dispensary on 30 November 1977 and on 10 and 16 November 1978. Based on this timeframe, the Board determined there is sufficient evidence to support awarding him the Korea Defense Service Medal.

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 adding the Korea Defense Service Medal to his DD Form 214.

9/9/2024

X [REDACTED]

CHAIRPERSON
[REDACTED]

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 (Military Awards) provides that the Korea Defense Service Medal is authorized Servicemembers 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 AOE and period

of eligibility. The period of eligibility is 28 July 1954 to a date to be determined by the SECDEF. Servicemembers must have been assigned, attached, or mobilized to units operating in the AOE for 30 consecutive or for 60 nonconsecutive days.

//NOTHING FOLLOWS//