

c. He again served in Korea from 9 January 1969 to around 20 August 1970. He was assigned to as Headquarters and Headquarters Company, 1st Battalion, 9th Infantry, 2nd Infantry Division.

d. While in Korea, he was honorably discharged from active duty on 17 April 1969 for immediate reenlistment in the Regular Army. He was issued a DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge) that credited him with 1 year, 11 months and 10 days of active service. This DD Form 214 reflects award of the Armed Forces Expeditionary Medal (Korea).

e. He immediately reenlisted in the Regular Army for 4 years at Camp Howze in Korea. He was transferred back from Korea to Fort Lewis, WA in a patient status, where he entered the disability evaluation system and was found medically unfit.

f. On 31 August 1972, The Adjutant General published Letter Orders Number D8-1108 releasing him from assignment effective 14 September 1972 due to disability and placing him on the temporary disability retired list (TDRL) on 15 September 1972.

f. He was honorably retired from active duty on 14 September 1972 and placed on the TDRL the next day. His DD Form 214 for this period of service shows he completed 3 years, 4 months, and 27 days of active service with 1 year, 11 months, and 11 days of prior active service. This DD Form 214 reflects award of the Armed Forces Expeditionary Medal (Korea) and also in the Remarks Block the entry "Korea- Yes." It further shows in:

- Item 11d (Effective Date (of Separation)) 14 September 1972
- Item 17c (Date of Entry) 18 April 1969
- Item 22a(1) (Net Service This Period) 3 years, 4 months, and 27 days
- Item 22a(2) (Other Service) 1 year, 11 months, and 11 days
- Item 22a(3) (Total (Service)) 5 years, 4 months, and 8 days
- Item 22b (Total Active Service) 5 years, 4 months, and 8 days

g. Form AGPZ 977 (Data for Payment of Retired Personnel) was processed at the time and credited him with 5 years, 4 months, and 8 days of disability retirement under Title 10, U.S. Code, section 1202.

h. On 11 July 1975, Letter Orders Number D7-100 were published removing him from the TDRL and permanently retiring him due to permanent disability effective ting him 31 July 1975

4. By regulation (AR 635-5), the DD Form 214 is a summary of the Soldier's most recent period of continuous active duty. It provides a brief, clear-cut record of all current active, prior active, and prior inactive duty service at the time of release from active

duty, retirement, or discharge. The information entered thereon reflects the conditions as they existed at the time of separation. Prior to October 1979, a separate DD Form 214 was issued for each period of enlistment, induction, or reenlistment:

- a. Item 11d, enter date separation is accomplished.
- b. Item 17c, for enlisted personnel. Enter date entered on active duty or date enlistment or reenlistment was accomplished. If the qualification record of an enlisted member of the Regular Army indicates that he was discharged from previous enlistment or enlistments and immediately reenlisted without being furnished a DD Form 214, the date to be entered in this item will be the earliest date not previously covered by a DD Form 214. Subsequent reenlistment(s) and discharge(s) between dates shown in this item and item 111(d) will be entered in item 30 (Remarks).

BOARD DISCUSSION:

1. After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that relief was not 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 determined the applicant received two (2) separate DD Form 214 for his periods of enlistment. The Board noted the applicant was issued a DD Form 214 for his first enlistment covering the periods of 8 May 1967 to 17 April 1967. Upon completion of his second enlistment, he received a DD form 214 covering from the date of his re-enlistment 18 April 1969 to 14 September 1972.
2. The Board agreed the applicant's contentions for correction of his DD Form 214 ending on 14 September 1972 to show his entry date on active duty as 8 May 1967 instead of 18 April 1969 is without merit. The Board determined there is no error in the applicant's entry date and denied relief.
3. 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:

<u>Mbr 1</u>	<u>Mbr 2</u>	<u>Mbr 3</u>	
:	:	:	GRANT FULL RELIEF
:	:	:	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
█	█	█	DENY APPLICATION

BOARD DETERMINATION/RECOMMENDATION:

The evidence presented does not demonstrate the existence of a probable error or injustice. Therefore, the Board determined the overall merits of this case are insufficient as a basis for correction of the records of the individual concerned.

4/8/2024

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 NOTES:

A review of the applicant's records shows he is authorized additional awards not annotated on his DD Form 214 for the period ending 14 September 1972. As a result, amend his DD Form 214 by adding: 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 635-5 (Separation Documents), in effect at the time, prescribed the separation documents that must be prepared for Soldiers upon retirement, discharge, or release from active-duty service or control of the Active Army. It established standardized policy for preparing and distributing the DD Form 214. The DD Form 214 is a summary of the Soldier's most recent period of continuous active duty. It provides a brief, clear-cut record of all current active, prior active, and prior inactive duty service at the time of release from active duty, retirement, or discharge. The information entered thereon reflects the conditions as they existed at the time of separation. The general instructions stated all available records would be used as a basis for preparation of the DD Form 214. The specific instructions for:

a. For Item 11d, enter date separation is accomplished.

b. For Item 17c, for enlisted personnel, enter date entered on active duty or date enlistment or reenlistment was accomplished. If the qualification record of an enlisted member of the Regular Army indicates that he was discharged from previous enlistment or enlistments and immediately reenlisted without being furnished a DD Form 214, the date to be entered in this item will be the earliest date not previously covered by a DD Form 214. Subsequent reenlistment(s) and discharge(s) between dates shown in this item and item 111(d) will be entered in item 30 (Remarks).

//NOTHING FOLLOWS//