

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 14 April 2025

DOCKET NUMBER: AR20240007057

APPLICANT REQUESTS: correction of his DD Form 214 (Certificate of Release or Discharge from Active Duty) to show award of the Korea Defense Service Medal.

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

- DD Form 149 (Application for Correction of Military Record)
- DD Form 214

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 is requesting the Korea Defense Service Medal for his service at Camp Casey, South Korea for 11 months and 17 days from 1977 through 1978.

3. The applicant's active duty service records are not available to the Board for review. However, there were sufficient documents remaining in a reconstructed record to conduct a fair and impartial review of this case. This case is being considered using reconstructed records, which primarily consist of a DD Form 214.

a. He enlisted in the Regular Army on 14 May 1975.

b. He was honorably discharged from active duty on 3 June 1981. His DD Form 214 shows he completed 6 years and 22 days of active service. Block 12f (Foreign Service) lists 11 months and 17 days. It also shows he was awarded or authorized:

- Army Good Conduct Medal
- Army Commendation Medal
- Expert Marksmanship Qualification Badge with Rifle Bar

BOARD DISCUSSION:

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 review based on law, policy, and regulation. The evidence of record shows the applicant enlisted on active duty on 14 May 1975 and was honorably discharged on 3 June 1981. The Board found no evidence to show the applicant had orders to Korea or served in Korea. Therefore, the Board determined there was insufficient evidence to warrant relief and denied relief.

BOARD VOTE:

<u>Mbr 1</u>	<u>Mbr 2</u>	<u>Mbr 3</u>	
:	:	:	GRANT FULL RELIEF
:	:	:	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
XX	XX	XX	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.

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.

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 600-8-22 (Military Awards) states the Korea Defense Service Medal is authorized for award to 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 period of eligibility is 28 July 1954 to a date to be determined by the Secretary of Defense. Service members must have been assigned, attached, or mobilized to units operating in the Area of Eligibility (AOE) for 30 consecutive or for 60 nonconsecutive days, or meet the following criteria:

- be engaged in combat during an armed engagement, regardless of the time in the AOE
- wounded or injured in the line of duty and requires medical evacuation from the AOE
- while participating as a regularly assigned air crewmember flying sorties into, out of, within, or over the AOE in direct support of military operations
- personnel who serve in operations and exercises conducted in the AOE are considered eligible for the award if the basic time criteria are met

3. Army Regulation 635-5 (Separation Documents), in effect at the time, states 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. Item 12f (Foreign Service) states from the Enlisted Record Brief/Officer Record Brief show the total amount of foreign service performed during the period covered by block 12c (Net Active Service This Period).

//NOTHING FOLLOWS//