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Suit Accuses Army on Discharge

A 36-year-old Korean War veteran has charged that the U.S. Army after giving him a star-chamber trial refused to grant him an honorable discharge because of his political activities before joining the service.

Lewis Ofsevit of Forest Hills, N.Y. filed a suit in the District Court here Tuesday asking that his "undesirable discharge" be voided and Army Secretary Stanley Resor be compelled to declare it honorable.

According to the suit, Ofsevit, who is now married and works as a tile setter, was drafted in 1951, served two years and 13 days, including eight months in Korea, received two Bronze Stars on his Korean Service Medal and was honorably separated in February, 1953.

While in an inactive reserve status three years later, he was notified by the Army that his retention was possibly inconsistent "with the interests of national security."

A field board of inquiry was held in August, 1956, at which Ofsevit was represented by a civilian lawyer. He claims the board voted to grant him an undesirable discharge after producing no witnesses against him, offering no documentary evidence and withholding a confidential file on his case from him and his lawyer.

Repeated appeals and petitions for a rehearing have failed since, he said. With administrative remedies exhausted, he came into court.

The stigma of an undesirable discharge has created an unjust hardship for Ofsevit, the suit claims.

An attorney in the case said the Army action was based on Ofsevit's left-wing political activity before he was drafted in 1951.