

IN THE CASE OF: [REDACTED]

BOARD DATE: 18 November 2024

DOCKET NUMBER: AR20230008582

APPLICANT REQUESTS:

- Reconsideration of his request for reinstatement of his Special Forces Tab
- As a new request, the applicant requests a correction of his DD Form 214 (Certificate of Release or Discharge from Active Duty) for the period ending 4 February 1994 to reflect in:
  - Item 4a (Grade, Rate or Rank): sergeant first class (SFC)
  - Item 4b (Pay Grade): E-7
  - Item 13 (Decorations, Medals, Badges, Citations and Campaign Ribbons Awarded or Authorized): award of the Parachutist Badge/Airborne Wings
- Temporary Early Retirement Authority (TERA)

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

- DD Form 149 (Application for Correction of Military Record)
- Self-authored letter
- DA Form 1695, (Oath of Extension of Enlistment), 8 August 1991
- Memorandum, Subject: Notification of Academic Turn back, 10 February 1992
- Permanent Orders Number 48-117, 13 April 1992
- DA Form 4833 (Commander's Report of Disciplinary or Administrative Action), 27 April 1992
- Memorandum, Subject: Revoke Tab Orders, 24 June 1992
- Permanent Orders Number 36-1, 13 July 1992
- Public Law 102-484, 23 October 1992
- Memorandum, Subject: Notification of Nonacademic Relief, 16 February 1993
- Memorandum, Subject: Appeal of Non-Academic Relief, 2 March 1993
- Permanent Orders Number 30-1, 3 April 1993
- two-Memorandum, subject: Request Retention Beyond ETS for Further Investigation on applicant, 12 October 1993
- Memorandum, subject: Disposition of applicant, 12 October 1993

- DA Form 1059 (Service School Academic Evaluation Report), for the period 21 July to November 1993
- Certificate, Portuguese-European SOF Functional Language 21 July to 23 November 1993
- Five-DA Form 330 (Language Proficiency Questionnaire), November 1993
- Orders Number 27-93, 27 January 1994
- Orders Number 31-88, 31 January 1994
- Optional Form 271 (Conversation Record), 2 February 1994
- DD Form 214
- SFC Selection, 28 February 1994
- State [REDACTED] Dismissal/Notice of Reinstatement, 20 April 1994
- DA Form 2-1 (Personnel Qualification Record)
- ABCMR, Docket Number AR20160019630, 18 September 2018
- Witness Statement, 17 February 2023

FACTS:

1. Incorporated herein by reference are military records which were summarized in the previous consideration of the applicant's case by the Army Board for Correction of Military Records (ABCMR) in Docket Number AR20160019630 on 18 September 2018.

2. The applicant states in effect:

a. Throughout 1991 to 1993, he experienced ongoing martial issues. His wife filed criminal charges against him alleging allegations of physical and sexual assault of her daughter in civilian court. [REDACTED], issued the initial warrant and information on the charges on 23 April 1992, after his completion all of the Special Forces Qualification Course, but before the graduation ceremony.

b. He completed all requirements but was not allowed to walk across the stage. There is a memorandum, 24 June 1992, which states that there was an error on the roster. This memorandum is false, the course completion roster was accurate.

c. For a year, nothing happened on the case, and the civilian prosecutor refused to provide updates to his command or move the case forward. Through 1992 and 1993 the command allowed him to continue service after resolution of the matter. Even though he had a suspension of favorable personnel actions (FLAG), he was sent to Special Warfare Center and School Defense Institute for Language Studies for training in Portuguese. This was the final step before assignment to a geographic area as a Special Forces Soldier.

d. His language qualifications documents list his military occupation specialty (MOS) as 18C (Special Forces Engineer Sergeant). He would not have been eligible to attend

language school if he did not complete of the requirements of the Q-course. He was issued orders awarding him the Special Forces Tab, 13 April 1992, and on 5 April 1993. In 1990 his Personnel Qualification Record shows "yes" for his graduation from the Special Operations Course, as an 18E (Special Operations Communications Sergeant); it was later changed to "no".

e. He also completed the requirements for the rank of E-7 but was unjustly denied that promotion. He made the [SFC Selection] list in 1994, which was published in the Army Times newspaper.

3. The applicant provides:

a. An excerpt of Public Law 102-484, Section 4403 (TERA), 23 October 1992, which is available to the Board for their review.

b. Army Times, SFC selections, 28 February 1994, that shows in part, the applicant's first and last name listed.

c. State of NC Superior Court Division documents that show the following:

(1) Judgement Suspending Sentence, 20 April 1994 shows in part, the applicant's offense is listed as assault on a child under 12 years of age. He is sentenced to 2 years of confinement [REDACTED] Department of Correction; supervised probation for 5 years; and has to report for initial evaluation by [REDACTED] Mental Health.

(2) The applicant submitted a plea of guilty for assault on a child under 12. The document further shows upon entry of plea of guilty he will receive a suspended sentence and be placed on supervised probation. As a condition of probation, the applicant will submit himself for evaluation and follow recommendations for treatment.

(3) Dismissal/Notice of Reinstatement, 20 April 1994, shows the applicant's offense listed as first statutory sex offense, first statutory rape, indecent liberties of children, and felonious incest. The prosecutor dismissed the charges and stated, "per plea and best interest of the child witness".

(4) On 3 March 1995, a motion was made to modify the condition of the applicant's probation for good cause; the judge subsequently ordered his probation to be terminated.

d. A witness statement, issued by [REDACTED] states in effect:

(1) During the period June 1991 to July 1993, he was the commander for the 1st Battalion, 1st Special Warfare Training Group (Airborne), at Fort Bragg, NC. He was

responsible for all Special Forces Assessment and selection as well as the initial military occupational skill (MOS) training courses for 18A (Special Forces Officer), 18B (Army Special Forces Weapons Sergeant), 18C, 18D (Special Forces Medical Sergeant) and 18E, together called the Special Forces Qualification Course, among other distinct courses of instruction. As the battalion commander, he was the "relief authority" authorized to dismiss soldiers from Special Forces Qualification Course, and he also was the approval authority for the award of the respective 18A through 18E MOS. Award of the respective MOS had the collateral effect of award of the Special Forces Tab.

(2) On Monday, 13 February 2023, he received a phone call from the [applicant] asking for help with a military situation. In the memorandum, that he previously submitted dated 16 February 1993 he highlighted several key points.

a. In paragraph 3 he states, [applicant] completed all grade events in the Special Forces Engineer Sergeant Qualification Course. Because of alleged misconduct, formal charges and suspension of favorable personnel actions were initiated prior to graduation. One full year has passed, and [applicant] has continued to demonstrate professional behavior."

b. In paragraph 4 he states, if [applicant] is found not guilty or if formal charges are dismissed, he may apply for a certificate of graduation and award of MOS 18C.

(3) Permanent Orders Number 48-117, 13 April 1992, awarded him the Special Forces Tab, it was later revoked or rescinded based upon the alleged misconduct.

(4) The fact that the order was published at the time of his completion of the Special Forces Engineer Sergeant Course provides the assurance that he did complete all phases of the Special Forces Qualification Course.

(5) The Academic Records at the U.S Army Special Warfare Center and School during 13-16 February 2023, indicated the applicant's records of the MOS training was available, but his field training was not.

(6) His DA Form 4883 (Commander's Report of Disciplinary or Administrative Action), issued by the 18th Airborne Corps Provost Marshall, 27 April 1992 shows that the case was dismissed. The closure report on [16 February 1993], paragraph 4, states that the [applicant] "may apply for a certificate of graduation and award of MOS 18C".

(7) The applicant should be awarded his certificate of graduation from the Special Forces Engineer Sergeant Course, MOS 18C and the Special Forces Tab.

4. Review of the applicant's record show:

a. DA Form 2-1 shows he enlisted in the Regular Army on 26 September 1978, completed training and was awarded MOS 36K (Tactical Wire Operations Specialist).

b. On 6 June 1989, Headquarters, U.S. Army Infantry Center published Orders 108-20 awarding the Parachutist Badge to several Soldiers, including the applicant, on 16 June 1989 for successful completion of airborne training.

c. On 8 August 1991, he extended his six-year enlistment, for 12 months, for service remaining requirement to John F. Kennedy Special Warfare Center and School (JFKSWCS) (Qualification-Course).

d. On 30 January 1992, a FLAG was initiated due to adverse action: Criminal Investigation Division (CID) Investigation. A memorandum, subject: Notification of Academic Turn back, 10 February 1992, shows in part:

(1) In accordance with USAJFKSWCS Regulation 350-12, paragraph 3-1, the [applicant] was turned back from the Special Forces Engineers Sergeant (SFES) Course Class 06-91 to Class 01-92 for academic reasons (servicemember failed to maintain a 70% academic average in field training phase). Applicant will participate in land navigation training to be conducted during SFES course class 01-92's Engineer field training exercise. [Applicant] will join class 01-92 for movement to field training phase on or about 3 March 1992.

(2) In accordance with USAJFKSWCS Regulation 350-12, para 3-1b, you may not be turned back more than once in the same course, other than a medical turn back. Should you fail, for any reason during this turn back, with the exception of a medical turn back, you will be relieved.

e. On 13 April 1992, the U.S. Army John F. Kennedy Special Warfare Center and School at Fort Bragg published Permanent Orders Number 48-117, announcing award of the Special Forces Tab on 1 May 1992 in accordance with paragraph 5-30 of Army Regulation 672-5-1 (Awards).

f. DA Form 4833, 27 April 1992, shows in the remarks section:

- Offenses: Indecent liberties with a child
- Results of Trial: On 20 April 1994, the cases voluntarily dismissed without leave by the Assistant District Attorney per plea and best interest of the child witness

g. A memorandum, subject: Revoke Tab Orders, 24 June 1992, issued by Major [REDACTED] Battalion XO, show in part, request Permanent Orders Number 48-117, 13 April 1992 be revoked because of an error on the roster. The [applicant] did not receive a diploma and he was not awarded the 18C MOS.

h. Permanent Orders Number 86-1, issued by USAJFKSWCS, 13 July 1992, revoked Order Number 48-117, 13 April 1992, pertaining to award of the Special Forces Tab.

i. Memorandum for [applicant], issued by Headquarters, 1st Battalion (Airborne), Lieutenant Colonel [REDACTED] subject: Notification of Nonacademic Relief – Alleged Misconduct, 16 February 1993, shows in part, [applicant] was relieved from the Special Forces Engineer Sergeant Course, Class 1-92. [Applicant] completed all graded events in the Special Forces Engineer Sergeant Qualification Course. Because of alleged misconduct, formal charges and suspension of favorable personnel actions were initiated prior to graduation. One full year has passed, and [applicant] has continued to demonstrate professional behavior. If [applicant] is found not guilty or if formal charges are dismissed, he may apply for a certificate of graduation and award of MOS 18C.

j. Memorandum for [applicant], issued by 1st Special Warfare Training Group (Airborne), subject: Appeal of Non-Academic Relief, 2 March 1993, shows in part, based on [applicant's] appeal his relief from the Special Forces Engineer Sergeant Course, Class 1-92, was placed in suspension until 1 June 1993. His future status will be determined based on the following conditions:

(1) Paragraph 1.a states, the [applicant] may apply for award of the 18C MOS if his court action is resolved in his favor (found not guilty or charges are dismissed), and his security clearance is reinstated prior to the above date.

(2) Paragraph 1.b states, unfavorable court action prior to the above date will result in initiation of procedures to transfer him to D company, Support Battalion and request worldwide reassignment.

(3) Paragraph 1.c states, if court actions have not been completed by the above date, actions will be taken as stated in paragraph 1.b.

k. Permanent Orders 30-1, U.S. Army JFKSWCS, 3 April 1993, revoked Order Number 15-56, 10 February 1993, pertaining to award of the Special Forces Tab.

l. A letter issued by Department of the Army, Congressional Branch, 31 August 1993, shows in part, the U.S. Army Special Operations Command was unable to award the applicant the Special Forces Tab due to his suspension of favorable personnel

actions. It further states, when he is acquitted of all pending charges, he will be awarded the Special Forces Tab and allowed to continue his career.

m. Memorandum, approving the applicant to stay beyond his ETS, for resolution of his charges, 12 October 1993, wherein the battalion commander requested the Commander, 1st Special Warfare Training Group (Airborne), take immediate action reference the applicants situation. It reads:

(1) The applicant has been pending civilian trial (and thus barred from re-enlistment) since early 1992. Despite the efforts of the USAJFKSWCS SJA to obtain detailed information on the disposition of his case, the Cumberland County District Attorney's office has been less than cooperative. No trial date has been established to date, and there are no indications that a date will be set prior to this soldier's ETS.

(2) The applicant is within three weeks of ETS, and due to the bar action is unable to re-enlist or extend. This situation places the military in the dubitable position of forcing a soldier to leave the service without final determination of guilt or innocence. In essence, through this action, he is being judged guilty without his day in court.

(3) Army Regulation 600-8-2 (paragraphs 1-12a(I), 2-9c, and 2-10) provides for the extension (by the General Court Martial Convening Authority) of a soldier pending resolution of charges. This action is in the best interest of the U.S. Army. If judged innocent, he would continue on with his career. If judged guilty, further (Chapter) action can be taken to ensure an unblemished military record cannot be used for characterization once released from the service.

(4) Request that the applicant be extended for 90 days beyond ETS, and that command interest be expressed to the appropriate Cumberland County authorities to expedite a trial date. If trial is delayed through actions on the part of the applicant or his legal representative during this period, recommend the applicant be released from the service upon completion of this extension.

n. The Group Commander commented on the applicant's Request Retention Beyond ETS for Further Investigation on [Applicant] and recommended approval. He stated [Applicant] is pending civilian trial in the Cumberland County Judicial system. Efforts by SJA and 1st SWTG(A) trial counsel to move his court date up were unsuccessful. Extension of reenlistment for 90 days hopefully will permit resolution of this matter.

o. Certificate, issued by USJFKSWCS, that shows the applicant's completion of Portuguese-European SOF Functional Language for the period 21 July to 23 November 1993.

p. Orders Number 27-93, issued by Headquarters, 18th Airborne Corps and Fort Bragg, 27 January 1994, shows in part the applicant's discharge from the Regular Army, effective 31 January 1994.

q. On 28 January 1994, the applicants FLAG was removed for his expired term of service.

r. Orders Number 31-88, issued by Headquarters, 18th Airborne Corps and Fort Bragg, 31 January 1994, revoked Orders Number 27-93, pertaining to separation of the applicant.

s. Orders Number 31-89, issued by Headquarters, 18th Airborne Corps and Fort Bragg, 31 January 1994, shows in part the applicant's discharge from the Regular Army, effective 4 February 1994.

t. His DA Form 2-1 (Personnel Qualification Record), shows in:

(1) item 5 (Overseas Service) – shows in part, the applicant served in Saudi Arabia from 13 August 1990 to 5 April 1991.

(2) item 6 (Classification and Assignment Date) – No entries.

(3) item 9 (Awards) – he was awarded the Army Service Ribbon, Army Good Conduct Medal (2nd Award), Overseas Service Ribbon (2nd Award), Non-Commissioned Officer Professional Development Ribbon (2nd Award), Southwest Asian Service Medal with two bronze service stars, Army Achievement Medal (2nd Award) and the Parachutist Badge.

(4) item 17 (Civilian Education and Military Schools) –

- USAJFKSWC, SOCS (18E) Basic Non-Commissioned Officers Course, 23 weeks, completed "NO", 1993
- USAJFKSWC, Portuguese, 21 weeks, completed "YES", 1993
- Basic Airborne, 3 weeks, completed "YES", 1993

(5) item 15 (Appointments and Reductions) – He was promoted to staff sergeant/E-6 on 8 July 1987. It does not show any reductions in grades.

(6) item 27 (Remarks): "PQR fwd for E-7 SEL/ANCOR/E6 QMP 930820"

(7) item 35 (Record of Assignments) – he was assigned to Bravo Company, 1st Special Warfare Training Battalion, from 23 June 1989 to 26 July 1990; he was



assigned to Charlie Company, 1st Special Warfare Training Battalion, from 3 September 1991 to 30 January 1994.

5. The applicant was honorably discharged from active duty on 4 February 1994, under separation authority AR 635-200, chapter 4, due to completion of required active service. His net active service this period shows 15 years, 4 months, and 9 days. His DD Form 214 shows:

a. He was awarded or authorized the Army Service Ribbon, Army Lapel Button, National Defense Service Medal, Southwest Asia Service Medal with two bronze service stars, Kuwait Liberation Medal (Saudi Arabia), Expert Marksmanship Qualification Badge with Rifle Bar (M-16), Overseas Service Ribbon (2nd Award), Army Good Conduct Medal (2nd Award), Army Achievement Medal (2nd Award), and Non-Commissioned Officer Professional Development Ribbon (2nd Award). It does not reflect the award of the Parachutist Badge/Airborne Wings.

b. Item 14 (Military Education) shows he completed Primary Leadership Development, 4 weeks, August 1982; Basic Non-Commissioned Officers Course, 10 weeks, August 1986; and Portuguese Language School, 21 weeks, November 1993.

c. Item 18 (Remarks) – shows in part, the applicant was retained in service 90 days for the convenience of the government and that he was authorized half separation pay in the amount of \$16,548.96.

(4) He was issued separation code JBK, and reentry code “3”.

6. On 18 September 2018, in a prior ABCMR Docket Number AR20160019630, the Board determined that the applicant’s request to reinstate his Special Forces Tab be denied. The Board noted 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.

7. The applicants OMPF is void of a request for TERA, orders to show he was promoted to SFC/E7, parachutist badge orders, or a certification for completion of Airborne school.

8. In an advisory opinion issued by the Department of the Army, Compensation and Entitlements Division, subject: TERA and Public and Community Service Employment for [applicant], 28 November 2023, states, in part:

(1) References: paragraph 1.a, Title 10, USC, section 1143a; paragraph 1.b, Department of Defense Instruction 1332.37 (Program to Encourage Public and

Community Services Employment); and paragraph 1.c, Army Regulation 635-200 (Active Duty Enlisted Administrative Separations), chapters 4 and 12.

(2) After careful review the office does not approve of the applicant's request for re-computation for retirement pay at age 62 under the provision of section 4464 of Public Law 102-484. The applicant did not have an approved voluntary early retirement as evidenced by the submitted DD 214.

(3) Soldier's DD 214 reflects a separation code of JBK (Completion of Service). The code which supports approval of early retirement is RBE (Voluntary Early Retirement). The soldier would be required to submit for a correction of the DD Form 214 to reflect the type of separation as retirement based on an approved early retirement. The applicant would then be required to submit a completed DD Form 2676 (Validation of Public or Community Service Employment), as required by reference 1.b, at which point the request will be processed.

9. The applicant was provided a copy of the advisory opinion regarding TERA for the opportunity to respond. The applicant did not respond to the advisory opinion regarding TERA, 28 November 2023. However, he did provide the following:

a. A memorandum, issued by HRC, 1 February 2024, that shows in part, HRC's response to the applicant's request for a DD Form 215 (Correction to DD Form 214), a change in his reason for discharge and his separation code. HRC recommended the applicant submit his request to ABCMR.

b. A letter, issued by the applicant, 22 February 2024, that shows in part, HRC declined to place him on the retired rolls of the U.S. Army or make appropriate changes to his DD Form 214. This shows he exhausted all of his administrative remedies.

#### 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 applicant's contentions, the military record, and regulatory guidance were carefully considered.

a. Reinstatement of Special Forces Tab: Deny. The available evidence of record shows the applicant was turned back (10 February 1992) from the Special Forces Engineer Sergeant Course Class 06-91 to Class 01-92 for academic reasons (he had failed to maintain a 70% academic average in field training phase). He then attended Class 1-92. However, on 16 February 1993, he was relieved from the Special Forces Engineer Sergeant Course, Class 1-92 due to alleged misconduct. He had completed all graded events in the special Forces Engineer Sergeant Qualification course; however, because of alleged misconduct, formal charges and suspension of favorable

personnel actions were initiated prior to graduation. The fact that the orders to award him the SF Tab were published at the time is not sufficient since these orders were correctly revoked. He was allowed to apply for a certificate of graduation and award of MOS 18C contingent on him being found not guilty or if formal charges are dismissed.

a. The applicant appealed his relief from the Special Forces Engineer Sergeant course, Class 1-92, and he was placed in suspension until 1 June 1993. He could apply for award of the 18C MOS if his court action is resolved in his favor (found not guilty or charges are dismissed), and his security clearance is reinstated prior to the above date. Unfavorable court action prior to the above date will result in initiation of his transfer/reassignment.

b. There is no indication if the court action was resolved or if the applicant' security clearance was reinstated. He remained flagged, was ineligible to reenlist, and was ultimately discharged from active duty on 31 January 1994 with separation pay. Therefore, the Board determined the decision to deny him this tab is not in error or unjust.

b. Grade of SFC/E-7: Deny. The applicant provides a newspaper article listing his name as a SFC selectee. However, there is no evidence the applicant was eligible for promotion or was promoted to SFC/E-7 prior to his discharge. The applicant was in a non-promotable status due to the flag that was initiated against him.

c. Temporary Early Retirement Authority (TERA): Deny. The evidence shows the applicant was honorably discharged on 4 February 1994, due to completion of required active service with entitlement to separation pay. There is no evidence he qualified for, applied for, or was approved for early retirement. He also does not qualify for re-computation of his retired pat at age 62 under the provision of section 4464 of Public Law 102-484 because he did not have an approved voluntary early retirement. Additionally, the applicant would then be required to submit a completed DD Form 2676 (Validation of Public or Community Service Employment).

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:

1. Regarding the issue being reconsidered, 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 to amend the decision of the ABCMR set forth in Docket Number AR20160019630 on 18 September 2018.

2. Regarding the new issues, except for the correction addressed in Administrative Note(s) below, the evidence 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.

11/18/2024

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:

Add the Parachutist Badge to his DD Form 214.

REFERENCES:

1. Army Regulation 15-185 (ABCMR) 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, which is that what the Army did was correct. The ABCMR is not an investigative body and decides cases based on the evidence that is presented in the military records provided and the independent evidence submitted with the application. The applicant has the burden of proving an error or injustice by a preponderance of the evidence.
2. Army Regulation 600-8-22 (Military Awards) states the Special Forces Tab may be awarded to any person meeting one of the following criteria:
  - a. The successful completion of:
    - USAJFKSWCS (previously known as USAIMA) approved Active Army institutional training leading to SF qualification
    - USAJFKSWCS approved Reserve Component SF qualification program
    - An authorized unit-administered SF qualification program
  - b. Commanders authorized to award combat and special skill badges are authorized to revoke such awards. An award, once revoked, will not be reinstated except by Commander, U.S. Army Human Resources Command, when fully justified.
    - (1) Revocation of awards of badges will be announced in permanent orders, except that revocations which are automatically effected, as prescribed in this regulation, need not be announced in orders.
    - (2) The Special Forces Tab may be revoked by the awarding authority.
3. Army Regulation 635-8 (Separation Processing and Documents), currently in effect, prescribes that separation documents prepared for Soldiers upon retirement, discharge, or release from active military service or control of the Army. It states the separation document is a synopsis of the Soldier's most recent period of continuous active duty and provides a brief, clear-cut record of active Army service at the time of release from active duty, retirement, or discharge. Paragraph 5-6 stated for Block 4: Grade, Rate, or Rank, verify that active-duty grade or rank and pay grade are accurate at time of separation.
4. Department of Defense Financial Management Regulation DoD 7000.14-R sets forth authority for temporary early retirement authority (TERA). The program was available from 1993 to 2001 for enlisted members with at least 15 years but less than 20 years of

active service. The Temporary Early Retirement Authority (TERA) provided the Secretary of Defense a temporary force management tool with which to affect the drawdown of military forces and yet maintain an adequate and effective well trained military force. TERA provides the authority for voluntary retirement of members on active duty with at least 15 years, but less than 20 years of creditable service. An eligible member of the Armed Forces may apply for early retirement under the program and receive an annuity equivalent to 2.5 percent of retired pay base for each year of service completed and a deduction of one percent for each year short of 20 years of service.

5. Army Regulation 600-8-22 (Military Awards) states award of the basic Parachutist Badge requires that an individual must have satisfactorily completed the prescribed proficiency tests while assigned or attached to an airborne unit or the Airborne Department of the Infantry School or have participated in at least one combat parachute jump.

//NOTHING FOLLOWS//