

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: ██████████

BOARD DATE: 28 June 2024

DOCKET NUMBER: AR20230013043

APPLICANT REQUESTS: correction of his DD Form 214 (Certificate of Release or Discharge from Active Duty) to show in item 13 (Decorations, Medals, Badges, Citations and Campaign Ribbons Awarded or Authorized):

- Parachutist Badge
- Expert Tube-Launched, Optically Tracked, Wire-Guided (TOW) Gunner Badge (properly referred to as the Expert Marksmanship Qualification Badge with Missile Bar (TOW))

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

- DD Form 149 (Application for Correction of Military Record)
- self-authored statement
- Headquarters, U.S. Army Infantry Center Permanent Orders 73-6, dated 13 April 1984
- photos of 44th Company, 4th Airborne Training Battalion Graduation Program, dated 29 April 1984
- DD Form 214, Member Copy -1, covering the period ending 15 December 1986
- illegible photocopies of his Official Military personnel File (OMPF) microfiche
- National Guard Bureau (NGB) Form 22 (Report of Separation and Record of Service), covering the period ending 30 August 1989

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's complete military service record is not available to the Board for review. The applicant's records were requested from the National Personnel Records Center (NARA), but they were not located. His case is being considered using the available evidence he provided.

3. The applicant states:

a. He earned the Parachutist Badge and the TOW Gunner Expert Badge while he was serving in the Army as a paratrooper/TOW Gunner with the 1st Battalion, 505th Airborne Infantry Regiment, 82nd Airborne Division at Fort Bragg, NC.

b. When he was discharged from the Army, he did not receive his DD Form 214 in person when he out processed because he had accumulated leave time which he used at the end of his enlistment. It was mailed to his parents' address. His mother filed the DD Form 214 and he never saw it until recently. He had assumed that everything was correct on his DD Form 214.

c. The omission of his Parachutist Badge was discovered by the Department of Veterans Affairs when they were gathering evidence for his claim for low back pain. His VA Rating Decision shows his claim was denied because the VA stated he did not have the Parachutist Badge listed on his DD Form 214.

d. After he received the VA Rating Decision denial and explanation, he began to search through boxes in the basement. He was fortunate to find a box with some of his military items in it. He found an envelope with his military personnel records in it. The records are on micro fiche, which he made copies of to submit as evidence. Also in the box were graduation books from his Basic Combat Training (BCT) and Airborne School. He has included photos of his Airborne Jump School Graduation Book, which includes a highlighted picture of himself, his Airborne School number 849, his name, and his rank.

e. He has also included permanent orders awarding him the Parachutist Badge and a copy of his original DD Form 214, which shows both the Parachutist Badge, and the TOW Gunner Expert Badge are not listed. He also provided a copy of his NGB Form 22, which does show he was awarded the TOW Gunner Expert Badge.

f. He worked extremely hard for these awards/badges and is immensely proud of these accomplishments. Had he known these items were omitted from his DD Form 214, he would have immediately contacted the VA to have this corrected. He was not living at his parents' home at the time in 1987, when his DD Form 214 came in the mail. When his mother told him it arrived, he told her it was an important document and to file it away safely. He was a young 21 year old at the time and he did not realize how important it would be for him in the future to have his DD Form 214.

g. Please consider his request. He truly hopes to have this corrected. Being an 82nd Airborne Paratrooper was one of his greatest accomplishments.

4. The Board will not consider the applicant's request for the Parachutist Badge, as this item will be addressed through an administrative correction without action by the Board.

5. The applicant's DD Form 214 shows, after a brief period of inactive service amounting to 3 months and 27 days, he enlisted in the Regular Army on 27 December 1983 and was awarded the Military Occupational Specialty (MOS) 11H (Heavy Antiarmor Weapons Crewman).
6. Headquarters, U.S. Army Infantry Center Permanent Orders 73-6, dated 13 April 1984, awarded the applicant the Parachutist Badge for successful completion of Airborne training effective 20 April 1984, while assigned to the 4th Airborne Training Battalion, The School Brigade, Airborne Class 21-84, 44th Company.
7. The applicant provided a partial copy of 44th Company, 4th Airborne Training Battalion Graduation Program, dated 29 April 1984, which lists his name and contains an individual photograph he has highlighted as being him.
8. The applicant's duty assignment after initial entry training (IET) and Airborne Training is unknown. His available records do not contain a DA Form 20 (Enlisted Qualification Record) or DA Form 2-1 (Personnel Qualification Record – Part II) or any other comparable orders or documents reflecting his follow-on assignment to 1st Battalion, 505th Airborne Infantry Regiment, 82nd Airborne Division at Fort Bragg, NC, or any other airborne unit where he participated in requisite airborne duty and served in an airborne status for retention of the Parachutist Badge awarded at the time of his completion of Airborne training.
9. There is no evidence of record the applicant was awarded the special qualification identifier (SQI) "P" indicating active airborne status as a parachutist.
10. The applicant provided photocopies of the microfiche containing his OMPF, which are illegible.
11. The applicant's DD Form 214 further shows:
 - a. He was released from active duty and transferred to a unit in the Army National Guard (ARNG) on 15 December 1986. The provided Member Copy-1 of his DD Form 214 omits his narrative reason for separation and characterization of service.
 - b. He was credited with 2 years, 11 months, and 19 days of active service.
 - c. Item 7 (Last Duty Assignment and Major Command) and item 8 (Station Where Separated) show at the time of his discharge he was assigned to Headquarters and Headquarters Company, 1st Battalion, 12th Infantry Regiment, U.S. Army Forces Command (FORSCOM), at Fort Carson, CO.

d. Item 11 (Primary Specialty Number, Title and Years and Months in Specialty) shows he served as an 11H1O, for 2 years and 9 months. The first three digits, "11H," reflect his MOS (Heavy Antiarmor Weapons Crewman). The fourth digit, "1," reflects his skill level in the rank of specialist or below. The fifth digit, "O," reflects he does not have an SQI, to include "P" for parachutist, or was not assigned to a position requiring the SQI.

e. Item 13 shows he was awarded or authorized the:

- Army Service Ribbon
- Sharpshooter Marksmanship Qualification Badge with rifle bar (M-16)
- Expert Marksmanship Qualification Badge with pistol bar (.45 caliber)
- Expert Marksmanship Qualification Badge with hand grenade bar

f. Item 13 does not reflect award of the Parachutist Badge or a TOW Gunner Badge.

12. The applicant's NGB Form 22 shows:

a. He enlisted in the ARNG on 16 December 1986, and was honorably discharged on 30 August 1989, due to expiration term of service (ETS).

b. He was credited with 2 years, 8 months, and 15 days of net service this period.

c. Item 15 (Decorations, Medals Badges, Commendations, Citations and Campaign Ribbons Awarded this Period) shows he was awarded or authorized the:

- Army Service Ribbon
- Sharpshooter Marksmanship Qualification Badge with rifle bar (M-16)
- Expert Marksmanship Qualification Badge with pistol bar (.45 caliber)
- Expert Marksmanship Qualification Badge with hand grenade bar
- Expert TOW Gunner Badge (properly - Expert Marksmanship Qualification with Missile Bar (TOW))

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 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. Upon review of the applicant's petition and available military records, the Board determined there was sufficient evidence, including his National Guard Bureau Form 22 which reflects award of the Expert Tube-Launched, Optically Tracked, Wire-Guided (TOW) Gunner Badge (properly referred to as the Expert Marksmanship Qualification Badge with Missile Bar (TOW) and Permanent Orders 73-6 awarding the applicant the Parachutist Badge.

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 Army records of the individual concerned be corrected by amending his DD Form 214, for the period ending 15 December 1986 by deleting 11H1O from item 11 and adding:

- 11H1P to item 11
- Parachutist Badge and Expert Marksmanship Qualification Badge with Missile Bar (TOW) to item 13



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 672-5-1 (Decorations, Awards, and Honors – Military Awards), in effect at the time, provides Department of the Army (DA) policy, criteria, and administrative instructions concerning individual military decorations, Good Conduct Medal, service medals and service ribbons, combat and special skill badges and tabs, and unit decorations.

a. Paragraph 1-29 (Revocation of badges) shows 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 Headquarters, Department of the Army (HQDA) when fully justified. Award of the Parachutist Badge may be revoked when the awardee:

(1) Is convicted by court-martial for refusal to participate in a parachute jump, or

(2) Initiates, in their initial tour of airborne duty, action which results in termination of their airborne status prior to his completion of 36 consecutive months of airborne duty.

b. Chapter 5 (Badges and Tabs) prescribes the provisions for the awarding of badges and tabs. Paragraph 5-2 (Types of badges) provides for the awarding of locally authorized special skill badges. Major commanders are authorized to approve for local adoption and temporary wear special skill subdued cloth badges and patches which reflect the attainment of a high degree of skill proficiency and excellence and which, in the commander's judgment, will have beneficial impact on Soldier morale, unit training, and esprit. Such badges will not reflect mission, duplicate existing badges, distinctive unit, or shoulder sleeve insignia, or detract in any way from the design, meaningfulness, or prestige of existing badges or other heraldic items. When authorized, cloth badges will be worn on the field and work uniforms only and will not be authorized for wear on the service or dress uniforms nor interfere with the wear and insignia or other items approved by HQDA.

c. 5-14 (Parachutist Badge) provides that for award of the Parachutist Badge, an individual must have satisfactorily completed the prescribed proficiency tests while assigned or attached to an airborne unit or the Airborne Department of Infantry School or have participated in at least one combat parachute jump.

d. Paragraph 5-32 (Basic marksmanship qualification badges) shows a basic marksmanship qualification badge is awarded to indicate the degree in which an individual, military, or civilian has qualified in a prescribed record course and an appropriate bar is furnished to denote each weapon with which the individual qualified. Each bar will be attached to the basic badge which indicates the qualification last attained with the respective weapon. Basic qualification badges are of three classes: expert, sharpshooter, and marksman. The only weapons for which component bars are authorized are:

- Rifle
- Pistol
- Antiaircraft artillery
- Automatic rifle
- Machine gun
- Field artillery
- Tank weapons
- Flamethrower
- Submachine gun
- Rocket launcher
- Grenade
- Carbine
- Recoilless rifle
- Mortar
- Bayonet
- Rifle, small bore
- Pistol, small bore
- Missile
- Attack helicopter

e. None of the sections in chapter 5, Section I (General Provisions), Section II (Combat and Special Skill Badges), Section III (Marksmanship Badges and Tabs), and Section IV (Identification Badges) contain reference to a TOW Gunner Badge and no other chapter or paragraph of the regulation references any type of TOW Gunner award. Qualification with the TOW missile merits a marksmanship badge with a Missile Bar.

3. Army Regulation 635-5 (Separation Documents), in effect at the time, prescribes the separation documents which are prepared for individuals upon retirement, discharge, or release from active military service or control of the Army. It establishes standardized policy for preparing and distributing the DD Form 214 (Certificate of Release or Discharge from Active Duty).

a. The DD Form 214 is a summary of the Soldier's most recent period of continuous active duty. There are no provisions for accomplishments or circumstances that postdate the issuance of the DD Form 214.

b. The specific instructions for preparation of the DD Form 214 state:

(1) Item 11 (Primary Specialty Number, Title, and Years and Months in Specialty) enter the MOS codes, titles, years and months for warrant officer and enlisted personnel.

(2) Item 13 (Decorations, Medals, Badges, Citations, and Campaign Ribbons Awarded or Authorized) self-explanatory.

(3) Item 14 (Military Education) list in-service training courses; title, number of weeks, year successfully completed during this period of service; for example, medical, dental, electronics, supply, administration, personnel, or heavy equipment operations. This information is to assist the member after separation in job placement and counseling; therefore, training course for combat skills will not be listed.

4. Army Regulation 611-1 (Military Occupational Classification Structure Development and Implementation) prescribes the method of developing, changing, and controlling the officer, warrant officer, and enlisted military occupational classification structures.

a. Paragraph 5-6 (Military occupational specialty code (MOSC)) shows the MOSC consists of nine characters. In recording a Military Occupational Specialty (MOS), a minimum of five characters will be entered. The fifth character in the MOSC, a single position number or letter, is used for the special qualification identifier (SQI). The SQI is used in combination with the four characters of the MOS to designate significant qualifications which require, as a minimum, successful completion of a formal service school or at least 6 months on-the-job-training. Marine licenses, parachutist, and polygraph examiner are representative examples. In order to retain the SQI in the MOSC, an individual must be qualified for the SQI and be in a position that requires the SQI. When no special qualifications apply, the digit "0" (zero) is recorded in the fifth position.

b. The complete list of authorized SQIs and the qualifications that each designates is provided in DA Pamphlet 611-21.

5. DA Pamphlet 611-21 (Military Occupational Classification and Structure) implements the policies contained in Army Regulation 611-1. Paragraph 3-11 (Enlisted special qualification identifiers (SQI) and additional skill identifiers (ASI)) provides guidance and description of enlisted SQIs and ASIs. The ASIs identify specialized skills, qualifications,

and requirements. The SQIs identify special requirements for identification with an MOS. The SQI "P" represents parachutist.

6. Army Regulation 15-185 (Army Board for Correction of Military Records (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. The applicant has the burden of proving an error or injustice by a preponderance of the evidence.

//NOTHING FOLLOWS//