

IN THE CASE OF: [REDACTED]

BOARD DATE: 29 August 2024

DOCKET NUMBER: AR20230015178

APPLICANT REQUESTS: in effect, correction of his DD Form 214, Armed Forces of the United States Report of Transfer or Discharge, to show he was awarded the Parachutist Badge.

APPLICANT'S SUPPORTING DOCUMENT(S) CONSIDERED BY THE BOARD:
DD Form 149 (Application for Correction of Military Record)

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 volunteered for and completed 3 weeks of Airborne training at Fort Benning, GA on 17 June 1966. His record does not reflect completion of this training. His record shows he was awarded the medal (i.e., badge) and completed the training. When he was in Vietnam, on 24 April 1967 with the 101st Airborne Division, he was in transit from the 1st Cavalry Division; he was in airborne status. He reported/ returned to the cavalry; and the only way to do so was to give up his airborne status. His DD Form 214 was never corrected.
3. The applicant was inducted into the Army of the United States on 16 December 1965. He completed training and was awarded military occupational specialty (MOS) 91B, Medical Specialist.
 - a. Following completion of MOS training at Fort Sam Houston, TX, he reported to Fort Benning, GA on 27 May 1966. He completed the Basic Airborne Course on 17 June 1966.
 - b. Special Orders Number 137, issued by Headquarters, U.S. Army Training Center, Infantry, Fort Benning, GA on 15 June 1966 awarded him the Parachutist Badge and authorized him hazardous duty.

c. He served in Vietnam from 20 August 1966 to 17 August 1967, through 2 campaigns, assigned to Headquarters and Headquarters Company, 228th Aviation Battalion, 101st Airborne Division in duty MOS 91B20.

d. On 26 May 1967, in Vietnam, he was reassigned to Headquarters and Headquarters Company, 1st Battalion, 327th Infantry, 1st Cavalry Division, in duty MOS 91B2P.

e. On 8 June 1967, Headquarters, 1st Brigade, 101st Airborne Division published Special Orders Number 159 ordering the Parachute Badge revoked under the provisions of paragraph 94N(2) of Army Regulation 672-5-1

f. On 21 June 1967, also in Vietnam, he was reassigned to Headquarters and Headquarters Company, 1st Battalion, 5th Cavalry, 1st Cavalry Division.

g. The applicant's DA Form 20 (Enlisted Qualification Record) shows in:

- Item 28 (Specialized Training) - Basic Airborne Course 3 weeks 17 June 1966
- Item 38 (Record of assignment) - 27 May 1966 Basic Airborne
- Item 41 (Awards and Decorations) - Special Orders 137, HQ USAIC 15 June 1966 (crossed out)

h. Upon leaving Vietnam, he was reassigned to the 6th Armored Cavalry Regiment at Fort Meade, MD where he was honorably released from active duty on 15 December 1968, after completing 2 years of active service. His DD Form 214 shows in:

- Block 23a, Specialty Number and Title, 91B2P, Medical Specialist
- Block 24, Decorations, Medals, Badges, Commendations, Citations, and Campaign Ribbons Awarded or Authorized, National Defense Service Medal, Vietnam Service Medal, Vietnam Campaign Medal, 2 overseas service bars, and Marksman Badge with Rifle Bar (M-14)
- Block 25, Education and Training Completed: Service School, Fort Sam Houston, TX, March 1966 to May 1966, Medical Specialist

4. By regulation (AR 672-5-1), in effect at the time, any parachutist badge may be revoked when the awardee initiates, in his initial tour of airborne duty, action which results in termination of his airborne status prior to his completion of 18 consecutive months of airborne duty.

BOARD DISCUSSION:

After reviewing the application and all supporting documents, the Board determined relief was not warranted. Based upon the information reflected on the applicant's DA Form 2-1 showing the applicant's parachutist badge was withdrawn IAW AR 672-5-1, para 94b(2), the Board concluded the parachutist badge should not be reflected on the applicant's DD Form 214, as requested. Therefore, the Board concluded no error or injustice was present warranting a correction.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

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| : | : | : | 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.

3/6/2025

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CHAIRPERSON

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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 provides for military awards and badges. The purpose of awarding badges is to provide for public recognition by tangible evidence of the attainment of a high degree of skill, proficiency, and excellence in tests and competition, as well as in the performance of duties. Awards of badges promote esprit de corps and provide an incentive to greater effort, thus becoming instrumental in building and maintaining morale. Types of badges authorized to be awarded as hereinafter prescribed, are combat and special skill badges, qualification badges, and identification badges. They include the Parachutist Badge. Paragraph 94, Revocation of awards. Commanders authorized herein to award combat and special skill badges are authorized to revoke awards only under any of the following conditions:

a. An award of any combat and special skill badge is automatically revoked upon dismissal, dishonorable discharge, or conviction by court-martial for desertion in time of war.

b. Any 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 his initial tour of airborne duty, action which results in termination of his airborne status prior to his completion of 18 consecutive months of airborne duty.

c. Any aviator badge may be revoked- when the Department of the Army has approved the findings of a flying evaluation board that the awardee was guilty of

(1) Cowardice, refusal to fly, fear of flying, or fear of combat; or

(2) Commission of an act constituting a flagrant violation of flying regulations.

d. Any aircraft crewman's badge may be revoked by a commander who has authority to make the award upon his determination that the awardee was guilty of –

(1) Cowardice, fear of flying, refusal to fly, or fear of combat.

(2) Negligence in the performance of assigned aeronautical duties.

e. Any explosive ordnance disposal badge may be revoked when the awardee –

(1) Is convicted by court-martial for refusal to participate in explosive ordnance disposal operations; or

(2) Initiates, in his initial tour of explosive ordnance disposal duty, action which results in termination of his explosive ordnance disposal status prior to the completion of 18 consecutive months of explosive ordnance disposal duty.

f. Any nuclear reactor operator badge may be revoked when the awardee is relieved from further reactor duty under the provisions of AR 385-80.

//NOTHING FOLLOWS//