

IN THE CASE OF [REDACTED]

BOARD DATE: 14 February 2025

DOCKET NUMBER: AR20240005709

APPLICANT REQUESTS: in effect, correction of his DD Form 214 (Certificate of Release or Discharge from Active Duty) for the period ending 30 November 1997, by correcting his:

- Date Entered Active Duty This Period to 22 July 1975
- Net Active Service This Period to 23 years, 5 months, and 8 days
- Primary Specialty to 11B5VW8 with remainder 11B (Infantryman)
- Military Education to show High Altitude Low Opening (HALO), Airborne, Jumpmaster, and Jungle Warfare training
- Military Awards to show the Purple Heart and two Certificates of Achievement

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

- DD Form 149 (Application for Correction of Military Record)
- Two DD Forms 4 (Enlistment Contract – Armed Forces of the United States)
- Standard Form 88 (Report of Medical Examination)
- Certificate, Jungle Operations Training Center, 9 April 1976
- Certificate of Achievement, 3rd Battalion, 7th Infantry, 3-9 May 1976
- Letter of Commendation, Company A, 3rd Battalion, 7th Infantry, 1 July 1976
- Certificate of Training, U.S. Army Northern Warfare Training Center, 1 April 1977
- Three Letters of Commendation, May, June, October 1977
- Diploma, Primary Noncommissioned Officer Course, 28 October 1977
- Photograph
- Diploma, Airborne Course, 1 February 1978
- Certificate of Training, U.S. Army Northern Warfare Training Center, 3 July 1978 to 21 July 1978
- Diploma, Ranger Course, 16 November 1978
- Certificate of Achievement, 1st Battalion, 75th Infantry, 5 February 1979
- DD Form 214, 23 January 1979
- DD Form 4, 24 January 1979
- Certificate, U.S. Army John F. Kennedy Special Warfare Center and School, 30 November 1986 to 12 December 1986
- DD Form 214, 24 January 1979

- DD Form 215 (Correction to DD Form 214), 14 July 2003
- Letter, Department of Veterans Affairs, 3 April 2024

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 enlisted in the Delayed Entry Program in the U.S. Army Reserve on 18 April 1975.
3. On 22 July 1975, he enlisted in the Regular Army (RA) for a cash bonus serving in military occupational specialty (MOS) 11B.
4. He was honorably discharged on 23 January 1979. He completed 3 years, 6 months, and 2 days of active service this period. He spent 3 months and 4 days inactive service while in the Delayed Entry Program. The DD Form 214 he was issued shows he was awarded or authorized the Parachute Badge, Army Good Conduct Medal, and Ranger Tab.
5. The applicant reenlisted in the RA on 24 January 1979.
6. The applicant provides, in part, a:
  - Certificate, Jungle Warfare Training Course, 9 April 1976
  - Certificate of Achievement, 3rd Battalion, 7th Infantry, 3-9 May 1976
  - Diploma, Airborne Course, 1 February 1978
  - Certificate of Achievement, 1st Battalion, 75th Infantry, 5 February 1979
  - Certificate, Special Forces Military Freefall Jumpmaster Course, 12 December 1986
7. His Official Military Personnel File (OMPF) shows:
  - a. He was promoted to:
    - Sergeant in MOS 11B2O on 1 July 1979
    - Staff Sergeant in MOS 11B3V on 1 April 1981
    - Sergeant First Class in MOS 11B4V on 1 February 1985
    - Master Sergeant in MOS 11B5V on 1 November 1991

b. His record will be administratively corrected without action by the Board to show the above MOSs on his DD Form 214.

8. Having sufficient service for retirement, he retired honorably on 30 November 1997. He completed 18 years, 10 months, and 7 days of active service this period. The DD Form 214 he was issued correctly shows he performed 3 years, 6 months, and 2 days total prior active service with 3 months and 4 days of total prior inactive service.

a. The form further shows in Block 11 (Primary Specialty):

- 11B5V Infantryman – 6 years, 1 month
- 11B4O Infantryman – 12 years, 9 months
- 11C4O Indirect Fire Infantryman – 4 years, 3 months
- 11C5O Indirect Fire Infantryman – 6 years, 1 month

b. His DD Form 214 for the period ending 30 November 1997, further shows in Block 13 (Decorations, Medals, Badges, Citations and Campaign Ribbons Awarded or Authorized):

- Defense Meritorious Service Medal (2nd Award)
- Joint Service Commendation Medal
- Army Commendation Medal (3rd Award)
- Joint Service Achievement Medal
- Army Achievement Medal
- Valorous Unit Award
- Army Good Conduct Medal (7th Award)
- National Defense Service Medal
- Armed Forces Expeditionary Medal (3rd Award)
- Noncommissioned Officer Professional Development Ribbon with numeral 4
- Army Service Ribbon
- Overseas Service Ribbon
- Combat Infantryman Badge
- Expert Infantryman Badge
- Master Parachutist Badge
- Ranger Tab
- Korean Basic Parachutist Badge
- Saudi Arabian Parachutist Badge

c. On 14 July 2003, his DD Form 214 for the period ending 30 November 1997, was corrected by DD Form 215 by adding the Purple Heart.

d. Block 14 (Military Education) of his DD Form 214 for the period ending 30 November 1997 further shows:

- Basic Noncommissioned Officer Course, 4 weeks, 1979
- Battalion Management System, 1 week, 1980
- Advanced Land Navigation Course, 2 weeks, 1981
- Operations Training Course, 16 weeks, 1982
- Senior Enlisted Academy, 6 weeks, 1994
- Leadership Education and Development, 1 week, 1992

9. His OMPF contains Permanent Orders 136-2, issued by Headquarters, Joint Special Operations Command, 15 May 1996, which awarded him the Joint Service Achievement Medal (First Oak Leaf Cluster) for meritorious achievement from 18 December 1995 to 12 February 1996. His DD Form 214 will be administratively corrected without action by the Board to add this award.

10. The DD Form 214 is a summary of a Soldier's most recent period of continuous active duty. It provides a brief, clear-cut record of active duty service at the time of release from active duty, retirement, or discharge, and is not intended to have any legal effect on termination of a Soldier's service.

#### BOARD DISCUSSION:

After reviewing the application and all supporting documents, the Board found that partial 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. Based on a review of the record and a preponderance of the evidence, the Board made the following recommendations:

a. Amend Date Entered Active Duty This Period. Deny. The applicant's request to amend the date he entered active duty to 22 July 1975 was carefully considered. The Board found no error in the date the applicant entered active duty. The Board reviewed the applicant's service record and determined the applicant has a DD Form 214 for the period 22 July 1975 to 23 January 1979 and therefore his DD Form 214 ending 30 November 1997 is not in error.

b. Amend Net Active Service This Period to 23 years, 5 months, and 8 days. Deny. The applicant's request to amend his net active service this period was carefully considered. The Board found no error in the applicant's service period. The Board determined his two DD Forms 214 accurately reflect his total years of service and therefore denied relief.

c. Amend Primary Specialty to 11B5VW8 with remainder 11B (Infantryman). The Board reviewed and concurred with the administrative notes below.

d. Military Freefall Parachutist Badge. Grant. The Board determined there was sufficient evidence to support amending the applicant's record to add award of the HALO Badge, including the Certificate of Completion for the Special Forces Military Freefall Jumpmaster Course from 30 November 1986 to 12 December 1986.

e. Airborne School. The Board determined the applicant's DD Form 214, for the period ending 22 July 1975 accurately reflects completion of the Basic Airborne Course. Therefore, no additional correction is required. The applicant's DD Forms 214 are his combined separation documents and may be presented together.

f. Jumpmaster. Deny. The Board determined there was insufficient evidence to support the addition of jumpmaster to the applicant's DD Form 214.

g. Jungle Warfare training. The Board determined the applicant's DD Form 214, for the period ending 22 July 1975 accurately reflects completion of the Jungle Warfare Course. Therefore, no additional correction is required. The applicant's DD Forms 214 are his combined separation documents and may be presented together.

h. Purple Heart. The Board determined the applicant's DD Form 215 accurately reflects award of the Purple Heart. Therefore, no additional correction is required. The applicant's DD Forms 214 and DD Form 124 are his combined separation documents and may be presented together.

i. Certificates of Achievement. Deny. The Board considered the applicant's request to add the two Certificates of Achievement to the applicant's DD Form 214; however, found no regulatory provision to allow for the addition of such certificates on the DD Form 214 and therefore denied relief.

BOARD VOTE:

Mbr 1      Mbr 2      Mbr 3

:                :                :                GRANT FULL RELIEF

█                █                █                GRANT PARTIAL RELIEF

:                :                :                GRANT FORMAL HEARING

:                :                :                DENY APPLICATION

BOARD DETERMINATION/RECOMMENDATION:

1. The Board determined the evidence presented is sufficient to warrant partial relief. As a result, the Board recommends that all Department of the Army records of the individual concerned be corrected by amending the applicant's DD Form 214, for the period ending 30 November 1997 to show the Military Freefall Parachutist Badge.

2. The Board further determined that the evidence presented is insufficient to warrant a portion of the requested relief. As a result, the Board recommends denial of so much of the application that pertains to any additional amendments of his DD Form 214 in excess of the above.

6/6/2025

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 NOTE(S): make the following administrative corrections to the applicant's DD Form 214 for the period ending on 30 November 1997 without action by the Board:

a. correct Block 11 to read:

- 11B5V – INFANTRYMAN – 6 YRS - 1 MO
- 11B4V – INFANTRYMAN – 6 YRS - 9 MOS
- 11B3V – INFANTRYMAN – 3 YRS - 10 MOS

- 11B2V – INFANTRYMAN – 1 YR - 9 MOS
- 11B1V – INFANTRYMAN – 1 YR - 10 MOS

b. add to Block 13: Joint Service Achievement Medal (2nd Award).

## 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 635-8 (Separation Processing and Documents) prescribes the separation documents prepared for Soldiers upon retirement, discharge, or release from active military service or control of the Army. It states the DD Form 214 is a synopsis of the Soldier's most recent period of continuous active service. It provides a brief, clear-cut record of active Army service at the time of release from active duty, retirement, or discharge.

a. Block 11 (Primary Specialty) states to enter the titles of all MOSs or areas of concentration (AOCs) awarded and held for at least 1 year during the current period of service and include for each MOS/AOC the number of years and months held. For time determinations, 16 or more days counts as a month. Do not count time in training (basic training, advanced individual training, Basic Officer's Leader Course, or MOS-producing school). Primary specialty MOS or AOC is awarded by Service school completion or by publication of orders awarding the MOS or AOC. For an enlisted Soldier, specify the first five characters of the military occupational specialty code (MOSC), which includes three characters of the MOS, the fourth character of skill and grade level in the MOS, and the fifth character of a special qualification identifier, if applicable. Enter "O" when not applicable. When MOSCs merge at skill level 5, or convert to another MOSC, make separate entries for the highest skill level in each MOSC held for at least 1 year. A single additional skill identifier may be listed immediately following the five-character MOSC

b. Block 14 (Military Education) states to list all formal, in-service (full-time attendance) training courses successfully completed during the period of service covered by the DD Form 214 of at least 1 week or 40 hours duration. Include course title, length in weeks, and year completed. This information is to assist the Soldier in job placement and counseling; therefore, do not list training courses for combat skills. Acceptable source documents include the Enlisted Record Brief, DA Form 4037 (Officer Record Brief), DA Form 1059 (Academic Evaluation Report), or other military issued certificate of completion with from and through dates or number of weeks.

c. Block 12 (Record of Service):

(1) Block 12a (Date Entered Active Duty This Period). Data sources are enlistment.



contract(s), initial order to active duty, active duty order, previously issued DD Forms 214, DA Form 1506 (Statement of Service – For Computation of Length of Service for Pay Purposes), and a complete review of the Soldier's official record. Enter the beginning date of the continuous period of active duty for issuance of this DD Form 214, for which a DD Form 214 was not previously issued. Do not depend on basic active service date for this data item. The basic active service date can be an adjusted date.

(2) Block 12b (Separation Date This Period). List the Soldier's transition date. This date may not be the contractual date if the Soldier was separated early, voluntarily extends, is extended to make up lost time, or is retained on active duty for the convenience of the Government.

(3) Block 12c (Net Active Service This Period). Amount of service this period, computed by subtracting block 12a from 12b. Lost time under 10 USC 972 and noncreditable time after expiration term of service, if any, are deducted. Lost time will be listed in block 29 (Dates of Time Lost This Period); other noncreditable time will be identified in block 18 (Remarks). If Soldier was released from active duty because of voided enlistment, enter "00 00 00."

(4) Block 12d (Total Prior Active Service). From previously issued DD Form 214, DD Form 220 (Active Duty Report), DA Form 1506, or Retirement Point Annual Statement, enter total amount of prior active military service less lost time, if any. If not applicable, enter "00 00 00."

(5) Block 12e (Total Prior Inactive Service). From previously issued DD Form 214, Retirement Point Annual Statement, DA Form 1506, or Servicemember's record brief, enter the total amount of prior inactive service, less lost time, if any. Inactive Service should be annotated in block 12e and block 18 as prior inactive service entered in format "0000 00 00."

3. Army Regulation 600-8-22 (Military Awards) prescribes Army policy, criteria, and administrative instructions concerning individual and unit military awards and states commanders may recognize periods of faithful service, acts, or achievements which do not meet the standards required for decorations by issuing to individual U.S. military personnel a DA Form 2442 (Certificate of Achievement) or a certificate of achievement of local design. Certificates of achievement will be issued under such regulations as the local commander may prescribe. If a locally-designed certificate of achievement is printed for use according to this regulation, it may bear reproductions of insignia. The citation on such certificates will not be worded so that the act or service performed appears to warrant the award of a decoration. No distinguishing device is authorized for wear to indicate the receipt of a certificate of achievement. Copies of certificates of achievement or memoranda of record stating that a certificate of achievement has been

awarded and citing the service recognized will be distributed to the Army Military Human Resource Record.

4. 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 considers individual applications that are properly brought before it. The ABCMR will decide cases on the evidence of record. It is not an investigative body. 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//