

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 22 January 2025

DOCKET NUMBER: AR20240005794

APPLICANT REQUESTS: correction of his DD Form 214 (Certificate of Release or Discharge from Active Duty) to reflect his attendance at the U.S. Army Airborne School.

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

- DD Form 149 (Application for Correction of Military Record)
- Special Court-Martial Order Number 8, 26 January 1970
- DD Form 214 (Report of Separation from Active Duty)

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 in effect that he needs proof that he attended the U.S. Army Airborne School, at Fort Benning, GA in 1969 with the 47th Company, 4th Student Battalion, The School Brigade, U.S. Army Infantry School. He has a disability claim pending with the Department of Veterans Affairs. They will not recognize his attendance, because it is not listed on his DD Form 214. The applicant marked traumatic brain injury (TBI) on his DD Form 149 as a condition related to his request.
3. The applicant provides the above listed documents to be referenced in the service record.
4. A review of the applicant's service record shows:
 - a. He enlisted in the Regular Army on 7 April 1969.
 - b. His DA Form 20 (Enlisted Qualification Record) shows the applicant attended the basic airborne course and he was identified as a deserter, in addition to dropped from

rolls. The available service record does not include documentation to support he completed the airborne course.

c. On 9 January 1970, the applicant was convicted by a special court-martial of one specification of being absent without leave (AWOL) from 19 August 1969 to 24 November 1969 from his assigned unit, U.S. Army, 47th Company, 4th Student Battalion, The School Brigade, U.S. Army Infantry School at Fort Benning, GA. His sentence included forfeiture of \$50.00 pay per month for 4 months.

d. On 26 January 1970, the convening authority approved the sentence.

e. On 25 January 1972, he was discharged from active duty with an under honorable conditions (General) characterization of service. His DD Form 214 shows that he completed 1 year, 7 months, and 24 days of active service with 421 days of lost time. The Pioneer Course was the only military education listed completed in 1969 for a period of 8 weeks. It also shows he was awarded or authorized:

- National Defense Service Medal
- Sharpshooter Marksmanship Qualification Badge with Rifle Bar

5. By regulation, (AR 635-5) the DD Form 214 is a summary of the Soldier's most recent period of continuous active duty. It provides a brief, clear-cut record of all current active, prior active, and prior inactive duty service at the time of release from active duty, retirement, or discharge. The information entered thereon reflects the conditions as they existed at the time of separation. Entries for Block 13 (Decorations, Medals, Badges, Citations and Campaign Ribbons Awarded or Authorized) will be for all periods of service. Check Soldier's service records for validity of awards.

6. By regulation (AR 600-8-22), 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.

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 Board carefully considered the applicant's record of service, documents submitted in support of the petition and executed a comprehensive and standard review based on law, policy and regulation. Upon review of the applicant's request and available military record, the Board found insufficient evidence to support the requested correction of his

DD Form 214 to reflect completion of the U.S. Army Airborne School. The Board noted, the applicant's DA Form 20 indicates he was assigned to the airborne course, however, there is no documentation confirming that he successfully completed the training. It is important to note that entries on the DD Form 214 reflect only training completed, not training merely attended.

2. Although the applicant was clearly assigned to the Airborne School at Fort Benning, the record shows he was dropped from the course and marked with an airborne disqualification. Additionally, the applicant was declared a deserter and dropped from the rolls during this period. The applicant was later convicted by special court-martial for being absent without leave (AWOL) from 19 August to 24 November 1969, while assigned to the 47th Company, 4th Student Battalion, The School Brigade, U.S. Army Infantry School. The Board agreed, the applicant's DD Form 214 accurately reflects his military education and awards, listing only the Pioneer Course and omitting airborne training. Based on the absence of verifiable documentation of course completion and the applicant's disciplinary history, the Board determined there is no basis for granting relief.

BOARD VOTE:

<u>Mbr 1</u>	<u>Mbr 2</u>	<u>Mbr 3</u>	
:	:	:	GRANT FULL RELIEF
:	:	:	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
XXX	XXX	XXX	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

X //SIGNED//

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.

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 635-5 (Separation Documents), in effect at the time, states the DD Form 214 is a summary of the Soldier's most recent period of continuous active duty. It provides a brief, clear-cut record of all current active, prior active, and prior inactive duty service at the time of release from active duty, retirement, or discharge. The information entered thereon reflects the conditions as they existed at the time of separation. Entries for Block 13 (Decorations, Medals, Badges, Citations and Campaign Ribbons Awarded or Authorized) will be for all periods of service. Check Soldier's service records for validity of awards.
3. Army Regulation 600-8-22 (Military Awards), in effect at the time, prescribes Army policy, criteria, and administrative instructions concerning individual military awards. 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//