

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 15 April 2025

DOCKET NUMBER: AR20240007872

APPLICANT REQUESTS: correction of his DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge) to reflect he was awarded the Air Assault Badge.

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

- DD Form 149 (Application for Correction of Military Record)
- The Sabalauski Air Assault School 101st Airborne Division (air Assault) certificate shows on 26 May 2022, the applicant was awarded the honorary Air Assault Badge for his exceptional service to the 101st Airborne Division (Air Assault)

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 essentially states, he requests the correction of his DD Form 214 to reflect he was awarded the Air Assault Badge.
3. A review of the applicant's service record shows:
 - On 6 May 1969, he was inducted into the Army of the United States
 - DA Form 20 (Enlisted Qualification Record) shows in:
 - Item 27 (Military Education): does not reflect he completed the Air Assault Course
 - Item 41 (Awards and Decorations): does not reflect he was awarded the Air Assault Badge
 - On 12 June 1969, he was awarded the Expert Marksmanship Qualification Badge with Rifle Bar (M-14) by Special Orders Number 122

- On 4 August 1969, he was awarded the Expert Marksmanship Qualification Badge with Rifle Bar (M-16) by Special Orders Number 163
- On 7 August 1969, he was awarded the Expert Marksmanship Qualification Badge with Machine Gun Bar (M-60) by Special Orders Number 163
- On 7 October 1969, he accepted non-judicial punishment for being absent without leave on or about 30 September 1969 through 6 October 1969, his punishment included forfeiture of pay
- On 23 December 1969, he was awarded the Purple Heart for wounds he received in action in the Republic of Vietnam by General Orders Number 142
- On 23 December 1969, he was awarded the Army Commendation Medal with the "V" Device when he distinguished himself in the Republic of Vietnam by General Orders Number 1932
- He was awarded the Army Commendation Medal for his service in the Republic of Vietnam during the period of 1 November 1969 through 31 March 1970 by General Orders Number 4174
- On 23 July 1970, the applicant was awarded the Silver Star Medal for his gallantry in action in the Republic of Vietnam by General Orders Number 9634
- He was awarded the Bronze Star Medal for his meritorious served in the Republic of Vietnam during the period of 1 November 1969 through 31 August 1970 by General Orders Number 10294
- On 13 September 1970, he was awarded the Combat Infantryman Badge by Special Orders Number 257
- On 11 May 1971, he was honorably released from active duty and assigned to the U.S. Army Reserve (USAR) Control Group (Annual Training), DD Form 214 shows in:
 - Item 24 (Decorations, Medals, Badges, Commendations, Citations and Campaign Ribbons Awarded or Authorized): does not reflect he was awarded the Air Assault Badge
 - Item 25 (Education and Training Completed): does not reflect he completed the Air Assault Course
- On 1 May 1975, he was honorably discharged from the USAR by Letter Orders Number 04-1144126

4. Telephone call to the Sabalauski Air Assault School at Fort Campbell, KY confirmed the applicant was not a graduate of the air assault school.

5. A review of the applicant's record confirms he is eligible for awards and campaign credits that are not recorded on his DD Form 214. The entries will be added to his DD Form 214 as administrative corrections and will not be considered by the Board.

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. The Board noted the applicant received an honorary award; however, regulatory guidance provides that The basic eligibility criteria for award of the Air Assault Badge consist of satisfactory completion of an air assault training course. Upon review of the applicant's petition and available military record, the Board determined the applicant did not meet the regulatory requirements for award of the Air Assault Badge. For that reason, the Board recommended that denying the requested relief was appropriate.

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:

<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:

Except for the correction addressed in Administrative Note(s) below, the Board found 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.

ADMINISTRATIVE NOTE(S):

A review of the applicant's service records shows he is authorized additional awards and campaign credits not annotated on his DD Form 214. As a result, amend his DD Form 214 for the service period ending 11 May 1971 to show:

- V Device to the previously awarded Army Commendation Medal
- Expert Marksmanship Qualification Badge with M60 Device
- Republic of Vietnam Gallantry Cross with Palm Unit Citation
- four bronze service stars to his previously awarded Vietnam Service Medal

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 (AR) 600-8-22 (Military Awards), implements a part of the Army Awards Program. 8-19 (Air Assault Badge), The basic eligibility criteria consist of satisfactory completion of an air assault training course according to the TRADOC standardized Air Assault Core Program of Instruction. Commanders of divisions and separate brigades operating Air Assault Courses in accordance with TRADOC

standardized Air Assault Core Program of Instruction are authorized to award the Air Assault Badge.

3. Army Regulation 635-5 (Personnel Separations- Separation Processing and Documents) in effect at the time, provides the separation documents which are prepared for individuals upon retirement, discharge, or release from active military service or control of the Army. The DD Form 214 is a summary of the Soldier's most recent period of continuous active duty. Decorations, Medals, Badges, Citations, and Campaign Ribbons Awarded or Authorized, List all federally recognized awards and decorations for all periods of service.

//NOTHING FOLLOWS//