

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 1 December 2023

DOCKET NUMBER: AR20230005334

APPLICANT REQUESTS: The son of a deceased former service member (FSM) requests the following corrections to his father's WD AGO (War Department – Adjutant General's Office) Form 53-55 (Enlisted Record and Report of Separation – Honorable Discharge):

- Correct item 6 (Organization) to show assignment to the 972nd Signal Service Battalion
- Add the Meritorious Unit Commendation
- Add the Central Pacific and the Eastern Mandates Campaign Streamers

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

- DD Form 149 (Application for Correction of Military Record)
- Form 52b (Medical Department)
- Applicant's Birth Certificate

FACTS:

1. The applicant did not file within the 3-year time frame provided in Title 10 (Armed Forces), United States Code (USC), section 1552 (b) (Correction of Military Records: Claims Incident Thereto). 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 his father's assignment to the 972nd Signal Service Battalion should be reflected on the WD AGO Form 53-55 as a matter of justice and for historical accuracy.

a. The applicant states the medical document he has provided proves that, on 27 January 1945, the FSM was assigned to the 972nd Signal Service Battalion; an earlier medical record, dated in June 1944, indicated the FSM was still serving in the 323rd Engineer Combat Battalion, so his father must have been reassigned to the

signal battalion at some point after June 1944.

b. Additionally, the applicant asks, when his father went ashore in Japan during September 1945, to which unit was he assigned, and where was he stationed?

3. A review of the FSM's service record reveals the following:

a. On 9 October 1942, the Army of the United States inducted the FSM, and, on 23 October 1942, he entered active duty. His WD AGO Form 24 (Service Record) indicates that, on 3 November 1942, orders assigned him to the 98th Infantry Division; at some point thereafter, the FSM was further assigned to the 323rd Engineer Combat Battalion.

b. On 16 April 1944, the FSM departed the continental United States (CONUS) for the Asian Pacific Theater, and he arrived, on 23 April 1944. The FSM's DA Form 24 reflects that, on 20 January 1945, Headquarters, 98th Infantry Division special orders directed the FSM's attachment to the 972nd Signal Service Battalion.

c. According to a DA Form 24-12 (Allotments), the adjutant for the 972nd Signal Service Battalion affirmed that, on 1 February 1945, the FSM departed the 972nd Signal Service Battalion, in accordance with special orders, and was transferred to the 3346th Signal Base Depot Company. The FSM's DA Form 24 shows that, on 12 May 1945, and per Headquarters, 98th Infantry Division special orders, the FSM returned to the 323rd Engineer Combat Battalion, where he remained until 27 December 1945, when orders reassigned him to a replacement detachment prior to his 5 January 1946 departure for CONUS.

d. On 25 January 1946, the Army honorably discharged the FSM; his WD AGO Form 53-55 shows he completed 1 year, 6 months, and 2 days of CONUS service, and 1 year, 9 months, and 1 day of foreign service. The form lists the following additional information:

- Item 6 (Organization) – Company B, 323rd Engineer Battalion
- Item 33 (Decorations and Citations) – Army Good Conduct Medal, World War II Victory Medal, American Campaign Medal, and Asian-Pacific Campaign Medal

e. On 29 May 1974, the FSM passed away. On 25 June 2015, the applicant petitioned the ABCMR.

(1) The applicant requested the restoration of his father's rank, as well as corrections to his father's WD AGO Form 53-55 by amending the dates of his service in

Japan and adding the awards of the Army Good Conduct Medal and Army of Occupation Medal with Japan Clasp.

(2) With regard to the FSM's restoration of rank, the Board did not find evidence to support the applicant's request.

(3) As to the dates of the FSM's service in the Asian-Pacific Theater, the Board determined the dates as reflected on the WD AGO 53-55 were correct, but the Army of Occupation Medal with Japan Clasp should be added, along with a correction of the marksmanship qualification badge shown.

(4) On 23 January 2017, the Army Review Boards Agency issued a DD Form 215 (Correction to DD Form 214 (Certificate of Release or Discharge from Active Duty) reflecting the above-cited corrections.

4. Regarding the correction of item 6, WD AGO 53-55, War Department Technical Manual (WD TM) 12-236 (Preparation of Separation Forms), in effect at the time, stated, "Enter the last tactical or administrative and tactical unit, or similar element, to which he (the separating Soldier) was assigned, rather than the element of which he as a part while moving to a disposition center reception station, or separation center."

5. Concerning the award of the Meritorious Unit Commendation for the FSM's service in the 972nd Signal Service Battalion, Headquarters, Central Pacific Base Command General Orders Number 392, dated 23 October 1945, awarded the Meritorious Unit Commendation for the period 1 March to 30 April 1945.

6. As to the award of Central Pacific and the Eastern Mandates Campaign Streamers, Army Regulation (AR) 600-8-22 (Military Awards), currently in effect, states campaign streamers are awarded to units in recognition for a campaign participation credit. An organization will be granted campaign participation credit based on criteria established by the Chairman of the Joint Chiefs of Staff, and the Secretary of the Army approves the corresponding campaign participation credit and campaign streamers for Army units. Assigned Soldiers who participated in the campaign are entitled to wear bronze service stars on their campaign medal to denote their participation.

7. AR 670-1 (Guide to the Wear and Appearance of Army Uniforms and Insignia), currently in effect, states, "A unit award is given to an operating unit and is worn by members of that unit who participated in the cited action. Personnel who did not participate in the cited action, but who are assigned in the cited unit, are authorized temporary wear of some unit awards."

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 applicant's contentions, the military record, and regulatory guidance. The Board considered the date of the former service member's period of service, applicable regulatory guidance and evidence of record. Evidence of record shows that the applicant was temporarily assigned to the 972 Signal Service Battalion in accordance with WD TM 12-235 (Preparation of Separation Forms) in effect at the time. As such the applicant, he was in the process of separating and his record properly reflects his last assignment
2. WD TM 12-236 (Preparation of Separation Forms), in effect at the time, stated, "Enter the last tactical or administrative and tactical unit, or similar element, to which he (the separating Soldier) was assigned, rather than the element of which he is a part while moving to a disposition center reception station, or separation center."
3. AR 600-8-22 (Military Awards), currently in effect, states campaign streamers are awarded to units in recognition for a campaign participation credit. An organization will be granted campaign participation credit based on criteria established by the Chairman of the Joint Chiefs of Staff, and the Secretary of the Army approves the corresponding campaign participation credit and campaign streamers for Army units. Assigned Soldiers who participated in the campaign are entitled to wear bronze service stars on their campaign medal to denote their participation.
4. AR 670-1, currently in effect, states, "A unit award is given to an operating unit and is worn by members of that unit who participated in the cited action. Personnel who did not participate in the cited action, but who are assigned in the cited unit, are authorized temporary wear of some unit awards."

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 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.

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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, USC, 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. WD TM 12-236 (Preparation of Separation Forms), in effect at the time, stated, "Enter the last tactical or administrative and tactical unit, or similar element, to which he (the separating Soldier) was assigned, rather than the element of which he as a part while moving to a disposition center reception station, or separation center."
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//NOTHING FOLLOWS//