

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 13 September 2024

DOCKET NUMBER: AR20230006379

APPLICANT REQUESTS: on behalf of his grandfather, a former service member (FSM), correction of his WD AGO Form 53-55 (Enlisted Record and Report of Separation – Honorable Discharge) to show the Presidential Unit Citation (formerly known as the Distinguished Unit Citation).

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

- DD Form 149 (Application for Correction of Military Record)
- General Durable Power of Attorney, 5 November 2013
- Presidential Unit Citation Announcement, 17 March 2020

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, the Presidential Unit Citation was awarded to the members of the 30th Infantry Division for their heroism and bravery during World War II. The award was approved in 2020.
3. The applicant's complete military records are not available for review. A fire destroyed approximately 18 million service members' records at the National Personnel Records Center in 1973. It is believed that the applicant's records were lost or destroyed in that fire. However, there are sufficient documents remaining in a reconstructed record for the Board to conduct a fair and impartial review of this case.
4. The applicant provides:
  - a. A General Durable Power of Attorney dated 5 November 2013.
  - b. A statement from the administration of President D\_T\_, dated 17 March 2020, announcing the awarding of the Presidential Unit Citation to the U.S. Army's 30th

Infantry Division. The President directed the Army to honor the remainder of the 30th Infantry Division and attached units with the Presidential Unit Citation for their heroic stand at Mortain.

5. The FSM's WD AGO Form 53-55 shows he was inducted into the Army of the United States on 18 January 1944. He was honorably discharged on 19 December 1945. This form also shows in:

- Item 6 (Organization): Company G, 119th Infantry
- Item 8 (Place of Separation): Separation Center, Fort McPherson, GA
- Item 24 (Date of Entry into Active Service): 8 February 1944
- Item 30 (Military Occupational Specialty and Number): Rifleman, 745
- Item 32 (Battles and Campaigns): Northern France, Ardennes, Rhineland, and Central Europe
- Item 33 (Decorations and Citations): Army Good Conduct Medal, World War II Victory Medal, and the Purple Heart by General Order Number 160, Headquarters, 30th Infantry, 19 June 1945
- Item 34 (Wounds Received in Action): Belgium, 25 December 1944
- Item 36 (Service Outside Continental U.S. and Return):
  - Date of Departure – 25 July 1944
  - Destination – European Theater
  - Date of Arrival – 3 August 1944
  - Date of Departure – 11 August 1945
- Item 37 (Foreign Service): 1 year and 25 days

6. The SM's record contains sufficient evidence to support correction to his WD AGO Form 53-55 and will be administratively corrected to show award of the European-African-Middle Eastern Campaign Medal with four bronze service stars.

### BOARD DISCUSSION:

After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that 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. The evidence of record shows the applicant served from 18 January 1944 to 19 December 1945, serving in the European Theater and being awarded the Purple Heart, the Board concluded by a preponderance of the evidence, the applicant met the criteria for award of the Presidential Unit Citation.

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 is sufficient to warrant a recommendation for relief. As a result, the Board recommends that all Department of Army records of the individual concerned be corrected by amending his WD AGO 53-55, for the period ending 19 December 1945 to show award of the Presidential Unit Citation.

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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.

ADMINISTRATIVE NOTE(S): administratively correct the applicant's WD AGO Form 53-55 for the period ending 19 December 1945 without action by the Board by adding the European-African-Middle Eastern Campaign Medal with four bronze service stars.

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 600-8-22 (Military Awards) prescribes Army policy, criteria, and administrative instructions concerning individual and unit military awards.

a. The Presidential Unit Citation (the Distinguished Unit Citation is the predecessor) and it is awarded to units of the Armed Forces of the United States and cobelligerent nations for extraordinary heroism in action against an armed enemy occurring on or after 7 December 1941.

b. All unit awards approved by the SECARMY, DCS G-1, authorized commanders, and foreign governments; unit awards from the other Services; and campaign participation credits announced by authorized commanders will be confirmed in Army General Orders and supersede Permanent Orders.

c. The European-African-Middle Eastern Campaign Medal is awarded for service within the European-African-Middle Eastern Theater between 7 December 1941 and 8 November 1945. One bronze service star is authorized for each campaign. The applicant's WD AGO Form 53-55 shows he served in four campaigns during World War II.

//NOTHING FOLLOWS//