

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 19 March 2024

DOCKET NUMBER: AR20230008729

APPLICANT REQUESTS: the WD AGO Form 53-55 (Enlisted Record and Report of Separation – Honorable Service) of his deceased father, a former service member (FSM), be corrected to show the Bronze Star Medal.

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

- DD Form 149 (Application for Correction of Military Record)
- FSM's WD AGO Form 53-55 (Enlisted Record and Report of Separation – Honorable Service)
- FSM's WD AFO For 100, Separation Qualification Record
- Applicant's Birth certificate
- Images/Pictures of Bronze Star Medal
- Letter(s) from National Personnel Records Center

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 he has attached two images one showing his name on the medal. From the letter he received, the Bronze Star should have also been included in the list of his Service Metals he has requested to be sent to him. The list of medals is attached. He wants his father's military records update to include this Bronze Star. His father's name is indicated on the attached images named "[Name] Bronze Star\_1" and "[Name] Bronze Star\_2" for proof of his medal. He also served in the Marine Corps and was Honorably Discharged before enlisting in the Army and serving in WW2. His father received a Bronze Star from bravery during WW2 this is not shown to be one of his medals. He has included pictures on the Bronze Star he received showing his name on the medal. He would like this to be corrected in his historical records and would also like this medal to be included in the medals he has asked for. These medals are to be shipped to his home address.

2. The FSM's records are not available to the Board for review. A fire destroyed approximately 18 million service members' records at the NPRC in 1973. It is believed that his records were lost or destroyed in that fire. However, there were sufficient documents remaining in a reconstructed record and/or provided by the applicant for the Board to conduct a fair and impartial review of this case.
4. The FSM's WD AGO Form 53-55 shows he was inducted into the Army of the United States and entered active service in Salt Lake City, UT on 18 March 1943. This form also shows at the time of separation:
  - he held military occupational specialty (MOS) 651, Platoon Sergeant
  - he was assigned to 526th Armored Infantry Battalion
5. He departed continental United States on 27 March 1944 and arrived in the European Theater of Operations (ETO) on 12 April 1944. He departed the ETO on an unknown date and arrived back in the United States on 10 November 1945.
6. He was honorably separated on 18 November 1945. He completed 1 year and 17 days of Continental service and 1 year, 7 month, and 14 days of foreign service. His WD AGO Form 53-55 shows in:
  - a. Item 31 (Military Qualifications and Date) shows he was awarded the Combat Infantryman Badge and Sharpshooter Marksmanship Badge.
  - b. Item 32 (Battles and Campaigns), he participated in four campaigns: Northern France, Ardennes, Rhineland, and Central Europe campaigns during World War II:
  - c. Item 33 (Decorations and Citations), he was awarded or authorized the Americal Theater of Operations Service Ribbon, European-African-Middle Eastern Campaign Medal, Good Conduct Medal, and World War II Victory Medal,
7. There are no general orders in his service records or provided by the applicant that show the FSM was recommended for or awarded the Bronze Star Medal. He provided the following documents:
8. The applicant provides one image/picture of a Bronze Star Medal with the FSM's hand-written name on the paper, and another image/picture of a Bronze Star Medal with the FSM's name inscribed on the medal.
9. By regulation (AR 600-8-22):
  - a. The Bronze Star Medal is awarded in time of war for heroism and for meritorious achievement or service, not involving participation in aerial flight, in connection with

military operations against an armed enemy, or while engaged in military operations involving conflict with an opposing armed force in which the United States is not a belligerent party. As with all personal decorations, formal recommendations, approval through the chain of command, and announcement in orders are required. Purple Heart is awarded for a wound sustained while in action against an enemy or as a result of hostile action. Substantiating evidence must be provided to verify that the wound was the result of hostile action, the wound must have required treatment, and the medical treatment must have been made a matter of official record.

b. The Bronze Star Medal is also awarded to members of the armed forces who, after 6 December 1941 and prior to 3 September 1945, have been cited in orders or in a formal certificate for meritorious or exemplary conduct in ground combat against the armed enemy. A citation in orders for the Combat Infantryman Badge or Combat Medical Badge awarded in the field during the period of actual combat against the armed enemy is considered as a citation for exemplary conduct in ground combat.

10. DA Pamphlet 672-1 shows the FSMs unit during WWII, 526th Armored Infantry Battalion received occupation credit for Germany from 2 May to 31 October 1945. [Qualifies the FSM for the Army of Occupation Medal (Germany Clasp)].

#### 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 applicant's contentions, the military record, and regulatory guidance were carefully considered.

a. Award of the Bronze Star Medal requires a formal recommendation, approval through the chain of command, and announcement in orders. The Board noted that the applicant provides a picture of a Bronze Sta Medal with his father's name, inscribed. However, this is insufficient by itself to confirm receipt of the Bronze Star Medal. However, based on the FSM's receipt of the Combat Infantryman Badge, he is eligible for award of the Bronze Star Medal as a conversion award.

b. The FSM's unit in World War II received occupation credit for Germany. The Board determined that the applicant is eligible for award of the Army of Occupation Medal with Germany Clasp.

c. The FSM participated in four campaigns during his service in WWII. Therefore, is eligible for 4 bronze service stars to be affixed to his already-awarded European-African-Middle Eastern Campaign Medal.

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 the Army records of the individual concerned be corrected, by:

- awarding him the Bronze Star Medal for meritorious service during the period 12 April 1944 to 10 November 1945
- adding to his WD AGO Form 53-55 the Bronze Star Medal, Army of Occupation Medal with Germany Clasp, and 4 bronze service stars to be affixed to his already-awarded European-African-Middle Eastern Campaign Medal

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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, 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) states:

a. The Bronze Star Medal is awarded in time of war for heroism and for meritorious achievement or service, not involving participation in aerial flight, in connection with military operations against an armed enemy, or while engaged in military operations involving conflict with an opposing armed force in which the United States is not a belligerent party. As with all personal decorations, formal recommendations, approval through the chain of command, and announcement in orders are required.

b. The Bronze Star Medal is also awarded to members of the armed forces who, after 6 December 1941 and prior to 3 September 1945, have been cited in orders or in a formal certificate for meritorious or exemplary conduct in ground combat against the armed enemy. A citation in orders for the Combat Infantryman Badge or Combat Medical Badge awarded in the field during the period of actual combat against the armed enemy is considered as a citation for exemplary conduct in ground combat.

c. A bronze service star is worn on the appropriate service ribbon, to include the Vietnam Service Medal, for each credited campaign. A silver service star is authorized in lieu of five bronze service stars.

d. The Army of Occupation Medal with Germany Clasp qualifying service must have occurred between 9 May 1945 and 5 May 1955. Service between 9 May 1945 and 8 November 1945 will be counted only if the European-African-Middle Eastern Campaign Medal was awarded for service before 9 May 1945.

3. DA Pamphlet 672-1 is published to assist commanders and personnel officers in determining or establishing the eligibility of individual members for campaign participation credit, assault landing credit, unit citation emblems, and occupation credit for World War II and the Korean War. 526th Armored Infantry Battalion received occupation credit for Germany from 2 May to 31 October 1945. [Qualifies the FSM for the Army of Occupation Medal (Germany Clasp)]

//NOTHING FOLLOWS//