

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 9 January 2023

DOCKET NUMBER: AR20230009491

APPLICANT REQUESTS: the WD AGO Form 53-55 (Enlisted Record and Report of Separation) of his grandfather, a deceased former service member (FSM), be corrected to show the:

- World War II Victory Medal
- American Campaign Medal
- Army of Occupation Medal
- Army Good Conduct 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
- FSM's Death Certificate
- Applicant's Birth Certificate
- Applicant's Mother's Obituary
- Applicant's State Driver License

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 is the oldest grandson of the FSM. He requested his grandfathers' records from NPRC (National Personnel Records Center) in December 2022. NPRC provided him with his grandfather's discharge paper. He noticed that his grandfather was in the American Theater for over one year and through the criteria in Army Regulation (AR) 600-8-22, Military Awards, would qualify for award of the American Campaign Medal. Also, through research, the World War II Victory Medal was created after his grandfather's release from active duty. His grandfather clearly meets the criteria for the victory medal. The Good Conduct Medal is awarded for one year of good conduct during wartime (Executive order 10444) and three years of good conduct

normally. His grandfather served over 3.5 years with his discharge papers stating "none" under time lost. Further research shows his grandfather qualifies for the Army of Occupation Medal which was created after his discharge as well. He asks that the Board add these four awards to his grandfather's records and issue a DD Form 215, Correction to DD Form 214) or equivalent. These veterans gave their lives for our great country, and he is trying to honor his grandfather.

3. The FSM's military records are not available to the Board for review. A fire destroyed approximately 18 million service members' records at the National Personnel Records Center in 1973. It is believed his records were lost or destroyed in that fire. However, there were sufficient documents remaining in a reconstructed record to conduct a fair and impartial review of this case. This case is being considered using reconstructed records, which primarily consist of a WD AGO Form 53-55.

4. Review of the FSM's WD AGO Form 53-55 shows:

a. The FSM was inducted into the Army of the United States, and he entered active duty on 6 April 1942. At the time of his separation:

- he held military occupational specialty (MOS) 747, Airplane and Engine Mechanic
- he was assigned to the 237th Army Air Force Base Unit (AAFBU), Kirtland Field, NM

b. The FSM departed the continental United States on 5 May 1943 and arrived in England (European Theater of Operations (ETO)) on 11 May 1943. He departed the ETO on 19 June 1945 and arrived in the continental United States on 25 June 1945.

c. The FSM's unit of assignment (or attachment) during World War II is unknown.

d. He completed 1 year, 4 months, and 23 days of continental service and 2 years, 1 month, and 20 days of foreign service. He was honorably separated at Sioux Falls Army Airfield, SD on 19 October 1945. His WD AGO Form 53-55 shows in:

(1) Item 31 (Military Qualifications and Date) - None.

(2) Item 32 (Battles and Campaigns), during his service in World War II, he participated in 6 campaigns: Air Offensive Europe, Normandy, Rhineland, Northern France, Ardennes, and Central Europe campaigns.

c. Item 33 (Decorations and Citations) and item 55 (Remarks), he was awarded or authorized the: Distinguished Unit Badge with oak leaf cluster and European African Middle Eastern Campaign Medal.

5. The FSM's WD AGO Form 24 (Service Record), which would have listed his conduct and efficiency ratings, is not available for review. This form also would have indicated if his commander recommended him for the Army Good Conduct Medal.
6. The decision to award the Good Conduct Medal to a Soldier rest with the commander of the unit to which the Soldier was assigned at the time eligibility was attained. Trust is normally placed in commanders to make these decisions because they have firsthand knowledge of the Soldier's performance and accomplishments. There is no official documentation indicating the FSM's commander intended to award him (or deny him) the Army Good Conduct Medal.
7. The Army of Occupation Medal is a unit award. DA Pamphlet 672-1 identifies which units were awarded occupation credit and what country and time frame.

BOARD DISCUSSION:

After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that relief was partially warranted. The applicant's contentions, the military record, and regulatory guidance were carefully considered.

a. Although the FSM's service records are not available and his conduct and efficiency ratings are unknown, the FSM did serve honorably from 6 April 1942 to 19 October 1945, completing well over 3 years and 6 months of active service. There is no derogatory information in his file that would have precluded him from receiving the Army Good Conduct Medal (1st Award). The Board determined the FSM should be awarded this medal.

b. The Army of Occupation Medal is awarded to selected units during World War II for a specific period of time. The FSM's unit of assignment during World War II is unknown. Therefore, the Board determined the FSM's eligibility for this award cannot be determined.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

: : : GRANT FULL RELIEF

█ █ █ GRANT PARTIAL RELIEF

: : : GRANT FORMAL HEARING

: : : DENY APPLICATION

BOARD DETERMINATION/RECOMMENDATION:

1. In addition to the correction addressed in Administrative Note(s) below the Board determined the evidence presented is sufficient to warrant a recommendation for partial relief. As a result, the Board recommends that all Department of the Army records of the individual concerned be corrected by:

- awarding him the Army Good Conduct Medal (1st Award) for service during the period 6 April 1942 through 5 April 1945
- adding to his DD Form 214 the Army Good Conduct Medal (1st Award)

2. The Board further determined the evidence presented is insufficient to warrant a portion of the requested relief. As a result, the Board recommends denial of so much of the application that pertains to awarding him the Army of Occupation Medal.



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 FSM's service records shows he is eligible or meets the criteria for awards not listed on his DD Form 214. As a result, amend his WD AGO Form 53-55 to show the following awards:

- World War II Victory Medal
- American Campaign Medal
- One silver service star and one bronze service star to be affixed to his already-awarded European African-Middle Eastern Campaign 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 600-8-22 (Military Awards) provides for the following awards:

a. The World War II Victory Medal is awarded for service between 7 December 1941 and 31 December 1946, both dates inclusive.

b. The American Campaign Medal is awarded for qualifying service in the American Theater between 7 December 1941 and 2 March 1946. Qualifying service for this medal includes permanent assignment outside the continental United States but within the American Theater of Operations, or duty as a crewmember aboard a vessel sailing ocean waters for 30 consecutive or 60 nonconsecutive days, or duty outside the continental United States as a passenger or in a temporary duty status for 30 consecutive or 60 nonconsecutive days, or active combat against the enemy and was awarded a combat decoration or furnished a certificate by a corps commander or higher, or service within the continental United States for an aggregate period of one year.

c. The Army of Occupation Medal was established by War Department General Orders 32, 1946. It is awarded for service for 30 consecutive days at a normal post of duty (as contrasted to inspector, visitor, courier, escort, passenger, TDY, or detached service) while assigned to any of the following. For the Army of Occupation of Germany (exclusive of Berlin) between 9 May 1945 and 5 May 1955. Service between 9 May and 8 November 1945 will be counted only if the European-African-Middle Eastern Campaign Medal was awarded for service before 9 May 1945. Service for the

prescribed period with a unit, which has been designated in Army General Orders as having met the requirement for the Berlin Airlift device. Service for which the individual was awarded the Berlin Airlift device in orders issued by appropriate field authority.

d. A bronze service star is worn on the appropriate service ribbon, to include the European African-Middle Eastern Campaign Medal, for each credited campaign. A silver service star denotes five bronze service stars.

3. Army Regulation 600-68 (Good Conduct Medal), in effect at the time, stated the Army Good Conduct Medal was awarded for each 3 years of continuous enlisted active Federal military service completed on or after 27 August 1940 and, after 7 December 1941, completed 1 year of continuous active Federal military service while the United States was at war. The award would not be made to an enlisted man whose records, during the required period of service, disclosed a conviction by any court-martial, or to one whose character or efficiency was rated below "excellent." The fact that an enlisted man was recommended for or received an Army Good Conduct Medal or clasp would be noted under "remarks" of the discharge certificate.

4. Department of the Army Pamphlet 672-1, Unit Citation and Campaign Participation Credit Register 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 duty credit for World War II and for the Korean War. This pamphlet identifies which units were awarded occupation credit and what country/time frame.

//NOTHING FOLLOWS//