

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 8 May 2024

DOCKET NUMBER: AR20230010869

APPLICANT REQUESTS:

- Correction of his father the Former Service Member (FSM) WD AGO 53-55 (Enlisted Record and Report of Separation Honorable Discharge) to show the following awards:
 - Bronze Star Medal
 - European African Middle Eastern Campaign Medal with one bronze service star
 - Honorable Service Lapel Button
- Copies of all of the FSM medals

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

- DD Form 149 (Application for Correction of Military Record)
- Self-authored letter, 6 April 2023
- FSM Funeral Announcement
- Final Payment – Work Sheet
- FSM AGO Form 53-55
- Standard Form 180 (Request Pertaining to Military Records)
- National Personnel Records Center, 19 July 2023

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 FSM's complete 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 that the FSM's records were lost or destroyed in

that fire, however, there were sufficient documents remaining in a reconstructed records for the Board to conduct a fair and impartial review of the case.

3. The applicant states, his father, the FSM decorations and citations were not complete. His Bronze Star Medal was awarded post discharge at the conclusion of World War II. Based on applicant's research he discovered that the FSM was awarded the Combat Infantryman Badge during his service as indicated on his separation papers. According to Executive Order 9419 and War Department Circular 336 recipients of the Combat Infantryman Badge during World War II are eligible for the Bronze Star Medal. He will like the FSM's record to be updated, and also a copy of his medals.

4. The FSM's records contain sufficient evidence to support adding additional awards and/or information not shown on his WD AGO 53-55. His WD AGO 53-55 will be administratively corrected without Board action.

5. On 16 October 1944, the FSM was inducted into the Army of the United States.

6. The FSM was honorably discharged from active duty on 16 October 1944. His WD AGO 53-55 shows in:

a. Item 31 (Military Qualification and Date): Combat Infantryman Badge, General Order Number 9, 101st Infantry, May 1945.

b. Item 32 (Battles and Campaigns): Central Europe 33 WD 45 as amended.

c. Item 33 (Decorations and Citations): European African Middle Eastern Campaign Medal, Army Good Conduct Medal, Army of Occupation Medal, and the World War II Victory Medal.

d. Item 36 (Service Outside Continental United States and Return): FSM served in the European Theater of Operations from 27 March 1945 to 22 July 1946 (1 year, 4 months and 17 days).

BOARD DISCUSSION:

1. 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 former SM'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 former servicemembers records already reflect the Honorable Service Lapel Button being issued. However, upon review of the applicant's petition and available military records, the Board determined there is sufficient evidence

to support the applicant's contentions for correction of the former servicemembers records showing award of the Bronze Star Medal. Therefore, the Board granted relief.

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:

Mbr 1 Mbr 2 Mbr 3

█	█	█	GRANT FULL RELIEF
:	:	:	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
:	:	:	DENY APPLICATION

BOARD DETERMINATION/RECOMMENDATION:

In addition to the administrative notes annotated by the Analyst of Record (below the signature), 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 Army records of the individual concerned be corrected by amending the former SM's WD-AGO Form 53-55 to show award of the Bronze Star 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.

ADMINISTRATIVE NOTE(S):

A review of the FSM's records shows he was awarded or authorized the following awards not listed on his WD-AGO Form 53-55.

- American Campaign Medal
- European African Middle Eastern Campaign Medal with one bronze service star

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) states:

a. The Bronze Star Medal is awarded for heroism and for meritorious achievement or service in military operations against an armed enemy. The Bronze Star Medal is authorized for each individual who was cited in orders or awarded a certificate for exemplary conduct in ground combat between 7 December 1941 and 2 September 1945 or whose achievement or service, during that period, was confirmed by documents executed prior to 1 July 1947. An award of the Combat Infantryman Badge or the Combat Medical Badge is considered to be a citation in orders. Therefore, the Bronze Star Medal is to be awarded to individuals who were authorized either badge for service during World War II.

b. 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. This medal is awarded to any service member who was permanently assigned in the theater, who was in a passenger status or on temporary duty for 30 consecutive days or 60 nonconsecutive days, or who was in active combat against the enemy and was awarded a combat decoration, or who was furnished a certificate by the commanding general of a corps or higher unit or independent force showing that he actually participated in combat.

c. The Army Lapel Button is a gratuitous issue, and the eligibility requirements are:

- transitioning with an honorable characterization of service (those being transferred to another component for completion of a military service obligation and those receiving an Honorable Discharge Certificate)

- (b) transitioning under a non-adverse separation provision
- (c) having served a minimum 9 months continuous service - a break in service is 24 hours or more
- (d) having had active Federal service on or after 1 April 1984 or service in a Ready Reserve unit organized to serve as a unit (Army National Guard unit or Army Reserve troop program unit) on or after 1 July 1986
- (e) retroactive issuance is not authorized; and (f) no Soldier separating from the Service is to be awarded more than one Army Lapel Button

d. 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 campaign 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.

//NOTHING FOLLOWS//