

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 29 October 2024

DOCKET NUMBER: AR20240003395

APPLICANT REQUESTS: the DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge) of her deceased father, a former service member (SM), be corrected to show the Bronze Star Medal.

APPLICANT'S SUPPORTING DOCUMENTS CONSIDERED BY THE BOARD:

- DD Form 149 (Application for Correction of Military Record)
- Certified Copy of Birth Record
- Certificate of Birth State of Illinois
- Certification of Death Record
- State of Missouri Marriage License
- Army of the United States Honorable Discharge
- Obituary
- Recommendation for Award

FACTS:

1. The applicant did not file within the three-year time frame provided in Title 10, United States Code (USC), section 1552 (b); however, the Army Board for Correction of Military Records 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 her father was recommended for the Bronze Star Medal. However, he never received a final answer on the award approval. She is applying on behalf of the SM. She would like to have his records corrected to show award of the Bronze Star Medal on his DD Form 214.

3. Review of the deceased SM's available records shows:

a. He was inducted into the Army of the United States on 19 January 1942

b. He served in World War II in the European Theater of Operations from 10 January 1944 to 8 October 1945. He was assigned to Company A, 8th Tank Battalion

as a tank mechanic. He had campaigns in Normandy, North France, Ardennes, and Rhineland.

c. On 10 August 1944, a memorandum for the Commanding General shows the applicant was recommended for the Bronze Star Medal for meritorious service in the line of duty. He performed maintenance and replaced parts on a tank while under enemy fire for the recovery of a tank on 8 August 1944. His actions went above and beyond the call of duty. The recommendation was made by his commander, Captain CJS, who had personally witnessed the event.

d. The available service record did not include orders nor a certificate to show the award had been approved.

r. He was honorably discharged on 11 October 1945. His WD AGO Form 53-55 (Enlisted Record and Report of Separation – Honorable Discharge) shows he was awarded or authorized:

- Victory Medal
- American Theater Ribbon
- European African Middle Eastern Theater Ribbon with 4 Bronze Battle Stars
- Three Overseas Service Bars
- One Service Stripe
- Good Conduct Medal
- Distinguished Unit Badge GO 95 HQ WD 45
- Honorable Service Lapel Button

5. By regulation, 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.

#### BOARD DISCUSSION:

1. After reviewing the application and all supporting documents, the Board found the relief was warranted.

2. The Board carefully considered the applicant's request, the FSM's service record to include service in the European Theater, the Award Recommendation with the included citation and the approved memorandum to the Commanding General. Based on a

preponderance of evidence, the Board determined that the FSM's record warranted correction to reflect award of the Bronze Star Medal.

BOARD VOTE:

<u>Mbr 1</u>	<u>Mbr 2</u>	<u>Mbr 3</u>	
■	■	■	GRANT FULL RELIEF
:	:	:	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
:	:	:	DENY APPLICATION

BOARD DETERMINATION/RECOMMENDATION:

The Board determined the evidence presented is sufficient to warrant relief. As a result, the Board recommends that all Department of the Army records of the individual concerned be corrected by:

- awarding the applicant the Bronze Star Medal for meritorious achievement in ground operations against hostile forces on 8 August 1944
- adding the Bronze Star Medal to the applicant's WD AGO 53-55 item 33, for the period ending 31 October 1945

X

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CHAIRPERSON

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 three years after discovery of the alleged error or injustice. This provision of law also allows the Army Board for Correction of Military Records (ABCMR) to excuse an applicant's failure to timely file within the three-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 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.

//NOTHING FOLLOWS//