

IN THE CASE OF: [REDACTED]

BOARD DATE: 18 November 2024

DOCKET NUMBER: AR20240003555

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

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

- DD Form 149 (Application for Correction of Military Record)
- WD AGO Form 53-55 (Enlisted Record and Report of Separation – Honorable Service)
- Applicant Certificate of Birth

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 his father was awarded the Combat Infantryman Badge for his service during combat in Italy. He was wounded in combat July 12, 1944 (noted on his WD AGO Form 53-55). The service member's family would like to have his records corrected posthumously to fulfill the service member's request.
3. The SM'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 that the SM's records were lost or destroyed in that fire. However, there were sufficient documents remaining in a reconstructed record for the Board to conduct a fair and impartial review of this case.
4. The SM's WD AGO Form 53-55 shows he was inducted into the Army of the United States on 7 October 1942 and entered active duty in Michigan on 21 October 1942.

a. This form also shows that at the time of his separation, the SM held military occupational specialty (MOS) 844, Cannoneer (artilleryman) and was assigned to Company I, 3rd Battalion, 362nd Infantry Regiment, 91st Division.

b. He departed the continental United States (CONUS) on 11 April 1944, and he arrived in the European Theater of Operations (ETO) on 30 April 1944. He departed the ETO on 30 April 1946 and arrived back in CONUS on 9 May 1946.

c. He completed 1 year, 5 months, and 3 days of continental service and 1 year, 6 months, and 21 days of foreign service. He was honorably discharged on 13 May 1946 at Camp Atterbury, Indiana. His WD AGO Form 53-55 shows in:

(1) Item 4 (Arm or service) shows the entry "INF" indicating he was in an Infantry Branch.

(2) Item 31 (Military Qualifications and Date (i.e. infantry, aviation, and marksmanship badges, etc.)) shows the entry "Not Available."

(3) Item 32 (Battles and Campaigns) shows he participated in the Rome-Arno, Northern Apennines, and Po Valley campaigns during World War II (WWII).

(4) Item 33 (Decorations and Citations) shows he was awarded or authorized the American Theater Ribbon, European-African-Middle Eastern (EAME) Theater Ribbon with 3 bronze service stars, Purple Heart, and World War II Victory Medal.

(5) Item 34 (Wounds Received in Action) contains the entry "Italy, July 12, 44."

5. There are no special or unit orders available to confirm the SM qualified for and/or was awarded the Combat Infantryman Badge.

6. The complete facts and circumstances of the SM's wound and receipt or award of the Purple Heart are not available.

7. War Department Circular 269, dated 1943 established the Combat Infantryman Badge to recognize and provide an incentive to infantrymen. The Combat Infantryman Badge was awarded for exemplary conduct in action against the enemy. War Department 100, dated 13 March 1944, amended War Department Circular Number 269, regarding the retroactive award of the Combat Infantryman Badge. It states the Combat Infantryman Badge may be awarded to any infantryman who, on or after 6 December 1941, has established eligibility and had been recommended for such award.

8. War Department Circular Number 186 dated 1944 further provided that the Combat Infantryman Badge was to be awarded only to infantrymen serving with infantry units of

brigade, regimental or smaller size. The Military Awards Branch of the U.S. Army Human Resources Command has advised in similar cases that, during WWII, the Combat Infantryman Badge was normally awarded only to enlisted individuals who served in the following positions:

- Light machine gunner (604)
- Heavy machine gunner (605)
- Platoon sergeant (651)
- Squad leader (653)
- Rifleman (745)
- Automatic rifleman (746)
- Heavy weapons NCO (812)
- Gun crewman (864)

BOARD DISCUSSION:

After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that relief was not warranted. The applicant's contentions, the military record, and regulatory guidance were carefully considered. The applicant contends that the SM was awarded the Combat Infantryman Badge. However, the SM's available record does not contain, and the applicant does not provide the special or unit orders that awarded the SM the Combat Infantryman Badge. If the applicant has a copy of the order, he may resubmit his application to this Board for reconsideration. Additionally, although the SM's WD AGO Form 53-55 lists his branch of service as Infantry, the SM's MOS listed on his WD AGO Form 53-55 shows he held an artillery MOS, which is a non-qualifying MOS for the Combat Infantryman Badge. Furthermore, the circumstances surrounding his award of the Purple Heart are unknown. It is unclear if he was injured while his infantry unit was engaged with or being engaged by the enemy. Therefore, the Board found insufficient evidence the SM qualified for award of the Combat Infantryman Badge.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

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

BOARD DETERMINATION/RECOMMENDATION:

The evidence presented does not demonstrate the existence of a probable error or injustice. Therefore, the Board determined the overall merits of this case are insufficient as a basis for correction of the records of the individual concerned.

11/18/2024

X

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, 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. War Department Circular Number 269, dated 27 October 1943, states the present war has demonstrated the importance of highly proficient, tough, hard, and aggressive infantrymen, which can be attained only by developing a high degree of individual all-around proficiency on the part of every infantryman. As a means of attaining the high

standards desired and to foster esprit de corps in infantry units, the Expert and Combat Infantryman Badge were established for infantry personnel.

a. The Combat Infantryman Badge is awarded to "infantrymen" including officers. The eligibility to wear the Combat Infantryman Badge can be established by (1) Exemplary conduct in action against the enemy, or (2) By satisfactory performance of duty in actions against the enemy in a major operation as determined or announced by the theater commander.

b. Announcement of the award of the Combat Infantryman Badge will be made in unit orders and presentation will be in an appropriate ceremony. Within the regiment, award may be made by the regimental commander upon the recommendation of the company commander.

3. War Department Circular 100, dated 13 March 1944, amended War Department Circular Number 269, regarding the retroactive award of the Combat Infantryman Badge. It states the Combat Infantryman Badge may be awarded to any infantryman who, on or after 6 December 1941, has established eligibility and had been recommended for such award under the provisions of paragraph 2b or 3 of the circular.

4. War Department Circular Number 186 dated 1944 further provided that the Combat Infantryman Badge was to be awarded only to infantrymen serving with infantry units of brigade, regimental or smaller size. The Military Awards Branch of the U.S. Army Human Resources Command has advised in similar cases that, during WWII, the Combat Infantryman Badge was normally awarded only to enlisted individuals who served in the following positions:

- Light machine gunner (604)
- Heavy machine gunner (605)
- Platoon sergeant (651)
- Squad leader (653)
- Rifleman (745)
- Automatic rifleman (746)
- Heavy weapons NCO (812)
- Gun crewman (864)

5. War Department Circular 408 replaced War Department Circular 186. War Department Circular 408 stated: "Effective 1 November 1944 the award of the Expert Infantryman Badge and the Combat Infantryman Badge is restricted to officers, warrant officers and enlisted men assigned to infantry regiments, infantry battalions and elements thereof designated as infantry in tables of organization or tables of organization and equipment.

6. War Department Circular Number 408, dated 17 October 1944, provides for awards of the Expert and Combat Infantryman Badge. It states, in pertinent part, that Public Law 503, approved on 30 June 1944, provided that during the present war (WWII) and for 6 months thereafter, any enlisted man of the combat ground forces of the Army who is entitled under regulations to wear the Combat Infantryman Badge shall be paid additional compensation.

7. War Department Circular 93 rescinded the quotation from War Department Circular 408 in paragraph 4, above, and replaced it with the following: "Effective 1 November 1944 the award of the Expert Infantryman Badge the Combat Infantryman Badge is restricted to officers, warrant officers, and enlisted men assigned to infantry regiments, infantry battalions, and elements thereof designated as infantry in the tables of organization or tables of organization and equipment. In addition to the above, infantry officers, warrant officers, and enlisted men who are attached to infantry regiments, infantry battalions, and elements thereof designated as infantry, of the United States forces or of any of the Allied Nations military forces are eligible for the infantryman badges. In these cases, when the individual concerned is not assigned to an infantry regiment or smaller infantry unit, the award will be made by such commanders and in such orders as the theater commander may designate.

8. Army Regulation 600-8-22 (Military Awards) provides for award of the Bronze Star Medal 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 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. It also provides for the wear of one bronze service star on the appropriate campaign or service medal for each credited campaign. This regulation gives a history of the Combat Infantryman Badge:

a. Lieutenant General Lesley J. McNair, then the Army Ground Forces commanding general, was instrumental in its creation. He originally recommended that it be called the "fighter badge." The Combat Infantryman Badge was designed to enhance morale and the prestige of the "Queen of Battle." Then Secretary of War Henry Stinson said, "It is high time we recognize in a personal way the skill and heroism of the American infantry."

b. Originally, the Regimental Commander was the lowest level at which the Combat Infantryman Badge could be approved, and its award was retroactive to 7 December 1941. Several factors led to the creation of the Combat Infantryman Badge, some of the most prominent factors are as follows:

(1) The need for large numbers of well-trained infantry to bring about a successful conclusion to the war and the already critical shortage of infantrymen.

(2) Of all Soldiers, it was recognized that the infantryman continuously operated under the worst conditions and performed a mission that was not assigned to any other Soldier or unit.

(3) The infantry, a small portion of the total Armed Forces, was suffering the most casualties while receiving the least public recognition.

(4) General Marshall's well-known affinity for the ground forces Soldier and, in particular, the infantryman.

c. All these factors led to the establishment of the Combat Infantryman Badge, an award that would provide special recognition of the unique role of the Army infantryman, the only Soldier whose daily mission is to close with and destroy the enemy and to seize and hold terrain. The badge was intended as an inducement for individuals to join the infantry while serving as a morale booster for infantrymen serving in every theater.

d. In developing the Combat Infantryman Badge, the War Department did not dismiss out of hand or ignore the contributions of other branches. Their vital contributions to the overall war effort were certainly noted, but it was decided that other awards and decorations were sufficient to recognize their contributions. From the beginning, Army leaders have taken care to retain the badge for the unique purpose for which it was established and to prevent the adoption of any other badge which would lower its prestige. At the close of World War II, our largest war in which the armor and artillery played key roles in the ground campaigns, a review was conducted of the Combat Infantryman Badge criteria with consideration being given to creating either additional badges or authorizing the badge to cavalry and armor units. The review noted that any change in policy would detract from the prestige of the badge.

//NOTHING FOLLOWS//