

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 6 August 2025

DOCKET NUMBER: AR20240010448

APPLICANT REQUESTS: correction of the WD AGO Form 53 (Enlisted Record and Report of Separation - Honorable Discharge) of his father, a deceased servicemember (SM), to show all authorized awards and decorations, to include the Silver Star.

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

- DD Form 149 (Application for Correction of Military Record)
- Ohio Department of Health-Certificate of Live Birth (Son's)
- WD AGO Form 53
- Honorable Discharge Certificate
- Certificate of Eligibility and Entitlement
- Hometown Hero Photograph, article illegible, source unknown
- Letter from the National Personnel Records Center (NPRC)
- Newsletter (source unknown)

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 SM's military 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 the 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.
3. The SM's WD AGO Form 53 shows he enlisted in the Army of the United States on 29 October 1942, and he held military occupational specialty 745 (Infantryman). It also shows in:
  - a. Items 31 (Military Qualifications and Date), 32 (Battles and Campaigns),

(Decorations and Citations), and 55 (Remarks) show:

(1) He participated in the Scilly, Normandy, Romeo-Arno, and Rhineland campaigns.”

(2) He was awarded or authorized the following awards:

- Sharpshooter Marksmanship Qualification Badge with Rifle Bar (M-1)
- Bronze Star Medal
- Distinguished Unit Badge
- European-African-Middle Eastern (EAME) Service Medal with Bronze Arrowhead
- Lapel Button
- Purple Heart with Oak Leaf Cluster (2nd Award)

b. Item 34 (Wounds Received in Action), European Theater 7 December 1943 and 8 August 1944.

c. Item 37 (Total Length of Service), continental service equals 6 months and 1 day; and foreign service equals 2 years, and 17 days.

d. Item 38 (Service Outside Continental U.S. and Return), he departed the continental United States (CONUS) on 29 April 1943 and arrived in the European Theater of Operations (ETO) on 10 May 1943. He departed the ETO on 17 June 1945 and arrived back in CONUS on 30 June 1945.

e. Item 41 (Service Schools Attached), Parachute School, Fort Benning, GA, physical training and jumping, 4 weeks.

f. Item 55 (Remarks), He had 40 days lost under Article of War (AW) 107, this means days lost for Article of War (AW) 107. This article pertains to absence without authority. There is no further information about this period of lost time available.

g. On 4 July 1945, he was honorably separated in the rank/grade of private first class/E-3. At the time of separation, he was assigned to Company I, 504th Parachute Infantry (PIR).

4. A U.S. National Archives and Records Administration File Unit: World War II POW Data File, 7 December 1941 - 19 November 1946 in the Series: Records of World War II POW's, created 1942 - 1947. This series contains information about U.S. military officers and Soldiers and U.S. and some Allied civilians who were POW's and internees.

This document shows the SM's name and serial number. It also shows the date and month of the Report as 9 July 1944. This record also shows in:

- Date Report - 7 September 1944
- Area - European Theater
- Latest Report Date – 1 October 1944
- Source of Report – Individual has been reported through sources considered official
- Status – Returned to military control, liberated or repatriated

5. The SM is authorized the World War II Victory Medal and POW Medal; these awards, which are not listed on his WD AGO Form 53, will be further addressed in the Administrative Notes portion of these proceedings.

6. The SM's service record does not contain any evidence that shows he was recommended for or awarded the Silver Star.

7. There is also no evidence that he was denied award of the Army Good Conduct Medal.

#### BOARD DISCUSSION:

1. After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that partial relief was warranted. The Board carefully considered the SM's record of service, documents submitted in support of the petition, and executed a comprehensive review based on law, policy, and regulation.

2. Award of the Good Conduct Medal. Grant. The Board determined there was sufficient evidence, including the SM's Continental service of 6 months and 1 day and Foreign service of 2 years and 17 days, from 29 October 1942 to 4 July 1945. Based on this, the Board granted relief to correct the SM's record to reflect award of the Army Good Conduct Medal (First Award).

3. Award of the Silver Star. Deny. The Board found the deceased SM did not meet criteria for award of the Silver Star as there was no documentation to support gallantry in action against the enemy.

4. Prior to closing the discussion, the Board determined the SM is eligible for award of the Prisoner of War Medal, the World War II Victory Medal, and American Campaign Medal, to more accurately depict his military service.

BOARD VOTE:


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

BOARD DETERMINATION/RECOMMENDATION:

1. The Board determined the evidence presented is sufficient to warrant partial relief. As a result, the Board recommends that all Department of the Army records of the individual concerned be corrected by amending the applicant's WD AGO Form 53 for the period ending 4 July 1945 by adding the:

- Army Good Conduct Medal
- Prisoner of War Medal
- World War II Victory Medal
- American Campaign Medal

2. The Board further determined that 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 award of the Silver Star.

  
**X** //SIGNED//

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. Army Regulation 600-8-22 (Military Awards) provides, in pertinent part, for award of the:

a. Silver Star for gallantry in action against the enemy. The required gallantry (spirited and conspicuous acts of heroism and courage) must have been performed with marked distinction. As with all personal decorations, formal recommendations, approval through the chain of command, and announcement in orders are required.

b. World War II Victory Medal for service from December 1941 through 31 December 1946. Based on the FSM's period of service he is entitled to the World War II Victory Medal.

c. Good Conduct Medal, in effect at the time, 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.

d. POW Medal was authorized on 8 November 1985 and is awarded to individuals who in past armed conflicts were taken prisoner or held captive after 5 April 1917. The POW Medal is to be issued only to those U.S. military personnel and other personnel granted creditable U.S. military service who were taken prisoner and held captive:

- while engaged in an action against an enemy of the United States
- while engaged in military operations involving conflict with an opposing foreign force
- while serving with friendly forces engaged in an armed conflict against an opposing armed force in which the U.S. is not a belligerent party

- by foreign armed forces that are hostile to the U.S., under circumstances which the Secretary concerned finds to have been comparable to those under which
- persons have generally been held captive by enemy armed forces during periods of armed conflict

e. 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//