

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 25 June 2025

DOCKET NUMBER: AR20240011147

APPLICANT REQUESTS:

- The son of the deceased service member (SM), requests correction of the SM's WD AGO Form 53-55 (Enlisted Record and Report of Separation – Honorable Discharge) to show award of the:
 - Bronze Star Medal
 - Silver Star
- a personal appearance before the Board

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

- DD Form 149 (Application for Correction of Military Record)
- SM Death Certificate
- Applicant Birth Certificate
- Privacy Release Statement
- General Order Number 13, 5 July 1944
- Bronze Star Medal Citation, undated
- Two Newspaper Articles, awarding the Bronze Star Medal and Silver Star Medal, January 1945
- D.S.S. Form 2 (Registration Certificate)
- WD AGO 53-55

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:

a. He found two press releases from the War Department dated January 1945. The press releases announce the SM's award of the Bronze Star Medal and the Silver Star Medal, which also includes the SM's name and address.

b. The SM was presented with a Purple Heart Medal and informed that the unit did not have anymore Silver Star Medals. The SM was supposed to go to London to receive the award and be sworn into the rank of Lieutenant. Instead, the SM returned to his hometown.

c. The SM received award of the Silver Star Medal during his assignment to B Company, 116th Infantry. His unit came under attack by rockets, which caused some of the Soldier's to panic, drop their weapons and run across an open field. The SM stopped the Soldiers by punching and hitting them with the butt of his M-1. He saved several men while under German fire.

d. His father spoke to him about the war. In 2020 the applicant wrote a book. He views the War Department press release of January 1945 as confirmation of what occurred during the presentation of the Purple Heart.

3. The applicant provides:

a. A citation, that shows the SM was awarded the Bronze Star Medal for his meritorious achievement in military operations against the enemy in Normandy, France on 14 June 1944.

b. General Orders Number 13, dated 5 July 1944, shows the SM was awarded the Purple Heart for wounds received in action on 16 June 1944.

c. Two newspaper articles dated January 1945, that show the War Department announced the SM's award of the Bronze Star Medal and the Silver Star Medal.

4. A review of the SM's record shows:

a. The SM's WD AGO Form 53-55 shows he served in the Army of the United States from 19 October 1942 to 1 December 1944, his military occupational specialty was Bandsman Snare Drum (435), at the time of release he was assigned to 519th Reinforcement Company, in the rank of sergeant. This document also shows in:

b. Item 31 (Military Qualification and Date): Combat Infantryman Badge.

c. Item 32 (Battles and Campaigns): Normandy.

d. Item 33 (Decorations and Citations):

- European African and Middle Eastern (EAME) Service Medal
- Army Good Conduct Medal
- Purple Heart
- Bronze Star Medal
- Distinguished Unit Badge (Presidential Unit Citation)
- World War II Victory Medal

e. Item 34 (Wounds Received in Action) is annotated to show EAME Theater of Operations 16 June 1944.

f. Item 35 (Service Outside Continental U.S. (CONUS) and Return):

- arrived in the EAME Theater of Operations on 2 June 1943
- departed the EAME Theater of Operations on 19 November 1945
- arrived in in CONUS on 25 November 1945

g. Item 37 (Current Tour of Active Duty):

- Continental Service, 7 months, and 14 days
- Foreign Service, 2 years, 5 months, and 29 days

5. 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.

6. The FSM's records are void of a Silver Star, nor did the applicant provide a copy of the orders.

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 and standard review based on law, policy and regulation. Th evidence of record shows the SM was awarded the Bronze Star Medal for his meritorious achievement in military operations against the enemy in Normandy, France on 14 June 1944. The Board further determined the service record was void of evidence that shows the SM was awarded or recommended for award of the Silver Star.

2. Prior to closing the case, the Board did note the analyst of record administrative notes below, and recommended the correction be completed to more accurately depict the military service of the SM.

3. The applicant's request for a personal appearance hearing was carefully considered. In this case, the evidence of record was sufficient to render a fair and equitable decision. As a result, a personal appearance hearing is not necessary to serve the interest of equity and justice in this case

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

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

BOARD DETERMINATION/RECOMMENDATION:

1. In addition to the administrative notes annotated by the Analyst of Record, 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 WD AGO Form 53-55, for the period ending 1 December 1944, to show the Bronze Star Medal.
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 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.

ADMINISTRATIVE NOTE(S):

A review of the SM's records show he was awarded or authorized the following awards not reflected on his WD AGO Form 53-55 (Enlisted Record and Report of Separation – Honorable Discharge). As a result, amend his WD AGO Form 53-55 to show the American 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) states:

a. 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.

b. 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.

c. The Silver Star is awarded 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.

3. Army Regulation 635-5 (Separation Documents) prescribed the separation documents that would be furnished each individual who was separated from the Army including Active-Duty Training personnel and established standardized procedures for the preparation and distribution of these documents. All available records would be used as a basis for the preparation of the DD Form 214, including DA Form 20, DA

Form 66, and orders. In item 31 enter all decorations, service medals, campaign credits, and badges awarded or authorized, omitting authorities cited therein.

4. Army Regulation 15-185 (Army Board for Correction of Military Records) prescribes the policies and procedures for correction of military records by the Secretary of the Army acting through the ABCMR. The ABCMR begins its consideration of each case with the presumption of administrative regularity. The applicant has the burden of proving an error or injustice by a preponderance of the evidence.

//NOTHING FOLLOWS//