

RECORD OF PROCEEDINGS
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NUMBER: BC-2011-01526

XXXXXXX
(DECEASED)
XXXXXXX
(APPLICANT)

COUNSEL: NONE

HEARING DESIRED: NO

APPLICANT REQUESTS THAT:

Her late, great-uncle's records be corrected to show that he was posthumously awarded two Bronze Star Medals (BSMs), and was entitled to the Combat Infantryman Badge (CIB) and three Presidential Unit Citations (PUCs), formerly known as Distinguished Unit Citations (DUCs).

APPLICANT CONTENDS THAT:

Her great-uncle is entitled to the requested awards and decorations because he was assigned to the 724th Ordnance Company, 24th Pursuit Group, Far East Air Force, while assigned to the Philippines and participated in the Battle of the Points.

Members of the 24th Pursuit Group, such as her great-uncle, were absorbed into the First Provisional Infantry Regiment on 8 December 1941 and fighting alongside the Philippine Constabulary during the Battle of the Points on the Bataan Peninsula. In view of this, he meet the qualifications for the CIB and the BSM, as regulations in effect at that time did not require a member to possess the military occupation specialty of an infantryman or be assigned to an infantry unit. Further, by virtue of being awarded the CIB, he is entitled to an oak leaf cluster to the BSM. During the period in question, the 24th Pursuit Group was awarded three DUCs.

In support of the appeal, the applicant submits copies of her great-uncle's electronic enlistment record maintained by the National Archives Records Agency, Separation Document, an extract from the governing Army Regulation, an Information Paper indicating that members of the 21th and 34th Pursuit Squadrons were awarded the CIB and BSM (based on award of CIB), and his death certificate.

The applicant's complete submission, with attachments, is at Exhibit A.

STATEMENT OF FACTS:

The former member's records were destroyed by fire in 1973, at the National Personnel Records Center. Therefore, the following information has been extracted from the documentation provided by the applicant and the reconstructed military record.

The former member was a member of the Army Air Corps, who served on active duty from 8 July 1941 through 28 December 1945 and participated in the Southern Philippines and Luzon campaigns in the Asiatic-Pacific Theatre from 23 October 1941 through 2 September 1945, while assigned to the 734th Ordnance Company (Aviation), 24th Pursuit Group.

The term Battle of the Points collectively refers to the following engagements on the southern peninsula of Bataan Island, the Philippines. Specifically, the Lapay-Longoskawayan points from 23 to 29 January 1942; the Quinawan-Aglaloma points from 22 January to 8 February 1942; and at the Silalim-Anyasan points from 27 January to 13 February 1942. During these engagements Japanese forces were contained on their beachheads by members of Philippine Constabulary units and personnel from several Army Air Corps pursuit squadrons, fighting as infantry.

The former member was captured by the Japanese Imperial Army on 7 May 1942, following the fall of Corregidor, subjected to the Bataan Death March, and interned as a Prisoner-of-War (POW) until his release on 11 September 1945.

The Combat Infantryman Badge (CIB) was established by the War Department on 27 October 1943 and was retroactively awarded by the Army to those who participated in active ground combat while assigned as a member of an infantry or Special Force unit, brigade of smaller size, during any periods subsequent to 6 December 1941. Subsequent awards of the CIB are not authorized for the same qualifying period. War Department Circular 105, dated 13 March 1944, amended the CIB requirements by authorizing retroactive award of Expert and Combat Infantryman Badges to any infantryman who, on or after 6 December 1941, had established eligibility and been recommended for such award.

The Bronze Star Medal (BSM) is awarded for heroic or meritorious achievement or service, on or after 7 December 1941, not involving participation in aerial flight, in connection with military operations against an armed enemy. In accordance with Change one, dated 9 March 1944, to Army Regulation 600-45, dated 22 September 1943, the required achievement or service to

qualify for award of the BSM was less than that required for award of the Silver Star or the Legion of Merit, but must have been distinctive. In addition, the BSM could be awarded to recognize minor acts of heroism in actual combat or single acts of merit, or meritorious service either in sustained operational activities against an enemy or in direct support of such operations.

In accordance with Change 13, dated 4 November 1947, to Army Regulation 600-45, individuals who had been awarded a CIB or a certificate of exemplary conduct in ground combat against an armed enemy between 7 December 1941 and 3 September 1945, could make application for award of the BSM.

IAW paragraph 3-14(d)(3) of Army Regulation 600-8-22, *Military Awards*, dated 15 September 2011, upon application, award of the BSM may be made to eligible soldiers who participated in the Philippine Islands Campaign between 7 December 1941 to 10 May 1942. Performance of duty must have been on the island of Luzon or the Harbor Defenses in Corregidor and Bataan. Only soldiers who were awarded the DUC (PUC) may be awarded this decoration.

According to Air Force Pamphlet 900-2, dated 15 June 1971, the former member's group of assignment, i.e., 24th Pursuit Group, is entitled to three DUCs for the periods 7 December 1941 to 10 May 1942, 8 to 22 December 1941, and 6 January 1942 to 8 March 1942.

By letter, dated 31 May 2011, the Superintendent of Air Force Recognition Programs, AFPC/DPSIDR, notified the applicant they were able to verify the entitlement to the POW medal, but not entitlement to the Presidential Unit Citation (successor to DUC), the BSM or the CIB (Exhibit C).

Although AFPC/DPSIDR advised the applicant to request the CIB through the Army BCMR (ABCMR), who may also be able to determine entitlement to the CIB and BSMs, the ABCMR has indicated they do not object to the AFBCMR awarding the requested awards and decorations, should it be determined the established criteria are met.

THE BOARD CONCLUDES THAT:

1. The applicant has exhausted all remedies provided by existing law or regulations.
2. The application was not timely filed; however, it is in the interest of justice to excuse the failure to timely file.
3. Insufficient relevant evidence has been presented to demonstrate the existence of an error or an injustice. After thoroughly reviewing the evidence provided by the applicant, the documentation contained in the reconstructed military master

personnel record and noting the criteria for the Combat Infantryman Badge (CIB) and the Bronze Star Medal (BSM), we are not persuaded the applicant has met her burden of establishing the existence of an error or injustice in this regard. Although the applicant contends that her great-uncle should receive the CIB and BSMs since members of his group of assignment, i.e., the 24th Pursuit Group, were absorbed into the First Provisional Infantry Regiment and were recognized for their actions in combat with the CIB and BSM, we find no evidence to indicate that he actually participated in active ground combat. While it is uncontested that some members of the 24th Pursuit Group fought alongside the Philippine Constabulary during the Battle of the Points on the Bataan Peninsula, the evidence before us is insufficient to determine that he was one of these individuals. The Information Paper indicating that members of the 21st and 34th Pursuit Squadrons were awarded the CIB and BSM (based on award of CIB) is duly noted; however, the record does not support that the applicant's great-uncle was assigned to either of these squadrons. With respect to the requests for PUCs, formerly known as the DUCs, according to Air Force Pamphlet 900-2, dated 15 June 1971, the unit of assignment, i.e., 724th Ordnance Company, of the applicant's great-uncle was not awarded any DUCs. Although his group of assignment, i.e., 24th Pursuit Group, received three DUCs, they are not bestowed to subordinate units, unless they are specifically identified. Therefore, in view of the above and in the absence of documentary evidence to indicate the applicant's great-uncle participated in combat, we find no basis to recommend granting her request for the CIB and BSMs.

THE BOARD DETERMINES THAT:

The applicant be notified that the evidence presented did not demonstrate the existence of material error or injustice; that the application was denied without a personal appearance; and that the application will only be reconsidered upon the submission of newly discovered relevant evidence not considered with this application.

The following members of the Board considered AFBCMR Docket Number BC-2011-01526 in Executive Session on 13 July 2012, under the provisions of AFI 36-2603:

XXXXX, Panel Chair
XXXXX, III, Member
XXXXX, Member

The following documentary evidence was considered in AFBCMR Docket BC-2011-01526:

Exhibit A. DD Form 149, dated 23 Apr 11, w/atchs.
Exhibit B. Reconstructed Master Personnel Records.

Panel Chair