



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

BJG
Docket No: 2735-99
22 July 1999

[REDACTED]

Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

You requested replacement of awards previously issued to you, but lost. The attached advisory opinion furnished by Headquarters Marine Corps, dated 10 June 1999, informs you that you may purchase replacements from the firms listed in the enclosure to the opinion. You further requested that you be awarded the Purple Heart Medal and the Bronze Star Medal.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 21 July 1999. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies. In addition, the Board considered the advisory opinion and your rebuttal letter dated 10 July 1999.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish probable material error or injustice. In this connection, they substantially concurred with the advisory opinion. They noted your courageous actions, despite the risk to your own personal safety, but they were unable to find you rated the Purple Heart or the Bronze Star. In view of the above, your application has been denied. The names and votes of the members of the panel will be furnished on request.

You may wish to consider applying to the Board of Decorations and Medals (Washington Navy Yard, Building 36, 8th and M Streets SE, Washington, DC 20003) for the Navy and Marine Corps Achievement Medal or the Navy and Marine Corps Commendation Medal on the basis of the same evidence you submitted in support of your application to this Board.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director

Enclosure



DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
3280 RUSSELL ROAD
QUANTICO, VIRGINIA 22134-5103

IN REPLY REFER TO:

1650
MMMA-3

10 JUN 1999

MEMORANDUM FOR THE EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF
NAVAL RECORDS (BCNR)

Subj: BCNR APPLICATION IN THE CASE OF ██████████
██████████ REQUEST FOR ADVISORY OPINION

Encl: (1) Military Memorabilia Firms

1. ██████████ is entitled to the following awards for his service
in the U.S. Marine Corps:

Combat Action Ribbon for service in Vietnam

Presidential Unit Citation awarded to 1st Marine Division
for service in Vietnam for the period September 15, 1967,
to October 31, 1968

Meritorious Unit Commendation with one bronze star awarded
to:

2d Battalion, 5th Marines for the period May 9 to 11,
1969

5th Marines for the period July 23 to October 23, 1968

National Defense Service Medal

Vietnam Service Medal with four bronze stars

Republic of Vietnam Meritorious Unit Citation
(Gallantry Cross Color with palm)

Republic of Vietnam Meritorious Unit Citation
(Civil Actions Color, 1st Class with palm)

Republic of Vietnam Campaign Medal

Rifle Marksman Badge

Pistol Sharpshooter Badge

2. ██████████ records indicate that the awards to which he is
entitled were previously issued to him by the National Personnel
Records Center, St. Louis, Missouri, on June 24, 1993. Since
awards are authorized for reissue only once, any further replace-

ment of awards may be purchased from the firms listed on the enclosure.

3. With the exception of the Combat Action Ribbon, our review of his records, those of this Headquarters, the Navy Department Board of Decorations and Medals, and Fleet Marine Force Pacific failed to reveal any evidence that he was ever recommended for another personal decoration.

4. As required by regulations, in order for him to be considered for the award of a personal decoration, including the Bronze Star Medal, his commanding officer or another officer having personal knowledge of his actions must have submitted a recommendation for the award. Since there is no evidence in his case that a recommendation was ever submitted, no further action can be taken.

5. However, Subtitle C, Section 526 of the National Defense Authorization Act for Fiscal year 1996, which was enacted into law on February 10, 1996, provides procedures for consideration of award recommendations which were not submitted in a timely fashion. Should he be able to locate his former commanding officer or another officer who has personal knowledge of his actions, that officer may submit a personal recommendation in his behalf to the Commandant of the Marine Corps for consideration.

6. This Headquarters does not maintain a listing of former Marines and their addresses. However, he may obtain a listing of the officers and enlisted Marines who were assigned to his former unit by requesting copies of the unit rosters for the period in question from the following address:

Headquarters, U.S. Marine Corps
Personnel Management Support Branch (MMSB)
2008 Elliot Road
Quantico, VA 22134-5030

7. Should he be able to locate his former commanding officer, or another who has personal knowledge of his actions, he may request assistance in locating him from the below listed organization:

Leatherneck Magazine
Box 1977
Quantico, VA 22134
Telephone: 1-800-336-0291
E-Mail: leatherneck@illuminet.net

Vietnam Veterans of America, Inc.
Veterans Locator
1224 M Street, Northwest
Washington, DC 20005-5183
Telephone: (202) 628-5183
Fax: (202) 628-5880
E-Mail: www.vva.org

8. During the period he served in the Marine Corps, the Purple Heart was authorized for award to those who were wounded or injured as a direct result of action by an enemy of the United States or an opposing armed force of a foreign country in which the Armed Forces of the United States was engaged.

9. A review of his service and medical records, and the records at this Headquarters fails to reveal any documentation to substantiate his entitlement to the Purple Heart award. His records show he received a laceration on his left forearm with cellulitis. There is no information regarding the circumstances involved with this injury.

10. Since there is no indication in his records that he was injured under conditions which would qualify him for the Purple Heart award, regulations require that he obtain eyewitness statements. The eyewitness statements can be from one of the medical personnel who treated him or two other personnel who were present at the time he was injured. Statements should contain the time, place, medical attention received, and verification that the injury was a direct result of enemy action.

11. If he can provide the above information, further consideration will be given to his request.

[Redacted signature]

[Redacted text]
Personnel Management Division
By direction of
the Commandant of the Marine Corps

MILITARY MEMORABILIA FIRMS

Five Star Medals

7718 Gromwell Court
Springfield, VA 22152
Telephone (703) 644-4864

National Capital Historical Sales, Inc

P.O. Box 605
Springfield, VA 22150-5256
Telephone (703) 569-6663

Quartermaster

P.O. Box 829
Long Beach, CA 90801
Telephone (310) 436-6245

Medals of America

1929 Fairview Road
Fountain Inn, SC 29644
Telephone (803) 862-6425

Overlord Military Collectibles

3008 Woodson Road
St. Louis, MO 63114
Telephone (314) 423-6644