



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

CRS  
Docket No: 1001-02  
3 September 2002

[REDACTED]

[REDACTED]

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

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 28 August 2002. 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 prior letter to you from the Awards Branch, Headquarters Marine Corps dated 5 October 2001, a copy of which is attached.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. In this connection, the Board substantially concurred with the comments contained in the letter. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

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  
5Oct01

[REDACTED]

Dear [REDACTED]

This responds to your inquiry, concerning certain awards for your service in the U.S. Marine Corps.

Upon review of your service records and the information provided, it has been determined that you are entitled to the Combat Action Ribbon for your service in World War II. The award, which is represented by a ribbon bar only, is provided as the enclosure.

During the period you 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.

Regrettably, a review of your service and medical records, and the records at this Headquarters fails to reveal any documentation to substantiate your entitlement to the Purple Heart award. The records show that you were treated for Heat Exhaustion and Combat Fatigue, these are considered non-hostile and would not qualify for the award of the Purple Heart. Newspaper articles are not acceptable as official documentation, they were not present to witness any injury. Therefore, you are not entitled to the a Purple Heart award.

While it is understandable that anyone who is injured or dies during combat operations would appear to be entitled to the Purple Heart Medal, there must be a direct cause and effect relationship to establish eligibility. This, the injury or wounds must have been caused by enemy action. The decoration is not awarded for cases of Heat Exhaustion, trenchfoot, pneumonia, malaria, or post traumatic stress disorder (Combat Fatigue).

Our review of your records, and those of this Headquarters, the Navy Department Board of Decorations and Medals, and Fleet Marine Force Pacific also failed to reveal any evidence that you were ever recommended for a Bronze Star Medal.

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

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 for the consideration of award recommendations, which were not submitted in a timely fashion. Should you be able to locate your former commanding officer or another officer who has personal, first hand, knowledge of your actions, that officer may submit a personal award recommendation in your behalf to the Commandant of the Marine Corps for consideration.

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


Director  
History and Museum Division  
901 M Street, SE.  
Washington Navy Yard, Building 58  
Washington, DC 20374-0580

Should you be able to obtain the name of your former commanding officer, or another officer who you think may have personal knowledge of your action, you may request assistance in locating him from the below listed organization:

Mail Call Editor  
Leatherneck Magazine  
P.O. Box 1977  
Quantico, VA 22134  
Telephone: 1-800-336-0291  
E-Mail: leatherneck@mca-marines.org

I regret that a more favorable reply regarding a Purple Heart and Bronze Star Medal's are not possible and I realize that the decision is not what you expected. In no way does it diminish your contributions to this Country and Corps. A copy of this letter has also been filed in your official military records.

Sincerely,

  
Head, Military Awards Branch  
Personnel Management Division  
by direction of the  
Commandant of the Marine Corps

Enclosure: 1. Combat Action Ribbon