



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

CRS  
Docket No: 3975-01  
14 February 2002



Dear [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 13 February 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.

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.

The Board found that you reenlisted in the Marine Corps on 3 August 1964 after four years of prior active service. The record reflects that you served in Vietnam from 24 November 1965 to 12 March 1966 and from 25 August 1969 to 19 March 1970. Subsequently, you were honorably discharged by reason of expiration of term of service on 19 May 1970.

Your commanding officer (CO) specifically declined to recommend you for a personal decoration for your second period of Vietnam service. However, in 1999, he recommended that you receive the Bronze Star Medal with Combat "V". Subsequently, a board of retired generals with combat experience reviewed the former CO's recommendation, but concluded that neither the Bronze Star Medal nor any other personal decoration should be awarded. The Commandant of the Marine Corps (CMC) concurred with the board of generals and denied the recommendation of your former CO.

After careful and conscientious consideration of the entire record, the Board found no evidence that would warrant

overturning the action of CMC. In this regard, the Board substantially concurred with the comments set forth in the letters of 17 January, 26 March and 2 May 2001 from the Head of the Military Awards Branch, Headquarters Marine Corps, copies of which are attached. 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

Enclosures



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

IN REPLY REFER TO:

1650  
MMMA-4

02 MAY 2001

[REDACTED]  
Dear [REDACTED]

This is in response to an inquiry in your behalf from [REDACTED] regarding an award for your service while a member of the U.S. Marine Corps during the Vietnam Conflict.

As we indicated to you in our letter of January 17, 2001, the personal award recommendation, which was submitted in your behalf by your former commanding officer, [REDACTED], was referred to the Headquarters Marine Corps Special Awards for consideration. The Board was comprised of three retired general officers in the grades of Lieutenant General and Major General, all of whom had combat experience during the Vietnam Conflict. After considering the award recommendation, the Board made a unanimous recommendation to the Commandant of the Marine Corps that he approve "no award" in your case. Subsequently, the Commandant determined, after reviewing the personal award recommendation and the Board's recommendation, that your service, while most commendable, did not meet the criteria for the award of the Bronze Star Medal with Combat "V" or any other personal decoration.

Consequently, no further action can be taken. However, should you choose to further pursue this issue, it is recommended that you submit a petition to the Board For Correction of Naval Records. The enclosure is provided for your convenience.

Sincerely,

[REDACTED]  
Head, Military Awards Branch  
Personnel Management Division  
By direction of the  
Commandant of the Marine Corps

Enclosure: 1. Application For Correction of Military Record Under the Provisions of Title 10, U.S. Code, Section 1552 (DD Form 149)



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

IN REPLY REFER TO:  
1650  
MMMA-4

26 MAR 2001

[REDACTED]

Dear [REDACTED]

This is in response to your letter of February 23, 2001, to the Secretary of Defense, which was referred to this Headquarters for reply regarding an award for your service while a member of the U.S. Marine Corps during the Vietnam Conflict. I am responding on behalf of the Secretary of Defense.

As we indicated to you in our letter of January 17, 2001, in reply to your petition to [REDACTED], a copy of which you included with your correspondence, once an award has been considered, and reviewed by boards and the awarding authority, the decision becomes final.

After reviewing the information from then [REDACTED], U.S. Marine Corps and then Captain [REDACTED] III, U.S. Marine Corps, that you included with your latest correspondence, we found no additional or pertinent information which would warrant reconsideration of the personal award recommendation that was submitted by [REDACTED].

Consequently, until such as [REDACTED] or another officer, who has personal, first hand, knowledge of your actions, submits new and relevant information, which was not already been considered, no further action can be taken.

Sincerely,

[REDACTED]

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



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

IN REPLY REFER TO:

1650

MMMA-4

17 JAN 1991

[REDACTED]

Dear [REDACTED]

This is in reply to an inquiry in your behalf from Congressman [REDACTED] regarding an award for your service while a member of the U.S. Marine Corps during the Vietnam Conflict.

The personal award recommendation that was submitted in your behalf by your former commanding officer, [REDACTED], was referred to the Headquarters Marine Corps Special Awards Board, which was comprised of three retired general officers, for consideration. After that Board had considered the award recommendation, it was forwarded to the Commandant of Marine Corps for final decision. The Commandant determined that your service while most commendable, did not meet the prescribed criteria to merit the awarding of the Bronze Star Medal with Combat "V" or any other personal decoration, including the Navy Commendation Medal or Navy Achievement Medal.

Once an award has been considered, and reviewed by boards and the awarding authority, the decision becomes final. Subsequent reviews, including those as provided for by Subtitle C, Section 526 of the National Defense Authorization Act for Fiscal Year 1996, are warranted only when the officer who originated the recommendation or another officer who has personal first hand knowledge of the Marine's actions, submits new and relevant information, which was not available at the time the original award recommendation was considered. In your case there is no basis to warrant reconsideration.

It is a function of the delegated authority awards boards to adjudicate the degree of heroism or meritorious service in each instance and their recommendation for approval of a specific award is based upon the service described in the recommendation.

1650  
MMMA-4

17 JAN 2001

Many recommendations for various decorations when studied are found to warrant a higher or lower award than recommended. From comparison of recommendations, the final awarding authority is in a position to determine the degree of heroism or meritorious service performed in each instance.

Sincerely,

A large, dark, irregularly shaped redaction mark covering the signature area.

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