



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

HD:hd  
Docket No. 09061-09  
12 December 2009

From: Chairman, Board for Correction of Naval Records  
To: Secretary of the Navy

Subj: SN [REDACTED] USN, [REDACTED]  
REVIEW OF NAVAL RECORD

Ref: (a) 10 U.S.C. 1552

Encl: (1) DD Form 149 dtd 24 Feb 09 w/attachments  
(2) Bd of Decorations & Medals ltr dtd 23 Oct 09  
w/encls (2) and (8)  
(3) Subject's naval record

1. Pursuant to the provisions of reference (a), Subject's nephew, hereinafter referred to as Petitioner, filed enclosure (1) with this Board, requesting, in effect, that the applicable naval record be corrected to show Subject has been awarded the Purple Heart and Prisoner of War Medal.

2. The Board, consisting of Messrs. Garst, Leeman and Mann, reviewed Petitioner's allegations of error and injustice on 10 December 2009, and pursuant to its regulations, determined that the corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, naval records, and applicable statutes, regulations and policies.

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, finds as follows:

a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.

b. In correspondence attached as enclosure (2), the Board of Decorations and Medals commented to the effect Petitioner's record should reflect he was awarded not only the Purple Heart and Prisoner of War Medal, but also the World War II Victory

Medal, American Campaign Medal, Combat Action Ribbon and Philippine Liberation Ribbon.

CONCLUSION:

Upon review and consideration of all the evidence of record, and especially in light of the contents of enclosure (2), the Board finds the existence of an error and injustice warranting the following corrective action.

RECOMMENDATION:

a. That Subject's naval record be corrected, where appropriate, to show he was awarded the following:

- (1) Purple Heart
- (2) Prisoner of War Medal
- (3) World War II Victory Medal
- (4) American Campaign Medal
- (5) Combat Action Ribbon
- (6) Philippine Liberation Ribbon

The Board's staff will send Petitioner the decorations and medal to which he is entitled, except the Philippine Liberation Ribbon (guidelines for purchasing this ribbon are in enclosure (8) to the advisory opinion at enclosure (2)).

b. That any material or entries inconsistent with the Board's recommendation be corrected, removed or completely expunged from Petitioner's record and that no such entries or material be added to the record in the future.

c. That a copy of this Report of Proceedings be filed at an appropriate location in Petitioner's naval record, and that another copy of this report be returned to this Board, together with any material directed to be removed from Petitioner's record, for retention in a confidential file maintained for such purpose.

4. Pursuant to Section 6(c) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(c)) it is certified that a quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above entitled matter.

ROBERT D. ZSALMAN  
Recorder

  
JONATHAN S. RUSKIN  
Acting Recorder

5. Pursuant to the delegation of authority set out in Section 6(e) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(e)) and having assured compliance with its provisions, it is hereby announced that the foregoing corrective action, taken under the authority of reference (a), has been approved by the Board on behalf of the Secretary of the Navy.

  
W. DEAN PEFFER  
Executive Director