



**DEPARTMENT OF THE NAVY**  
BOARD FOR CORRECTION OF NAVAL RECORDS  
701 S. COURTHOUSE ROAD, SUITE 1001  
ARLINGTON, VA 22204-2490

█  
Docket No: 5016-21  
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD ICO FORMER MBR █, █  
█ USMC

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

Encl: (1) DD Form 149

1. Pursuant to the provisions of reference (a), Subject, hereinafter referred to as Petitioner, filed enclosure (1) with the Board for Correction of Naval Records (Board), requesting that his naval record be corrected to change his Certificate of Release or Discharge from Active Duty (DD Form 214) to reflect he suffered a combat related wound, Purple Heart, and other award he earned while on active duty. In addition, he requests that his Physical Evaluation Board disability percentage be added to his DD Form 214 along with his discharge date from the Temporary Disability Retirement List (TDRL).

2. The Board, consisting of █, █, █, █, and █ reviewed Petitioner's allegations of error and injustice on 21 October 2021, 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, relevant portions of the 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. Petitioner entered active duty with the Marine Corps in June 1966 and eventually deployed to Vietnam in support of combat operations. On 31 January 1966, Petitioner was wounded by a gunshot to his right wrist and eventually deemed unfit for continued naval service by the PEB. After being assigned a 40% rating for his wrist condition, Petitioner was released from active duty on 8 July 1968 and transferred to the TDRL. His DD Form 214 issued upon his release from active duty only lists his National Defense Service Medal, Vietnam Service Medal with 1 star, and Vietnam Campaign Medal. On 3 April 1970, Commandant of the Marine Corps (CMC) determined Petitioner is entitled to the Purple Heart, Combat Action Ribbon, Presidential Unit Citation, Meritorious Unit Citation, and a second Bronze star with his Vietnam Service Medal. Petitioner was subsequently discharged from the Marine Corps on 31 December 1970 after his disability rating was reduced to 10% based on a periodic TDRL examination and PEB review.

[REDACTED]

## CONCLUSION

Upon review and consideration of all the evidence of record, the Board finds the existence of an injustice warranting partial relief. Specifically, the Board determined Petitioner's DD Form 214 erroneously omits several of his earned awards and he should be issued a DD Form 215 (correction to DD Form 214) that corrects this error. In making this finding, the Board relied upon the CMC letter of 3 April 1970 that documents the awards earned by Petitioner during his period of active duty.

Despite the Board's decision to grant the partial relief described above, the Board determined Petitioner's other requested changes were not supported by the preponderance of the evidence. The Board concluded that applicable regulations pertaining to DD Form 214s do not require documentation of PEB assigned disability percentages, combat wounds, or periods of time served on the TDRL. Accordingly, other than the missing awards, the Board concluded Petitioner's DD Form 214 is accurate and required no additional changes.

## RECOMMENDATION

In view of the above, the Board directs the following corrective action.

Petitioner's naval record be corrected by issuing him a DD Form 215 that reflects the following awards: National Defense Service Medal, Vietnam Service Medal with 2 stars, Vietnam Campaign Medal, Purple Heart, Combat Action Ribbon, Presidential Unit Citation, and Meritorious Unit Citation. No other change is required.

4. 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.

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 Regulation, 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.

10/24/2021

[REDACTED]

Deputy Director

[REDACTED]