



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

[REDACTED]
Docket No: 7537-17

APR 09 2019

[REDACTED]
Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to Title 10, United States Code, Section 1552. After careful and conscientious consideration of the entire record, the Board found the evidence submitted was insufficient to establish the existence of probable material error or injustice. Consequently, your application has been denied.

Although your application was not filed in a timely manner, the Board found it in the interest of justice to waive the statute of limitations and consider your application on its merits. A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 28 January 2019. The names and votes of the members of the panel will be furnished upon request. 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, relevant portions of your naval record, an advisory opinion (AO) provided by Navy Personnel Command (NPC) dated 18 December 2018 and applicable statutes, regulations and policies. The NPC AO stated that you are not entitled to the Purple Heart Award.

You enlisted in the Navy and began a period of service on 8 March 1944. You subsequently commenced another period of service on 23 October 1945. On 23 October 1947, you were discharged with an honorable characterization of service. Your Notice of Separation from US Naval Service (NAVPERS-553) indicates you were awarded the following: American Area, Victory Medal World War II, and Asiatic Pacific.

The Board, in its review of your entire record and application, carefully weighed all factors, such as your desire to be awarded the Purple Heart award, and your contention that you suffered hearing loss while engaged with hostile forces in Okinawa on 1 April 1945. The Board noted your honorable and faithful service in the Navy, unfortunately, upon review of the evidence provided, the Board concurred with the NPC AO. The Board concluded there was not sufficient evidence to grant your request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken at this time. You are entitled to have the Board reconsider its decision upon the submission of new and material evidence. New evidence is evidence 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,



Executive Director