



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
701 S. COURTHOUSE RD
ARLINGTON, VA 22204

Docket No. 6400-25
Ref: Signature Date

Dear Petitioner:

This is in reference to your application for correction of your late grandfather's¹ naval record pursuant to Section 1552 of Title 10, United States Code. After careful and conscientious consideration of relevant portions of his naval record and your application, the Board for Correction of Naval Records (Board) found the evidence submitted 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 case on its merits. A three-member panel of the Board, sitting in executive session, considered your application on 6 March 2026. The names and votes of the panel members 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 grandfather's naval record, and applicable statutes, regulations, and policies. Additionally, the Board also considered an advisory opinion (AO) furnished by the Secretary of the Navy Council of Review Boards, Navy Department Board of Decorations and Medals (CORB) and your AO rebuttal submission.

The following is the relevant factual background of your case based upon review of your grandfather's naval record and/or the matters provided with your application:

1. On or about 17 November 1943, your grandfather accepted his appointment as a Second Lieutenant in the United States Marine Corps Reserve and took his oath of office.

2. During World War II, your grandfather was serving as a Platoon Leader of a rifle platoon with [REDACTED] Battalion, [REDACTED] Marines, [REDACTED] Marine Division during combat action on Japanese-held Okinawa. Following an intense engagement with enemy Japanese forces on 9 May 1945, your grandfather was awarded the Bronze Star Medal with Combat "V" (BSM) for his actions and heroic achievement during the battle. He also received a Purple Heart Medal for wounds suffered that day.

3. On 25 March 1946, your grandfather was released from active duty. On 3 May 1949, he was honorably discharged from the Marine Corps Reserve after his resignation request was approved.

After careful review, the Board reached the following conclusions and denied your application for relief.

Within the Department of the Navy, the Navy Cross (NX) is awarded to any person who, while serving in any capacity with the United States Navy², distinguishes himself by extraordinary heroism in operations against the enemy. To justify this award, the act performed must render the individual conspicuous among his comrades, bearing in mind the standards normally expected. An accumulation of minor acts of heroism does not justify the award.

The Silver Star Medal is awarded to any person who distinguishes himself conspicuously by gallantry and intrepidity in action, although not to the degree required for the MOH or NX. While extraordinary heroism is not required, the act performed must render the individual conspicuous and well above the standard expected. An accumulation of minor acts of heroism does not justify the award.

The BSM is awarded to any person who distinguishes himself by heroic or meritorious achievement or service in connection with operations against the enemy, not involving participation in aerial flight. To justify this award, accomplishment or performance of duty above that normally expected, and sufficient to distinguish the individual among those performing comparable duties, is required, although less than the requirements for the SSM or the Legion of Merit. Minor acts of heroism in actual combat, single acts of merit or meritorious service in, or in support of, sustained operations against the enemy may justify this award.

You contend that your grandfather should receive an upgrade of his BSM for his heroic actions on 9 May 1945 and during approximately thirty-two consecutive days of combat. You further contend that the original BSM citation underrepresents the full scope of his actions that day, and in the following days and weeks. You further contend that newly reviewed records and historical sources corroborate a level of valor and sustained combat leadership consistent with a higher award.

² For awards purposes, the terms "naval service" and "service in the United States Navy," include service in the United States Marine Corps.

As part of the Board review process, the CORB reviewed your contentions and the available records and issued an AO dated 30 December 2025. After reviewing the available evidence and pertinent regulations and past practices, CORB determined your late grandfather was not entitled to an award upgrade and recommended that this Board deny relief. The CORB stated, in pertinent part:

[Personal Military Decorations] “are discretionary honors conferred upon individuals who have distinguished themselves by acts of valor or non-combat heroism, or by exceptionally meritorious achievement. PMDs are the most prestigious and selective military awards and should only be nominated and approved when the facts and circumstances clearly merit such special recognition...All awards for valor must be based on verifiable facts and supported by eyewitness testimony.”

-...neither personal letters and diaries, nor books, articles, and other commercially published works can form the factual basis for any PMD and therefore they will not be considered as part of any PMD nomination... Unofficial non-governmental sources, such as personal letters and diaries, and commercially published books, newspapers, and magazines, cannot form the factual basis of an award and will not be considered.

-The Petitioner’s claim for the [NX] is without merit.

-Official records indicate the Petitioner was nominated for the BSM by his chain of command and received the decoration for which nominated. There is no evidence of any “downgrade” of the nomination, and therefore there was no basis for the award to be reviewed by the postwar Board of Review of Decorations and Medals.

-We found no evidence of any previous request to review or upgrade this award.

-The analysis submitted by the Petitioner does not introduce any new evidence.

-The Petitioner’s disagreement as to facts, the relative importance of various facts, and/or satisfaction with the level of decoration approved are not valid bases under military regulations for reconsidering or overturning the discretionary award decision made by his Division Commander.

-...the Division Commander, Major General P.A. del Valle, was aware of what was happening with the Petitioner’s platoon on the date in question and was working to provide reinforcements. MajGen del Valle also awarded the Petitioner the BSM. Since he was personally involved in the operation, and personally aware of the tactical situation in which the Petitioner found himself, it must be presumed he had sufficient facts with which to make an informed decision about the level of award.

-In summary, the documents submitted by the Petitioner do not meet the DoW and DON evidentiary requirements for reconsideration of his previous award of the BSM for upgrade to the NX. The Petitioner failed to submit evidence to substantiate probable material error or injustice, or to overcome the presumption of regularity. Therefore, relief should be denied.

The AO concluded, “the Petitioner is not entitled to upgrade to the NX and (we) found no evidence of material error or injustice. Therefore, we recommend BCNR deny relief. Were BCNR to grant relief in this case, such action would be inconsistent with the standards applied to all other Service Members during WWII and down to the present.”

In response to the AO, you provided further evidence and argument in support of your application.

The Board, in its review of the entire record and petition, considered your contentions and your materials submitted. However, the Board unanimously determined, even after reviewing the evidence in the light most favorable to you, that your petition and its accompanying materials does not meet the qualifying criteria to receive consideration for either the NX or SSM. The Board concurred with the AO in that there was no new, substantive, and materially relevant evidence that was not available when the BSM was approved in 1945, and determined that there was no evidence of material error or impropriety in the processing of the original BSM nomination. Additionally, the Board determined that you also did not present evidence: (a) to overcome the presumption of regularity in government affairs, namely that the original records are accurate and actions by the chain of command were neither arbitrary nor capricious, or (b) any other evidence that substantiates any material error or injustice occurred.

This Board sincerely appreciates, respects, and commends your late grandfather for his selfless, courageous, honorable, and faithful service during World War II and his entire Marine Corps career. He was precisely the type of “uncommon valor was a common virtue” Marine as described in Admiral Nimitz’s infamous quote.

You are entitled to have the Board reconsider its decision upon submission of new matters, which will require you to complete and submit a new DD Form 149. New matters are those not previously presented to or 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.



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Sincerely,

