

113TH CONGRESS
1ST SESSION

H. CON. RES. 26

Recommending the posthumous award of the Medal of Honor to Sergeant
Rafael Peralta.

IN THE HOUSE OF REPRESENTATIVES

MARCH 19, 2013

Mr. HUNTER (for himself, Mr. BECERRA, Mr. VALADAO, Mr. TURNER, Mr. JONES, Mr. GRIMM, Mr. CÁRDENAS, Mr. VARGAS, Mr. PETERS of California, Mrs. NAPOLITANO, Mr. COOK, Mr. KINZINGER of Illinois, Mr. GALLEG0, Mr. GRIJALVA, Mr. MILLER of Florida, Mr. CALVERT, Mr. GUTHRIE, Mr. WILSON of South Carolina, Mr. DIAZ-BALART, Mr. MURPHY of Pennsylvania, Mr. LAMALFA, Mr. SOUTHERLAND, Mr. DENHAM, Mr. AMODEI, Mr. ISSA, Mrs. ROBY, Mr. RUNYAN, and Mrs. DAVIS of California) submitted the following concurrent resolution; which was referred to the Committee on Armed Services

CONCURRENT RESOLUTION

Recommending the posthumous award of the Medal of Honor
to Sergeant Rafael Peralta.

Whereas in November 2004, the Marine Corps led combat operations to retake the insurgent stronghold of Fallujah, Iraq, as part of Operation Phantom Fury;

Whereas Marine Corps Sergeant Rafael Peralta and thousands of other Marines entered the city of Fallujah, coming into immediate contact with the enemy and engaging in some of the most intense combat of the entire Iraq war;

Whereas Sergeant Peralta, serving with 1st Battalion, 3rd Marines, cleared scores of houses for days and on November 14, 2004, asked to join an under-strength squad;

Whereas the following morning, as Sergeant Peralta and his squad of Marines cleared their seventh house of the day, a close-quarter firefight erupted;

Whereas Sergeant Peralta, attempting to move out of the line of fire, was hit in the back of the head by a fragment from a ricocheted bullet;

Whereas the insurgents, in the process of fleeing the house, threw a fragmentation grenade through a window, landing directly near the head of Sergeant Peralta;

Whereas Sergeant Peralta reached for the grenade and pulled it into his body, absorbing the blast and shielding the other Marines who were only feet away;

Whereas Sergeant Peralta, on November 15, 2004, made the ultimate sacrifice to save the lives of his fellow Marines;

Whereas Sergeant Peralta was posthumously recommended by the Marine Corps and the Department of the Navy for the Medal of Honor;

Whereas seven eyewitnesses confirmed that Sergeant Peralta smothered the grenade with his body, with four of the accounts, taken independently, stating that he gathered the grenade with his right arm;

Whereas the historical standard for the Medal of Honor is two eyewitness accounts;

Whereas in 2008, Sergeant Peralta's Medal of Honor nomination was downgraded to the Navy Cross after an independent panel determined that Sergeant Peralta could not have deliberately pulled the grenade into his body due

to his head wound, despite seven eyewitness accounts stating that he did so;

Whereas in 2012, new and previously unconsidered evidence, consisting of combat video and an independent pathology report, was submitted to the Department of the Navy;

Whereas based on the new evidence, a review of the case was initiated;

Whereas in December 2012, despite an announcement of the Navy's support for upgrading Sergeant Peralta's Navy Cross to the Medal of Honor, the upgrade was declined;

Whereas the citation for Sergeant Peralta's Navy Cross states, "without hesitation and with complete disregard for his own personal safety, Sergeant Peralta reached out and pulled the grenade to his body, absorbing the brunt of the blast and shielding fellow Marines only feet away";

Whereas Sergeant Peralta wrote to his brother in the days preceding his death, saying, "I'm proud to be a Marine, a U.S. Marine, and to defend and protect the freedom and Constitution of America. You should be proud of being an American citizen.";

Whereas Sergeant Peralta, who was born in Mexico and immigrated with his family to San Diego, California, enlisted in the Marine Corps on the same morning he received his proof of permanent residence, commonly known as a green card; and

Whereas Sergeant Peralta and his fellow Marines are an inspiration for their service, selflessness, and sacrifice: Now, therefore, be it

1 *Resolved by the House of Representatives (the Senate*
2 *concurring), That Congress—*

1 (1) honors Sergeant Rafael Peralta, as a Mexi-
2 can-American who joined the Marine Corps on the
3 same day he received his permanent residence sta-
4 tus, for his dedication to the Marine Corps and the
5 United States and for upholding the highest stand-
6 ards of military service;

7 (2) recognizes that Sergeant Peralta's coura-
8 geous and selfless actions in combat saved the lives
9 of his fellow Marines;

10 (3) concurs with the Marine Corps and the De-
11 partment of the Navy that Sergeant Peralta's ac-
12 tions are in the spirit and tradition of the Medal of
13 Honor;

14 (4) maintains that, consistent with previous
15 Medal of Honor awards, the eyewitness accounts
16 confirm that Sergeant Peralta deliberately pulled the
17 grenade into his body and the eyewitness accounts
18 should be the leading and deciding factor in evalu-
19 ating Sergeant Peralta's Medal of Honor nomina-
20 tion; and

21 (5) recommends that Sergeant Peralta be post-
22 humously awarded the Medal of Honor.

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