



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

AEG:jdh
Docket No: 6956-98
24 June 1999

Dear [REDACTED]

A three-member panel of the Board, sitting in executive session, considered your application for correction of your late father's naval record and recommended that your application be denied, as set forth in the attached report dated 18 December 1998. The Assistant Secretary of the Navy for Manpower and Reserve Affairs conducted an independent review of the Board's proceedings and by her memorandum of 21 June 1999, approved the panel's recommended action. A copy of the Assistant Secretary's memorandum is also attached.

You are advised that reconsideration of the case will be granted only upon the presentation of new and material evidence not previously considered by the Board and then, only upon the recommendation of the Board and approval by the Assistant Secretary .

It is regretted that a more favorable reply cannot be made.

Sincerely,

W. DEAN PFEIFFER
Executive Director



DEPARTMENT OF THE NAVY
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2 NAVY ANNEX
WASHINGTON, D.C. 20370-5100

AEG
Docket No: 6956-98
18 December 1998

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

Subj: REVIEW OF NAVAL RECORD OF [REDACTED]

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

Encl: (1) DD Form 149 w/attchs. A-0
(2) NO9B33 Memorandum of 28Sep98 w/encls. 1-24
(3) Case Summary

1. Pursuant to the provisions of reference (a), Petitioner, the son of a deceased officer in the Navy, filed enclosure (1) with this Board requesting, in effect, that his father's naval record be corrected to show that he was entitled to wear the Combat Distinguishing Device (CDD) on his Navy Achievement Medal (NAM) and Navy Commendation Medal (NCM).

2. The Board, consisting of Messrs. Cali, Whitener and Neuschafer, reviewed Petitioner's allegations of error and injustice on 8 December 1998 and, pursuant to its regulations, determined that his application should be denied. 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. Enclosure (1) was filed in a timely manner.

c. Subject began his military career in 1956 by enlisting in the Navy. Subsequently, he attained the rank of petty officer first class. In 1962, he was commissioned an ensign and continued to serve in an excellent manner, advancing in due course to lieutenant.

d. In October 1964 Subject reported aboard USS JOHN R. CRAIG (DD-885), and was assigned as weapons officer. In March 1965 CRAIG began a deployment to the Western Pacific area. After arriving in Vietnamese waters, on 20 July 1965 the ship became

part of a newly formed naval gunfire support unit. The following statement is taken from CRAIG's written history:

The mission of this unit was to provide gunfire support for various U.S. military operations and to indoctrinate Republic of Viet Nam Military Forces in the employment of Naval Gunfire Support. During the next twenty days, CRAIG ranged up and down the Vietnamese coast carrying out this mission. During this period CRAIG fired over 3300 rounds of 5 inch illumination and high explosive projectiles at many targets with devastating results. Records were made and broken on almost a daily basis, not only in rounds expended but in rearming at sea as well.

In a detailed after-action report dated 16 August 1965 CRAIG's commanding officer (CO), Commander (CDR) J, pointed out that between 20 July and 10 August 1965 CRAIG conducted 20 bombardments and area or interdiction firings at Viet Cong troop concentrations, assembly areas or other targets. The ship also conducted a night illumination firing. The after-action report also stated that during the foregoing operations CRAIG did not experience damage, was not brought under enemy fire, and suffered no personnel casualties.

e. On 15 August 1965 CDR J recommended Subject for the NCM for meritorious service as weapons officer during combat operations in Southeast Asia from 10 April to 10 August 1965. On 28 August 1965 the Commander in Chief, U.S. Pacific Fleet approved a lesser award, the Secretary of the Navy (SECNAV) Commendation for Achievement. The citation accompanying this award reads, in part, as follows:

For meritorious service while serving as Weapons Officer in (CRAIG) while operating in combat missions supporting the Republic of Vietnam from 10 April to 10 August 1965 . . . CRAIG was assigned duties as commander of the Vietnam Naval Gunfire Support Unit from its inception until the ship's departure from the area. (Subject's) unparalleled knowledge of the tactical and operational aspects of the employment of Naval gunfire support contributed immeasurably to the successful introduction of the Army of the Republic of Vietnam to the offensive and destructive advantages of naval gunfire support. CRAIG's performance as a naval gunfire support ship, received highly enthusiastic commendations. (Subject's) meticulous training procedures, diligent organizational effort, exceptional leadership characteristics, and zealous devotion to duty, contributed immeasurably to the successful culmination of these assigned tasks and were in keeping with the highest traditions of the United States Naval Service.

The SECNAV Commendation for Achievement, a ribbon, was authorized

for service performed after 1 May 1961 which merited special recognition, but was not sufficiently meritorious to warrant the award of the NCM.

f. On 2 October 1965 CDR J was awarded the NCM with Combat "V" for meritorious achievement during the ship's combat operations in Southeast Asia. At this time, the Navy and Marine Corps Awards Manual, SECNAV Instruction (SECNAVINST) P1650.1C, authorized the CDD, a bronze letter "V," to be worn with the NCM and certain other medals if the particular award was "for acts or services involving direct participation in combat operations." This directive did not require that the citation accompanying the award specifically authorize the CDD in order for it to be worn. SECNAVINST P1650.1C did not authorize the CDD to be worn with the SECNAV Commendation for Achievement.

g. On 5 April 1967 SECNAV Notice (SECNAVNOTE) 1650 (SO-2) was issued to reflect the approved findings and recommendations of a committee, chaired by retired Admiral (ADM) George Anderson, concerning policies pertaining to personal decorations. Several of the approved recommendations of the Anderson Committee concerned additional awards, including the following:

The (SECNAV) Commendation for Achievement will be designated the (NAM) to take precedence after the (NCM). The criteria for the award of this medal will be expanded to provide increased recognition of combat and meritorious achievement. A (CDD) will be authorized.

h. SECNAVNOTE 1650 (SO-2) also stated that a directive would be issued to implement the approved recommendations of the Anderson Committee. Accordingly, SECNAVNOTE 1650 (SO-1) was issued on 17 July 1967 and stated, in part, as follows:

Redesignation of Award. The (SECNAV) Commendation for Achievement, . . . is hereby redesignated as the (NAM) with precedence immediately below the (NCM).

Eligibility Criteria. Awarded to enlisted and commissioned members of the Navy . . . of the grade of Lieutenant Commander . . . and junior thereto, for service performed on or after 1 May 1961 . . . The award shall be given for professional and/or leadership achievement in a combat or noncombat situation based on sustained performance or specific achievement of a superlative nature, and shall be of such merit as to warrant more tangible recognition than is possible by a fitness report . . . but which does not warrant a (NCM) or higher . . .

Medal and (CDD). A medal for this award has been struck and, when procured in quantities for distribution, instructions for initial distribution will be promulgated.

A bronze letter "V" is authorized if the citation is for acts or services involving direct participation in combat operations.

Informal coordination with the Awards and Special Projects Branch (09B33) of the Office of the Chief of Naval Operations (CNO) reveals that after issuance of this SECNAVNOTE, servicemembers who had received the SECNAV Commendation for Achievement were, upon request, issued the NAM.

i. In August 1967 the Chief of Naval Personnel (CNP) received several letters asking whether the Combat "V" was authorized to be worn with the NAM if the award was made for participation in combat operations prior to issuance of the 17 July 1967 SECNAV Note. In his September 1967 request for an eligibility determination from the Navy Board of Decorations and Medals (NBDM), CNP stated, in part, as follows:

The Combat "V" was first authorized by (SECNAV letter of 13 February 1946) to accompany the awards of the Legion of Merit and Bronze Star Medal . . . (A)warding commands were instructed to include such authority within the body of the citation of subject awards, but provision was also made for the device to be authorized retroactively.

Since it is considered that those recipients awarded the (NAM) for participating in campaign operations prior to 17 July 1967 would be unjustifiably penalized, it is strongly recommended that the (CDD) be authorized to be worn on retroactive awards of the (NAM), and that . . . (CO's) be instructed to make determination of eligibility of individual recipients on board their respective commands

. . .

However, on 15 November 1967 the Senior Member of NBDM rejected this recommendation and stated, in part, as follows:

. . . (Such individuals) are not authorized to wear the (CDD) on their Secretary of the Navy Commendation for Achievement Medals (subsequently redesignated as [NAM]).

At the time (the) awards were approved, the Secretary of the Navy Commendation for Achievement Medal was not authorized as a combat award . . .

j. One week later, on 22 November 1967, another SECNAVNOTE 1650 was promulgated which stated that issuance of a certificate signed by SECNAV constituted the "final action" for all awards. Not quite a year later, on 5 September 1968, SECNAV signed such a certificate which stated that Subject had been awarded the NAM for "meritorious service from 10 April to 10 August 1965." No new citation was issued with the NAM. The certificate was

forwarded to Petitioner by letter of 30 December 1968, informing him that the decoration itself had been awarded by delegated authority.

k. SECNAVINST 1650.1D of 17 December 1968 superseded SECNAVINST P1650.1C as the Navy and Marine Corps Awards Manual. The new instruction became effective upon receipt. It incorporated most of the provisions of SECNAVNOTE 1650 (SO-1) and, accordingly, the latter directive was cancelled. However, the regulation also stated that the CDD was authorized to be worn with the NAM only for service after 17 July 1967, the date SECNAVNOTE 1650 (SO-1) was issued.

l. Subject continued to serve in an outstanding manner and was promoted to lieutenant commander. In December 1971 he reported for duty aboard USS BROOKE (DEG 1) as executive officer (XO). In October 1972, the ship departed San Diego for a deployment to the Western Pacific as part of the Seventh Fleet. In November, BROOKE arrived in the Gulf of Tonkin and assumed duties as the Mutual Support Ship in the Positive Identification Radar Advisory Zone (PIRAZ). As such, the ship's duties included air and rescue surveillance, and readiness to assist in search and rescue missions during air strikes against North Vietnam. From 27 December 1972 BROOKE acted as "shot-gun" for the PIRAZ ships, USS TRUXTON (DLGN 35) and later USS JOUETT (DLG 29), supplying needed ordnance and greater mobility for search-and-rescue operations. The ship's history reads as follows concerning the first event of significance in the new year:

On Jan 6, 1973, an unknown contact was reported . . . to be steaming out of North Vietnamese waters. BROOKE was detached to investigate the contact and warn its master of the possible consequences of his present course. The vessel was the SS HUNG CHI 150 flying the Chinese Communist flag and estimated to be outbound from Haiphong, North Vietnam. BROOKE paralleled her course and speed, concurrently collecting intelligence data and flying international signals warning of minefields ahead on the chance she was involved in coastwise traffic and bound for another North Vietnamese port. Additionally, the signalmen attempted to convey the same message by flashing light, as did the radiomen via International Morse Code . . . Finally, BROOKE's . . . loud hailer was employed to pass the warning in spoken English. HUNG CHI 150 exhibited the normal response for such vessel--none at all! BROOKE continued her efforts while escorting HUNG CHI 150 southward. As HUNG CHI 150 again entered North Vietnamese waters, BROOKE turned away . . . This was the first of many such incidents. BROOKE was later commended for the excellence of her merchant ship reports.

During the next two weeks three similar incidents occurred, each

with the same result.

m. BROOKE's ship's history reports as follows concerning her search and rescue skills:

On 14 Jan BROOKE was directed . . . to move to a position approximately twelve miles off the coast of North Vietnam and assume control of two helicopters . . . These two units in conjunction with BROOKE were prepositioned as Search and Rescue assets in anticipation of a large air strike into the mainland. The strike went in and was closely monitored throughout BROOKE . . . Occasionally someone would come up on the circuit with warnings of surface to air missile (SAM) or anti-air artillery activity, but always their voices were cool and professional. Suddenly, one pilot reported that his aircraft was hit and he was heading to sea. His wingman said he could see a hole about one foot in diameter in the fuselage of the aircraft. With marginal control and rapidly losing altitude, the pilot of the damaged F4 Phantom skillfully navigated toward the waiting rescue forces. His report of "feet wet" was a welcome relief to all listening. BROOKE's CIC and Navigation teams quickly plotted the position of the damaged aircraft and the helicopters were vectored to the site. BROOKE came about and headed in also. The area was crowded with junks and there was some concern that the pilots might be in danger after ejecting. Their ejection and descent was uneventful, however, and both were recovered within one minute of entering the water. (The helicopters) immediately returned to JOUETT where the flyers were given a quick medical examination and pronounced in good condition . . .

n. Subject detached from BROOKE on 19 February 1973. On 8 April 1973 the CO of BROOKE recommended Subject for the award of the NCM, but clearly indicated that the CDD was not warranted. On 17 May 1973 the award recommendation was approved by the Commander, Seventh Fleet (COMSEVENTHFLT); the Combat "V" was specifically not authorized. The citation accompanying the NCM reads as follows:

For meritorious achievement as (XO) while attached to and serving in (BROOKE) from 15 December 1971 to 20 February 1973 including combat operations. (Subject) personally supervised all facets of the ship's operations and through peerless managerial competence and unsurpassed technical knowledge directed a program which resulted in a ship of unparalleled material condition and flawless technical proficiency, while maintaining the highest reenlistment rate for its type in the Pacific Fleet. During combat operations, he consistently displayed tireless energy, patience and professional knowledge in training, organizing

and directing the operations of (a) smoothly functioning, combat ready crew in a variety of demanding roles including protection of vital units and rescue of downed aviators. (Subject's) leadership, professionalism and devotion to duty reflected great credit upon himself and were in keeping with the highest traditions of the United States Naval Service.

Despite the references to "combat operations," the citation did not authorize the CDD.

o. SECNAVINST 1650.1D, which was still in effect when Subject received his NCM, tightened the eligibility criteria for the CDD. In this regard, the directive required not only that the particular award be for acts or services involving direct participation in combat operations, but also stated:

Eligibility for decorations and distinguishing devices awarded for combat shall be based upon acts or services by individuals who are exposed to personal hazard due to direct hostile action or the imminence of such action, and not solely upon the geographical area in which the acts or services are performed.

The directive also expressly stated that the CDD could be worn only if it was specifically authorized in the citation accompanying the award.

p. The issue of what constituted "imminence" of hostile action was addressed by several commands. In this regard, the Commander, U.S. Naval Forces, Vietnam stated the following in his letter of 15 May 1972:

. . . Except for those cases involving direct conflict with the enemy, eligibility for the (CDD) under the "imminence" policy should be determined on a case by case basis using more discriminate criteria than that of mere geographic proximity to hostile action. The word "imminent" will be interpreted to mean that the individual has served in a place and been employed in a duty during a particular time when this service exposed the individual to personal hazard from the direct threat of hostile action. The award of the Combat Action Ribbon or the Purple Heart will be considered prima facie justification for a recommendation of the (CDD) on an award for meritorious service that includes the period of time during which either of these two awards were earned. In all other cases, originators of award recommendations will include in the summary of action and proposed citation a statement setting forth the particulars justifying the award of the (CDD) on the basis of the individual's duties and the time, manner, and place they were performed, including sufficient detail to allow a

determination of the personal hazard to the individual from the direct threat of hostile action.

The CO of a destroyer, USS BIDDLE, queried COMSEVENTHFLT concerning the award of the CDD for certain individuals who were engaged in an incident involving enemy aircraft. On 13 April 1973, COMSEVENTHFLT replied:

(SECNAVINST 1650.1D) states, in part, that in order to be eligible for the CDD, personnel must be "exposed to personal hazard due to direct hostile actions, or imminence of such actions."

COMSEVENTHFLT has consistently held the position that shipboard personnel must receive hostile fire to qualify as being exposed to personal hazard or the imminence thereof. This policy has been applied to all SEVENTHFLT units initiating an attack on MIGs either by shipboard weapons systems or as a result of air intercepts conducted by shipboard air controllers. The CDD has not been authorized unless positive evidence exists verifying personal hazard due to direct hostile enemy fire.

(Your prior letter) stated that enemy ordnance was not expended against BIDDLE . . . ; therefore, the necessary degree of exposure to or imminence of personal hazard is considered nonexistent. The total lack of ordnance expenditure by the MIGs and their failure to press the alleged attack . . . tends to leave the question open as to the real mission of the flights.

q. In this regard, Change 6 to SECNAVINST 1650.1D, dated 20 March 1973, further limited eligibility for the Combat "V" to "acts or services by individuals who are exposed to personal hazard due to direct hostile actions . . ." Thus, this change eliminated the earlier language which conferred eligibility based on the imminence of hostile action. However, it should be noted that this change apparently had not reached COMSEVENTHFLT by mid-April 1973, since the message of 13 April 1973 discussed the imminence language. Additionally, Change 6 to was not posted by CNO/O9B33, the office with primary cognizance over awards and decorations, until 20 August 1973.

r. Many years later, in 1987, the Commander in Chief, U.S. Pacific Fleet replied to a request to wear the CDD with a previously awarded SECNAV Commendation for Achievement by stating that "the (CDD) is not authorized to be worn with the (SECNAV) Commendation for Achievement but is authorized for (NAMs) awarded after 17 July 1967. Accordingly, the request . . . can not be approved." Also in 1987, Chief of Naval Operations Notice (OPNAVNOTE) 1650 was issued and stated that "(t)here is a wide spread misconception that all awards from the Vietnam Era

included the (Combat) 'V'. They do not. An individual can only wear the 'V' on an award if the Citation for the award specifically authorized the 'V'."

s. Subject continued to serve in a superb manner and was advanced to admiral. On 16 May 1996, while serving as CNO, he took his life after learning that two reporters would be questioning him about whether he had improperly worn the Combat "V" on his NCM and NAM.

t. In June 1996, about a month after Subject committed suicide, the *Navy Times* reported that retired ADM Elmo Zumwalt, who served as CNO from 1970 to 1974, had written a letter to SECNAV requesting that Subject be posthumously authorized the Combat "V" on his NCM and NAM. He was also quoted as saying that while he served as CNO, he verbally "put the word out" that individuals who received decorations for service on ships in the Vietnam combat zone were entitled to the Combat "V." However, the article went on to state that ADM Zumwalt "concedes he did not have the authority to authorize such distinguishing devices. Only (SECNAV) has that authority, and it must be granted in writing on each award citation."

u. On 12 June 1996 CNO/09B33 submitted the following talking points for a response to ADM Zumwalt's letter:

(Subject's) citations did not authorize the "V".

"V" was not authorized for NAM before 1967.

"V" was not retroactive for NAM.

Neither citation met the criteria for "V". ". . . solely on acts or services by individuals exposed to personal hazard due to direct hostile action, and not upon geographical area in which the services are performed.

NCM was end of tour award for XO and did not meet criteria for "V".

Even if we could issue, we can't cover the NAM because the "V" wasn't available for the NAM at the time of award.

If you do this for (Subject), you have to award "V's" to every medal in theater because you have created an exception to the "no geographical area" exclusion. (1,000s and 1,000s)

My impression is the general public believes the "V" issue is a simple mistake and is perfectly willing to forgive it. To resurrect this would not fix the NAM and would only give the appearance of fiddling with the system in a vain

attempt to clear (Subject's) name.

v. In May 1998 ADM Zumwalt submitted a memorandum to SECNAV which states, in part, as follows:

With regard to (Subject's) (NAM), my statements as the official military spokesman for the Navy, made it appropriate, justified, and proper for (him) to wear the "V" on the award. This citation validates my point, the award was given "For meritorious service while serving as Weapons Officer in USS JOHN R. CRAIG (DD 885) while *operating in combat missions* supporting the Republic of Vietnam from 10 April to 10 August 1965.

With regard to (Subject's) (NCM), his citation clearly authorized the "V" to be worn. "For meritorious achievement as (XO) while attached to and serving in USS BROOKE (DEG 1) from 15 December 1971 to 2 February 1973 *including combat operations*. As (CNO) ([during] 1970-74), I achieved a verbal understanding that directives would be clarified to stipulate that the "V" could be worn on any ribbon resulting from operations in the combat zone of Vietnam. In over 100 visits to ships and shore stations, I reiterated to Navy personnel time and time again that the "V" was authorized for any ribbon awarded for duty in the combat theater of Vietnam--on shore and off shore. (emphasis in text)

This memorandum, along with a memorandum from SECNAV and a revised transcript of service, were placed in Subject's record.

w. In September 1998, Petitioner submitted enclosure (1) to the Board on behalf of his late father. Concerning his father's NAM, he points out that SECNAVNOTE 1650 of 17 July 1967 authorized the CDD if the award resulted from direct participation in combat operations, and that the original award citation for the SECNAV Commendation for Achievement clearly indicates that his father was recognized for his actions in combat. He also states that his father should have been awarded the Combat "V" for his NCM, given the statement in the citation that the medal was awarded for his actions as XO during combat operations. He contends that the omission of specific authorization for the CDD on the citation was an oversight. Petitioner also cites the memoranda from ADM Zumwalt and SECNAV in support of his contention that the CDD should now be authorized for both the NAM and NCM.

x. On 28 September 1998 CNO/09B33 submitted enclosure (2) to the Board, recommending that Petitioner's request be denied. That memorandum states, in part, as follows:

. . . When the (NAM) was approved for (Subject), the "V"

was not authorized to be used on that award. Therefore, it is strongly recommended that it not be added at this late date.

The Combat "V" has been authorized for use on the NCM since WWII (even before the award was known as the NCM). It is my recommendation that it not be added to (Subject's) NCM . . . (T)he Combat "V" has been subject of (sic) many interpretations since it was created in WWII.

A handwritten note at the bottom of the memorandum states that "there have been lots of people who erroneously wore the Combat 'V'."

CONCLUSION:

Upon review and consideration of all the evidence of record, the Board concludes that Petitioner's request does not warrant favorable action.

The Board concludes that Subject was not entitled to wear the CDD on his NAM. First of all, it is clear he was not authorized to wear the CDD in 1965 when he received the predecessor award, the SECNAV Commendation for Achievement ribbon, since the CDD was not authorized for that decoration. The directive which redesignated this award as the NAM, SECNAV Note 1650 of 17 July 1967, did not specifically state that the Combat "V" was authorized when an NAM was substituted for the predecessor ribbon. It is equally clear that shortly thereafter, NBDM considered the very same issue now before the Board, and concluded that the Combat "V" was not authorized when a NAM was issued retroactively. This decision was reinforced by the issuance of SECNAVINST 1650.1D in December 1968, which specifically stated that the CDD was authorized to be worn with the NAM only if the award was for service performed after 17 July 1967. The Board can find no basis in law or equity to create an exception to these requirements and grant Petitioner's request.

The Board likewise concludes that Subject was not entitled to wear the Combat "V" on his NCM. SECNAVINST 1650.1D, the directive in effect at the time, stated that the CDD could be worn only if it was specifically authorized in the citation accompanying the award, and the citation accompanying Subject's award did not authorize it. Further, in the recommendation for the NCM submitted by the BROOKE's CO, Subject was specifically not recommended for the CDD. When COMSEVENTHFLT approved the award, the Combat "V" was specifically not authorized.

It also seems clear that the failure to recommend or approve the CDD for Subject's NCM was not, as Petitioner contends, a mere oversight. The governing directive authorized the CDD if the individual was involved in direct participation in combat

operations, and was exposed to personal hazard due to hostile action. Even if some of BROOKE'S actions in the PIRAZ could be deemed "combat operations," Subject was not exposed to personal hazard due to any hostile action. The Board also notes that Change 6 to SECNAVINST 1650.1D would not have reached COMSEVENTHFLT by the time Subject's NCM was approved, and therefore the CDD could also have been authorized based upon the "imminence" of hostile action. However, the Board does not believe that this helps Subject's case, given the restrictive but reasonable interpretation given to that term by COMSEVENTHFLT and Commander, Naval Forces Vietnam. Accordingly, Subject was not entitled to wear the Combat "V" on his NCM.

In view of the foregoing, the Board finds no error or injustice warranting corrective action.

RECOMMENDATION:

That Petitioner's request be denied.

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.

ROBERT D. ZSALMAN
Recorder

ALAN E. GOLDSMITH
Acting Recorder

5. In accordance with prior direction from your office, the foregoing action of the Board is submitted for your review and action.

W. DEAN PFEIFFER

Reviewed and approved:



DEPARTMENT OF THE NAVY

OFFICE OF THE SECRETARY

1000 NAVY PENTAGON

WASHINGTON, D.C. 20350-1000

MEMORANDUM FOR THE EXECUTIVE DIRECTOR, BOARD FOR CORRECTION
OF NAVAL RECORDS

Subj: PETITION ON BEHALF OF [REDACTED] 21 JUN 1999
(DECEASED)

The petition in this case requests a formal determination that [REDACTED] USN (Deceased), was authorized to wear the Combat Distinguishing Device (popularly known as the "Combat V") on a Navy Achievement Medal (NAM) awarded to him on 5 September 1968, and on a Navy Commendation Medal (NCM) awarded on 20 September 1973.

This matter was considered by a three-member panel of the Board for Correction of Naval Records (BCNR). On 18 December 1998, this BCNR panel recommended that the petition be denied. The BCNR painstakingly pieced together and analyzed [REDACTED]'s naval record, Departmental instructions and policies, and contemporaneous interpretations of those directives. The Board's thorough and thoughtful work allows us to examine each of the petitioner's contentions with a clear understanding of the regulatory requirements that existed at the time concerning the award of the Combat V.

With respect to the Navy Achievement Medal, petitioner contends that [REDACTED] was authorized to wear the Combat V on his Navy Achievement Medal because the medal was awarded for direct participation in combat operations. According to petitioner, instructions governing the Combat V at the time did not require specific language authorizing the Combat V -- direct participation in combat operations was sufficient.

[REDACTED] Navy Achievement Medal was awarded for direct participation in combat operations while serving on USS CRAIG between 10 April and 10 August 1965. However, petitioner's belief that this fact alone resolves the matter is not correct. In 1965, the Navy Achievement Medal did not exist and ADM Boorda's service on USS CRAIG was originally recognized by the award of a Secretary of the Navy Commendation for Achievement, a ribbon for which the Combat V was not authorized. When the Secretary of the Navy Commendation for Achievement was redesignated the Navy Achievement Medal, the governing instruction, SECNAV Note 1650 of 17 July 1967, did not authorize the Combat V for these retroactive awards of the Navy Achievement Medal. In fact, a recommendation that would have authorized the Combat V in these circumstances was considered and rejected by the Navy Board for Decorations and Medals (NBDM) shortly after

SECNAV Note 1650 was issued. Consequently, even though [REDACTED] service involved direct participation in combat operations, the instructions and guidance then in effect did not authorize wearing the Combat V on his Navy Achievement Medal.

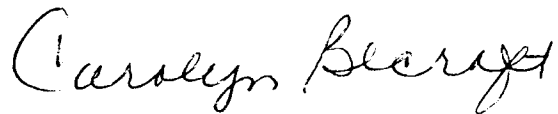
In the case of [REDACTED] Navy Commendation Medal, petitioner acknowledges that the Combat V had to be specifically authorized by the official approving the award. Petitioner concedes that [REDACTED] record does not reflect that authorization, but contends that this omission is due to administrative oversight.

The Board's review of ADM Boorda's record failed to confirm petitioner's contention. The standard naval award recommendation form, NAVPERS 1650/6, contains blocks for the recommending and approving officials to check either "yes" or "no" to indicate whether they are recommending and approving the Combat V. In the case of [REDACTED] Navy Commendation Medal, both the recommending and approving officials checked the blocks labeled "no" for the award of the Combat V. Thus, contrary to petitioner's contention, the Combat V was not authorized because of affirmative determinations by the recommending and approving officials, not because of administrative oversight.

While the Board has done an admirable job of bringing clarity and precision to the awards policies that existed during the Viet Nam era, my own examination of the case file convinces me that the rules governing the award of the Combat V have been far from clear. In this respect, [REDACTED], the officer who served as CNO during the Viet Nam War, advised the Board that he believes that individuals who received awards for service in combat operations during that period were entitled to wear Combat V devices. [REDACTED] stated that, when he was CNO, "I reiterated to Navy personnel time and time again that the 'V' was authorized for any ribbon awarded for duty in the combat theater of Vietnam - on shore and off shore." The lack of clarity with respect to the Combat V is confirmed by a 28 September 1998 memorandum from the CNO's Awards and Special Projects Branch. The Chief of the Awards Branch advised the BCNR that the Combat Vs were not authorized in [REDACTED] case, but commented, in a handwritten note accompanying the advice memorandum, that "[t]here have been lots of people who erroneously wore the Combat 'V'" (emphasis in original). Under these circumstances, it would not have been unreasonable for an individual who received a Navy Achievement Medal or Navy Commendation Medal for direct participation in combat operations during the Viet Nam War to believe in good faith that wearing Combat V device was authorized.

My belief that a good faith error was made in this case is strengthened by knowledge of [REDACTED] extraordinary career and the countless contributions he made to his country and the naval service. [REDACTED] served his country with distinction for 40 years. During this period, he rose from the lowest enlisted grade to be Chief of Naval Operations (CNO), the only CNO in the history of the Navy to do so. His good faith devotion to the naval service is unquestioned.

Nevertheless, because of the BCNR's painstaking analysis, we now know that the Combat Vs were not authorized for the Navy Commendation and Navy Achievement Medals that were awarded to ADM Boorda in 1968 and 1973. The BCNR's findings make it clear that [REDACTED] naval record is correct. That being the case, I can find no error or injustice warranting relief. Accordingly, the petition is denied.



CAROLYN H. BECRAFT
Assistant Secretary of the Navy
(Manpower and Reserve Affairs)