



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

2 NAVY ANNEX

WASHINGTON DC 20370-5100

TRG

Docket No: 4398-98

28 April 1999

[REDACTED]

Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 27 April 1999. 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, your naval record and applicable statutes, regulations and policies. In addition, the Board considered the advisory opinions furnished by Headquarters Marine Corps dated 28 October 1998 and 2 March 1999, copies of which are enclosed and your rebuttal to the first advisory opinion, which was received by the Board on 9 December 1998.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. In this connection, the Board substantially concurred with the comments contained in the advisory opinions. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

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

W. DEAN PFEIFFER
Executive Director

Enclosure



DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
3280 RUSSELL ROAD
QUANTICO, VIRGINIA 22134-5103

IN REPLY REFER TO:

1650
MMA-3

OCT 28 1998

MEMORANDUM FOR THE EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF
NAVAL RECORDS (BCNR)

Subj: BCNR APPLICATION IN THE CASE OF [REDACTED]

Ref: (a) SecNavInst 1650.1F

1. The reference contains the criteria for the Arctic Service Ribbon which requires 28 days (consecutive or non-consecutive) duty above the Arctic Circle. Waiver of this requirements are not authorized. As stated in the criteria, commanding officers will determine a Marine's eligibility by certifying his/her participation in operations above the Arctic Circle. The commencement date for this award is 1 January 1982. The ribbon is authorized based upon a 2 for 1 count, provided that such duty is an austere remote site over water, without accessibility to the minimum conveniences of water, heat, or electricity. All Marine Corps personnel must meet the same criteria whether active duty or reserve. Staff Sergeant [REDACTED] is incorrect in his statement that reserves were authorized the award for 15 days, unless those personnel meet the 2 for 1 day requirement as stated above.

2. [REDACTED] records indicate that on 10 September 1988, he went on active training duty to Norway and returned on 25 September 1988. However, the records fail to reveal that while in Norway he served above the Arctic Circle.

[REDACTED]
[REDACTED]
[REDACTED]
Head, Military Awards Branch
Personnel Management Division
By direction of
the Commandant of the Marine Corps



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HEADQUARTERS UNITED STATES MARINE CORPS
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QUANTICO, VIRGINIA 22134-5103

IN REPLY REFER TO:

1650
MMMA-3

MAR 2 1999

MEMORANDUM FOR THE EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF
NAVAL RECORDS (BCNR)

Subj: REQUEST FOR COMMENTS AND RECOMMENDATION IN THE CASE OF
[REDACTED]

Ref: (a) SecNavInst 1650.1F

1. The documents provided does not establish that [REDACTED]
[REDACTED] served above the Arctic Circle for a period of 28 days
(consecutive or nonconsecutive) as required by the criteria
contained in the reference.

2. Our previous comments of 28 October 1998, on the subject
Marine remains.

[REDACTED]

Acting Head, Military Awards Branch
Personnel Management Division
By direction of
the Commandant of the Marine Corps