



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

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Docket No: 3804-21  
Ref: Signature Date



Dear Petitioner:

This is in reference to your application for correction of your naval record pursuant to Section 1552 of Title 10, United States Code. After careful and conscientious consideration of relevant portions of your 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 application on its merits. A three-member panel of the Board, sitting in executive session, considered your application on 24 January 2022. 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 the 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 Department Board of Decorations and Medals (NDBDM) dated 29 November 2021, and applicable statutes, regulations, and policies, to include the 25 July 2018 guidance from the Under Secretary of Defense for Personnel and Readiness regarding equity, injustice or clemency determinations (Wilkie Memo).

You enlisted in the Navy and began a period of active service on 26 June 1969. You were honorably discharged on 26 January 1973. On 2 March 1973, you began a second period of service in the Naval Reserves. You were honorably discharged on 15 April 1975.

The Board carefully weighed all of the factors you presented to support your award request. Navy Personnel Command (PERS-312) partially granted your award request by approval of the Vietnam Service Medal w/3 Bronze Stars, and the Navy Unit Commendation. On 5 May 2021, you were issued a Correction to DD Form 214 Certificate of Release or Discharge from Active Duty (DD Form 215). The Board noted your honorable and faithful service in the Navy, unfortunately, upon review of the evidence provided, in regard to the remaining awards requested, the Board concurred with the Navy Department Board of Decorations and Medals (NDBDM) Advisory Opinion (AO) that you are not entitled to those awards.

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.

Sincerely,

2/9/2022

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Executive Director

Signed by: █