

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

> Docket No: 3942-21 Ref: Signature Date

From: Chairman, Board for Correction of Naval Records

- To: Secretary of the Navy
- Subj: REVIEW OF NAVAL RECORD OF FORMER MEMBER USN, XXX-XX-

Ref: (a) 10 U.S.C. §1552

Encl: (1) DD Form 149 with attachments (2) Case summary

1. Pursuant to the provisions of reference (a), Subject, hereinafter referred to as Petitioner, filed enclosure (1) with the Board for Correction of Naval Records (Board), requesting the addition of the following awards: Vietnam Service Medal (VSM) with four bronze campaign stars, the Sea Service Deployment Ribbon (SSDR), the Navy and Marine Corps Overseas Service Ribbon (OSR), and the Navy Basic Military Training Honor Graduate Ribbon (NBHGR). Enclosure (2) applies

2. The Board, consisting of **Constant**, **Constant**, and **Constant** reviewed Petitioner's allegations of error and injustice on 7 March 2022, and, pursuant to its regulations, determined the corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, relevant portions of his naval service records, and applicable statutes, regulations, 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. Although enclosure (1) was not filed in a timely manner, it is in the interest of justice to review the application on its merits.

c. Petitioner enlisted in the Navy and began a period of active duty on 14 November 1967.

d. On 21 September 1968, Petitioner deployed to the Republic of Vietnam (RVN).

e. On 31 August 1969, Petitioner was awarded the Air Medal with Arabic numeral "1" for meritorious service in support of combat operations in South East Asia.

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f. On 21 January 1970, Petitioner was awarded the Navy Commendation Medal with Combat Distinguishing device.

g. On 20 August 1971, Petitioner was discharged with an honorable discharge characterization of service by reason of early release to attend college. Upon his discharge, Petitioner was issued an Armed Forces of the United States Report of Transfer or Discharge (DD Form 214) with Block 24 reflecting the following awards: National Defense Service Medal, Vietnam Service Medal (VSM), Republic of Vietnam Campaign Medal, and the Vietnam Service Medal with silver campaign star for Vietnamese Counteroffensive Phase V.

h. On 19 April 2019, Navy Personnel Command (NPC) PERS 312 completed a review of Petitioner's record and determined Petitioner is entitled to the following awards: Air Medal with Arabic numeral "1," Navy and Marine Corps Commendation Medal with "V," Navy Unit Commendation, Meritorious Unit Commendation, National Defense Service Medal with one bronze campaign star, Vietnam Service Medal with three bronze campaign stars, Honorable Discharge Button, Honorable Reserve Discharge Button, and the Republic of Vietnam Campaign Medal with "1960" device.

i. On 31 May 2019, Petitioner was issued a Correction to DD Form 214, Certificate of Release or Discharge from Active duty (DD Form 215) with the following corrections: addition of Air Medal with Arabic numeral "1," the Meritorious Unit Commendation, the Navy Commendation with Combat "V," and the Navy Unit Commendation.

j. As part of the review process, on 6 December 2021, Navy Department Board of Decorations and Medals (NDBDM) issued a partially favorable advisory opinion (AO) which confirmed that Petitioner is entitled to the VSM with four bronze campaign stars, but is not entitled to the SSDR, the OSR, and the NBHGR.

CONCLUSION:

Upon review and consideration of the evidence of record, the Board determined Petitioner's request warrants partial relief.

In light of the NDBDM Advisory Opinion (AO) dated 6 December 2021, the Board determined Petitioner is entitled the addition of the following award: the VSM with four bronze campaign stars.

With regard to Petitioner's request to be issued the SSDR, the OSR, and the NBHGR, the Board concurred with the NDBDM AO that none of those awards were in effect at the time of Petitioner's discharge from the Navy. Therefore, Petitioner's request for the SSDR, OSR, and NBHGR is not warranted.

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RECOMMENDATION:

In view of the above, the Board directs the following corrective action:

Petitioner be issued a Correction to DD Form 214, Certificate of Release or Discharge from Active Duty (DD Form 215), to indicate his entitlement to the VSM with four campaign stars.

No further changes be made to Petitioner's record.

A copy of this report of proceedings be filed in Petitioner's naval record.

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.

5. Pursuant to the delegation of authority set out in Section 6(e) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulation, Section 723.6(e)) and having assured compliance with its provisions, it is hereby announced that the foregoing corrective action, taken under the authority of reference (a), has been approved by the Board on behalf of the Secretary of the Navy.

	3/21/2022
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Executive Director	