



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

█
Docket No: 0701-22

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, █

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), Petitioner is the Son of the deceased former member, filed enclosure (1) with the Board for Correction of Naval Records (Board), requesting addition of the following awards for the former member's service: Armed Forces Expeditionary Medal (AFEM), Navy Unit Commendation (NUC), Navy Meritorious Unit Commendation (NMUC), and the Navy Good Conduct Medal (NGCM). Enclosure (2) applies.
2. The Board, consisting of █, █, and █, reviewed Petitioner's allegations of error and injustice on 22 July 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 7 July 1964. On 30 September 1967, Petitioner was honorably discharged from the Navy by reason of released from active duty and transferred to the Naval Reserves.
 - d. On 30 November 1968, Petitioner was honorably discharged from the Naval Reserves by reason of reduction in authorized strength.

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USN, [REDACTED]

e. On 8 May 2022, the Navy Department Board of Decorations and Medals (NDBDM) completed a review of the Petitioner's record and provided an Advisory Opinion (AO). The AO determined Petitioner is entitled to the Vietnam Service Medal (VSM) with one silver star device and one bronze star device, denoting participation in the following six phases: Vietnam Defense Campaign, Vietnam Counter-offensive, Vietnam Counter-offensive II, Vietnam Counter-offensive III, Tet Counter-offensive, and Vietnam Counter-offensive IV. Regarding the other awards Petitioner requested, the AO stated in pertinent part:

The Petitioner's record shows that on five separate occasions between 2004 and 2019 he requested the Department review his entitlement to military awards. Those prior reviews determined the Petitioner was not entitled to the awards he claims in his current petition. Except for the discrepancy mentioned in paragraph 6 above concerning the number of campaign stars authorized for the VSM, we concluded those prior reviews were not in error.

Based on a thorough review of available evidence and regulations, we concluded the Petitioner is not entitled to the awards he claims in his petition. Prior denials of these medals were neither arbitrary nor capricious. We found no evidence of material error or injustice and recommend BCNR deny the relief the Petitioner seeks. However, we do believe the Petitioner is entitled to three additional campaign stars for his previously issued VSM, and recommend BCNR direct Navy Personnel Command to correct his record accordingly.

f. Petitioner contends he did not received the following awards: Armed Forces Expeditionary Medal (AFEM), Navy Unit Commendation (NUC) for his service in Vietnam beginning from 1965-1966, Navy Meritorious Unit Commendation (NMUC) for his service in Vietnam from 1965-1966, and the Navy Good Conduct Medal (NGCM). He claims he served above the USS [REDACTED] the USS [REDACTED] and the USS [REDACTED] while serving in Vietnam. He states each of the vessels was awarded citations that he have not yet received.

CONCLUSION:

Upon review and consideration of the evidence of record, the Board determined Petitioner's request warrants partial relief. The Board concurred with the AO and determined the Petitioner is entitled to the Vietnam Service Medal (VSM) with one silver star device and one bronze star device, denoting participation in the following six phases: Vietnam Defense Campaign, Vietnam Counter-offensive, Vietnam Counter-offensive II, Vietnam Counter-offensive III, Tet Counter-offensive, and Vietnam Counter-offensive IV.

With regard to the Petitioner's request for Armed Forces Expeditionary (AFEM), Navy Unit Commendation (NUC), Navy Meritorious Unit Commendation (NMUC), and the Navy Good Conduct Medal (NGCM), the Board agreed with the AO determination that he is not entitled to the aforementioned awards based on the multiple previous reviews of his record.

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USN, [REDACTED]

RECOMMENDATION:

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

That 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 Vietnam Service Medal (VSM) with one silver star device and one bronze star device.

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.

8/10/2022

[REDACTED]