



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

[REDACTED]
Docket No. 3340-22

Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD OF FORMER MEMBER [REDACTED],
USN, XXX-XX-[REDACTED]

Ref: (a) 10 U.S.C. §1552

Encl: (1) DD Form 149 with attachments
(2) Case summary
(3) NPC memorandum 1650 PERS-312/DV of 9 August 2022
(4) NDBDM ltr 1650 NDBDM of 3 November 2022

1. Pursuant to the provisions of reference (a), Petitioner filed enclosure (1) with the Board for Correction of Naval Records (Board), requesting addition of the following awards: Air Service Medal (AS) with numeral "4", Navy and Marine Corps Achievement Medal (NAM), Presidential Unit Citation – Army (PUC-Army), Navy Meritorious Unit Commendation (MUC), Republic of Vietnam Psychological Warfare Medal (RVN PWM), and Republic of Vietnam Meritorious Unit Citation – Gallantry Cross (RVN MUC GC). Enclosure (2) applies.

2. The Board, consisting of [REDACTED], [REDACTED], and [REDACTED], reviewed Petitioner's allegations of error and injustice on 9 January 2023, 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. Additionally, the Board considered enclosures (3) and (4), advisory opinions (AO) from Navy Personnel Command (PERS) and the Navy Department Board of Decorations and Medals (NDBDM). Petitioner was provide an opportunity to respond to the AOs and did so.

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 5 October 1965. On

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21 November 1968, Petitioner was honorably discharged from the Navy by reason of released from active duty and transferred to the Naval Reserves.

d. On 9 August 2022, PERS completed a review of the Petitioner's record and provided enclosure (3). The AO determined the former member is entitled to the MUC and Republic of Vietnam Cross of Gallantry Unit Citation (RVCGUC). The AO also recommended that NDBDM conduct a review in order to determine Petitioner's entitlement to any other awards.

e. On 3 November 2022, the NDBDM completed a review of the Petitioner's record and provided an AO which determined the former member is entitled to the three awards of the AS with bronze numeral "3", the MUC, the Vietnam Service Medal with five bronze campaign stars, the National Defense Service Medal, and the Republic of Vietnam Meritorious Unit Citation – Civic Action (RVN MUC CA).

f. On 14 December 2022, Petitioner submitted a statement in rebuttal to the AO asserting he executed at least 60 flights from 26 July 1968 to 6 November 1968. Petitioner did not provide any additional evidence with his rebuttal response.

CONCLUSION:

Upon review and consideration of the evidence of record, the Board determined Petitioner's request warrants partial relief. The Board concurred with enclosure (4) and determined Petitioner is entitled to the MUC and RVN MUC CA.

With regard to Petitioner's request for the NAM, PUC-Army, RVN MUC GC, RVN PWM, and a fourth star for his AS, the Board again concurred with enclosure (4), which determined that he is not entitled to the aforementioned awards. The Board determined, absent additional evidence that substantiates his eligibility for these particular awards, insufficient evidence exists to merit relief.

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 Meritorious Unit Commendation (MUC), and the Republic of Vietnam Meritorious Unit Citation – Civic Action (RVN MUC CA).

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.

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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.

1/25/2023

[REDACTED]
Executive Director

Signed by: [REDACTED]