



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

█  
Docket No. 6804-22  
Ref: Signature Date

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

Subj: REVIEW NAVAL RECORD OF FORMER MEMBER █, USN  
█

Ref: (a) 10 U.S.C. 1552

Encl: (1) DD Form 149 with attachments  
(2) Case summary  
(3) Subject's naval record (excerpts)  
(4) Advisory Opinion dated 29 December 2022

1. Pursuant to the provisions of reference (a), Subject, hereinafter referred to as Petitioner, a former member of the Navy, filed enclosure (1) with this Board requesting a change to his naval record. Specifically, to add the Vietnam Campaign Medal (VCM) and the Vietnam Service Medal (VSM) to his Certificate of Release or Discharge from Active Duty (DD Form 214). Enclosures (1) through (4) apply.

2. The Board, consisting of █, █, and █, reviewed Petitioner's allegations of error and injustice on 6 March 2023 and pursuant to its regulations, determined that the corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, naval records, and applicable statutes, regulations, and policies. In addition, the Board considered enclosure (4), an Advisory Opinion (AO) from the Navy Department Board of Decorations and Medals. Although Petitioner was provided an opportunity to respond to the AO, he chose not to do 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 waive the statute limitation and review the application on its merits.

c. Petitioner enlisted in the Navy and entered active duty on 14 August 1961. On 4 July 1965, Petitioner received a Page 13 authorizing him the Armed Forces Expeditionary Medal (AFEM).

d. On 19 August 1965, Petitioner was discharged with Honorable characterization of service by reason of release from active duty.

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e. At the time of Petitioner's release from active duty, he was issued a DD Form 214 which failed to reflect the Vietnam Service Medal (VSM).

CONCLUSION:

Upon review and consideration of all the evidence of record, and specifically in light of enclosure (4), the Board concludes that Petitioner's request warrants partial favorable action. In this regard, the Board noted that Petitioner is entitled to the Vietnam Service Medal (VSM).

Notwithstanding the recommended corrective action below, the Board determined that Petitioner's request for a Vietnam Campaign Medal (VCM) is not supported by his record. The Board noted Petitioner official records indicates he only served in Vietnam between 7 May 1965 and 25 July 1965. Thus he did not meet the required six-month's service in South Vietnam to qualify for the VCM.

Further, the Board concurred with the AO that Petitioner is not entitled to both the AFEM and VSM. Therefore, the Board concluded that the Page 13 authorizing Petitioner the AFEM be removed from his record along with the reference to his entitlement on to the award his DD Form 214.

In accordance with the foregoing, the Board finds the existence of an error or injustice warranting the following corrective action.

RECOMMENDATION:

That Petitioner be issued a Correction to DD Form 214, Certificate of Release or Discharge from Active Duty (DD Form 215) indicating:

He is entitled to the Vietnam Service Medal (VSM) in lieu of the Armed Forces Expeditionary Medal (AFEM)

That the Page 13 authorizing Petitioner the AFEM be removed from his record.

That no further changes be made to the 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

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corrective action, taken under the authority of reference (a), has been approved by the Board on behalf of the Secretary of the Navy.

3/21/2023

