



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. 8480-22
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 27 February 2023. 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 6 January 2023, and applicable statutes, regulations, and policies.

You enlisted in the Navy and began a period of active duty on 4 December 1968. On 30 November 1972, you were honorably discharged by reason of released from active duty and transferred to the Naval Reserves.

The Board carefully weighed all of the factors you presented to support your request to be awarded the Republic of Vietnam (RVN) Meritorious Unit Citation (MUC) and the Gallantry Cross and the Civil Actions Medal. You contend that you are entitled to both variations of the RVN MUC since you were aboard the █ when it docked in █ for several dates during 1971. The Board noted your honorable and faithful service in the Navy, unfortunately, upon review of the evidence provided the Board concurred with the Navy Department Board of Decorations and Medals (NDBDM) advisory opinion (AO). Specifically, the Board found no evidence that the █ was explicitly cited for meritorious achievement or heroic action to qualify for the awards during this period.



Accordingly, given the totality of the circumstances, the Board determined that your request does not merit relief.

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,

3/21/2023

