



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

█
Docket No. 8844-22
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD ICO FORMER MEMBER █
XXX XX █ USMC

Ref: (a) Title 10 U.S.C. § 1552
(b) MCO P1900.16A
(c) SECNAVINST 1650.1H

Encl: (1) DD Form 149 w/attachments
(2) Subject's naval record

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 that his naval record be corrected to reflect Foreign Service/Sea Service; Combat/Hazard Pay; Vietnam Campaign Medal; and the Vietnam Service Medal on DD Form 214MC, Report of Separation from Active Duty ending on 9 July 1976.

2. The Board, consisting of █, █, and █ reviewed Petitioner's allegations of error and injustice on 24 January 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, relevant portions of Petitioner's naval record, and applicable statutes, regulations, and policies.

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, found that, before applying to this Board, he exhausted all administrative remedies available under existing law and regulations within the Department of the Navy. The Board made the following findings:

a. Petitioner entered active duty on 10 July 1972.

b. On 8 March 1973 Petitioner reported to the █ as part of the Marine Guard Detachment, and on 23 November 1973 the █ started their deployment to the Western Pacific/Indian Ocean. The ports of call were █
█ On 9 July 1974 the █
█ returned from deployment, and the Petitioner detached the █
█ on 31 March 1975.

c. On 9 July 1976, Petitioner was released from active duty and transferred to the Marine Corps Reserve to complete military service obligation, and Petitioner was discharged on 17 February 1978.

CONCLUSION

Upon review and consideration of all the evidence of record, the Board finds the existence of an injustice warranting the following corrective action. The Board concluded Petitioner's DD Form 214 requires

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XXX XX [REDACTED] USMC

correction to account for Sea Service onboard the [REDACTED] in accordance with reference (b).¹ However, reference (b) does not specify a requirement to annotate Combat/Hazardous Duty Pay on the DD Form 214MC and Petitioner did not provide evidence of being entitled to or having received Combat/Hazardous Duty Pay. Regarding the Vietnam Service Medal and the Vietnam Campaign Medal, the Board determined Petitioner did not meet the eligibility criteria outlined in reference (c).² Therefore, the Board agreed, under these circumstances, partial relief is warranted.

RECOMMENDATION

That Petitioner's naval record be corrected, where appropriate, to show that:

Petitioner's DD Form 214MC, Report of Separation from Active Duty ending on 9 July 1976 is amended to reflect Block18(f) "02 00 23" vice "00 00 00." Note: Petitioner will be issued a DD Form 215 for abovementioned correction.

The part of Petitioner's request for corrective action that exceeds the foregoing is denied. There is no evidence that Petitioner served in Vietnam or within eligible waters near Vietnam. Additionally, Petitioner's one deployment on the [REDACTED] did not deploy to Vietnam during the deployment and lastly, the dates of eligibility for the two awards ended before the start of the deployment.

A copy of this Report of Proceedings will 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 Regulations, 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 the reference, has been approved by the Board on behalf of the Secretary of the Navy.

1/25/2023

[REDACTED]

Deputy Director

Signed by: [REDACTED]

¹ Reference (b), Foreign and/or Sea Service includes only time spent on foreign and/or sea service during current period of active duty. Service performed outside the continental United States while on maneuvers will not be included in this item.

² Reference (c), the Vietnam Service Medal is awarded to all members of the Armed Forces of the United States, serving at any time between 4 July 1965 and 28 March 1973, in the area defined under the Armed Forces Expeditionary Medal for Vietnam. The Vietnam Campaign Medal is to recognize service performed in Vietnam during the period 1 March 1961 to 28 March 1973, which require service for a cumulative six months in South Vietnam.