



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. 6162-23

Ref: Signature Date

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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 21 December 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, and applicable statutes, regulations, and policies. In addition, the Board considered an advisory opinion (AO) provided by Navy Department Board of Decorations and Medals (NDBDM), dated 24 October 2023. Although you were provided an opportunity to respond to the AO, you chose not to do so.

You enlisted in the Marine Corps and began a period of active service on 1 May 1973. On 7 May 1976, you were honorably discharged and transferred to the United States Marine Corps Reserve (USMCR). Your separation documents reflect you were awarded the National Defense Service Medal.

On 8 May 2023, HQUSMC, Military Awards Branch reviewed your record and, in a response to Congressional inquiry, determined your record could not substantiate any entitlement to awards that were requested.

The Board carefully weighed all of the factors you presented to support your request to be issued the Vietnam Service Medal, Vietnam Cross of Gallantry, Humanitarian Service Medal, Armed Forces Expeditionary Medal, and Navy Unit Accommodation Medal. Unfortunately, the Board determined your record does not support the awarding of any of the requested medals. The Board noted your Honorable and faithful service in the Marine Corps; however, the Board

concluded with the Navy Department Board of Decorations and Medals (NDBDM) Advisory Opinion AO. 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,

1/18/2024

