



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

ELP
Docket No. 530-01
7 January 2002

[REDACTED]

Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of Title 10, United States Code, Section 1552.

A three-member panel of the Board for Correction of Navy Records, sitting in executive session, considered your application on 3 January 2002. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies. In addition, the Board considered the advisory opinions furnished by the Board of Decorations and Medals in the Office of the Chief of Naval Operations (NO9B13), dated 29 May and 29 August 2001, copies of which are enclosed.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. In this connection, the Board substantially concurred with the comments contained in the advisory opinions. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

The Board will reconsider your request for the Air Medal if the plane commander completes the attached OPNAV Form 1650/3 and submits it to the Board of Decorations and Medals. His recommendation that you receive the award is denied.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously 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,

W. DEAN PFEIFFER
Executive Director

Enclosures



DEPARTMENT OF THE NAVY
OFFICE OF THE CHIEF OF NAVAL OPERATIONS
2000 NAVY PENTAGON
WASHINGTON, D.C. 20350-2000

IN REPLY REFER TO
Ser 09B13/1U517091
29 May 2001

From: Chief of Naval Operations (N09B13)
To: Chairman, Board for Correction of Naval Records

Subj: REQUEST FOR COMMENTS AND RECOMMENDATIONS IN THE CASE OF
[REDACTED]

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

Encl: (1) BCNR File
(2) Service Record
(3) OPNAV 1650/3

1. As requested by reference (a), enclosures (1) and (2) have been reviewed for comments and recommendations concerning eligibility for the Distinguished Flying Cross and the Air Medal for [REDACTED]

2. Our records fail to show that [REDACTED] was recommended for the Distinguished Flying Cross or the Air Medal. If [REDACTED] would submit a copy of his flight log book of combat missions flown, we will gladly review the documents and make an eligibility determination in his case. Please have him indicate each combat mission by an "X". Log entries must be legible, complete and flight codes and/or remarks section provide the necessary information that we are governed by in determining the number of combat missions to count towards the awarding of the Air Medal/Distinguished Flying Cross. In addition, we request he include his full name, service number, rank, and the names of all squadrons (spelled out) in the log book. He should submit the information to the Chief of Naval Operations (N09B13), 2000 Navy Pentagon, Washington, DC 20350-2000.

3. Under Section 526 of the FY 96 DAA and Title 10 USC, Section 1130, award recommendations can be reviewed without regard to time limitations. However, determination under the above sections regarding the award must be made in accordance with the same procedures that apply to the approval or disapproval of the award in a timely manner as prescribed by law or regulation. Regulations that govern submission of an official recommendation require that the recommendation be signed by an "officer senior to the person being recommended. I have enclosed a blank OPNAV 1650/3 form (enclosure (3)). If [REDACTED] can find a senior officer who has personal knowledge of his actions and is willing to sign the form (completed on front and back and a proposed citation), we will reconsider his request for the Air Medal (Single Mission action).

4. Enclosures (1) and (2) are returned.

[REDACTED]
By direction

JUN 15 2001

Concord, Calif.

July 6, 2001

From: [REDACTED] LCDR (Serial No. [REDACTED])
Retired Reserve List--USNR

To: [REDACTED], Head, Discharge Review Section,
Board for Correcting Naval Records, Navy Annex,
Washington D.C. 20370-5100

Subj: Request for Air Medal Award by [REDACTED]
[REDACTED] USN, [REDACTED]

Ref: (1) Letter dated 29 May 2001, from Chief of Naval
Operations, by [REDACTED] (Ser 09B13/1U517091)

(2) Letter dated 15 June 2001 from [REDACTED]
Head, Discharge Review Section, Board for correction
of Naval Records, Docket No. 530-01

1. I hereby submit a statement of facts, pertaining to the request of [REDACTED], an Air Medal award for Heroic action taken during a flight in the South Atlantic (Fleet Air Wing 11, Squadron VP 211) on February 14, 1944.

2. I was the Patrol Plane Commander (PPC) of the PBM aircraft, (Bureau No. 6634), which was involved in the flight on the 14 February 1944, and described by [REDACTED] in his detailed correspondence to Chief of Naval Operations, your department and perhaps other departments of the Navy, about this matter. I distinctly remember this flight and often think about the events of that day. The statement of facts about this flight and his actions are accurate as far as I can remember

3. [REDACTED] was our First Ordinance man in the crew and served in my crew for about 17 months.

4. I strongly suggest and recommend [REDACTED] be awarded an Air Medal or other appropriate award for his actions on 14 February 1944.

5. Thank you for your consideration.

Sincerely,

[REDACTED]

Copy to:
Chief of Naval Operations
[REDACTED]



DEPARTMENT OF THE NAVY
OFFICE OF THE CHIEF OF NAVAL OPERATIONS
2000 NAVY PENTAGON
WASHINGTON, D.C. 20350-2000

IN REPLY REFER TO

Ser 09B13/1U518366
29 August 2001

From: Chief of Naval Operations (N09B13)
To: Chairman, Board for Correction of Naval Records

Subj: REQUEST FOR FURTHER COMMENTS IN THE CASE OF [REDACTED]

Ref: (a) Your ltr AEG Docket #530-01 of 16 Jul 01

Encl: (1) Ltr by [REDACTED], USN (Ret.) of 6 Jul 01
(2) Your ltr AEG:jdh Docket No: 530-01 of 15 Jun 01
(3) My ltr Ser 09B13/1U517091 of 29 May 01 w/encl
(4) BCNR File
(5) Service Record
(6) OPNAV Form 1650/3

1. As requested by reference (a), enclosure (1) has been reviewed for further comments in support of [REDACTED] eligibility for the Distinguished Flying Cross and the Air Medal.

2. As submitted, the letter of [REDACTED] does not constitute an official recommendation as required by regulation; the OPNAV Form 1650/3 previously forwarded for completion must be completed with a proposed citation for [REDACTED] actions on 14 February 1944. The information submitted covers a series of missions; therefore, it is currently unclear whether this latest request is just for an Air Medal (Single/mission) for Mr. [REDACTED] actions on 14 February 1944 or whether [REDACTED] is still seeking consideration for Distinguished Flying Cross (DX) and Air Medal (AM) for the combat missions he flew during World War II. As such, his case cannot be processed until the required documentation has been submitted. We must be provided with a copy of [REDACTED] flight log book of combat missions flown before we can make a determination for his entitlement to the DX/AM. If [REDACTED] flight log book is not available, we will accept a copy of his Plane Commander's flight log book provided the Plane Commander certifies those flights which [REDACTED] participated in.

3. We are forwarding another blank OPNAV Form 1650/3 to be completed and returned with a summary of action (block 25) and a

proposed citation for the recommended award. Upon receipt of required documentation, the recommendation will be submitted to an upcoming Awards Board for consideration of the Air Medal.

4. If there are any questions with respect to the requirements, our office may be contacted on (202) 685-1770.

5. Enclosures (1) through (5) are returned.



B. A. WILSON

INSTRUCTIONS

1. Before completing this form see SECNAVIST 1650 IF
2. The Summary of Action (item 24) is requested (*except for Command approved NAMS*). In addition attach a double spaced proposed citation
3. Two (2) letter codes to be used in blocks 8, 19, 20, 23, and 24

MH - Medal of Honor

NX - Navy Cross

DM - Distinguished Service Medal

SS - Silver Star

LM - Legion of Merit

LV - Legion of Merit with V

DX - Distinguished Flying Cross

DV - Distinguished Flying Cross with V

NM - Navy & Marine Corps Medal

BS - Bronze Star

BV - Bronze Star with V

PH - Purple Heart Medal

MM - Meritorious Service Medal

AS - Air Medal - Strike/Flight

AF - Air Medal - Individual Action

AH - Air Medal - Individual Action with V

JC - Joint Service Commendation Medal

NC - Navy Commendation Medal

CV - Navy Commendation Medal with V

JA - Joint Service Achievement Medal

NA - Navy Achievement Medal

NV - Navy Achievement Medal with V

CR - Combat Action Ribbon

25. SUMMARY OF ACTION (*not required for Command approved NAMS*)



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

AEG
Docket #530-01
16 July 2001

From: Chairman, Board for Correction of Naval Records
To: Chief of Naval Operations (Code OP09B33)

Subj: REQUEST FOR FURTHER COMMENTS IN THE CASE OF [REDACTED]

Ref: (a) My ltr. of 20Feb01
(b) Your ltr. of 29May01
(c) Ltr. of [REDACTED] (Ret) of 6Jul01

Encl: (1) BCNR File
(2) Service Records.

1. Reference (a) requested comments and recommendations in Subject's case. You replied by reference (b) and recommended no relief be granted. However, you also stated that if a senior officer with personal knowledge of Subject's actions would complete and sign an OPNAV 1650/3 form, you would reconsider Subject's request.

2. No such form has been received. However, reference (c) has now been submitted on Subject's behalf by the patrol plane commander, who states that he recalls the incident at issue and Subject's version of events is correct.

3. Accordingly, the case is returned to you for further action or additional comments and recommendations, as you deem appropriate.


ALAN E. GOLDSMITH
By direction