

DEPARTMENT OF THE NAVY

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

> Docket No. 9325-23 Ref: Signature Date

From: Chairman, Board for Correction of Naval Records

To: Secretary of the Navy

Subj: REVIEW OF NAVAL RECORD OF FORMER MEMBER USN,

XXX-XX-

Ref: (a) 10 U.S.C. §1552

Encl: (1) DD Form 149 with attachments

(2) Case summary

(3) Advisory Opinion of 29 April 2024

- 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 all the medals and awards to which he is entitled be added to his DD Form 214.
- 2. The Board, consisting of property, and property, and property, reviewed Petitioner's allegations of error and injustice on 15 May 2024, and pursuant to its regulations, determined 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 his naval service records, applicable statutes, regulations, and policies.
- 3. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy. Although enclosure (1) was not filed in a timely manner, it is in the interest of justice to review the application on its merits. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, finds as follows:
- a. Petitioner enlisted in the U.S. Navy and commenced active duty on 5 November 1957. Petitioner was discharged on 22 June 1961 with a General (Under Honorable Conditions) discharge after the expiration of active obligated service and transferred to naval reserve. His DD Form 214 reflects that he was not awarded any medals.
- b. Petitioner commenced his naval reserve duty on 23 June 1961. Petitioner was discharged at the end of obligated service, on 11 November 1963, with an Honorable discharge.
- c. In light of the Petitioner's request that he be awarded all medals and awards he is entitled to, the Board requested enclosure (3). The AO stated in pertinent part:

Subj: REVIEW OF NAVAL RECORD OF FORMER MEMBER XXX-XX-

In response to reference (a), request correction to CERTIFICATE OF RELEASE OR DISCHARGE FROM ACTIVE DUTY (DD 214) to add all medals, ribbons, and decorations earned while on board . A complete review of Subject Named Member's (SNM) Official Military Personnel File (OMPF), corporate data, and the document provided was conducted. The review failed to reveal the _______ was awarded any medals, ribbons, or decorations while SNM was on board. Recommend disapproval of request.

CONCLUSION

Upon review and consideration of all the evidence of record, the Board concludes that Petitioner's request warrants relief.

Notwithstanding the AO's recommendation, the Board determined it was in the interests of justice to properly document the medal earned while Petitioner was on active duty service. The Board noted that on 1 January 1961, while he was on active duty, he was eligible for the National Defense Service Medal (NDSM). The Board concluded the Navy shall issue a DD Form 215 reflecting Petitioner's entitlement to the NDSM.

RECOMMENDATION

In view of the above, the Board directs the following corrective action:

That Petitioner be issued a Correction to DD Form 214, Certificate of Release or Discharge from Active Duty (DD Form 215) reflecting his entitlement to the NDSM.

A copy of this report of proceedings 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 Regulation, 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 reference (a), has been approved by the Board on behalf of the Secretary of the Navy.

5/23/2024

