

DEPARTMENT OF THE NAVY

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

> Docket No. 600-24 Ref: Signature Date

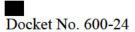
Dear

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.

Because your application was submitted with new evidence not previously considered, the Board found it in the interest of justice to review your application. A three-member panel of the Board, sitting in executive session, considered your application on 15 May 2024. 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. The Board also considered an advisory opinion (AO) furnished by Navy Department Board of Decorations and Medals (NDBDM), dated 3 April 2024. Although you were afforded an opportunity to submit an AO rebuttal, you chose not to do so.

You enlisted in the Navy and began a period of active duty on 23 June 1964. On 25 June 1968, at the expiration of your active obligated service, you were released from active duty and transferred to the Naval Reserve. You were issued an Armed Forces of the United States Report of Transfer or Discharge (DD Form 214) that annotated your characterization of service as Honorable. On 11 October 2023, the Board reviewed your request for the Navy Unit Citation, Navy Unit Commendation, Service Medal, and Republic of Campaign Medal. The Board recommended the issuance of a DD Form 215 documenting your entitlement to the Navy Unit Commendation with no further relief.

In your current	application, you	request reconsideration of your entitlem	ent to the
Service Medal ((VSM) and	Campaign Medal (). The Board



considered your contention that you are entitled to the awards due to your squadron's participation in Operation Market Time.

As part of the Board's review, the Board considered the AO provided by NDBDM. The AO stated in pertinent part:

The fact that some members of the Petitioner's squadron may have qualified for the due to flights they participated in within the combat zone (a fact this office did NOT verify) would not in itself qualify the Petitioner - or any other member of the squadron - for the We have seen records of many similar cases in which only a few members of a certain squadron qualified, but not the whole squadron....If the Petitioner had actually qualified for the we must presume his chain of command would have taken steps to enter that award into his official record. We must presume the absence of any such entry in his record is attributable to his not qualifying. The Petitioner submitted no evidence to overcome the presumption.

The AO concluded, "Petitioner is not entitled to the material error or injustice."

After a detailed review of your record, the Board determined that your official military personnel file (OMPF) does not provide the necessary evidence to substantiate your request for the In making this finding, the Board substantially concurred with the review conducted by NDBDM that documented the lack of supporting evidence in your record to grant your request. Accordingly, given the totality of the circumstances, the Board determined that your request does not merit relief.

The Board thanks you for your faithful and Honorable service to this country.

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.

