



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

█
Docket No. 5059-24
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 August 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) provided by the Navy Department Board of Decorations and Medals (NDBDM), dated 12 June 2024. Although you were provided an opportunity to respond to the AO, you chose not to do so.

You entered active duty with the Navy and began a period of active duty on 28 January 1960. On 27 January 1964, you received an Honorable discharged from the Navy and transferred to the Navy Reserve. On 27 January 1966, you received an Honorable discharged from the Navy Reserve.

The Board carefully weighed all factors in your case, including your desire for to be awarded the Navy Expeditionary Medal (NEM). The Board considered your assertions that you were on a classified mission aboard the █ which entitles you to the NEM.

As part of its review, the Board considered the AO. The AO stated in pertinent part:

The Petitioner's OMPF substantiates he served aboard ██████████ from 04 Sep 1962 to 17 Apr 1962. Per ref (c), ██████████ was not awarded the NEM during this period. We found no evidence the Petitioner ever served on any other ship for which the NEM was authorized.

The AO concluded, "Petitioner is not entitled to the NEM and found no evidence of material error or injustice. Therefore, we recommend BCNR deny relief. Were BCNR to grant relief in this case, such action would be inconsistent with the criteria and standards applied to all other Service Members."

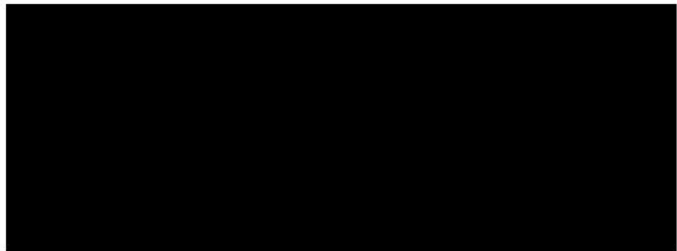
After thorough review, the Board concluded these potentially mitigating factors were insufficient to warrant relief. In making this finding, the Board concurred with the AO that there is insufficient evidence that ██████████ was awarded the NEM during your period of service onboard the vessel. Accordingly, given the totality of the circumstances, the Board determined that your request does not merit relief.

The Board thanks you for your faithful and selfless 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.

Sincerely,

9/11/2024

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