



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. 5182-24
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 12 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 the advisory opinion (AO) furnished by the President of the Navy Department Board of Decorations and Medals (NDBDM). Although you were afforded an opportunity to submit an AO rebuttal, you chose not to do so.

You enlisted in the Marine Corps and commenced active duty on 11 February 2013. You are presently serving on active duty.

In your current application, you request that the Army Achievement Medal, awarded to you on 16 February 2018, be added to your official military record personnel file (OMPF) and that you be granted authorization to wear it.

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

The Petitioner's claim is without merit. The Petitioner received a NAM for a period of service that has significant overlap with the merit period of the AAM. Per refs (b) and (c) she was not authorized to receive both decorations. The Petitioner

remained assigned to a U.S. Marine Corps unit during the period in question, and therefore under ref (c) was ineligible for an Army PMD.

The AO concluded, “the Petitioner is not entitled to the AAM and [we] 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 determined that the available evidence indicated you were not eligible for the AAM at the time it was awarded. In making this finding, the Board substantially concurred with the review conducted by the NDBDM, resulting in the finding of no evidence of material error or injustice. Accordingly, given the totality of 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,

9/4/2024

