



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

██████████  
Docket No. 8263-24  
Ref: Signature date

From: Chairman, Board for Correction of Naval Records  
To: Secretary of the Navy

Subj: REVIEW OF NAVAL RECORD OF FORMER MEMBER ██████████,  
USNR, XXX-XX-██████████

Ref: (a) 10 U.S.C. §1552

Encl: (1) DD Form 149 with attachments  
(2) Case summary

1. Pursuant to the provisions of reference (a), Petitioner filed enclosure (1) with the Board for Correction of Naval Records (Board), requesting addition of the following awards to his grandfather's record: Combat Action Ribbon, Good Conduct Medal, Navy Occupation Service Medal (with Germany Clasp), and Navy Expert Rifle Medal. Enclosure (2) applies.

2. The Board, consisting of ██████████, ██████████, and ██████████ reviewed Petitioner's allegations of error and injustice on 27 January 2025 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, and applicable statutes, regulations, policies.

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, finds as follows:

a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.

b. Although enclosure (1) was not filed in a timely manner, it is in the interest of justice to review the application on its merits.

c. Petitioner is service member's (SM's) grandson. SM enlisted in the Navy Reserve and began a period of active duty on 25 January 1943.

d. From 25 March 1943 through 16 September 1945, SM was assigned to the ██████████ Construction Battalion and served with the battalion in Europe after 8 May 1945.

e. SM completed a period of Honorable service and was discharged on 10 November 1945.

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USNR, XXX-XX-[REDACTED]

f. On 6 January 2025, Navy Department Board of Decorations and Medals (NDBDM) completed a review of SM's record and provided an Advisory Opinion (AO) which determined SM is entitled to the Navy Occupational Service Medal (with Germany Clasp). However, the AO concluded SM was not entitled to any additional awards. The AO states in pertinent part:

Petitioner's claim for the Navy Occupational Service Medal (with Germany Clasp) is valid. His claims to the other awards are without merit because SM did not meet the criteria for any of them.

The SM did not meet the duration or good conduct criteria for the Navy Good Conduct Medal. SM enlisted active service spanned 25 Jan 1943 to 10 Nov 1945: two years, nine months, and 11 days of service. He therefore did not fulfill the requirement for a continuous 3-year period of active service. SM's conduct did not meet any of the conduct criteria. He was convicted by a deck court on 11 Jan 1945 (approved by convening authority 16 Jan 1945). On two occasions (3 Jun 1943 and 29 May 1944) he was punished for lesser offenses at Captain's Mast. On 30 Jun 1944, he received a conduct mark of 2.75. His final conduct average was 3.6, and his final proficiency average was 3.4.

Regarding the Combat Action Ribbon, no evidence was found indicating the SM ever met the criteria. The Petitioner cites ref (g) as proof that SM merits the CAR. Ref (g) states the [REDACTED] cleared some buildings in [REDACTED] and in the course of doing so exploded grenades, mines, and booby traps. The Petitioner asserts booby traps are the 19th century equivalent of improved explosive devices (IEDs), and that SM therefore qualifies for the CAR under the IED criterion published in ref (e), which is also quoted in paragraph 2.c (3) above. His assertion is erroneous on two counts. There is no evidence that the SM was ever personally directly exposed to the detonation of an enemy emplaced IED. But even if such evidence existed, it would be irrelevant because the IED criteria in ref (e) is explicitly retroactive only to 7 Oct 2001.

Regarding the Navy Expert Rifle Medal, no evidence was found indicating the Petitioner ever met the criteria for that award. The Petitioner claims SM should be awarded the ERM on the basis that he qualified as a carbine expert on 21 Mar 1944. We found no evidence within SM's OMPF that he had ever fired a qualification course on that date. His OMPF documents the Petitioner fired a carbine course on 21 Jan 1944, and attained a score of 179 one point shy of the score required to fire expert per ref (f). The entry in the OMPF bears a stamp Qualified as Carbine Expert. The stamp is at an angle to the typed text and in a different font. Although the stamp appears to have been applied to the page after the entry had been typed into the record and signed, it was not possible for us to determine when it was applied or by whom. Regardless, on its face it appears to be erroneous because ref (f) required a score of 180 to qualify as a carbine expert. We did not find in ref (f) any provision for a local commander to waive or modify the required score. The only other marksmanship entries we found in the OMPF were a rifle marksman course fired on 8 May 1943 with a score of 118, and a Browning automatic rifle (BAR) course

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fired on 22 Jan 1944 with a score of 375. Per ref (f), neither of those courses and scores qualified for the ERM.

On 8 January 2025, the petitioner submitted a rebuttal disagreeing with the Advisory Opinion (AO) issued by the Navy Department Board of Decorations and Medals (NDBDM).

h. Petitioner contends SM never pursued his earned awards during his lifetime and now, posthumously, the family is seeking to obtain them in hopes of preserving and honoring SM's legacy. Additionally, Petitioner is working on creating a shadowbox to memorialize the SM; which he plans to present to his aunt.

#### CONCLUSION:

Upon review and consideration of the evidence of record, the Board determined Petitioner's request warrants partial relief.

The Board relied heavily on the NDBDM AO dated 6 January 2025. In light of the NDBDM AO, the Board determined SM is not entitled to the Combat Action Ribbon, Good Conduct Medal, and Navy Expert Rifle Medal. In making this finding, the Board concurred with the rationale presented in the AO. Absent substantial evidence to the contrary, the Board determined the presumption of regularity applies in SM's case.

In regard to Petitioner's request that SM be issued the Navy Occupational Service Medal (with Germany Clasp), the Board again concurred with the AO that SM is entitled to the aforementioned award.

#### RECOMMENDATION:

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

That SM be issued a Correction to Certificate of Release or Discharge from Active Duty (DD Form 215), the period ending 10 November 1945, indicating the addition of the Navy Occupational Service Medal (with Germany Clasp).

No further changes be made to SM's record.

Petitioner be provided a copy of the DD Form 215.

A copy of this report of proceedings be filed in SM'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

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corrective action, taken under the authority of reference (a), has been approved by the Board on behalf of the Secretary of the Navy.

2/26/2025

