



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

701 S. COURTHOUSE RD

ARLINGTON, VA 22204

[REDACTED] Docket No. 3451-25

Ref: Signature Date

[REDACTED]

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 case on its merits. A three-member panel of the Board, sitting in executive session, considered your application on 21 November 2025. 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 this 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. Additionally, the Board also considered an advisory opinion (AO) furnished by the Secretary of the Navy Council of Review Boards, Navy Department Board of Decorations and Medals (CORB). Although you were provided an opportunity to respond to the AO, you chose not to do so.

The Board determined that your personal appearance, with or without counsel, would not materially add to their understanding of the issues involved. Therefore, the Board determined that a personal appearance was not necessary and considered your case based on the evidence of record.

You enlisted in the U.S. Navy and commenced active duty on 1 June 1972. On 13 March 1975, you were discharged from the Navy with an Honorable discharge characterization.

In response to your request for all medals and ribbons earned, Navy Personnel Command (NPC) reviewed your Official Military Personnel File and the Navy Department Awards Web Service. On 27 November 2017, NPC determined based on their review that you were not entitled to either the Vietnam Service Medal (VSM), or the Vietnam Campaign Medal (VCM).

On 1 May 2025, NPC prepared a memo for BCNR in response to your request to receive both the VSM and VCM. NPC stated that their review failed to reveal any evidence that the [REDACTED] or [REDACTED] earned either the VSM or VCM while you were onboard.

The CORB also reviewed your contentions and the available records and issued an AO dated 27 August 2025. As part of the Board's review, the Board considered the AO. The AO stated in pertinent part:

After thorough review of the available evidence, and pertinent statutes, regulations, and past practices, we determined the Petitioner is not entitled to the VSM or VCM. We therefore recommend BCNR deny relief.

[OPNAVNOTE 1650, Ser N09B13/2U517396 of 18 Sep 2002] contains the master list of awards for both [REDACTED] and [REDACTED] [REDACTED]. Both [REDACTED] and [REDACTED] last qualified for the VSM from 27 Aug - 14 Sep 1972. That is, those units did not qualify for the VSM for any dates after that.

Official military records substantiate the Petitioner reported to [REDACTED] on 16 Oct 1972...[REDACTED] embarked on [REDACTED] and departed for deployment on 8 May 1973....neither the ship nor the squadron qualified for the VSM after 14 Sep 1972. The Petitioner joined [REDACTED] on 16 Oct 1972, more than one month after the squadron had last qualified for the VSM, and is therefore not entitled to the VSM.

Per [SECNAVINST 1650.1H, Navy and Marine Corps Awards Manual, 22 Aug 2006], eligibility for both the VSM and VCM ended on 28 Mar 1973. The Petitioner did not depart on his deployment aboard [REDACTED] until 8 May 1973 and therefore could not have qualified for the VSM or VCM.

The presumption of regularity requires we presume the official records accurate and complete, and that officers in the chain of command act in good faith and with due diligence to ensure their Sailors are appropriately recognized for their actions. Had the Petitioner met the VSM and VCM criteria, we presume his command would have taken the appropriate steps to ensure he received the awards and be appropriately documented in his service record. The Petitioner failed to present evidence sufficient to overcome the presumption, or to substantiate his claim.

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

The Board, in its review of the entire record and petition, considered your contentions and your

materials submitted. However, the Board unanimously determined, even after reviewing the evidence in the light most favorable to you, that you do not meet the qualifying criteria to receive either the VSM or the VCM. The Board determined there was no convincing evidence in the record you were onboard either the [REDACTED], or [REDACTED] when such commands qualified for and were authorized to receive the VSM and/or VCM.

The Board sincerely appreciates, respects, and commends you for your Honorable and faithful service during the Vietnam era and your entire military career.

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,

12/1/2025

