



Docket No. 6767-25
Ref: Signature Date

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 27 March 2026. 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, to include the 25 July 2018 guidance from the Under Secretary of Defense for Personnel and Readiness regarding equity, injustice, or clemency determinations (Wilkie Memo). The Board also considered an advisory opinion (AO) furnished by the Navy Personnel Command (Pers-312) and your response to the AO.

The following is the relevant factual background of your case based upon review of your naval record and/or the matters provided with your application:

1. You enlisted in the Navy and began active duty on 11 July 1968.
2. On 12 Jul 1969, you reported to [REDACTED] for duty in the [REDACTED].
3. [REDACTED] was awarded the [REDACTED] Presidential Unit Citation (VPUC) for the period of 25 January 1969 through 27 June 1969.
4. Ultimately, on 10 July 1972, you were released from active duty and transferred to the Naval Reserve with an Honorable characterization of service.

5. On 4 April 2025, Nay Personnel Command (PERS-312) denied your request to be awarded the VPUC based on their review of your record which indicated you were not attached to █ until 12 July 1969.

In your application to this Board, you express a desire to be awarded the VPUC issued to █ and contend that:

1. You believe your detachment and attachment dates were improperly interpreted resulting in denial of eligibility for the PUC.

2. MILPERSMAN 1320-308 para.1.c. clearly applies to all Navy personnel, not just casualties, and states that members traveling under orders are attached to the command to which next ordered to report.

3. Your detachment from NIOTC on 7 June 1969, followed by Permanent Change of Station orders to █, administratively attached you to the unit during the citation period ending 5 July 1969.

4. Your service needs to be properly acknowledge to reflect your contribution and sacrifice during the Vietnam War by issuance of the PUC that represents the dedication and service to your country.

As part of the Board's review, the Board considered the AO provided by PERS-312. The AO stated in pertinent part:

A complete review of Subject Named Member's (SNM) Official Military Personnel File (OMPF), corporate data, and the document provided was conducted. SNM received a letter on 4 Apr 2025 from PERS-312 to show he has exhausted this avenue of relief. SNM did not report to █ until 12 Jul 1969.

The AO concluded, "No evidence found to support SNM earned or met the eligibility requirements to the PUC. Recommend disapproval of request."

After a detailed review of your record, the Board determined that your record does not provide the necessary evidence to substantiate your request for the PUC. In making this finding, the Board concurred with the AO, and noted that the unit award eligibility criteria established in the Navy and Marine Corps Awards Manual (SECNAV M-1650.1) states that U.S. military and Department of Defense civilian personnel are eligible for the decoration that provided they were physically present and participated in the action(s) for which the unit was cited, an element that is clearly missing from your record. Accordingly, given the totality of the circumstances, the Board determined that your request does not merit relief.

The Board appreciates your faithful and Honorable service to this country and expressed that nothing in the foregoing is intended to diminish the value of your military service.

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,

4/14/2026

