



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

TRG
Docket No: 1105-01
20 September 2001

[REDACTED]

Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of Title 10 of the United States Code, section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 18 September 2001. 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, your naval record and applicable statutes, regulations and policies. In addition, the Board considered the advisory opinion furnished by the Office of the Chief of Naval Operations, a copy of which is enclosed.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. In this connection the Board substantially concurred with the comments contained in the advisory opinion concerning the award of the Combat Action Ribbon.

The Board assumed that you wanted a change in your history of assignments (page 5) to show "NSA Dong Tam" in order to establish your eligibility for the Combat Action Ribbon. Since you are not eligible for the Combat Action Ribbon, this does not provide a basis to change your record. Further, it may be that your orders read "Naval Support Activity Saigon" and your assignment to NSA Dong Tam was merely an internal transfer to a subordinate unit. The Board concluded that a change in your history of assignments was not warranted.

Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously 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,

W. DEAN PFEIFFER
Executive Director

Enclosure



DEPARTMENT OF THE NAVY
OFFICE OF THE CHIEF OF NAVAL OPERATIONS
2000 NAVY PENTAGON
WASHINGTON, D.C. 20350-2000

IN REPLY REFER TO
Ser 09B13/1U517079
5 June 2001

From: Chief of Naval Operations (N09B13)
To: Chairman, Board for Correction of Naval Records
Subj: REQUEST FOR COMMENTS AND RECOMMENDATION IN THE CASE OF
[REDACTED]

Ref: (a) BCNR ltr AEG:jdh Docket No. 01105-01 of 6 Apr 01
(b) 10 U.S.C. 1552

Encl: (1) BCNR File
(2) Service Record
(3) OPNAV 1650/3

1. As requested by reference (a) and in accordance with reference (b), enclosures (1) and (2) have been reviewed.
2. [REDACTED] requests correction of his History of Assignments (NAVPERS 601-5) to reflect the period 3 December 1969 to 30 December 1969 when he was assigned to NSA Det Dong Tam. The National Personnel Records Center (NPRC), Military Personnel Records Branch, on February 16, 2001, reviewed Mr. [REDACTED] request, forwarded a DD Form 149 for submission and requested the form be completed and sent to NPRC Attn: NRPM2, Rm 5315, 9700 Page Avenue, St. Louis, MO 63132-5100. That code is the proper code to address his correction.
3. Pertaining to the awarding of the Combat Action Ribbon (CAR) for the period [REDACTED] was assigned to NSA Dong Tam, our records fail to show that NSA Dong Tam was ever awarded the Combat Action Ribbon. Records indicate NSA Dong Tam was awarded the Navy Unit Commendation for the period 16 March 1966 to 1 January 1969 as well as the Navy Unit Commendation for Det "D" for the period 1 July 1971 to 30 April 1972 and the Republic of Vietnam Meritorious Unit Citation (Gallantry) for the periods 29 January 1968 to 4 March 1968 and 21 November 1968 to 21 November 1970.
4. Enclosures (1) and (2) are returned.

[REDACTED]
By direction

JUN 12 2001