



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

CRS
Docket No: 4699-01
7 February 2002

[REDACTED]

Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of Title 10, 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 6 February 2002. 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 Chief of Naval Operations dated 29 May 2001, a copy of which is attached.

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 to the effect that you are not entitled to the Combat Action Ribbon. 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

Copy to: Veterans of Foreign Wars



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



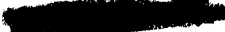
IN REPLY REFER TO
Ser 09B13/1U518625
20 September 2001

From: Chief of Naval Operations (N09B13)
To: Chairman, Board for Correction of Naval Records

Subj: REQUEST FOR COMMENTS AND RECOMMENDATION IN THE CASE OF


Ref: (a) BCNR ltr AEG:jdh Docket No. 04699-01 of 26 July 2001
(b) 10 U.S.C. 1552

Encl: (1) BCNR File
(2) Service Record

1. As requested by reference (a) and in accordance with reference (b), enclosures (1) and (2) have been reviewed.
2.  requests correction of his DD-214 to reflect his combat action in Vietnam.
3. Our records fail to show that  or his unit were ever approved for the Combat Action Ribbon. However, records of the ship, USS TULARE (AKA 112) in which  was assigned for the period 29 September 1966 to 26 June 1970 was awarded a Meritorious Unit Commendation, a Navy Unit Commendation, the Republic of Vietnam Meritorious Unit Citation and the Vietnam Service Medal.
4. Enclosures (1) and (2) are returned.



OCT 16 2001