



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

TRG
Docket No: 5718-00
13 April 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 10 April 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.

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.

The Board found that you enlisted in the Naval Reserve on 6 May 1943 at age 18. You then served in an excellent manner until you were honorably discharged on 13 January 1946. There is no evidence in the record concerning disciplinary action or any other documentation concerning the incident you describe in your application. Therefore, there is no action that the Board can take on that part of your application.

On 12 March 2001, the Navy Personnel Command informed you that you are entitled to wear the Asiatic-Pacific Campaign Medal, the American Campaign Medal and the World War II Victory Medal. However, there is no evidence in the record which shows that you served in any location which would entitle you to the Navy Occupation Service Medal. A copy of the regulation is enclosed for your information.

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

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8. Navy Occupation Service Medal

a. Authorization. N.D.G.O. No. 10 of 28 January 1948.

b. Eligibility Requirements

(1) General. Awarded to personnel in the naval service who participated in the occupation of the territories of the enemies of the United States during World War II and subsequent to the surrender of these enemies.

(2) Specific

(a) To establish eligibility, the individual shall have been attached to, present, and serving on permanent duty with an organization in the naval service of the United States during those periods of time when such organization has been credited by SECNAV or by a delegated fleet command with having performed duty in the occupation of enemy or former enemy national territory.

(b) Service in a passenger status or an observer, visitor, courier, escort, inspector, or other similar status when not permanently attached to an eligible unit is not creditable toward this award.

(c) Occupation duty in the European-African-Middle Eastern area may be credited to organizations for duty performed on and subsequent to 8 May 1945. Terminal dates for eligibility periods and occupation territories in this area are as follows:

- Italy.....15 December 1947.
- Trieste.....25 October 1954.
- Germany (except Berlin*).....5 May 1955.
- Austria.....25 October 1955.
- Berlin.....2 October 1990

(d) Occupation duty in the Asiatic-Pacific area may be credited to organizations for duty performed between 2 September 1945, and 27 April 1952. Occupation territory in the Asiatic-Pacific area includes Japan and such territories recognized as sovereign to Japan, and such parts of Korea and such adjacent islands as are recognized to be Korean, but exclusive of all the mandated territory formerly administered by Japan, as are under the governmental control of the United States, or of an ally of the United States, during World War II. Eligibility also includes ships operating in such home or territorial waters or

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contiguous ocean areas in direct support of occupation or aircraft based upon and operating from such territories or ships.

(e) Units performing service in the Korean area during the period 27 June 1950 to 27 April 1952, inclusive, and eligible for the Korean Service Medal will not be credited with eligibility for the Navy Occupation Service Medal for the same period.

c. Issuance of Medals. Not more than one award of the Navy Occupation Service Medal will be given to any individual.

d. Clasps. Appropriate clasps marked "Europe" and "Asia" are authorized to be attached to the suspension ribbon of the large medal only to denote service in Europe and Asia respectively. No distinctive device to denote possession of these clasps is authorized for wear on the ribbon bar. If earned, both clasps may be worn.

e. Army of Occupation Service Medal. Individuals who have been tendered the Army of Occupation Service Medal, and who become eligible for the Navy Occupation Service Medal are not entitled to both, but they may elect which one to accept.

f. Lists of eligible ships and units are maintained by CNO and CMC. If a ship or unit is not on the list prior to 1 January 1958, entitlement to the medal will be denied.

9. National Defense Service Medal

a. Eligibility Requirements

(1) Honorable active service as a member of the Armed Forces for any period after 26 June 1950 and before 28 July 1954, after 31 December 1960 and before 15 August 1974 or after 1 August 1990 to a date yet to be determined.

For the purpose of this award, the following persons shall not be considered as performing active service:

(a) Guard and Reserve forces personnel on short tours of active duty to fulfill training obligations under an inactive duty training program.

(b) Any person on temporary active duty to serve on boards, courts, commissions, and like organizations.