



**DEPARTMENT OF THE NAVY**  
BOARD FOR CORRECTION OF NAVAL RECORDS  
701 S. COURTHOUSE ROAD, SUITE 1001  
ARLINGTON, VA 22204-2490

█  
Docket No: 7140-21

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 4 March 2022. 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, an advisory opinion (AO) provided by Navy Department Board of Decorations and Medals (NDBDM) dated 26 January 2022, your supplemental evidence in response to the AO, and applicable statutes, regulations, and policies.

Regarding your request for a personal appearance, the Board determined that a personal appearance with or without counsel will not materially add to their understanding of the issue(s) 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 Navy and began a period of active service on 16 July 2003. During your period of active duty, you served in Afghanistan as a Navy Hospital Corpsman. On 30 July 2015, you were placed on the Temporary Disability Retired List (TDRL) with an honorable characterization of service. On 1 March 2019, were placed on the Permanent Disability Retirement List (PDRL).

The Board carefully weighed all of the factors you presented to support your request to be awarded the Purple Heart (PH) Medal, and the Combat Action Ribbon (CAR). The Navy Department Board of Decorations and Medals (NDBDM) AO dated 26 January 2022 provided

determined you were not entitled to both the PH Medal, and the CAR. The Board received your rebuttal to the NDBDM AO, including the witness statements. However, the website link you provided is inaccessible on U.S. Government (USG) Information System (IS) due to security measures (e.g., authentication and access controls) that protect USG interest. The Board noted your honorable and faithful service in the Navy, unfortunately, upon review of the evidence provided, the Board concurred with the Navy Department Board of Decorations and Medals (NDBDM) Advisory Opinion (AO). Specifically, the Board found that the evidence you provided does not support your entitlement to the PH Medal or CAR. The Board was unable to find substantiating evidence of a qualifying wound for a PH Medal or evidence that you actively participated in a ground or surface combat engagement for a CAR. In making their finding regarding the CAR, the Board noted that exposure to enemy fire alone is insufficient to qualify for the ribbon. Accordingly, the Board found insufficient evidence of error or injustice to warrant a change to your record.

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,

3/22/2022

