



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

██████████
Docket No: 3825-22

Ref: Signature Date

From: Chairman, Board for Correction of Naval Records
To: Secretary of the Navy

Subj: REVIEW OF NAVAL RECORD OF FORMER MEMBER ██████████ USN,
██████████

Ref: (a) 10 U.S.C. §1552

Encl: (1) DD Form 149 with attachments
(2) Case summary
(3) Navy Department of Decorations and Medals (NDBDM) Advisory Opinion (AO) dtd
26 July 2022

1. Pursuant to the provisions of reference (a), Subject, hereinafter referred to as Petitioner, filed enclosure (1) with the Board for Correction of Naval Records (Board), requesting the addition of the Combat Action Ribbon (CAR). Enclosures (2) and (3) apply.

2. The Board, consisting of ██████████, reviewed Petitioner's allegations of error and injustice on 10 August 2022, and, pursuant to its regulations, determined the corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, relevant portions of his naval service records, and applicable statutes, regulations, policies.

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, finds as follows:

a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.

b. Although enclosure (1) was not filed in a timely manner, it is in the interest of justice to review the application on its merits.

c. Petitioner completed a period of active service in the Navy from 13 September 1993 to 30 September 2013.

d. On 23 October 2012, Petitioner was assigned to a ██████████
██████████ as a Combat Cameraman in support of Operation Enduring Freedom (OEF) that was attacked by enemy forces. At the time of incident in question, Petitioner

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[REDACTED]

was embedded with a U.S. Army Special Forces detachment (ODA) supporting and advising host nation military forces. Petitioner photographed throughout the attack until the engagement ended.

e. On 30 September 2013, Petitioner was issued a Certificate of Release or Discharge from Active Duty (DD Form 214). Petitioner DD Form 214 does not reflect that he was awarded a Combat Action Ribbon (CAR) for his actions on 23 October 2013.

f. Petitioner previously requested Navy Personnel Command (NPC) award him the CAR. On 23 July 2021, NPC denied Petitioner's request citing his failure to return fire.

g. As part of the Board review, enclosure (3) was requested from NDBDM and considered. The AO determined the Petitioner's actions, on 23 Oct 2012, were consistent with the letter and intent of the CAR criteria, and such award would be consistent with standards applied across the Department of the Navy. As such, NDBDM concluded, based on the governing regulations, that the Petitioner is entitled to CAR.

CONCLUSION:

Upon review and consideration of the evidence of record, the Board determined Petitioner's request warrants relief. The Board concurred with enclosure (3) in making its finding. Specifically, the Board determined that Petitioner is entitled to the CAR based on his record of service.

RECOMMENDATION:

In view of the above, the Board directs the following corrective action:

Former Member be issued a Correction to DD Form 214, Certificate of Release or Discharge from Active Duty (DD Form 215) for the period ending 30 September 2013 to indicate his entitlement to Combat Action Ribbon.

No further changes be made to Former Member's record.

A copy of this report of proceedings be filed in Petitioner's naval record.

4. It is certified that a quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above entitled matter.

5. Pursuant to the delegation of authority set out in Section 6(e) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulation, Section 723.6(e)) and having assured compliance with its provisions, it is hereby announced that the foregoing

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[REDACTED]

corrective action, taken under the authority of reference (a), has been approved by the Board on behalf of the Secretary of the Navy.

8/26/2022

