

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

> Docket No. 8807-24 Ref: Signature Date

- From: Chairman, Board for Correction of Naval Records
- To: Secretary of the Navy
- Subj: REVIEW OF NAVAL RECORD OF FORMER MEMBER
- Ref: (a) 10 U.S.C. §1552
- Encl: (1) DD Form 149 with attachments (2) Case Summary (3) Advisory Opinion

1. Pursuant to the provisions of reference (a), Petitioner filed enclosure (1) with the Board for Correction of Naval Records (Board) requesting that his record be corrected to reflect Global War on Terrorism Expeditionary Medal (GWOTEM), Armed Forces Expeditionary Medal (AFEM), and Iraq Campaign Medal (ICM). Enclosures (1) through (3) apply.

2. The Board, consisting of **1999**, **1999**, **1999**, and **1999**, reviewed Petitioner's allegations of error on 5 February 2025 and, pursuant to its regulations, determined that 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 SNM's naval service records, and applicable statutes, regulations, and policies. In addition, the Board considered enclosure (3); an advisory opinion (AO) from Navy Department Board of Decorations and Medals (NDBDM). Although Petitioner was provided an opportunity to respond to the AO, he chose not to do so.

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

b. Petitioner enlisted in the Navy and began a period of active duty on 23 February 2000.

c. Petitioner was administratively discharged from the Navy with a General (Under Honorable Conditions) characterization of service by reason of misconduct.

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d. On 28 July 2021, this Board granted relief to Petitioner in the form of an upgrade of his characterization of service to Honorable and change to his reason for separation to Secretarial Authority.

e. As part of the Board's review, NDBDM provided the Board with enclosure (3). The AO stated in pertinent part:

We determined the Petitioner is not entitled to the AFEM or the ICM. We determined the Petitioner is entitled to the GWOTEM and two awards of the NUC. NPC s previous denial of the GWOTEM, and issuance of a DD215 containing only one NUC, were erroneous. Therefore, we recommend BCNR grant partial relief by directing the Petitioner s record be amended to reflect one award of the GWOTEM and two awards of the NUC.

f. Petitioner contends that his record does not reflect his participation in **Example 1** (**Cons**) / **Constant and Constant and Constant** 

## CONCLUSION:

Upon review and consideration of all the evidence of record, the Board concludes Petitioner's request warrants partial relief.

The Board carefully reviewed Petitioner's application, weighed all potentially mitigating factors, and concluded that Petitioner shall be awarded the Global War on Terrorism Expeditionary Medal (GWOTEM) and one additional Navy Unit Commendation (NUC).

In making this determination, the Board concurred with the AO that there was no supporting evidence that Petitioner is entitled to the Armed Forces Expeditionary Medal and Iraq Campaign Medal.

## **RECOMMENDATION:**

In view of the foregoing, the Board finds the existence of an injustice warranting the following corrective action:

That Petitioner be issued a Correction to DD Form 214, Certificate of Release or Discharge from Active Duty (DD Form 215) documenting his receipt of the following awards:

- (1) Global War on Terrorism Expeditionary Medal
- (2) An additional Navy Unit Commendation

That no further changes be made to Petitioner's record.

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

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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 Regulations, Section 723.6(e)), and having assured compliance with its provisions, it is hereby announced that the foregoing corrective action, taken under the authority of reference (a), has been approved by the Board on behalf of the Secretary of the Navy.

