



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
701 S. COURTHOUSE RD
ARLINGTON, VA 22204

██████████
Docket No. 5621-25
Ref: Signature Date

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Dear Petitioner:

This is in reference to your application for correction of your naval record pursuant to Title 10, United States Code, Section 1552. 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 you did not file your application in a timely manner, the Board waived the statute of limitation in the interest of justice. A three-member panel of the Board, sitting in executive session, considered your application on 17 April 2026. 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, and applicable statutes, regulations, and policies, to include the Navy and Marine Corps Awards Manual (SECNAVINST M-1650.1).

The Board determined that your personal appearance, with or without counsel, would not materially add to the understanding of the issues involved. Therefore, the Board determined your personal appearance was not necessary and considered your case based on evidence of record.

The following is the relevant factual background of your case based upon review of your naval record and/or the matters provided with your application:

- You accepted a commission in the Navy and served a period of active duty from 26 May 2006 through 1 April 2018, when you were honorably discharged due to non-selection for permanent promotion.
- During that time, from 2 October 2008 through 16 October 2010, you were assigned to U.S. Central Command and served as an intelligence officer in the Joint Information Center

(JIC). Your awards for that period of service included the ██████████ Campaign Medal, the Afghanistan Campaign Medal, the NATO Medal, and the Joint Service Commendation Medal (JSCM). While deployed during that period, you were stationed aboard the International Security Assistance Force (ISAF) Joint Command (IJC) Headquarters (HQ), in ██████████ when an insurgent attack infiltrated the compound on 17 May 2010.

- In your initial efforts to obtain correction of your awards, you previously contacted MyNavy Career Center (MNCC). In a recorded call to MNCC, you explained your claim to these awards. You have requested that the Board “obtain that recording;” however, the Board is not an investigative body and lacks the authority to procure evidence on your behalf.

- Via naval letter, dated 21 June 2021, Chief of Naval Operations (CNO) informed Commander, Special Operations Command-Pacific, that Director of Navy Staff had disapproved award of the Combat Action Ribbon to you for the actions from 5 October 2017.¹

In your application to this Board, you express a desire for Combat Action Ribbon (CAR), the Bronze Star (BSM), and the Defense Meritorious Service Medal (DMSM). You contend that:

- Your JSCM award unjustly and improperly combined and downgraded two awards – specifically, the BSM and DMSM, which you believe were recommended for two distinct periods of service.

- The *reason* you did not receive the contended awards was because those awards were improperly denied or blocked by a Marine Corps Captain who engaged in reprisal against you due to a personality conflict.

- With respect to your contended eligibility for the CAR, you allege that the CNO awards board misinterpreted the dates of action as having occurred in 2017.

- Evidence from senior officers affirm their belief in your eligibility for the CAR, elaborating the basis for this belief relative to your specific duties and location on 17 May 2010 during your run toward, and subsequent service within, the Joint Forces Tactical Operations Center (JFTOC) during the breach of IJA HQ by insurgent forces.

- You were directly involved in the active conflict as evidenced by “terminal guidance and/or vector of friendly assets on hostile enemy positions.” Specifically, you submitted a notarized witness statement from a retired Marine Corps Lieutenant Colonel (LtCol) and from a retired senior enlisted member attesting that you rendered satisfactory performance under enemy small-arms fire and indirect fire, to include witnessing you “actively participate in retaliatory, offensive counterfire actions”

- These statement attests that, after insurgents penetrated the wire, you were alerted by a passing coalition member that the perimeter had been breached and that insurgents were inside

¹ However, the apparent accompanying Personal Award Recommendation (OPNAV 1650 Form), dated 18 May 2021 and included as an enclosure to CNO’s letter, is signed by the RADM from ISAF Joint Command who was your reporting senior and specified a date of 17 May 2010 which was, however, formatted as “100517.”

the base defenses. You “ran approximately 300m [or 250m, depending upon which of this LtCol’s statements is referenced] while small arms fire was being exchanged between the insurgents and Belgian Security forces” to assume your position in the JFTOC. After assuming your position within the secure TOC, you coordinated with Coalition aircraft to “directly aid” in identifying and engaging the enemy in offensive counterfire actions, ultimately neutralizing two enemy combatants.

- In addition to witness statements, a letter of support from a retired Rear Admiral (RADM), who was your reporting senior at the time, notes that the incident was not specifically referenced in the comments section of your fitness report, but that you made “tremendous combat contributions” to the mission and it does not speak to your active participation in combat under enemy fire.

- There were additional occasions which you believe may qualify for the CAR as well, to include that you were exposed to combat conditions on numerous occasions as you traveled to targeting sites across ██████████, that you were exposed to combat conditions while accompanying Special Operations Forces, during insertion and extraction with elements under fire, and that you were exposed to combat conditions while conducting convoy operations across IED heavy terrain.²

- With respect to your contended eligibility for the DMSM and BSM, you submitted extensive background information regarding your duties and performance during the periods for which you allege you were submitted, or recommended, for the DMSM and/or BSM, with the latter award being specifically for the final four months of your Afghanistan deployment.

- With respect to the DMSM, you assert that a Marine Corps Captain, who was in charge of processing awards for your unit and purportedly held a personal dislike for you, claimed to have lost the awards package that was submitted for you while, at the same time, boasting to other members of your unit that he had ensured you would not receive a personal award.

- You did not receive any “end of tour” award for the primary period of your assignment to the CENTCOM JIC during which you were deployed to Iraq from March of 2009 through February 2010. However, you submitted statements attesting to your performance during the periods in question, which you believe demonstrate that you should have received a DMSM for your service in Iraq and a BS for your service in Afghanistan.

- Rather than an award covering the period of your full deployment, you received a JSCM award, for the limited period from April 2010 through August 2010, which you submitted as evidence. You believe that appropriate action would be to upgrade this award to a BSM.

- Other officers in your paygrade who accomplished less than you did were routinely awarded the Bronze Star, your LtCol supervisor included substantive statements in his award recommendation which were removed to justify the lower award of the JSCM despite your actions meriting the BS, you demonstrated an extreme level of personal productivity which

² However, you did not submit any notable witness statements attesting to the nature of your involvement in direct enemy engagement during these alleged occasions.

included 170 deliberate targets and 60 dynamic targets in just four months compared to your predecessor who was senior in paygrade but processed only 40 targets over the course of his six month deployment, and you were the first uniformed member from ██████████ trained and certified to conduct all targeting operations organically without higher approval, even for lethal force.

After careful review, the Board reached the following conclusions and denied your application for relief.

CAR

The Board noted that the eligibility requirements for personal award of the CAR require: satisfactory performance demonstrated by the individual during the engagement, active participation, and direct engagement. Active participation is limited to ground or surface combat, while under enemy fire; aerial combat is not eligible. As opposed to merely being present in a combat zone, the requirement of direct engagement includes participation in firefights or actions where the member was under enemy fire, involvement in operations such as assaults, patrols, ambushes, and similar activities, or an exception for personnel in clandestine or special operations who may qualify if they were restricted from returning fire due to mission constraints but were still *at risk* of enemy fire. The Board specifically observed that the key element for direct participation requires being at risk of enemy fire.

Upon thorough review of all available records, the Board found insufficient evidence that you directly engaged with the insurgent forces while at risk of enemy fire or that you were, more generally, at risk of enemy fire on 17 May 2010. To the extent that your witness statements primarily focus on your actions within the TOC, the Board did not concur with claims that similar situations – specifically, directing airborne combat assets toward enemy targets while operating from a position of relative safety – have routinely qualified for award of the CAR. During the highly kinetic period of combat in Afghanistan, in proximity to the period in which you served, one of the most notable and thoroughly investigated insurgent breaches was of Camp Bastion in 2012. During the response to that breach, TOC operators also directed tactical air fire in effectively engaging to neutralize the insurgent forces. Those TOC operators were determined to not qualify for award of the CAR for the same reason that your participation in the TOC does not qualify – because you were not directly engaged with the insurgent forces while at risk of enemy fire.

At least two witnesses attest that you expeditiously ran to man your position at the TOC after being notified of the insurgent attack. However, while both of these witnesses noted that security forces were exchanging fire with the insurgents, neither statement clarified the location of that fire relative to your brief movement into the TOC, nor did either establish that you were at risk of enemy fire at the time of that movement.

DMSM and BSM

The Board observed that the evidence you provided, other than your personal statements, does not clarify: (a) whether a recommendation for a DMSM, or for any personal award, was formally submitted for your period of service in Iraq, (b) if a DMSM was not submitted, why you were not recommended for a personal award during that period or if a DMSM was submitted, at what point such recommendation was either downgraded, disapproved, or lost, or (c) if such recommendation was lost, why no follow-on recommendation was submitted for either a DMSM or other personal award. Rather, you merely state your belief of events and refer to certain potential witnesses, whom you identified and whom you believe could be interviewed either by the Board or through investigation by an Inspector General or Naval Criminal Investigative Services. In this regard, the Board reiterates that it is not an investigative agency nor does the Board interview witnesses on the behalf of applicants. Further, Board regulations place the responsibility for providing supporting evidence for relief on Petitioners. Therefore, the Board considered your request for the DMSM and BSM based on your record and the evidence you provided in support of your application.

The Board noted the criteria for the DMSM and BSM, which you contend were unjustly lost, downgraded, improperly edited, and/or not submitted. To be eligible for award of the DMSM, you must be assigned to joint duty, the period for the award must apply only to non-combat actions, your service must be notably above the level expected of a service member filling a similar position as distinguished from your peers, and you must have demonstrated a sustained, high level of performance over an extended period of time. The BSM recognizes acts of heroic bravery or meritorious service in a combat zone during ground combat not involving aerial flight. Awards of the BSM recognizes performance for which a member took action against an enemy, was in conflict with a foreign force, or served with friendly forces while engaged in action against an enemy or while conducting operations against an opposing force. Of note, Commander, CENTCOM, is the delegated approval authority for either award for assigned personnel.

After thorough review, the Board determined that there was no impropriety or inequity in your receipt of the JSCM for the period from April 2010 through August 2010 or in your lack of a personal award for the period from March 2009 through February 2010. While the Board carefully considered the evidence you submitted in support of your claim to entitlement for either award, the Board found insufficient evidence to substantiate that you were recommended for either the DMSM or BSM award or, even if you had been recommended, that either award would have been approved by the delegated approval authority.

Ultimately, the Board concluded the evidence you provided for consideration was insufficient to establish your entitlement to the CAR, BSM, or DMSM. Accordingly, given the totality of the circumstances, the Board determined that your request does not merit relief.

You are entitled to have the Board reconsider its decision upon the 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 is attached 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,

5/13/2026

[REDACTED]