

NOT FOR PUBLICATION UNTIL RELEASED  
BY THE HOUSE ARMED SERVICES COMMITTEE

**STATEMENT OF**  
**VICE ADMIRAL JOHN C. HARVEY, JR., U.S. NAVY**  
**CHIEF OF NAVAL PERSONNEL**  
**AND**  
**DEPUTY CHIEF OF NAVAL OPERATIONS**  
**(MANPOWER, PERSONNEL, TRAINING & EDUCATION)**  
**BEFORE THE**  
**SUBCOMMITTEE ON MILITARY PERSONNEL**  
**OF THE**  
**HOUSE ARMED SERVICES COMMITTEE**  
**ON**  
**EXAMINATION OF CRITERIA FOR AWARDS AND DECORATIONS**  
**DECEMBER 6, 2006**

NOT FOR PUBLICATION UNTIL RELEASED  
BY THE HOUSE ARMED SERVICES COMMITTEE

## Introduction

Mr. Chairman, Ranking Member Snyder, and distinguished members of the Military Personnel Subcommittee, thank you for the opportunity to appear before you today to discuss Navy decorations and awards policy, procedures and processing.

These are unprecedented times in which thousands of Navy personnel are engaged in support of the coalition missions of reconstruction in Iraq and Afghanistan, training of military and security forces, detention of enemy prisoners and supporting efforts to quell the ongoing insurgency. We are deeply grateful to our Navy men and women who have, and continue to, sacrifice so much in support of Operations Enduring Freedom and Iraqi Freedom (OEF/OIF). Our personnel continuously distinguish themselves on the field of battle, and their exceptional efforts are recognized through nomination, approval and presentation of appropriate personal and unit decorations and awards consistent with their actions. Eighty percent of awards processed in the Chief of Naval Operations (CNO) Awards Branch are combat-related and receive the highest priority and attention. Awards Branch personnel have worked diligently since the onset of the Global War on Terrorism (GWOT) to track and expedite the processing and disposition of every combat award package.

Recognizing heroic individuals in a manner that truly reflects the nature and degree of their gallantry and courage is among the military's most time-honored traditions. Collectively and individually, Navy SEALs continue to distinguish themselves through uncommon valor in

both Navy and Joint operations. I offer as an example, the summaries of two Navy Cross citations:

- In November 2001, a SEAL Chief Petty Officer, while serving as a member of a Special Forces Rescue Team, was tasked to locate and recover two missing American citizens at the hands of Al Qaeda and the Taliban. The Chief gained entry to the site where the two Americans were held by walking through an active anti-personnel minefield. Once inside, he was engaged continuously by direct small arms fire, indirect mortar fire and rocket propelled grenade fire. While attempting to rescue the one uninjured citizen, the Chief was forced to withdraw due to large volumes of fire on his position. Undaunted, he moved forward into the heart of the fortress, alone, and under constant enemy fire. He was able to verify the condition and location of the American citizen then successfully withdrew from the fortress.
- In June 2005, a SEAL Petty Officer was part of an element tasked with locating a high-level anti-coalition militia leader in a rugged, enemy-controlled section of Afghanistan. As sympathizers revealed the team's position, they bravely engaged the militia. The ensuing firefight resulted in numerous enemy personnel killed, with several Navy casualties. Separated from his element, the Petty Officer demonstrated exceptional composure and resolve as he evaded the enemy for more than 24 hours. During this time, he single-handedly eliminated additional enemy fighters. He was ultimately discovered and held by local villagers and eventually recovered by U.S. Forces.

While such stories of gallantry and selfless deeds are extremely remarkable, and impress even the most battle-hardened military members and veterans, they are characteristic of the kinds of

selfless acts we are observing from America's best and brightest under the most daunting of circumstances.

#### **Top Four Personal Combat Awards Criteria**

*The Navy and Marine Corps Awards Manual* establishes criteria for, and guides Navy personnel in determining, appropriate awards seniority for recognizing specific types of acts or performance of duty. Criteria are based on Presidential Executive Orders and supplemental guidance from Department of Defense and Department of the Navy Awards Manuals.

**Medal of Honor.** Our nation's highest award for valor, the Medal of Honor, is awarded by the President, on behalf of Congress, to members who conspicuously distinguish themselves by gallantry and intrepidity at the risk of their lives above-and-beyond the call of duty to merit such recognition. Accordingly, eligibility criteria for this decoration are extremely stringent. There must be no margin of doubt or possibility of error in awarding this distinction. To be justified, the individual's service must clearly be rendered conspicuous by an act so outstanding that it clearly distinguishes, from lesser forms of bravery, his or her gallantry beyond the call of duty. It must be the type of deed, which if not done, would not subject the individual to any justified criticism. The deed must be without detriment to the mission of the command or to the command to which attached.

Thus far in OEF/OIF, no Navy personnel have been approved for the Medal of Honor; however, nominations are pending. Additional information regarding these awards is not divulged in advance of final approval, as premature public disclosure of information about pre-

decisional award recommendations creates undesirable expectations and is a potential source of embarrassment to the Department and disappointment to the nominee. To preclude such unauthorized disclosures, personnel involved in submission and processing of awards are instructed to refrain from commenting on any pending nomination, and award recommendations are designated as "FOR OFFICIAL USE ONLY" until officially announced.

Of 80 Navy Medal of Honor recipients, 71 percent were for actions in World War II, 9 percent in the Korean Conflict and 19 percent in the Vietnam conflict. One percent was from the "other" conflict category, a Medal of Honor awarded to Commanding Officer, USS LIBERTY, for actions taken in the aftermath of attacks upon his ship in 1967. Forty-six percent of Navy Medals of Honor were awarded posthumously.

**Navy Cross.** The Navy Cross also has stringent eligibility requirements that are only slightly less than those for the Medal of Honor. It is awarded by the Secretary of the Navy to individuals who, while serving in any capacity with the Navy or Marine Corps, distinguish themselves by extraordinary heroism not justifying the Medal of Honor. The act or execution of duty must be performed in the presence of great danger or at great personal risk, and must be performed in such a manner as to set individuals apart from their peers. An accumulation of minor acts of heroism normally does not justify the award. Six Navy personnel have been awarded the Navy Cross since the start of OEF/OIF.

**Silver Star.** The Silver Star is awarded by the Secretary of the Navy to a person who, while serving in any capacity with the Navy or Marine Corps, is cited for gallantry in action that does not warrant a Medal of Honor or Navy Cross. The heroic act(s) performed must render the

individual conspicuous and well above the standard expected. An accumulation of minor acts of heroism normally does not justify the award, but unusual or exceptional cases will be decided on merit. Thirty Navy personnel have been awarded the Silver Star since the start of OEF/OIF.

**Combat Distinguishing Device (Combat "V").** While the Medal of Honor, the Navy Cross, and the Silver Star are awarded solely for actions involving direct combat engagement with the enemy, awards may be given for direct combat actions or meritorious achievement in, or outside, a combat zone. For awards involving direct combat action, the Combat Distinguishing Device, a bronze "V", may be specifically authorized in the award citation. Eligibility for the Combat Distinguishing Device is based solely on acts or services by individuals who are exposed to personal hazard involving direct participation in combat operations, and not upon the geographic area in which the acts or services are performed. Since the start of OEF/OIF, 2878 awards, at the Bronze Star or lower levels, have been awarded to Navy personnel with the Combat "V" authorized.

**Bronze Star.** The Bronze Star Medal may only be awarded to Navy personnel who are in receipt of Imminent Danger Pay at the time of the actions or service for which they are being recognized. To merit this award, the acts or service must be performed in a manner significantly above that normally expected and sufficient to distinguish the individual above those performing similar acts or services. The award may be authorized as follows:

(a) Heroic Achievement or Service. A single act of heroism worthy of special recognition, although not to the degree required for the Silver Star Medal, or several minor acts of heroism. An Heroic Service award may cover an extended period of time; such award does

not preclude receipt of an additional award for a specific act within that period, if warranted.

Since the start of OEF/OIF, 701 Bronze Stars (with Combat "V") have been awarded to Navy personnel.

(b) Meritorious Achievement or Service in Connection with Combat Operations. A single achievement or a period of service worthy of special recognition, although not to the degree required for the Legion of Merit. An award for Meritorious Service may cover an extended period of time; such award does not preclude receipt of an additional award for a specific act within that period, if warranted. Since the start of OEF/OIF, 1080 Bronze Stars (without combat "V") have been awarded to Navy personnel.

### **Timeliness of Award Processing**

Within the past three years, the CNO Awards Branch has made significant strides to reduce award processing time through automation and process improvement. The ability to electronically relay awards from one command to the next, as well as the ability to quickly and accurately track the status of a pending award, have contributed significantly to reducing the number of processing days at the headquarters level from receipt to mailing of signed award documents. There are two primary factors that influence award processing time:

First is the award level, which dictates the level of the approval authority. The higher the award level, the longer processing time due to the increased number of individuals required to review the submission. Consequently, in January 2005, the Secretary of the Navy delegated, to

the CNO, approval authority for Bronze Star and lower awards. Delegation afforded the CNO flexibility to further delegate approval authority; thereby, expediting the combat awards process.

The second, and perhaps more significant, factor influencing award processing time is the initial submission by the originating command. This includes timeliness and inclusion of all required documentation. Higher level awards require additional documentation. Often, commands heavily engaged in combat operations are precluded from timely gathering of information required to support award nominations, thereby, delaying submission.

Processing time for the Medal of Honor is significantly longer than lesser awards due to the requirement for Presidential approval. While at the Secretary of the Navy level, the award must be reviewed by the Component Commander, applicable Joint Task Force Commander and the Chairman of the Joint Chiefs of Staff. Once these endorsements are received, the award is forwarded to the Secretary of Defense for review and recommendation to the President. Medal of Honor approvals may not be announced until the White House presentation ceremony.

### **Active Duty Navy Awards Processing**

All Navy awards originate with the individual's command, are processed through the chain-of-command, and are adjudicated by the appropriate awarding authority. Today's awards are processed electronically via the Navy Department Awards Web Services (NDAWS). In the case of combat awards at the Bronze Star and lower levels, the CNO has delegated authority to his Navy Component Commanders: Commander, U. S. Fleet Forces Command (CFFC); Commander, U.S. Pacific Fleet (PACFLT); Commander, U.S. Naval Forces Europe (NAVEUR);

Commander, U.S. Naval Forces Central Command (NAVCENT); Commander, Naval Special Warfare Command (SPECWARCOM); and Commander, U.S. Naval Forces Southern Command (NAVSOUTH). Combat awards are reviewed by competent awards boards of all approving authorities to ensure a fair and impartial review. The CNO Awards Branch serves as the guiding organization when questions arise regarding award approval levels and mitigating circumstances that require clarification for nomination of a particular award level over another. Awards Board recommendations are provided to the CNO for final adjudication or endorsement and forwarding to the Secretary of the Navy, as appropriate.

### **Veteran Award Recommendations**

Per Title 10 United States Code, Section 1130, upon the request of a Member of Congress, the Secretary of the Navy will review and make a determination on any proposal for a new award or upgrade of an existing award, based on the merits of the case, regardless of time limits prescribed by policy or law. All Section 1130 requests for Navy personnel are reviewed by the CNO to ensure completeness of the recommendation package and to provide a recommendation regarding the appropriate award level. Cases are then submitted to the Secretary of the Navy, via the Navy Department Board of Decorations and Medals, for adjudication or endorsement, depending upon the level of the award recommended.

Reconsideration of a previously approved award requires presentation of new and relevant material evidence not available at the time the original recommendation was considered. If new and relevant information is available, and consideration for an award upgrade is desired after normal time limits have passed, the request may be submitted through

NOT FOR PUBLICATION UNTIL RELEASED  
BY THE HOUSE ARMED SERVICES COMMITTEE

a Member of Congress. These award recommendations must be submitted by a recommending officer who, at the time of the action(s) or service, was senior in grade to the individual being recommended for the award. These awards normally require the commanding officer's endorsement; however, if the commanding officer is deceased, a signed statement to that effect must be included. In this case, another officer possessing knowledge of the action(s), and who was senior in the chain of command to the nominee during the period for which recognition is desired, may endorse the recommendation.

If it is not possible to route the award recommendation through all levels of the original chain of command, official military documents, e.g., unit logs, situation reports, investigations, after-action reports, fitness reports, and/or evaluations, must be included to aid in substantiating actions delineated in the award recommendation. Determinations regarding awards are based on verifiable facts; therefore, other forms of information such as letters, books, newspaper and magazine articles and personal diaries are not considered official documents.

The recommendation package must contain a Summary of Action that provides a detailed description of the actions or service performed by the individual or unit being considered for recognition, along with a proposed citation. The package must also contain at least two notarized eyewitness statements; in limited cases, in which passage of time precludes the availability of two eyewitnesses, a single eyewitness statement has been required. Statements must contain a complete description, in the eyewitness' own words, of the individual's actions. Neither statement may be from the award nominee.

If an incomplete recommendation package is submitted, the CNO staff will contact the staff of the requesting Member of Congress to provide specific guidance regarding additional information required to facilitate consideration of the case.

All veteran award requests are reviewed by the CNO Awards Board, which makes a recommendation to the CNO, who endorses and forwards the award to the Secretary of the Navy, who, in the case of the Navy Cross and below, makes final disposition, or for awards of the Medal of Honor, makes a recommendation to the President. Upon a decision, the Secretary of the Navy will inform the Congress of the outcome.

### **Battlefield Technology and Its Impact on Heroic Awards**

When evaluating previously awarded Navy Medals of Honor, it becomes readily apparent that even for those 54 percent of non-posthumous recipients, the level of risk was high enough to cause moderate to severe physical injury to a significant majority of recipients. With recent technological breakthroughs in combat protection gear, anti-jamming devices and smart weapons, the nature of war is changing to one that reduces the chance of injury, when compared with conditions encountered in World War II, in which the preponderance of Navy Medals of Honor were awarded. While hand-to-hand combat still exists, the chasm of war continues to grow between increasing numbers of opposing forces. Medal of Honor criteria is clear: Individuals must distinguish themselves by gallantry and intrepidity at the risk of their lives above-and-beyond the call of duty. History shows injury, and even death, as a measure of this risk. We must consider very carefully and move very cautiously before making any decisions regarding whether changes in war-fighting should dictate changes in awards eligibility

criteria. It is important to recognize that technological advancements in how we engage in combat appear to be contributory factors in the number of battlefield valor awards in the GWOT.

### **Statistical Assessment of Combat Award Quantity**

When evaluating combat awards issued to Navy personnel from World War II through today's combat operations, statistics do not necessarily lend themselves to direct comparison. For example, 94 percent of the 3089 Navy Crosses awarded to Navy personnel were approved for actions in World War II. One percent was for actions in Korea, four percent for Vietnam and the remaining one percent for OEF/OIF and "Others". Additionally, 87 percent of World War II Navy Crosses were awarded to officers and 13 percent to enlisted personnel. This may be attributed to naval aviation's significant role in engagements in the Pacific. Likewise, hundreds of surface ship and submarine commanding officers were often in difficult positions at sea in which their actions in confronting the enemy posed substantial risk to both platform and crew. Reviews of award citations throughout conflicts and wars from World War II on, reveal that Navy's role in each conflict, the predominant battle space and warfare areas most directly involved in engaging the enemy, have a direct correlation to the number of high-level awards approved for Navy personnel.

Review of figures for posthumous awards, and estimates of various award levels across conflicts, reveal that a conflict or war that provides a larger number of high-risk combat evolutions, significantly increases opportunities for extreme gallantry and the likelihood that a larger number of individuals would survive to wear their award. As the number of high-risk conflicts decreases, the number of opportunities for extreme gallantry would also decrease.

With respect to posthumous combat awards, smaller numbers of Navy personnel involved in combat can skew the data and present a picture that is not statistically significant. Such was the case in the June 2005 tragic loss of eight Navy SEALs in Afghanistan. One Rocket Propelled Grenade (RPG) took the lives of five SEALs in a helicopter, and without backup, three of the four SEALs awaiting helicopter support were unable to survive the enemy's relentless attack. This fact, coupled with the fact that only a small number of Navy personnel have been exposed to extremely high-risk combat situations in current day operations, may suggest that Navy only authorizes high-level awards posthumously and in small numbers. Such an assumption does not accurately capture the Navy awards process or the opportunity and ability for Navy personnel to be nominated and approved for high-level combat awards.

### **Consistency across the Services**

Consistency across the Services is a product of direct communication and understanding of each Service's awards processing policies and procedures. This is the first time in history that all Service personnel have served jointly, on the ground, over an extended period of time. Recently, the Office of the Secretary of Defense (OSD) established a DoD Awards Working Group, comprised of subject matter experts from each Service, the Joint Staff, OSD and other award organizations, to assess and address consistency of awards across the Department, with a particular focus on combat awards.

## **Conclusion**

Navy remains fully committed to ensuring that we carry out our inherent responsibilities to properly recognize our personnel for their valor, heroism and meritorious service through a fair and consistent decorations and awards policy and process. We will consistently evaluate our program and the changes in warfare that impact it, in close consultation with OSD and the other Services, to ensure that our policies and procedures remain current, and that we make every effort to improve the timeliness and accuracy of the process and enhance our capacity to record, retrieve data and develop meaningful statistical analysis of our decorations and awards program.