



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

SJN  
Docket No: 2701-14  
12 June 2014

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

Subj: REVIEW OF NAVAL RECORD OF [REDACTED]

Ref: (a) 10 U.S.C. 1552

Encl: (1) DD Form 149 with attachments  
(2) Case Summary  
(3) Subject's naval record

1. Pursuant to the provisions of reference (a), Petitioner, an active duty Navy first class petty officer, filed enclosure (1) with this Board requesting the removal of document ID #35141156 (administrative discharge case file) for failure to disclose pre-service treatment for alcohol abuse from her official military personnel file (OMPF).

2. The Board, consisting of Mr. Ivins, Mr. Sproul, and Ms. Tollefson, reviewed Petitioner's allegations of error and injustice on 11 June 2014 and, pursuant to its regulations, determined that the limited corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, naval records, and applicable statutes, regulations and 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. On 20 January 1999, a message from Commander, Navy Personnel Command (NPC) was forwarded to Petitioner's command indicating she may have fraudulently enlisted by failing to disclose her pre-service treatment for alcohol abuse. It directed the command to investigate and initiate administrative discharge processing, or request a waiver. On 15 January 1999, a request for waiver of administrative processing was forward to NPC. On 29 January 1999, an NPC message directed that her

command prepare a page 13 counseling/warning stating that she was being retained in the Navy despite her defective enlistment and induction due to fraudulent entry as evidenced by her failure to disclose pre-service treatment for alcohol abuse.

d. Petitioner states that she disclosed her driving under the influence (DUI) conviction and alcohol awareness classes on her original Questionnaire for National Security Positions (Standard Form (SF) 86) prior to enlistment and therefore believes the fraudulent enlistment never occurred. The SF 86 also reveals pre-service wrongful use of marijuana.

**CONCLUSION:**

Upon review and consideration of all the evidence of record, and review of her SF 86, the Board concludes that her request warrants partial favorable action in the form of relief.

After careful and conscientious consideration of the entire record, the Board concludes that by her disclosing her pre-service DUI, five day alcohol awareness class and wrongful use of marijuana in her SF 86, which she received a waiver for, she most likely would have been granted a waiver for her pre-service treatment for alcohol abuse. The Board finds that her SF 86 should remain in her OMPF because she admitted pre-service misconduct in her security clearance request. The Board notes that she has served over 16 years without any disciplinary infractions or alcohol related incidents. The Board finds that the message traffic R 201835Z JAN 99 ZYB and R 291828Z JAN 99 ZYB associated with document ID #35141156 should be removed from her OMPF in light of her retention on active duty. In view of the above, the Board directs the following limited corrective action.

**RECOMMENDATION:**

a. That Petitioner's naval record be corrected by removing the message traffic R 201835Z JAN 99 ZYB and R 291828Z JAN 99 ZYB associated with document ID #35141156.

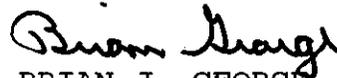
b. That no further relief be granted.

c. That any material or entries inconsistent with or relating to the Board's recommendation be corrected, removed or completely expunged from Petitioner's record and that no such entries or material be added to the record in the future.

d. That any material direct to be removed from Petitioner's naval record be returned to this Board, together with a copy of this Report of Proceedings, for retention in a confidential file maintained for such purpose, with no cross reference being made a part of Petitioner's naval record.

4. Pursuant to Section 6(c) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(c) 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.

ROBERT D. ZSALMAN  
Recorder

  
BRIAN J. GEORGE  
Acting Recorder

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

  
ROBERT D. ZSALMAN  
Acting Executive Director