



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

█  
Docket No: 7278-21  
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,  
XXX-XX █

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

Encl: (1) DD Form 149 with attachments  
(2) Case summary

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 that his naval record be corrected by changing the narrative "reason for separation" and "reenlistment code" on his Certificate of Release or Discharge from Active Duty (DD Form 214) for his second period of service.

2. The Board consisting of █, █, and █ reviewed Petitioner's allegations of error and injustice on 24 January 2022 and, pursuant to its regulations, determined the corrective action indicated below should be taken. Documentary material considered by the Board consisted of Petitioner's application together with all material submitted in support thereof, relevant portions of Petitioner's naval record, and applicable statutes, regulations, and policies, to include the 25 July 2018 guidance from the Under Secretary of Defense for Personnel and Readiness regarding equity, injustice or clemency determinations (Wilkie Memo).

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 enlisted in the U.S. Navy and began a period of active duty on 16 January 1980. On 26 May 1981, Petitioner began a period of unauthorized absence (UA) which lasted 18 hours. On 14 September 1981, Petitioner received nonjudicial punishment (NJP) for failure to obey a lawful order, orally communicating indecent, insulting, and obscene language, and wrongful use of reproachful words. On 30 April 1982, Petitioner was determined physically not qualified for duty in submarines due to asthma. On 13 December 1983, Petitioner was

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XXX-XX-[REDACTED]

discharged with an honorable discharge characterization of service by reason of within 3 months of expiration of enlistment. On the same date, petitioner reenlisted in the U.S. Navy. On 14 December 1983, Petitioner began a second period of active duty service. On 10 July 1984, Petitioner was notified of the initiation of administrative separation proceedings by reason of misconduct due to drug abuse, as evidence of disclosure during self-referral for rehabilitation counseling. On 14 July 1984, the Petitioner's commanding officer recommended a discharge type warranted by service record by reason of misconduct due to drug abuse. On 19 July 1984, the separation authority directed that Petitioner be administratively discharged from service with a discharge type warranted by service by reason of misconduct due to drug abuse. On 7 August 1984, Petitioner was discharged with an honorable characterization of service and a reenlistment code of RE-4.

d. Petitioner contends that he had a 3.9 evaluation average and was able to pass his third-class exam. Upon reenlistment, Petitioner received a second increment and orders to report to the [REDACTED]. Petitioner claims that his chief petty officer mistreated him due to being friends with his mother-in-law. Petitioner states that his chief petty officer told him that he had seen other Sailors getting separated from the submarine community and assigned to a ship due to drug abuse. Therefore, the Petitioner decided to consult with JAG and turned himself in as a drug abuser while under the impression that he would be assigned to a ship. Petitioner claim that his decision led him to be discharged from service.

#### CONCLUSION:

Upon review and consideration of all the evidence of record, the Board noted the Petitioner's drug abuse admission during a self-referral for rehabilitation counseling and his reason for separation was appropriately listed as "misconduct drug abuse (USE)." However, the Board determined Petitioner's request warrants partial relief in light of the potential stigma associated with his assigned narrative reason for separation due to the lack of context regarding the circumstances of his discharge. Accordingly, the Board determined Petitioner's narrative reason for separation should be changed to "secretarial authority" as a matter of injustice. Despite this finding, the Board determined Petitioner's assigned reenlistment code remains appropriate in light of his drug abuse admission.

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

#### RECOMMENDATION:

That Petitioner be issued a new Certificate of Release or Discharge from Active Duty (DD Form 214) indicating that on 7 August 1984, his discharge was issued under separation authority "MILPERSMAN 3630900" with a narrative reason for separation of "Secretarial Plenary Authority," and separation code "JFF."

No further changes be made to Petitioner's record.

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.

2/9/2022

[REDACTED]

Executive Director

[REDACTED]