



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

█
Docket No: 0398-22

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 Certificate of Release or Discharge from Active Duty (DD Form 214) be corrected to reflect his desire to change his reentry code, narrative reason for separation of "Alcohol Abuse – Rehabilitation Failure," and add the Kuwait Liberation Medal.

2. The Board consisting of █, █, and █, reviewed Petitioner's allegations of error and injustice on 14 February 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. During his enlistment processing Petitioner disclosed a prior disciplinary history of brandishing a weapon (pocket knife) for which he was awarded probation for six (6) months. On 19 June 1990, a local program waiver was granted and Petitioner proceeded with his enlistment processing. Petitioner enlisted in the U.S. Navy on 20 June 1990. In April 1993, Petitioner

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completed Level III Alcohol Rehabilitation Treatment. On 16 September 1993, pursuant to an unauthorized absence (UA) status of over two (2) hours and as a result of reporting to work with alcohol on his breath, Petitioner was seen at medical for a confidence for duty exam where it was discovered he was not fit for duty due to emotional instability, considered an alcohol rehabilitation treatment failure, and referred for a psychiatric examination. The following day, Petitioner was diagnosed with a personality disorder, found unfit for further military service, and recommended for administrative discharge processing. Unfortunately, on 22 September 1993, Petitioner received nonjudicial punishment (NJP) for another period of UA and was notified of pending administrative discharge processing with a recommended general under honorable conditions (GEN) characterization of service by reason of alcohol rehabilitation failure. Petitioner elected his right to obtain copies of documents to be forwarded to the discharge authority and waived all other procedural rights. On 30 September 1993, Petitioner was discharged by reason of alcohol rehabilitation failure with an honorable characterization of service and assigned an RE-4 (not recommended for reenlistment) reentry code.

d. The Petitioner's Certificate of Release or Discharge from Active Duty (DD Form 214) reflects narrative reason for separation: "Alcohol Abuse – Rehabilitation Failure".

CONCLUSION:

Upon review and consideration of all the evidence of record, and in light of the Petitioner's current narrative reason for separation, the Board concluded the Petitioner's request warrants partial relief.

The Board noted Petitioner's misconduct and does not condone his actions, which subsequently resulted in his NJP and discharge. However, in light of reference (b), taking into account his commanding officer's recommendation, after reviewing the record holistically, and given the totality of the circumstances and purely as a matter of clemency, the Board concluded Petitioner's narrative reason for separation should be changed to "Secretarial Authority" and his separation code should be changed to "JFF".

In regard to the Petitioner's request that the Kuwait Liberation Medal be added to his DD 214, the board determined relief is warranted.

In regard to the Petitioner's request to change his reentry code from "RE-4", the Board determined relief is not warranted.

RECOMMENDATION:

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

Petitioner be issued a new Discharge from Active Duty (DD Form 214) and new discharge certificate indicating Petitioner's award of the Kuwait Liberation Medal, the narrative reason for separation as "secretarial authority," and his new separation code be changed to "JFF".

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No further changes be made to Petitioner's record.

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

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 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.

3/4/2022

[REDACTED]
Executive Director
[REDACTED]