



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

█
Docket No: 3013-22

Ref: Signature date

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

Subj: REVIEW OF NAVAL RECORD OF █, █,
USN, █

Ref: (a) 10 U.S.C. § 1552
(b) USECDEF Memo, "Guidance to Military Discharge Review Boards and Boards for Correction of Military/Naval Records Regarding Equity, Injustice, or Clemency Determinations," of 25 July 2018

Encl: (1) DD Form 149 with enclosures
(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 upgrading the characterization of service from "under honorable conditions" (general) to "honorable" on his Certificate of Release or Discharge from Active Duty (DD Form 214).

2. The Board, consisting of █, reviewed Petitioner's allegations of error and injustice on 9 May 2022, and, pursuant to its regulations, determined the corrective action indicated below should be taken on the available evidence of record. 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 Kurta Memo, and 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.

Subj: REVIEW OF NAVAL RECORD OF [REDACTED],
USN, [REDACTED]

c. Petitioner enlisted in the U.S. Navy on 22 November 1989. On 2 April 1989, Petitioner submitted a request for early separation from the Navy stating he enjoyed the Navy but felt it was time to move on to other things. He added he had no intentions of reenlisting at the end of his obligated service (EAOS).

d. On 15 June 1993, Petitioner's request was approved and he was directed to be discharged with a separation authority of MILPERSMAN 3620100, separation code of KCC/MCC as appropriate, reentry code as appropriate, and a narrative reason for separation of under authorized program or circumstance.

e. On 28 July 1993, Petitioner was discharged and issued a DD Form 214 indicating a characterization of service as under honorable conditions (general), separation authority as MILPERSMAN 3620100, separation code of MDM, reentry code of RE-1, and a narrative reason for separation of USN – early release under an authorized program or circumstance.

f. Petitioner contends, the (1) "Clerk" at the time of separation documented the character of service as "under honorable conditions" with nothing in service member's records that would indicate this type of separation should be issued, (2) he did not have any disciplinary actions while serving and should have received an 'Honorable' character of service, (3) this does not reflect his type of service and is an injustice, and requests his record be corrected to reflect his time in the Navy accurately without his having to explain the error of his character of service listed on his DD Form 214. Petitioner submitted his DD Form 214 and Good Conduct Award Certificate for consideration.

g. Petitioner's overall trait average was 3.82 and his military bearing average was 3.8 at the time of discharge. In order to be eligible for an honorable characterization of service, an overall trait average of 2.8 and military behavior average of 3.0 were required.

CONCLUSION:

Upon review and consideration of all the evidence of record, the Board concludes that Petitioner's request warrants relief. The Board reviewed the application under the guidance provided in reference (b).

The Board concludes that Petitioner's DD Form 214 contains errors in both the characterization of service and the separation code. At the time of his separation, Petitioner's overall trait average and military behavior average both exceeded the minimum score required for an honorable characterization of service. Additionally, the separation code of MDM reflects a holiday early release program which was not applicable at the time of his discharge.

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

RECOMMENDATION:

Petitioner be issued a new DD Form 214 indicating that he was discharged with an honorable characterization of service, separation authority of MILPERSMAN 3620100, Separation code of

Subj: REVIEW OF NAVAL RECORD OF [REDACTED],
USN, [REDACTED]

KCC, narrative reason for separation of general demobilization reduction in authorized strength, and a reentry code of RE-1.

That Petitioner be issued an honorable discharge certificate.

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.

6/3/2022

[REDACTED]

Executive Director

[REDACTED]